

CITY OF PELHAM – WORK SESSION

**Pelham City Hall – Council Conference Room
March 25, 2013 –6:00 p.m.**

MINUTES

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

Members of the Pelham City Council met March 25, 2013 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.

Call to Order

The work session was called to order by Council President Rick Hayes at 6:03 p.m.

Roll Call

The City Clerk called the roll and 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: Martin Reed, Birmingham News; Neal Wagner, Shelby County Reporter; local TV reporters and cameramen

Others present: City department heads, city employees and members of the public.

Approval of Minutes

A motion was made by Karyl Rice to approve the March 4, 2013 regular work session minutes. The motion was seconded by Ron Scott and was passed unanimously by voice vote of those members present.

Mayor's Comments

Mayor Waters told the council he would reserve his comments for questions.

Review of Council Agenda

Council President Hayes reviewed the council agenda for March 25, 2013.

- 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 March 25, 2013 City Council Agenda.
2. Approval of the March 4, 2013 regular City Council Meeting Minutes.
3. Approval of 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 – None

K. New Business

1. **Resolution 2013-03-25-01** authorizing a total of \$133,000.00 in donations to the five public schools located in Pelham.

Ron Scott asked if the money was given directly to the schools or to the Shelby County Board of Education and if there were accountability procedures in place. Tom Seale replied the money goes directly to the schools, not through the county and that the schools supply invoices and other documents to the city, upon request, to show where the money was spent.

2. **Resolution 2013-03-25-02** authorizing the mayor to execute an agreement with Decision Resources, LLC for the completion of a feasibility study to assess the financial resources that would be available to fund a separate school system for the City of Pelham.

Ron Scott stated he would like this expedited. Karyl Rice asked President Hayes to share more information on the feasibility study and also asked if he thought taxes would increase. Hayes replied the purpose of the study was to give the city detailed financial information so the city could make an informed decision not have to guess. He stated there would be a public hearing regarding a city school system in order to get public feedback before raising taxes.

3. **Resolution 2013-03-25-03** accepting the low bid submitted by NAFECO for firefighter protective clothing.

There was no discussion.

4. **Resolution 2013-03-25-04** adopting a standard catering agreement for the Pelham Civic Complex & Ice Arena.

Karyl Rice stated by replacing the former on-staff caterers with various independent contractors we give clients a better choice of menus. Ron Scott directed a question to Interim Civic Complex Supervisor Danny Tate regarding the availability of ethnic food cuisine. Mr. Tate replied that the availability of ethnic selections was in the works and would be available.

5. **Resolution 2013-03-25-05** extending the effective date of the repeal of the City of Pelham Compensation Pay Plan.

The council agreed to extend the date to June 1, 2013 rather than May 1, 2013.

6. **Resolution 2013-03-25-06** considering an ABC application for Los Rieles, LLC located at 3569 Pelham Parkway for a 020 Restaurant Retail Liquor license.

Ron Scott questioned Mrs. Adkins, the applicant, about training and commended her on being proactive in that both she and her servers have completed the ABC Responsible Vendor Program.

7. **Resolution 2013-03-25-07** authorizing the mayor to execute an agreement with Retail Strategies, LLC for professional consulting and related services for retail recruitment and the development of a Retail Leasing Strategic Plan.

President Hayes informed the council the agreement will be revised based on some points made by City Attorney Butch Ellis.

8. **Ordinance 135-195** amending the zoning ordinance Rules of Procedures of the Pelham Planning Commission in regard to giving notice of public hearings. **First Reading**

The council discussed suspending the rule for immediate consideration and voting on the ordinance tonight because we had a rezoning request pending and this would save the city money in advertising costs.

9. **Ordinance 135-196** amending the zoning ordinance Administrative Review of the Pelham Board of Adjustment in regard to giving notice of public hearings. **First Reading**

The council discussed suspending the rule for immediate consideration and voting on the ordinance tonight.

10. **Ordinance 144-2** amending the regulation of the use of firearms within the corporate limits of the City of Pelham. **First Reading**

Mayor Waters told the council the firearms ordinance had been reviewed by the city attorney and it was just a matter of housekeeping to update the ordinance.

L. Council and Public Comments

M. Public Announcements

1. Spring Clean-up Day is Saturday, April 6. Check the website for items acceptable for pick up curbside. From 8:00 a.m. until noon at Pelham City Hall, Cintas will offer free shredding for Pelham residents (six box limit) and Technical Knockout will offer electronic recycling drop off (no TVs). Fees will be waived at the Shelby County landfill April 6.
2. Notices for Planning Commission, Board of Adjustment and Pelham City Council public hearings pertaining to re-zoning applications and variances will no longer be published in the Shelby County Reporter. Notices will be posted in four public places in the City of Pelham: City Hall, Library, City Park and Water Works as well as the city website www.pelhamonline.com.
3. The April 15, 2013 Pelham City Council meeting has been rescheduled to April 22, 2013 for Youth Government Day.

N. Adjournment

(end of March 25, 2013 council meeting agenda)

Old Business

1. Budget discussion

Mayor Waters stated he had no timetable to complete the budget. He reported the city was currently \$183,000 ahead of revenue projections and \$149,000 below projected expenditures. Finance Director Tom Seale echoed the numbers reported by the mayor.

2. Communities of Distinction update

Mayor Waters told the council the attorneys on both sides have agreed to a compromise on the litigation issue. If a suit is initiated by the city it will be heard in Alabama court, and if the Communities of Distinction sues the city the case will be heard in Florida court. The contract has been signed and we are moving forward.

3. Moore Handley/Summer Classic update

Council President Hayes informed the council things were still positive and moving forward toward the end goal of improving property along Pelham Parkway. Before anything is final contracts will need to be signed and there will be a public hearing.

New Business

None

Announcements

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Adjournment

A motion to adjourn was made by Karyl Rice and seconded by Beth McMillan. The motion passed unanimously by voice vote of those members present, and the work session adjourned at 6:32 p.m.

Respectfully submitted this 25th day of March, 2013.


Marsha Yates, CMC, City Clerk

[Seal]

