CITY OF PELHAM – WORK SESSION

Pelham City Hall – Council Conference Room
June 4, 2012 – 5:30 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 June 4, 2012 at 5:30 p.m. The regular work session was held in the Council Conference Room in Pelham City Hall and was open to the public. The work session was called to order by Council President Nichols at 5:30 p.m.

Call to Order

Roll Call

The following elected officials were present:

Mayor Don Murphy
Council President Teresa Nichols
Councilmember Bill Meadows
Councilmember Steve Powell
Councilmember Karyl Rice
Councilmember Ron Scott

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 May 14, 2012 regular work session minutes. The motion was seconded by Mr. Powell and by voice vote the motion was passed unanimously by those members present.

Mayor's Comments

Mayor Murphy elected to hold his comments until council meeting.

Review of Council Agenda

Dr. Nichols reviewed the council agenda for June 4, 2012.

A. Call to Order

B. Invocation

C. Pledge of Allegiance

D. Roll Call

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 the June 4, 2012 City Council Agenda.

2. Approval of the May 14, 2012 regular City Council meeting minutes.

3. Approval of the May 24, 2012 special City Council meeting minutes.

4. 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 2012-05-07-02** for consideration to authorize the participation by the City of Pelham in the 2012 Sales Tax Holiday for Severe Weather Preparedness Items, July 6-8, 2012. (Removed from the May 7, 2012 Agenda by Council action.) Mr. Powell noted his concerns regarding the quantities and the monitoring of the severe weather preparedness item purchases. Contact with State officials confirmed that monitoring procedures were not in place and that it would be up to the individual vendors to monitor such purchases.

2. **Resolution 2012-06-04-01** for consideration to amend the debris disposal site contract between the City of Pelham and Con-Site Services, Inc. Public Works Director Eddy Jowers explained Con-Site Services, Inc. was no longer accepting bagged leaves. He stated the bagged leaves are being hauled to the Shelby County Landfill for disposal. Mr. Powell asked if there was any anticipated increase in costs to the city. Mr. Jowers said the $ 10 reduction in the Con-Site fee should offset the costs at the landfill.

3. **Resolution 2012-06-04-02** for consideration to make appointments to the Pelham Planning Commission and Pelham Board of Adjustments. There were no council comments.

4. **Resolution 2012-06-04-03** for consideration to accept the FY2011 financial audits prepared by the City's independent auditors Moses, Phillips, Young, Brannon and Henninger, LLC. There were no council comments.

5. **Resolution 2012-06-04-04** for consideration to authorize the Mayor to enter into a contract with Goodwyn, Mills and Cawood, Inc. in an amount not to exceed $ 15,000.00 for the purpose of providing planning and design assistance to the City of Pelham related to the Highway 31 enhancement and improvement project. Mr. Powell requested Goodwyn Mills and Cawood provide a monthly report to the council. Mr. Meadows wanted to make sure the connecting highways were included in the contract. Mr. Scott noted the city would be billed an hourly rate with the total contract not to exceed $ 15,000.00. Reading from the proposed contact, Mr. Scott said monthly reports will be provided by Goodwyn Mills and Cawood. Inc. Mrs. Rice questioned the need to hire a consulting firm to assist in the planning and design of the highway project when the project is a number years away from construction. Dr. Nichols said the project planning is ongoing. Mrs. Rice noting the Highway 261 project, she said the plan is still very much fluid and is ever-changing. Mr. Scott stated Goodwyn Mills and Cawood are providing an "insurance policy" to the City of Pelham as an advocate for the city and our business community.

6. **Resolution 2012-06-04-05** for consideration to authorize the Mayor to issue a Request for Proposals (RFP) and mail to those qualified respondents the city's Request for Qualifications (RFQ) and to post said RFP in accordance with the Alabama Bid Law. Upon evaluation of said RFP the Mayor is authorized to negotiate a management contract for the Pelham Civic Complex and bring said proposed contract to the City Council for final approval. Resolution 2012-06-04-05 further authorizes certain personnel changes in accordance and as authorized by the Pelham Civil Service Law and directs operational changes at the Pelham Civic Complex in order to achieve the desired and necessary financial goals and improvements.

