

CITY OF PELHAM
Council Work Session
Pelham City Hall – Council Conference Room
May 9, 2011 – 6:00 p.m.

MINUTES

Members of the Pelham City Council met on May 9, 2011 at 6 p.m. The work session was held in the Council Conference Room of Pelham City Hall and was open to the public.

The following elected officials were present:

Mayor Don Murphy
Council President Mike Dickens
Councilmember Bill Meadows
Councilmember Teresa Nichols
Councilmember Steve Powell
Councilmember Karyl Rice

Media Present: Neal Wagner, Shelby County Reporter

Others present: City department heads, city employees and members of the public.

The council work session was called to order by Council President Dickens at 6 p.m.

Approval of Minutes

A motion was made by Dr. Nichols to approve the April 4, 2011 work session minutes. The motion was seconded by Mr. Powell and by voice vote the motion passed unanimously by all members present.

Mayor's Comments

Mayor Murphy elected to hold his comments until council meeting.

Review of Council Agenda

Mr. Dickens reviewed the council agenda for May 9, 2011.

E. Council Agenda

(A consent agenda is presented by the Council President at the beginning of a council meeting. Items presented on the consent agenda are considered routine and non-controversial and are organized apart from the rest of the agenda and are adopted by general consent without debate. Items may be removed from the consent agenda on the request of any one member. Removed items may be taken up either immediately after the

consent agenda is approved or placed later on the agenda at the discretion of the Council President and City Council.)

1. Approval of the May 9, 2011 City Council Agenda.
2. Approval of the April 18, 2011 regular City Council meeting minutes.
3. Approval of the following non-budgeted expenses from restricted fund accounts:

- a. Federal Forfeiture Account – Current Balance \$ 80,606.25

Purchase of one Dell Inspiron Laptop computer and carrying case in the amount of \$ 639.59 for use by a Pelham Police detective assigned to the Drug Enforcement Administration Task Force.

F. Public Hearing - NONE

G. Mayor's Comments

H. Proclamations

1. Declared April 29, 2011 as Dabo Swinney Day in the City of Pelham.
2. Declared May 5, 2011 as National Day of Prayer in the City of Pelham.

I. Requests to Address the Council - NONE

J. Old Business

1. Resolution 2011-04-04-03 complying with Internal Revenue Code regarding current employment and post-employment benefits.

Mrs. Rice asked whether it was necessary to pass the Resolution in order to comply with IRS regulations. A motion to remove Resolution 2011-04-04-03 from the agenda was made by Mr. Powell and seconded by Mrs. Rice. The council determined the Resolution was not needed since 1099s would be issued by the city at year end. Said motion passed unanimously by a vote of the council and the Resolution was removed from the council agenda.

K. New Business

1. Resolution 2011-05-09-01 for consideration of an ABC 050-Retail Beer license, (Off Premises Only) and 070-Retail Table Wine license (Off Premises Only) for applicant Dolgencorp, LLC, doing business as Dollar General Store 12246, located at 3588 Highway 31 South, Pelham, Alabama 35124.

There were no council comments.

2. Resolution 2011-05-09-03 for consideration of an ABC 050-Retail Beer license, (Off Premises Only) and 070-Retail Table Wine license (Off Premises Only) for applicant Dolgencorp, LLC., doing business as Dollar General Store 10021, 8340 Highway 261, Pelham, Alabama 35124.

There were no council comments.

3. Resolution 2011-05-09-04 authorizing the Mayor to commit assets, personnel and resources of the City of Pelham in response to the tornados on April 27, 2011 to aid the relief and recovery efforts in the State of Alabama declared state and federal disaster areas in an amount not to exceed \$ 250,000. (1st Reading)

Mr. Powell commended the city and its employees in their efforts to aid our neighbors following the tornados on April 27, 2011. The council was informed by the finance director separate general ledger line items had been established to track the tornado related expenses. The city has been assigned an expense control number and all expenses should be reimbursed by FEMA at a later date. Mr. Meadows stated he had no problem suspending the rule for immediate consideration to approve Resolution 2011-05-09-04. He further stated he would like to see where the money is being spent by department and how our resources are being managed. Dr. Nichols thanked Police Department employee Jennifer Smith for her efforts in coordinating the disaster recovery efforts for the city.

