CITY OF PELHAM – WORK SESSION

Pelham City Hall – Council Chambers
August 20, 2018 – 5:45 p.m.

MINUTES

Proper notice of the regularly scheduled work session of the Pelham City Council was given in advance of such public meeting and the notice remained posted through the scheduled meeting.

Members of the Pelham City Council met August 20, 2018 at 5:45 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 Hayes at 5:46 p.m.

Record of Attendance

The following elected officials were present:

Council President Rick Hayes
Councilmember Ron Scott
Councilmember Beth McMillan
Councilmember Maurice Mercer
Councilmember Mildred Lanier
Mayor Gary Waters

Media Present: None
Others Present: City manager, city department heads, city employees, and members of the public

Approval of Minutes

A motion was made by Councilmember McMillan to approve the August 6, 2018 Regular Council Work Session Minutes. The motion was seconded by Councilmember Mercer and passed unanimously by voice vote of those members present.

Mayor Waters' Comments – None

City Manager's Comments – None

Review of Council Agenda

Council President Hayes reviewed the August 20, 2018 city council agenda.

F. Public Hearing – None

H. Proclamations

1. Declaring September 2018 as Gynecologic Cancer Awareness Month in Pelham, Alabama. Accepting the Proclamation is cancer survivor Tammy Anderson.

J. Requests to Address the Council – None

K. Old Business / Resolutions / Ordinances / Orders and Other Business

1. **Resolution 2018-08-06-02** for consideration to approve an ABC License application for a 040-Retail Beer (On or Off Premises) and 060-Retail Table Wine (On or Off Premises) for applicant Ooka Sushi Hibachi Restaurant Inc., operating under the trade name Ooka Chinese Japanese Restaurant (Tabled August 6, 2018)

Councilmember Mercer stated there has been a slight change from the ABC application approved last year. He said an attorney's clerical error in 2017 resulted in Ooka Sushi Hibachi Restaurant Inc. receiving the wrong license. Councilmember Mercer said the applicant is requesting a license to sell beer and wine only. Following additional discussion, neither the city council nor Police Chief Larry Palmer expressed any concerns in moving forward with the approval of the application.

L. New Business / Resolutions / Ordinances / Orders and Other Business

1. **Resolution 2018-08-20-01** for consideration to accept the dedication of certain street(s) and rights-of-way located in the Big Mountain Center

The city's engineering consultant, Andrew Golden, stated the developer had complied with the requirements to have the street(s) and rights-of-way located in the Big Mountain Center dedicated to the city. Mr. Golden further stated the Planning Commission had recommended approval of the dedication. He stated he agrees the city should accept the dedication of street(s) and rights-of-way.

2. **Resolution 2018-08-20-02** for consideration to accept the dedication of certain street(s) and rights-of-way located in the Grey Oaks subdivision

Mr. Golden stated the developer had complied with the requirements to have the street(s) and rights-of-way located in the Grey Oaks subdivision, Phase 2, Sector 2 dedicated to the city. Mr. Golden further stated the Planning Commission had recommended approval of the dedication. He stated the asphalt wearing surface was down and he saw no issues and recommends approval. He said he agrees the city should accept the dedication of street(s) and rights-of-way.

3. **Resolution 2018-08-20-03** for consideration to approve a request by T-Mobile for modifications to an existing telecommunications facility located at 5050 Beabout Drive

David Aymett, with the Center for Municipal Solutions (CMS), the city's telecommunications consultant, stated T-Mobile's application was for an upgrade to the 5050 Beabout Drive site. He explained this site currently has a 160-foot monopole with T-Mobile located at the 160 foot level. He said T-Mobile currently has three antennas mounted on the tower, one per sector or side. They are proposing to remove all three antennas and replace them with six new antennas related to a service upgrade. Mr. Andrews explained T-Mobile has complied with the city's Wireless Telecommunication Ordinance. According to Mr. Andrews, there will be no adverse impact to the visual aesthetics of the tower site. Mr. Andrews further stated the upgrade to the existing tower is due to improved technology. He said CMS has reviewed the application and recommends approval.

4. **Resolution 2018-08-20-04** for consideration to approve a request by Verizon for an extension of the Special Use Permit for the modification of equipment on the existing facility located at 2030 Valleydale Terrace

Mr. Aymett explained a Special Use Permit was approved for Verizon to modify the existing tower located at 2030 Valleydale Terrace on March 5, 2018 (Resolution No. 2018-03-05-03). He said they have submitted a request for an extension due to the project being pushed to the next quarter due to a lack of funding. The original scope of the project has not changed and the application on file is still valid. He explained the funding for the upgrade had been secured and he expects the project to be completed by mid-October.

