CITY OF PELHAM
Council Work Session
Pelham City Hall – Council Conference Room
July 11, 2011 – 5:30 p.m.

MINUTES

Members of the Pelham City Council met on July 11, 2011 at 5:30 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 Steve Powell
Councilmember Karyl Rice

Councilmember Nichols arrived at 5:49 p.m.

Councilmember Meadows arrived at 5:59 p.m.

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 5:33 p.m.

Approval of Minutes

A motion was made by Mr. Powell to approve the June 20, 2011 work session minutes. The motion was seconded by Mrs. Rice and by voice vote the motion passed unanimously.

Mayor's Comments

Mayor Murphy elected to hold his comments until council meeting.

Review of Council Agenda

Mr. Dickens reviewed the council agenda for July 11, 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 July 11, 2011 City Council Agenda.

2. Approval of the June 20, 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 – Hold Comments

H. Proclamations - NONE

I. Requests to Address the Council - NONE

J. Old Business - NONE

K. New Business

1. Resolution 2011-07-11-01 authorizing, on behalf of the City of Pelham, the Mayor and Finance Director to execute settlement documents and expend municipal funds regarding the lawsuit of D'Wanna Williams v. City of Pelham, Alabama. Mr. Powell asked where the funds would be paid from in the General Fund. Finance Director Tom Seale stated the funds would be paid from the Administration's "Legal and Professional" line item.

2. Resolution 2011-07-11-02 accepting the low bid from Gexpro for two (2) Reduced Voltage Starter Electro Mechanical Autotransformers in the amount of $ 7,430.00 each, total expense $ 14,860.00, to be delivered to the City of Pelham's Waste Water Treatment Plant. There were no comments by the council.

Old Business – AS TIME PERMITS

Mr. Dickens stated Mayor Murphy had submitted a list for take home vehicles to the council for approval. He further noted the recommendations were made by the department heads to the mayor. Mr. Dickens said it had been communicated to the employees the vehicles are to be used for city business only. Mr. Powell moved that the approval of the vehicle list be added to the agenda. Mrs. Rice seconded the motion which was approved by voice vote of all members present. Mr. Meadows said he had a problem with approving or not approving the list. Mr. Dickens stated

Resolution 2011-04-04-04 requires the mayor to submit the list for council approval. Mr. Powell reminded Mr. Meadows that he wrote and introduced the current vehicle policy.

Mrs. Rice noted she and Finance Director/City Clerk Tom Seale attended the ACCMA conference last week where fringe benefits were discussed by an IRS agent, especially those benefits regarding take home vehicles. She commented that the IRS agent stated compliance audits are being performed.

New Business – AS TIME PERMITS

1. Royal Chase sewer lift station. (Dr. Nichols) Dr. Nichols stated it was time to move forward and resolve the problem. Residents of the Royal Chase sub-division, Andy Payant, Danny Hayes, Robert Snider and developer Dixie Walker, were in attendance to discuss the ongoing problems with their sewer lift station. Resident Andy Payant said they were looking at options to resolve the problem. Engineers are currently working with the residents to make solid recommendations. Public Works Director Eddy Jowers stated the city was awaiting the results of the residents' engineering work to proceed. He further stated the work completed may have to be redone in order to verify the work. Mr. Dickens stated the city understands it will be an expensive project. Mr. Payant said Royal Chase is looking for assistance from the city to resolve the problem. Developer Dixie Walker state the original idea was for a gravity fed sewer line. Mayor Murphy said for a gravity feed line to work it would have to be on private property. Members of the council noted the homeowners must form a homeowners association (HOA). Mr. Dickens stated a HOA has not been formed as requested by the council some time ago. Dr. Nichols said the HOA needs to be the legal organization to lead the residents. Mr. Jowers said the developer and the HOA are required to solve the sewer problem and the 13 homeowners must form an HOA. Mayor Murphy said proper procedures must be followed. Mrs. Rice stated the residents of Royal Chase should assume there will be no financial help from the city regarding their sewer problem. Mayor Murphy said if the HOA is not formed it could cause problems with the various mortgage companies and result in a "cloud" on their property. Mr. Payant commented the residents were in need of professional assistance in solving the sewer problem. Mr. Jowers said the Sewer Department is not authorized to expend city money to perform the engineering survey for Royal Chase. Mr. Powell asked "what is the responsibility of the city to the remaining residents of Pelham". He further stated the Royal Chase residents may not be able to get out of the sewer business, despite their desire to do so. Mr. Powell stated how could the expense of fixing a private individuals sewer problem be justified to our other residents who also have sewer problems of their own. Mr. Powell said he does not see how the city can spend taxpayers' dollars and should provide advice to the Royal Chase residents. Mr. Dickens said any expenses associated with the Royal Chase lift station would have to come from the Sewer budget. He further stated the city will share any information available to the Royal Chase homeowners. Dr. Nichols asked Mr. Jowers to bring recommendations to the council. Mr. Jowers said he must have surveys/elevations in order to provide cost estimates and make recommendations. Mr. Powell asked if the city is