L. Council and Public Comments

M. Public Announcements

1. Rescheduling of the July 4, 2011 council meeting (4th of July Holiday) to July 11, 2011.

Old Business – AS TIME PERMITS

Resolution 2011-04-04-03 complying with Internal Revenue Code rules and regulations regarding current employment and post-employment benefits.

Comments from the review of the council agenda above are noted below.

Mrs. Rice asked whether it was necessary to pass the Resolution in order to comply with IRS regulations. A motion to remove Resolution 2011-04-04-03 from the agenda was made by Mr. Powell and seconded by Mrs. Rice. The council determined the Resolution was not needed since 1099s would be issued by the city at year end. Said motion passed unanimously by a vote of the council and the Resolution was removed from the council agenda.

Resolution 2011-04-04-04 approving the Vehicle Policy Requirements and Reporting Guidelines.

Mr. Dickens noted the use of city owned vehicles needs our attention. He asked those in attendance not to take anything personal with regard to a Vehicle Policy. The use of city owned vehicles has evolved over the years and the problem needs to be addressed in order to be IRS compliant. Mr. Dickens further stated currently there were no requirements for employees to report vehicle use. There are approximately 175 vehicles owned by the City and it is the intention of the council to put forth a vehicle use policy. Mr. Dickens gave an overview of the proposed policy. He stated it would be challenging for the department heads to determine which employees should be assigned a city vehicle. The department heads would justify to the Mayor a list of employees that should be assigned a vehicle. The Mayor would review and approve the department head recommendations and forward to the city council for authorization. It was stated the city is spending a lot of money providing vehicles. Mr. Powell noted a July 1, 2011 implementation date for the Vehicle Policy. Dr. Nichols suggested employees drive their personal vehicle to work and pick up their work vehicle. Mr. Powell said after the start date of the Vehicle Policy anyone having a vehicle not approved by their department head, the Mayor and council would be in violation of the resolution. Police Chief Thomas welcomed anyone to review his department's employee use of vehicles. Mr. Meadows recommended parking the vehicles. Perception is very important. Mr. Powell stated the concerns of Mr. Meadows were addressed in the policy and IRS reporting is the backbone of the policy. Mr. Dickens stated it was his desire to try to take the pressure off the department heads and said he was convinced there is abuse with city owned vehicles. He conceded there is a difference between private and public business. Mr. Dickens said two things must be addressed: (1) the City of Pelham must be IRS compliant, and (2) requiring the Mayor and department heads to cut costs which is an additional tool to reduce expenses with regard to take home vehicles. Mayor Murphy said he would not be surprised if there is very little abuse among the employees. Dr. Nichols said she would like the city to consider assigning take home vehicles by position. Mr. Powell stated he considered commuting as driving to and from work and that no personal use of a city owned vehicle would be allowed. There were additional comments from the council. Public Works Director Eddy Jowers and Revenue Director Mike Morgan made comments regarding the proposed vehicle policy. Mr. Dickens said there was no enforcement of violations to previous policies. Mr. Powell stated the Vehicle Policy under consideration had been reviewed by our auditors and attorneys. Mr. Dickens said the challenge falls on the department heads.

New Business – AS TIME PERMITS

Proposed revision to the Lodging Tax Ordinance

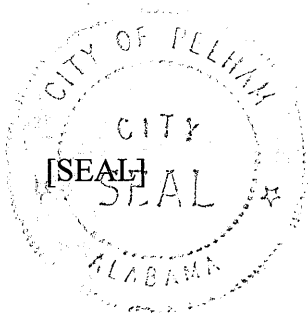
There was no council discussion regarding the proposed revision to the Lodging Tax Ordinance.

Announcements

Adjournment

Mr. Powell moved to adjourn the work session and said motion was seconded by Mr. Meadows. The motion passed unanimously by those present and the work session was adjourned at 7:04 p.m.

Respectfully submitted,



A handwritten signature in cursive script, appearing to read "Tom Seale".

Tom Seale, Finance Director/City Clerk