



WORK SESSION
Pelham City Hall – Council Conference Room
November 5, 2018 – 6:00 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 November 5, 2018 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 Hayes at 6:03 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

Council President Hayes read Mr. Alvis' comments regarding his client from the minutes of October 15, 2018 work session. Councilmember McMillan stated she felt the comments outlined by Council President Hayes did not add any additional value to the conversation. It was suggested to add the word "potential" preceding the word "illegal" in Mr. Alvis' comments.

A motion was made by Councilmember Scott to remove the entire sentence in question from the October 15, 2018 work session minutes. Said motion was seconded by Councilmember McMillan. The motion failed to pass by a majority vote of 2-3 by those members present with Councilmember Scott and Councilmember McMillan voting in the affirmative.

A motion was made by Councilmember Lanier to add the word "potential" to the sentence in question. Said motion was seconded by Councilmember Mercer and passed unanimously by voice vote of those members present.

A motion was made by Councilmember Lanier to approve the October 15, 2018 Regular Council Work Session Minutes as amended. The motion was seconded by Councilmember Mercer and passed unanimously by voice vote of those members present.

Councilmember Lanier stated a significant amount of discussion was not included in the October 15, 2018 Regular Council Work Session Minutes.

A motion was made by Councilmember Lanier to approve the October 18, 2018 Special Council Work Session Minutes as amended. The motion was seconded by Councilmember McMillan and passed by a majority vote of those members present with Councilmember Mercer dissenting.

Councilmember Mercer asked the city council to be cautious when making changes or additions to the minutes prepared by the city clerk/treasurer.

Mayor Waters' Comments – None

City Manager's Comments

- City Manager Gretchen DiFante distributed information to the city council regarding the accomplishments during the past year. She stated the documents include the major projects and various other work she has focused her attention on this past year. She thanked the entire city staff for their efforts and dedication.
- City Manager DiFante stated she asked the department heads in the weekly staff meeting today to complete another evaluation assessing her job performance during the past year. She said the feedback received from department heads is important and needed.
- Mayor Waters and City Manager DiFante had the opportunity to attend an economic development meeting with the State of Alabama. She stated several topics were discussed including Amendment 772 and economic incentives.
- The city recently held the annual health benefits expo at the Pelham Civic Complex & Ice Arena. She reported that 182 city employees participated in the expo.

Councilmember Scott thanked City Manager DiFante for the annual report and recap of the accomplishments of the city. He stated he is pleased with the way the report is organized and noted it was concise and informative. He said it is valuable information to learn about the challenges the city is currently facing.

Review of Council Agenda

Council President Hayes reviewed the November 5, 2018 city council agenda.

F. Public Hearing – None

H. Proclamations – None

J. Requests to Address the Council – None

K. Old Business / Resolutions / Ordinances / Orders and Other Business – None

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

1. **Resolution 2018-11-05-01** for consideration to approve or deny a business license for Massage Fever, 3186-B Pelham Parkway, Pelham, Alabama

Council President Hayes explained the Commercial Development Authority (CDA) met on September 18, 2018 and unanimously voted to recommend the approval of the business license application to the city council as a part of their review process.

Building Official/Revenue Officer Bob Miller stated the background check on the business owners was negative. Councilmember Scott asked about the delay in getting the request to the city council. Mr. Miller stated the application was submitted to the city in July 2018. He further stated the Commercial Development Authority voted unanimously in September to recommend the approval of the business license application. He said the CDA did not notify the city clerk/treasurer to put their recommendation on an earlier city council meeting agenda. Mr. Miller further explained the CDA was delayed in forwarding the recommendation due to the city's budget process. Councilmember McMillan stated she was not pleased with the business license review process.

2. **Resolution 2018-11-05-02** for consideration to approve a contract with Down In Front Productions, LLC to provide video production services at the Pelham Civic Complex & Ice Arena for the Birmingham Bulls

Pelham Civic Complex & Ice Arena Administrator Danny Tate stated this is the same contract approved last year. Mr. Tate said he is comfortable recommending the approval of the contract for an additional year.