Dr. Nichols explained the Pelham Civic Complex expenses distributed at the last city council meeting were by department. Mr. Powell stated the numbers cannot possibly reflect an accurate accounting. He further stated the numbers do not take into consideration the crossover employees within the facility or Food and Beverage commissions. Dr. Nichols said the department accounting gives the council a general idea of the financial condition of the Pelham Civic Complex. Mr. Meadows stated he can also take issue with some of the numbers in the financial report. He further stated the passage of the resolution does not bind the city but gives a starting point to move forward. Mr. Meadows said the resolution is a vehicle to continue talking and he urged the council to continue to talk in order to arrive at an answer. Mr. Powell said he disagrees that the resolution is not binding and that only the RFP component would be required to come back before the council.

7. **Resolution 2012-06-04-06** for consideration to authorize the execution of a maintenance agreement between the City of Pelham and AT&T. Mr. Powell said he had spoken with Rick Hayes, Ingenuity, Inc., earlier in the day. Mr. Hayes stated the ongoing negotiations will continue in order to further reduce the maintenance contact with AT&T. Mr. Hayes said if the resolution is approved the annual AT&T maintenance agreement would decrease by approximately $ 32,400.00. Mr. Powell stated for the recorded that he wanted it understood if the AT&T maintenance agreement was cancelled that any fire department telephone equipment repairs would be charged to the Administration's general ledger line item. Mr. Hayes noted there have been no telephone repair expenses in the past six years. Mr. Meadows questioned the savings on the telephone maintenance agreement over the next 3 to 5 years. Mr. Hayes explained the AT&T auto-renew maintenance agreement. Dr. Nichols stated the Voice over Internet (VoIP) project had been placed put on hold pending a recommendation from Information Technology Manager Dell Ann Holly.

8. **Ordinance 448** for consideration of an annexation request by Billie S. Gentry, 1493 Highway 35, Pelham, Alabama 35124. **(1st Reading)** Mr. Powell stated he had no problems with approving the annexation request after having talked with the fire and police departments. Mr. Powell recommended suspending the rule to give immediate consideration to approving Ordinance 448. City Clerk Tom Seale noted for the record that all annexations require preclearance by the United States Justice Department. He further stated that due to this requirement the possibility exists the annexation would not be pre-cleared prior to the August 28, 2012 municipal elections. If the annexation is not pre-cleared the residents on the property would not be allowed to vote.

L. Council and Public Comments

M. Public Announcements

N. Adjournment

New Business – AS TIME PERMITS

1. Presentation of the Fiscal Year 2011 financial audit by representatives of the city's independent auditors, Moses, Phillips, Young, Brannon and Henninger, L.L.P.

   Auditor Lee Willoughby noted the biggest change in the FY2011 audit was the city received for first time in a longtime, more than $ 500,000.00 in federal grant funds. This required more financial reporting than in past years. Auditor Jenny Gray presented the FY2011 audit with comments from Mr. Willoughby. Mr. Willoughby noted the city's "incredibly strong cash position". Mayor Murphy asked Mr. Willoughby to comment on the city's cash position over the past four years. Mr. Willoughby stated Pelham is in a much better cash position than many of the neighboring cities. He further stated the city was weathered the recession with little change in the city's cash position.

Old Business – AS TIME PERMITS

1. Chandalar Water Main Replacement Project (Public Works Director Eddy Jowers)

   Chris Cousins, Municipal Consultants, Inc. stated the bids came in much higher than expected. He said he is meeting tomorrow to discuss options with the low bidder in order to bring the costs back to the approved amount of $ 255,000.00.

2. Telecommunications Presentation – Rick Hayes, Ingenuity, Inc.

3. Goodwyn, Mills and Cawood, Inc. consulting contract for the Highway 31 Improvement Project in the City of Pelham. (Council President Nichols)

4. Pelham Civic Complex (Council President Nichols)

Announcements

None

Adjournment

Mrs. Rice moved to adjourn the work session and said motion was seconded by Mr. Scott. The motion passed unanimously by those present and the work session was adjourned at 6:41 p.m.

Respectfully submitted this 4th day of June 2012.

[SEAL]

Tom Seale, CMC, City Clerk