CITY OF PELHAM

Council Regular Work Session

Pelham City Hall – Council Conference Room
September 12, 2011 – 6 p.m.

MINUTES

Proper notice of the regular scheduled Pelham City Council Work Session was given at least 72 hours in advance of such public meeting and the notice remained posted through the scheduled meeting.

Members of the Pelham City Council met on September 12, 2011 at 6:00 p.m. The regular 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.

Approval of Minutes

A motion was made by Mr. Meadows to approve the August 15, 2011 regular work session minutes. The motion was seconded by Mr. Powell and by voice vote the motion passed unanimously. A motion was made by Mr. Powell to approve the August 22, 2011 special work session minutes. The motion was seconded by Mr. Meadows 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 September 12, 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 September 12, 2011 City Council Agenda.

2. Approval of the August 15, 2011 regular City Council meeting minutes and the August 22, 2011 special City Council meeting minutes.

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

    a. <u>State Forfeiture Fund</u> – Current Balance: $ 44,501.56

        1. Allcomm Wireless, Inc. in the amount of $ 9,240.00 for the purchase of 14 UHF radios at a cost of $ 660.00 each. Radios are needed to assist in preparing the Police Department for the 2013 Narrow Band Compliance as required by the FCC. (Police Department)

    b. <u>Municipal Correction Fund</u> – Current Balance: $ 49,827.33

        1. Cintas Document Management in an amount not to exceed $ 150.00 for shredding of sensitive material related to arrests and court information. (Police Department)

F. Public Hearing – None

G. Mayor's Comments

H. Proclamations

1. Proclaiming September 17-23, 2011 as "Constitution Week" in the City of Pelham, Alabama.

I. Requests to Address the Council – Samantha St. John, ClasTran, regarding requested funding in the FY2012 Budget.

J. Old Business

1. Resolution 2011-08-15-02 reviewing the Pelham Fire Department's FY2011 fiscal year budget for the purpose of amending several revenue and expense line items. There were no council comments.

K. New Business

1. Resolution 2011-08-22-01 authorizing the Mayor to execute a contract with the Greater Shelby County Chamber of Commerce as title sponsor of the Shelby Blues and BBQ event in the amount of $ 10,000.00 benefiting the Greater Shelby County Education Foundation to be held on October 1, 2011 in the City of Pelham, Alabama. (Sponsorship is budgeted in the FY2012 General Fund Budget if approved.) There were no council comments.

2. Resolution 2011-09-12-02 for consideration of the ABC Application for 050 –Retail Beer license (Off Premises Only) and a 070 – Retail Table Wine license (Off Premises Only) for applicant Sahajand Swami, Inc. doing business as Jet Pep 9 located at 2310 Highway 31 South, Pelham, Alabama 35124. There were no council comments.

3. Resolution 2011-09-12-03 for consideration of the ABC Application for 050 –Retail Beer license (Off Premises Only) and a 070 – Retail Table Wine license (Off Premises Only) for applicant Safari Enterprise, LLC operating under the trade name R.J. Food Mart located at 2774 Pelham Parkway, Pelham, Alabama 35124. Mr. Dickens said he would oppose the approval of the Resolution. Mr. Powell stated he had followed up on the 1999 charge with an ABC agent. The agent stated the 1999 conviction would not cause a problem in granting the license. Police Chief Tommy Thomas said this was a minor infraction and there had been no reoccurrence. He further stated if the license was approved the applicant would be under additional ABC Board scrutiny. Mr. Dickens said the selling of alcohol to a minor was a serious offense in his opinion. Mrs. Rice asked what happens if the council votes no on the application. It was stated the ABC Board has the authority to override a council decision.

4. Resolution 2011-09-12-04 for consideration of the ABC Application for 240- Non-Profit Tax Exempt license for applicant Ducks Unlimited, Inc., Event Location: Ft. Henry H. Cobb, Jr. Armory, 1000 Yeager Parkway, Pelham, Alabama 35124, Event Name: Ducks Unlimited Cahaba River Charter Membership Banquet. There were no council comments.

5. Resolution 2011-09-12-05 authorizing and directing the disposition of personal property described as various equipment and vehicles owned by the City of Pelham, Alabama which are no longer needed for public or municipal purposes by receiving bids, auctioning or direct selling of such property. There were no council comments.

6. Resolution 2011-09-12-06 authorizing the application to the Federal Emergency Management Agency (FEMA), Assistance to Firefighter Grant Program for a grant in the amount of $ 60,095.00 for the purchase of safety equipment and fixed site generators

(Firefighter Accountability System and two Fixed Site Natural Gas Generators). This grant would require 10% ($ 6,009.50) in matching funds from the city. Mr. Powell questioned the generator in the Fire Department budget. He asked if the grant was approved could the funds in the budget be used as a match for the grant. City Clerk Tom Seale said the budgeted funds could be used as the match.

7. Resolution 2011-09-12-07 reviewing the Pelham Fire Department's FY2011 fiscal year budget for the purpose of amending several revenue and expense line items. (1st Reading) There were no council comments.

8. Resolution 2011-09-12-08 authorizing and directing the City Attorney to request an Opinion from the Office of the Attorney General of the State of Alabama as to whether or not the city's advertisement and solicitation of bids on the materials and installation of a water supply line "substantially complied" with the Public Works Law and Section 39-2-2(a), Code of Alabama (1975). The city clerk explained the necessity of requesting an Attorney General Opinion as to whether satisfactory advertising was done in the bid process.