currently mapping manholes. Mr. Jowers said sewer manhole information is being gathered at this time. Chris Cousins with Municipal Consultants said there may be manholes that could be used for a gravity feed sewer line. Dr. Nichols said engineering data must be gathered in order to move forward. Mr. Dickens said the existing lift station must be brought to current standards before the city would consider accepting it. Mr. Powell commented the lift station was never built to be taken over by the city and the requirements for a private system are significantly different than a public system. He further commented that it would be a lot less expensive to operate the system as a private system. Resident Danny Hayes said the homeowners want to get out of the sewer business. Discussion continued about a four acre parcel of property that could be acquired for a possible gravity fed sewer line. Mayor Murphy said the property owner has agreed to sell the property at the appraised value. Mayor Murphy offered advice to the Royal Chase residents that if the property owner is willing to sell they better move on it. Resident Robert Snider asked if easements for a gravity fed line could be worked out with the property owner. Mr. Meadows question Mr. Cousins with regard to the elevations of the property. Mr. Cousins stated as a rule it is impractical and very expensive to build elevated sewer lines. He said it is an attractive nuisance and a maintenance issue to have overhead sewer lines.

2. The new digital information sign at the Pelham Racquet Club. (Mr. Meadows) Parks and Recreation Director Billy Crandall stated the Beautification Board was not involved in the placement of the digital sign. The sign had not been installed due to the relocation, widening and improvements to Shelby County Highway 52. The location was selected because of utilities, right-of-way restrictions and line-of-sight for I-65. Mr. Crandall said the goal for the sign is to direct players to the Racquet Club. The seniors were not involved but the sign can be used to advertise all city functions. Mr. Crandall further stated he has received many compliments and the digital sign was built at no cost to the city. The Beautification Board will be involved in the landscaping of the sign.

3. Mr. Dickens informed the council of the Personnel Board's inquiry to City Attorney Butch Ellis regarding the Mercer Compensation Study.

4. Mr. Dickens questioned the current sub-division regulations. Revenue Director Mike Morgan said City Engineer Jesse Jowers is working on a rewrite of the regulations. Mr. Dickens said it was time to move forward.

5. Mr. Dickens noted the city was up $ 23,000 in projected revenues for FY2011. Revenue Director Mike Morgan said the revenues are trending upwards.

6. Dr. Nichols asked the council to consider a resolution to suspend the education incentive committee and pay plan. She said she was not advocating doing away with the education incentive that it would be included in the new pay scale. Dr. Nichols said she wanted to be a part of the process. Mr. Dickens noted Mayor Murphy had recently received 13 requests for the educational incentive. Mayor Murphy stated he has no authority to approve or disapprove the requests and passed the list on to the Human Resources Director. Mr. Powell

said he had issues with the recently passed pay scale resolution (Resolution 2011-05-16-02). He said this adds to the gray area of the pay plan currently under development. Mr. Dickens stated an employee receives their incentive upon completion and certification by the Human Resources Department. Mayor Murphy asked if the course work toward a degree was being done during regular work hours. Additional discussion occurred regarding the use of personal computers to do college work. Dr. Nichols asked if they are on the clock should they be working on personal business. Mr. Meadows moved to add Resolution 2011-07-11-03 to the July 11, 2011 council agenda. Said motion was seconded by Dr. Nichols. Discussion followed regarding job descriptions and rewarding employees for education. Mr. Powell said he had concerns regarding the adoption of this resolution. He expressed concerns with the impact this resolution would have on the 13 pending requests and with the vagueness of the wording of the resolution. It was noted the 13 employees currently in the pipeline are not to be negatively impacted by the adoption of this resolution. Mr. Dickens asked Dr. Nichols to consider tabling the resolution until next week. Dr. Nichols made a secondary motion to add Resolution 2011-07-11-03 to the agenda as a first reading. Mr. Meadow seconded the motion. By a vote 3-2 the motion to add Resolution 2011-07-11-03 to the council agenda was approved with Mrs. Rice and Mr. Powell voting no.

Announcements

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 7:04 p.m.

Respectfully submitted,

Tom Seale, City Clerk

[SEAL]