3. **Resolution 2018-11-05-03** for consideration to adopt the Fiscal Year 2019 Budget(s)

Council President Hayes stated there were a few minor adjustments to the budget which required certain monies to be moved between various line items. He noted these adjustments were related to the playground and restroom upgrades at City Park.

Council President Hayes noted for the record the total approved budget for FY2019, including the Water and Sewer Departments, is \$64,798,312.00.

City of Pelham General Fund	\$ 41,624,703.00
Pelham Civic Complex	\$ 5,045,989.00
Pelham Racquet Club	\$ 1,247,783.00
Ballantrae Golf Club	\$ 2,809,923.00
Gas Taxes	\$ 150,000.00
Special Revenues	\$ 1,320,288.00
TOTAL	\$ 52,198,686.00

Councilmember McMillan requested the specific and detailed line items for the Pelham City Hall renovation project be removed. She stated the details of the project should be left to the discretion of the City Manager and city staff. Councilmember Lanier asked if the council is considering changing the budgeted amount or scope of the project. It was the consensus of the city council neither the scope nor the budgeted amount of the project would change. Councilmember McMillan clarified the City Manager would be able to move forward with the project and work within the budgeted amount.

Councilmember Scott asked about the city's brush collection procedures and evaluation of the brush truck operations. City Manager DiFante stated no changes to the current procedures had been approved by the city council. Council President Hayes stated the current recommendations from city staff was to move to a bi-weekly collection schedule or to keep the weekly collection schedule and implement a fee. It was agreed upon by those members present to move forward with the proposed bi-weekly collection schedule. Councilmember Lanier asked when the city expected to start the new collection policy. She said it is important to give the Pelham residents plenty of notice prior to any change. City Manager DiFante stated the city staff would determine an appropriate date and ensure the public has enough notice before the new policy is in place.

4. **Ordinance No. 067-010** (First Reading) for consideration to amend the building permit fee schedule for the City of Pelham

There were no additional comments from the city council.

(End of November 5, 2018 Agenda Review)

Old Business

1. FY2019 Budget

New Business

1. Facebook Live – City Council Work Sessions

Council President Hayes explained the city is currently paying \$225 for a block of two hours to record and post each city council meeting via Facebook Live. He stated the cost for each additional hour is \$75. He clarified, if both the city council work session and council meeting are completed in under two hours, the price of \$225 remains the same.

Councilmember McMillan stated the Facebook Live recordings have gone better than she originally expected. She noted she is not in favor of recording city council work sessions. Councilmember Lanier recommended the city council begin recording work sessions. She said it is important for the citizens to know what is going on with the city council and the city as a whole. Council President Hayes said he certainly sees both sides of the issue and is comfortable moving forward either way.

City Manager DiFante made a point about the quality of the sound in the Council Conference Room should the city council choose to begin broadcasting the work sessions. She said it is important the public be able to hear clearly.

Councilmember Mercer cautioned to tread slowly in moving forward with recording the council work sessions. He said it is important to make sure the minutes accurately reflect the actions and comments of the council. Suggestions included renegotiating the contract with Visual Media, Inc. or broadcasting both the council meetings and work sessions inhouse. Council President Hayes asked Dr. Scott Coefield, Superintendent of Pelham City Schools, about the possibility of the schools taking on this task. Dr. Coefield said the Pelham Board of Education has recently hired a media teacher at Pelham High School. He said he would discuss this with the teacher regarding his interest in the project.

Councilmember Mercer said he would prefer having a professional be responsible for the broadcasting and posting of the meetings on Facebook Live. Councilmember Lanier agreed.

Councilmember Lanier further suggested having Visual Media, Inc. do a test broadcast of the work session to see how well both the audio and video quality are in the Council Conference Room.