9. Resolution 2011-09-12-09 accepting the low bid from Cleary Construction, Inc. in the amount of $ 1,965,430.00 for the purchase of materials and the installation of a water supply line within the City of Pelham pending a favorable opinion that the advertisement and solicitation of bids on this project "substantially complied" with the Public Works Law and Section 39-2-2(a), Code of Alabama (1975). There were no council comments.

10. Resolution 2011-09-12-10 authorizing the expenditure of funds from the Capital Improvement Fund in the amount of $ 9,750.00 for the replacement of a heating and air conditioning system and related installation costs at the Pelham Water Works Building. (Emergency authorization was approved by Mayor Don Murphy on August 26, 2011.) (1st Reading) Dr. Nichols voiced several questions regarding the use of the Capital Improvement Fund. City Clerk Tom Seale explained to the council how the funds could be used. Dr. Nichols asked the city clerk to provide a copy of the Capital Improvement Fund legislation to the council. Note: The information was provided to the council prior to the September 12, 2011 council meeting.

11. Resolution 2011-09-12-11 consideration to approve the dedication of Holland Lakes Sector 1, Holland Lakes Sector 2, Phase 1, Holland Lakes Sector 2, Phase 2 and Holland Lakes Sector 3 and accepting the dedication of the public streets and rights-of-way as shown on the final plat. Mr. Powell thanked City Engineer Jesse Jowers for his letter of recommendation to approve the dedication. Mr. Jowers stated there was minor cleanup to be completed, including stop bar installations. Dr. Nichols asked whether it was necessary to delay the approval of dedication. Mr. Jowers said there was no need to delay the dedication of the streets and rights-of-way.

12. Resolution 2011-09-12-12 consideration to approve the dedication of the Weatherly Highlands, The Ledges, Sector 26, Phase 2 and Phase 3 and accepting the dedication of the public streets and rights-of-way as shown on the final plat. There were no council comments.

Old Work Session Business

New Work Session Business

1. Consideration to sponsor the Pelham Racquet Club's Women's 4.0 and Men's 2.5 and 3.0 teams in the United States Tennis Association's National Championships in the amount of $ 3,000.00. (Mr. Dickens) Parks and Recreation Director Billy Crandall explained three teams from the Pelham Racquet Club would be going to the national championships in Tucson, Arizona and Palm Springs, California. Several different fundraisers have been held and they have asked the state, county and city for assistance. The cost of the trip will be approximately $ 29,000.00. Mr. Dickens voiced his concerns that there would be similar requests for assistance in the future. Mr. Meadows asked Mr. Crandall if the Park Board had been solicited. Mr. Crandall said they had not. Mr. Meadows noted the council had declined other requests in the past. He said other youth organizations are also having difficulty raising funds. Mr. Meadows said there were very few people on the tennis teams that live in Pelham. Mr. Powell said the city has a unique opportunity to market and advertise our facility on a national platform and the potential to bring revenues to our city. Dr. Nichols questioned Mr. Crandall regarding the number of members at the Pelham Racquet Club. Mr. Powell moved to add Resolution 2011-09-12-13 to the September 12, 2011 council agenda. Said motion was seconded by Mrs. Rice. By voice vote the motion to add Resolution 2011-09-12-13 to the agenda was approved 4-1 with Dr. Nichols voting no.

2. Set work session for budget discussion. The council agreed to call a special work session on September 26, 2011 at 6 p.m. to discuss the budget. All department heads are requested to attend. Mr. Dickens asked the city clerk to provide the department heads with a schedule for meeting with the council on September 26. Mr. Dickens stated he would like the council to approve the 2012 budgets at the next regularly scheduled meeting on October 3, 2011.

3. Rink Management Services Corporation. Mayor Murphy requested the council to allow Rink Management Services Corporation to make a presentation regarding the management of the ice facilities at the Pelham Civic Complex. Mr. Dickens asked the city clerk to have a copy of the proposal in the council's hands by Tuesday afternoon. The council decided to begin the September 19, 2011 work session at 5:30 p.m. with the Rink Management proposal. Mrs. Rice stated she would be out of town and requested a

copy of the proposal be sent to her hotel in Boston. Mr. Dickens asked the city clerk to take care of getting the binder to Mrs. Rice as soon as possible. Note: The proposal was forwarded to the council on Tuesday afternoon. The complete presentation binder for the council was delivered to City Hall on Thursday morning.

4. Update on the City of Pelham pay scale. Mr. Dickens asked the council to set a work session time to discuss the proposed pay scale revisions. He would like the opportunity to explain the proposal and answer questions regarding the changes. He further stated the job descriptions are very important in how they fit into the pay scales. Grades and steps must be decided prior to going forward. Mr. Dickens said the salary schedule is important in how it affects the budget. He would like to see a resolution to the issue by September 30. Mayor Murphy noted no employee will receive a pay reduction.

Announcements

Surplus Vehicle and Equipment Auction - September 22, 2011 at 5:30 p.m. at the City Garage.

Adjournment

Mr. Meadows moved to adjourn the work session and said motion was seconded by Dr. Nichols. The motion passed unanimously by those present and the work session was adjourned at 6:53 p.m.

Respectfully submitted,

Tom Seale, CMC, City Clerk

CITY OF PELHAM CITY SEAL ALABAMA

[SEAL]