CITY OF PELHAM – WORK SESSION

Pelham City Hall – Council Conference Room
December 3, 2012 – 6:00 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 December 3, 2012 at 6:00 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 Rick Hayes at 6:00 p.m.

Call to Order

Roll Call

The following elected officials were present:

Mayor Gary W. Waters
Council President Rick Hayes
Councilmember Ron Scott
Councilmember Beth McMillan
Councilmember Maurice Mercer
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 Mrs. Rice to approve the November 19, 2012 regular work session minutes. The motion was seconded by Mrs. McMillan and by voice vote the motion was passed unanimously by those members present.

Mayor's Comments

Mayor Waters welcomed everyone in attendance. He commented on the recent meeting with the city's engineers regarding the Federal Emergency Management Agency's (FEMA) Highway 261 Flood Mitigation Project. Resident Patricia Day reported on the activities of the meeting and how the project will affect several neighbors in the Highway 261 corridor. Mayor Waters had asked Ms. Day to be the liaison between the city and the Highway 261 communities.

Review of Council Agenda

Council President Hayes reviewed the council agenda for December 3, 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 December 3, 2012 City Council Agenda.

2. Approval of the November 19, 2012 regular City Council Meeting Minutes.

3. Approval of the following non-budgeted expenses from restricted fund accounts. None

F. Public Hearing – None

G. Mayor Gary W. Waters – Comments

H. Proclamations - None

I. Requests to Address the Council - None

J. Old Business

1. Resolution 2012-11-19-13 for consideration to approve an ABC application for 020 – Restaurant Retail Liquor for applicant Octane, operating under trade name Octane, located at 2969 Pelham Parkway, Pelham, Alabama 35124. Mayor Waters stated Fire Marshal Dewitt Marcrum was present to answer any questions posed by the city council. Chief Marcrum recently met with Octane representative Tim Johnson and explained the problems with the building related to the city fire code. He said a sprinkler system would be required to meet the current fire code. Chief Marcrum said they were able to work with Mr. Johnson allowing him to open a portion of the building to customers. A 90 day certificate of occupancy would be issued allowing Octane to make the required building improvements. Mr. Scott stated he was satisfied with the training received by the Octane owners and staff.

K. New Business

1. Resolution 2012-12-03-01 for consideration to approve establishing the position and classification for a Human Resources Risk Management Analyst as approved by the Pelham Personnel Board in accordance with Civil Service Law Rule 2.5.a. Mayor Waters stated the Human Resources Department has been grossly understaffed in the past. He stated this position has been approved by the Pelham Personnel Board. Human Resources Director Janis Parks stated the city is responsible for training our employees to ensure a safe work environment. Risk assessment is an ongoing process. We have to give the appropriate training, she stated. This position will expand to absorb other duties and responsibilities in the Human Resources Department. Mr. Scott asked if this position will require any prior certification or experience. Ms. Parks stated the position would require certification which would be provided by the city.

2. Resolution 2012-12-03-02 for consideration to approve establishing the position and classification for a Pelham Civic Complex Assistant Maintenance Supervisor as approved by the Pelham Personnel Board in accordance with Civil Service Law Rule 2.5.a. Mayor Waters stated Resolution 2009-05-11-06 eliminated two maintenance positions at the Pelham Civic Complex. He further stated the additional maintenance staff simply addresses a need at the Pelham Civic Complex. Skate School Director Danny Tate stated this position will bring additional expertise to the maintenance department at the Pelham Civic Complex. Mrs. Rice asked if the position would allow for training with regard to the ice rinks. Mayor Waters and Mr. Tate said additional training would be provided.

Mr. Mercer asked what the time frame would be in filling the position if it were approved tonight. Mayor Waters explained the process for establishing a new position through the Human Resources Director and the Pelham Personnel Board. These requirements have been met. Mayor Waters stated the position would be filled as soon as possible. Mayor Waters said the city has saved approximately $ 450,000 with recent personnel changes.

3. Resolution 2012-12-03-03 for consideration to reappoint Connita Turner to the Pelham Library Board with the term ending on September 30, 2016. There were no council comments.

4. Resolution 2012-12-03-04 for consideration to declare as surplus property certain personal items of the City of Pelham and authorizing the disposal of said surplus property. There were no council comments.

L. Council and Public Comments

M. Public Announcements

1. D.A.R.E. Graduation – Friday, December 7, 2012 at 8:30 a.m. at Valley Intermediate School.

2. *The Nutcracker*, Saturday, December 8, 2012 at 2:30 and 7 p.m. and Sunday, December 9, 2012 at 2:30 p.m. at the Pelham High School Auditorium.

N. Adjournment

<u>Old Business</u> – AS TIME PERMITS

1. Highway 261 Flood Mitigation Update.

   (See "Mayor's Comments" above.)

<u>New Business</u> – AS TIME PERMITS

Lawsuits Update (Executive Session).

Executive Session

A motion was made by Mrs. Rice for the purpose of entering into executive session to discuss pending ligation with the city's attorney. Said motion was seconded by Mr. Mercer. There being no further discussion Council President Hayes asked the city clerk to call the roll on the motion to enter into executive session. The roll call votes were recorded as follows:

Rick Hayes Council President	Yes
Ron Scott Council Member	Yes
Beth McMillan Council Member	Yes
Maurice Mercer Council Member	Yes
Karyl Rice Councilmember	Yes

Council President Hayes stated the City Council, Mayor Gary Waters and attorney Emily Marks would attend the executive session. The council moved into executive session at 6:25 p.m. Council President Hayes stated the council would return from the executive session at approximately 6:45 p.m. and reconvene the work session. The council returned at 6:50 p.m. and Council President Hayes called the work session back to order.

Sewer Rate Review.

Mayor Waters noted the sewer rate increase was approved in two phases, each resulting in approximately $ 963,000 in additional revenues. Mayor Waters asked Public Works Director Eddy Jowers to prepare a flat sewer rate for council review. He further stated in the past the General Fund contributed funds to the Sewer Department. There were additional comments from the members of the city council. Mr. Hayes stated we need to make the sewer rate fair and equitable.

City Newsletter Options.

Mr. Hayes stated the process recommended by the Alabama League of Municipalities was to either move forward with a Request for Proposals (RFP) or a formal bid. The League further suggested talking with our city attorney for a legal opinion. Mr. Hayes said he preferred moving forward with an RFP and asked to include this item on the December 17, 2012 agenda.

Summer Classics / Moore-Handley Property Update.

Mayor Waters said he was encouraged with the dialogue with representatives from Summer Classics. He noted there have been other inquiries about the Moore-Handley property. Mayor Waters further stated this is a process that must be allowed to develop further.

City Boards and Application Process.

Mr. Hayes mentioned a conversation with Mayor Waters requiring resumes and letters of reference for board appointments. Mr. Scott stated his concerns about making qualified appointments to the Industrial Development Board. Mr. Hayes asked that this item be placed on the December 17, 2012 agenda.

Public Announcements

Adjournment

Mr. Mercer moved to adjourn the work session and said motion was seconded by Mrs. Rice. The motion passed unanimously by those members present and the work session was adjourned at 7:08 p.m.

Respectfully submitted this 3rd day of December 2012.

Tom Seale, CMC, City Clerk

[SEAL]

CITY OF PELHAM CITY SEAL ALABAMA