5. **Resolution 2018-08-20-05** for consideration to approve a lease agreement between the Pelham Civic Complex & Ice Arena and the University of Alabama

Pelham Hockey Director Erik Hudson stated the 2018-2019 hockey season is rapidly approaching. He said he recommends approval of the contract between the City of Pelham and the University of Alabama. Councilmember Scott stated the city is hosting both the University of Alabama and University of Alabama at Birmingham hockey programs. He asked if the city had contracts with both organizations. Mr. Hudson stated UAB is technically a Civic Complex program and no contract is required for a club hockey program. He said if they move from club hockey to a college division program a contract will be required.

6. **Ordinance 067-09** for consideration to adopt the 2015 International Residential Code, 2015 International Building Code, and the 2015 International Fire Code for the City Of Pelham, Alabama. **FIRST READING**

Fire Chief Tim Honeycutt said the city typically remains about one code release behind the current code so issues can be addressed and resolved prior to moving to a newer release. He said the city is currently three code releases behind. He mentioned the State of Alabama has adopted the 2015 code. Chief Honeycutt said the city's adoption of the 2015 fire and building code would put us one behind. Councilmember Scott asked if other cities in our area have adopted the fire and building codes. Councilmember Scott mentioned the difficulty businesses have had in the past working with the City of Pelham because of its code enforcement policies. Chief Honeycutt assured the city council he now has employees in place which are customer service oriented and those issues have been resolved. Chief Honeycutt told the council it is the Fire Department's intention to be helpful with the code enforcement and to offer suggestions to the developers and public. Council President Hayes asked if most cities who have adopted the code have adopted it with exceptions. Building Official Bob Miller said the exceptions in Pelham's recommended 2015 adoption are the same exceptions which have been adopted by Pelham in the past. Fire Inspector Justin Palmer mentioned several changes in the 2015 code which will assist in their enforcement of the code. Councilmember Lanier asked how projects, which are already underway under the 2009 code, would be affected should the city adopt the 2015 code. Both Mr. Miller and Captain Palmer stated they would fall under the 2009 code. Captain Palmer stated both he and Mr. Miller have spent many hours reviewing the 2015 code and recommend its adoption.

(End of August 20, 2018 Agenda Review)

Old Business – None

New Business

1. FY2019 Budget Hearing – Municipal Court

Chief Court Magistrate Jennifer Bridwell presented the Court's FY2019 budget. Council President Hayes asked her to highlight specific issues within the Court budget. She stated most of her budget is dependent on the case load of the municipal court system. She mentioned the Municipal Court Fund and the expenses paid from this account. She further stated the Court is paying out more from the Municipal Court Fund than the Fund is taking in.

Councilmember McMillan asked about the reason the case load was down. She stated that question could be best answered by Chief Palmer.

Councilmember Scott asked about the number of cases this year. Mrs. Bridwell said their numbers are on a calendar year and to date, the court has seen a decrease of approximately 500 cases.

Council President Hayes asked Chief Palmer about the decline in cases. Chief Palmer said there are there three reasons for the decline in the number of cases; (1) the Police Department is down eight officers, (2) fewer citizen warrants, and (3) an increase in felonies which are under the Shelby County Courts jurisdiction.

Mrs. Bridwell distributed information from the court system for the city council to review.

City Manager DiFante discussed a possible reduction in the number of magistrates based upon the smaller case load. She asked Mrs. Bridwell to explain. Mrs. Bridwell stated while the number of cases is down the work load has not decreased, primarily due to the elimination of the private probation companies. The probation processing is now being handled exclusively by the Pelham magistrates, which has increased their work load significantly. Follow-up questions were asked by members of the city council. Mrs. Bridwell further explained how new legislation requires additional monitoring by the Pelham magistrates. She explained how the court funds are generated.

Mayor Waters expressed his concern about the city paying pre-authorized overtime, in violation of the City's Civil Service Law. City Manager DiFante spoke to several options she, Mrs. Bridwell, and Chief Palmer have been discussing regarding the overtime issue.

Mrs. Bridwell provided bailiff information from surrounding cites for the city council to review. She stated the Municipal Court Fund could not continue paying the bailiffs or the maintenance fund at the current levels.

Executive Session

Council President Hayes stated for the record the purpose of the Executive Session was to discuss controversies not yet being litigated, but imminently likely to be litigated, or imminently likely to be litigated if the government body pursues a proposed course of action. Council President Hayes asked City Attorney Butch Ellis if he agreed with the stated purpose of tonight's Executive Session. Mr. Ellis said he agreed and added to also discuss pending lawsuits.

A motion was made by Councilmember Lanier to enter into an Executive Session of the city council for the stated purpose. Said motion was seconded by Councilmember Scott. Council President Hayes asked the city clerk/treasurer for a roll call vote. The vote to adopt said motion was recorded as follows:

Rick Hayes, Council President	Yes
Ron Scott, Council Member	Yes
Beth McMillan, Council Member	Yes

Maurice Mercer, Council Member Yes

Mildred Lanier, Council Member Yes

Council President Hayes asked the members of the city council, City Attorney Butch Ellis, Mayor Gary Waters, City Manager Gretchen DiFante, Building Official Bob Miller, Development Services Director David Willingham and City Clerk/Treasurer Tom Seale to attend the executive session. Council President Hayes stated he expected the city council to return from the executive session in approximately 25 minutes.

