CITY OF PELHAM

Council Work Session

Pelham City Hall – Council Conference Room

June 20, 2011 – 6:00 p.m.

MINUTES

Members of the Pelham City Council met on June 20, 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.

<u>Approval of Minutes</u>

Mr. Powell requested a correction to the June 6, 2011 work session minutes. A motion was made by Mr. Powell to approve the June 6, 2011 amended work session minutes. The motion was seconded by Mr. Meadows and by voice vote the motion passed unanimously.

<u>Mayor's Comments</u>

Mayor Murphy elected to hold his comments until council meeting.

<u>Executive Session</u>

Mr. Meadows moved that the city council enter into executive session for the sole purpose of discussing pending litigation. Said motion was seconded by Mr. Powell and by voice vote the motion was approved unanimously by all members present. The council recessed at 6:03 p.m. Mr. Dickens requested Mayor Murphy, City Clerk Tom Seale and attorney Trip Umbach attend the executive session in the Mayor's Conference Room. Mr. Dickens stated the council would return in approximately 10 minutes. The council returned at 6:15 p.m. and the work session was called back to order and the council resumed their review of tonight's council agenda.

Review of Council Agenda

Mr. Dickens reviewed the council agenda for June 20, 2011.

E. Consent 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 June 20, 2011 City Council Agenda.

2. Approval of the June 6, 2011 regular City Council meeting minutes.

3. Approval of the following non-budgeted expenses from restricted fund accounts:

   NONE

F. Public Hearing - NONE

G. Mayor's Comments

H. Proclamations - NONE

I. Requests to Address the Council - NONE

J. Old Business - NONE

K. New Business

1. Resolution 2011-06-20-01 authorizing the Mayor, on behalf of the City of Pelham, to enter into an Inter-Jurisdictional Automatic Fire and EMS Aid Agreement and Mutual Aid Agreement between the Pelham Fire Department and the Hoover Fire Department. City Clerk Tom Seale noted for the record clerical corrections had been made in the agreement since being transmitted to the council. Mr. Meadows asked Fire Chief Danny Ray to explain the agreement. Chief Ray said some areas of Hoover are closer to Pelham and can be answered by Pelham and some areas of Pelham are closer to Hoover and can be answered by the Hoover Fire Department. The agreement allows the chiefs to work out the details in the mutual aid agreement.

2. Resolution 2011-06-20-02 accepting a bid from Con-Site Services, Inc. for a three (3) year contract for a tree and limb debris disposal site for the Pelham Public Works Department. Mr. Powell asked Public Works Director Eddy Jowers what the city is currently paying per load at the debris disposal site. Mr. Jowers stated the city was paying $ 45 per load but the cost recently increased to $ 50. Mayor Murphy stated it was now necessary to bid the disposal site because of the $ 15,000 bid law regulations. Mr. Meadows asked how the bid process works. City Clerk Tom Seale said potential bidders are checked against the city's "Bid Book" and through the Internet and the telephone yellow pages. Mr. Jowers stated the three year contract would be prepared by City Attorney Butch Ellis.

3. Resolution 2011-06-20-03 authorizing the expenditure of funds from the Capital Improvement Fund in the amount of $ 12,500 for the replacement of a 7 ½ ton heating and air conditioning system and related installation costs at the Pelham Public Library. Emergency authorization was approved by Mayor Don Murphy on June 3, 2011. (1st Reading) The City Clerk explained the source of revenues in the Capital Improvement Fund and the process of expending those funds.

4. Resolution 2011-06-20-04 accepting and approving the dedication of Windstone IV Subdivision and accepting the dedication of the public streets and rights-of-way as shown on the final plat. Mr. Powell asked City Engineer Jesse Jowers if he recommends moving forward with the approval of the resolutions tonight. Mr. Jowers stated he would like the council to approve both resolutions and not delay the vote until July 11, 2011. Mr. Meadows questioned how the seal coat bid bond was calculated and are there sufficient funds to pave the streets if the developer defaults. Mayor Murphy stated the city must require the seal coats be put on the streets in a timelier manner. Mr. Dickens asked the city clerk to provide research regarding the amending of the sub-division regulations with regard to the application of the seal coat on the sub-division streets.

5. Resolution 2011-06-20-05 accepting and approving the dedication of Windstone 5 Subdivision and accepting the dedication of the public streets and rights-of-way as shown on the final plat. (See discussion in Resolution 2011-06-20-04).