Councilmember Scott moved to adjourn the executive session. Said motion was seconded by Councilmember McMillan. The motion passed unanimously by voice vote of those members present, and the executive session was adjourned at 7:16 p.m.

A motion was made by Councilmember Lanier to recess the work session. Said motion was seconded by Councilmember Mercer. The motion to recess passed unanimously by voice vote of those members present. The work session was recessed at 7:17 p.m.

Council President Hayes called the work session back to order at 8:18 p.m.

2. FY2019 Budget Hearing – Police Department

Chief Palmer credited the city council for supporting the police department's hard work in being a part of the community. He demonstrated the Police Department's new website and explained several of the new features incorporated into its design to make it more user friendly.

He mentioned the Police Department has received 97,965 calls for service from October 1, 2017 through July 31, 2018.

Council President Hayes noted the Police Department is short eight officers. Chief Palmer said they are having a difficult time recruiting quality officers. He further stated they are looking for individuals with good character and will then send them through the police academy. He said they are careful who they hire straight out of the academy.

Addressing crime, Chief Palmer said it is impossible to track proactive, aggressive patrols. He said a concern is with transient crimes, those individuals passing through Pelham on I-65. Chief Palmer said he takes patrolling the interstate and surrounding area very seriously. He further stated he wants the Pelham Police Department to be progressive and not reactive.

Chief Palmer began discussing the Police Department FY2019 budget at 8:31 p.m.

Chief Palmer noted he has been working closely with City Manager DiFante and appreciated her input in preparing the FY2019 budget. He stated a few line items have increased. Specifically, he said step raises and the new P25 radio system are major factors for the increase in the police budget. He said although the new radio system is operational, the Police Department has not officially accepted the P25 radio equipment. He said they are waiting on the fire department to complete their radio installation before accepting the system.

Councilmember McMillan asked about police overtime and how much it varies. Chief Palmer said overtime is what it is. He noted an additional officer does not necessarily add any benefit in reducing overtime numbers.

Councilmember Scott thanked the Police Department for providing assistance during the funeral services for Clay Alford. He asked if there was any overtime impact on the FY2018 budget due to the Birmingham Bulls games. Chief Palmer said the Birmingham Bulls pay an off duty rate and were able to handle their own security. He said overall, the Birmingham Bulls games went well but at times there were traffic concerns.

Council President Hayes said they are looking for more opportunities to optimize the parking to better accommodate the patrons.

Chief Palmer said the department is in need of two additional portable message signs. He stated they currently have four signs but only two are operational. He further stated it is more economical to purchase two new signs than to have the old signs repaired as they have reached their "end of life." Chief Palmer said the new portable message signs are now Bluetooth capable.

Chief Palmer discussed CompStat, records management system and intelligence led statistical analysis program with the city council. He said CompStat would assist with assigning manpower, crime mapping, and incident based mapping to better utilize the personnel in the police department.

The need for the replacement of HVAC units at the Police Department was discussed.

Chief Palmer discussed a new software program called Lexipol. He said the company would take a look at the Police Department's operations and what they would need to do to fulfill the goals of the department. This program would include updating current rules and regulations as well as writing new rules and regulations as needed. Chief Palmer said this is a reputable company and he highly recommends including this request in the FY2019 budget.

Councilmember Mercer asked about the police department's rules and regulations, when the updates would be received, and how the officers get the information. Captain Pat Cheatwood said any changes in procedures and obtaining information through this new system would require additional training. He further stated Lexipol would cover the entire police department.

Council President Hayes stated there is a request in the budget to purchase seven new vehicles. Chief Palmer said that was correct. He added the new vehicles would all be assigned to the patrol division. He further stated the department is continuing to purchase Chevrolet Tahoes and retiring Ford Crown Victorias and Dodge Chargers.

Councilmember McMillan inquired about security at Pelham High School.

Councilmember Scott asked if there was one school resource officer assigned to each school. Chief Palmer said that was correct. He said the police department continually monitors each school with additional patrol officers who check on the schools at random times during the day. There was additional discussion regarding school security.

Council President Hayes asked about the weapon allowance. Chief Palmer said the $500 per officer is the same as it was in the FY2018 budget. He said he chose to break it out of the salary budget and show it as a separate line item.

Chief Palmer noted the savings by utilizing air cards with the computer tablets. He said going forward there would be no reimbursement allowance for police department employees using their personal cell phones.

In closing, Chief Palmer said it is important the citizens of Pelham feel safe. He added he has received positive feedback from the community saying how nice it is to see the Police Department patrol officers present in the community.

Adjournment

A motion to adjourn the work session was made by Councilmember Lanier and seconded by Councilmember Scott. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 9:34 p.m.

Respectfully submitted this 20th day of August 2018,

Jonathan Seale

Jonathan Seale

Rick Hayes, Council President

[SEAL]