6. Resolution 2011-06-20-06 authorizing additional expenditures for the Ball Park Road Sidewalk Construction Project due to cost overruns and change orders in the amount of $ 10,359.56. Said construction contract agreement shall increase from $ 118,672.70 to $ 129,032.26. (1st Reading) Mr. Dickens recommended suspending the rule for immediate consideration of the resolution. Mr. Powell noted the city is fronting the money until reimbursed by the Federal Government is received. He further noted the sidewalk expenditures are 100% reimbursable.

7. Resolution 2011-06-20-07 for consideration of an ABC 050-Retail Beer license, (Off Premises Only) and 070-Retail Table Wine license (Off Premises Only) for applicant,

Alizain, Inc. doing business as Alizain Foods located at 9249 Helena Road, Pelham, Alabama 35124. There were no comments by the council.

8. Resolution 2011-06-20-08 declaring and authorizing the Mayor, on behalf of the City of Pelham, to dispose of personal property owned by the City of Pelham, Alabama by executing a Radio Tower Sales Agreement, which is a part of this Resolution, on behalf of the City of Pelham to Brantley Broadcast Associates LLC under the terms and conditions therewith. Mr. Powell stated there will be an ownership change in the tower which will still allow use by the city if needed. The disposal of the tower will rid the city of the ongoing maintenance and liability.

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.

<u>Old Business</u> – AS TIME PERMITS

<u>New Business</u> – AS TIME PERMITS

1. Proposed revision to the Lodging Ordinance. (Mr. Dickens)

   Mr. Dickens said he would like to continue exploring the possibility of the implication of an additional lodging tax and have the opportunity to explain the proposal to the affected businesses.

2. Fluoridation of the city's water supply. (Mr. Meadows)

   Mr. Meadows asked several questions regarding the use of fluoride in Pelham. He explained there is an ordinance in place providing the authorization for fluoridation of Pelham's water supply. Mrs. Rice noted the failure of the fluoridation equipment several years ago and the repair expenses at that time is why fluoride is no longer added to Pelham's water.

3. The $ 2 convenience fee now being charged by the Water Department for online utility payments. (Mr. Meadows) Mr. Meadows asked if the Water Department can charge a convenience fee without council approval. Public Works Director Eddy Jowers explained the fee goes to a third party, not the Water Department. The fee was listed in the FY2011 budget as a recommendation. Mayor Murphy noted Shelby County charges a convenience fee for tag purchases. Mrs. Rice asked if the convenience fee only applies for credit card charges. Water Department employee Connie Harris explained the convenience fee to the council. Mrs. Harris said only credit card charges incur the fee. Online payments and bank drafts are not charged. She further stated customers who use

a credit card to pay at the Water Department Office are not charged a convenience fee. Mr. Dickens said the city should not be out any money for offering this service. Mr. Meadows asked if this third party service should be put out for bids. Mr. Jowers said according to our attorney, routine daily operations are not required to bid if no money is received from the City.

4. The new digital information sign at the Pelham Racquet Club. (Mr. Meadows)

   Place on the July 11, 2011 Council Work Session Agenda.

5. Royal Chase Sewer Problems (Dr. Nichols). Residents are interested in having a meeting to determine what should be done to bring their sewer system in compliance. Mayor Murphy noted they have not organized a homeowners association as required in order to maintain the sewer lift station. He further noted the city would have to explore the possibility of purchasing property in order to make a gravity flow sewer system work. The Mayor mentioned he gave the residents options two years ago to resolve the problem. Mrs. Rice suggested running a sewer line from Royal Oaks to Royal Chase to solve the problem. Chris Cousins with Municipal Solutions said the existing pump station does not meet city specifications. Dr. Nichols stated the residents wanted to extend a gravity line to their sub-division. Mr. Cousins said a gravity line may not be possible. Thirteen homeowners in the Royal Chase sub-division are affected. Several options were discussed by the council. Dr. Nichols said she would like the Mayor to make a recommendation after meeting with the residents. Mr. Dickens suggested to Dr. Nichols that the residents be invited to the July 11 work session at 5:30 p.m. Public Works Director Eddy Jowers suggested running elevations at a small cost to see if gravity flow would even be possible. Mr. Meadows suggested having the residents bring the pump station up to code. Mayor Murphy and Mr. Dickens said the city is willing to work toward a solution. Mr. Dickens instructed Mr. Jowers to bring the information to the July 11th meeting.

Announcements

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

Adjournment

Mr. Powell moved to adjourn the work session and said motion was seconded by Mrs. Rice. The motion passed unanimously by those present and the work session was adjourned at 7:01 p.m.

Respectfully submitted,

Tom Seale, City Clerk

CITY OF PELHAM CITY SEAL ALABAMA

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