Council President Hayes said the city council would revisit this issue in two weeks.

2. Review Tax Abatement Application

City Manager DiFante explained to the city council of an opportunity to assist a local business in expanding. She introduced Shane Solomon, with Extruflex North America, LLC and Yvonne Murray, Managing Director, 58 Inc. Ms. Murray explained the statutory abatement of property taxes and sales and use taxes. She said Extruflex will be spending \$570,000 on improvements to their facility in Pelham over the coming months. She further explained the abatement request is for \$32,000. Comments and suggestions were made by the city council regarding the establishment of policies and procedures for abatement requests. Ms. Murray said Extruflex is requesting the abatement of non-educational property taxes for 10 years and a one-time abatement of sales and use taxes. She said Extruflex currently has six employees and will be adding nine new employees in January 2019.

Councilmember Scott asked about the timeline regarding the upgrades to the Pelham facility. Ms. Murray said the equipment would be purchased and in service in January 2019. Council President Hayes asked about the projected revenues. Mr. Solomon said Extruflex expects to see revenues of \$7.5 million next year and moving toward \$15 million over the next seven years. Ms. Murray pointed out that Extruflex had experienced growth of 27% growth over the past year.

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 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 stated he agreed with the stated purpose, including the review of existing litigation.

A motion was made by Councilmember Scott to enter into an Executive Session of the city council for the stated purposes. Said motion was seconded by Councilmember Mercer. 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	<u>Yes</u>
Ron Scott, Council Member	<u>Yes</u>
Beth McMillan, Council Member	<u>Yes</u>
Maurice Mercer, Council Member	<u>Yes</u>
Mildred Lanier, Council Member	<u>Yes</u>

Council President Hayes asked the members of the city council, Mayor Gary Waters, City Manager Gretchen DiFante, City Attorney Butch Ellis, City Attorney Bill Justice, Bob Miller, Danny Tate, Erik Hudson 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 15-20 minutes.

The city council went into executive session at 6:53 p.m.

Councilmember Scott moved to adjourn the executive session. Said motion was seconded by Councilmember Lanier. The motion passed unanimously by voice vote of those members present, and the executive session was adjourned at 7:09 p.m.

A motion was made by Councilmember Scott to recess the work session. Said motion was seconded by Councilmember McMillan. The motion to recess passed unanimously by voice vote of those members present. The work session was recessed at 7:10 p.m.

Council President Hayes called the work session back to order at 7:45 p.m.

3. Discuss Annual Performance Evaluation of the City Manager

The city council discussed alternatives for putting a plan and process in place for the annual performance evaluation of the city manager. Councilmember McMillan suggested HRM, Inc., the city's human resources consultant, facilitate the process, provide some guidance, and potentially compile the feedback. Councilmember Scott said that he thought this should be strictly a human resources function. Councilmember McMillan said that she thinks we need to start the process to hire our new Human Resources Director be soon. Mayor Waters stated the problem with him in the role of Acting Human Resources Director and leading the evaluation process of the city manager. Councilmember Lanier asked about the process and who would manage. She said it is important the city council has input and can be objective. Councilmember Scott asked for clarification. Councilmember Lanier said the council should be involved in the process of evaluating the city manager and have input into the questions. Councilmember Scott suggested the city's Human Resources Department develop and lead the process. Council President Hayes said he agreed with Councilmember McMillan in bringing HRM in to help the city council with the evaluation process. Councilmember Lanier said she would like to send each member of the city council information from ACCMA on how to evaluate the city manager. Councilmember Mercer stated he liked Councilmember McMillan's suggestion in bringing HRM into the process in order to assist the city council in evaluating the city manager.

It was the consensus of the city council that this evaluation process is also a time to confirm who reports to the city manager, discuss the budget process, and establish measurable goals and objectives for the city manager. Council President Hayes asked if HRM could be contacted about attending the next work session. The city council asked Mayor Waters to contact HRM about attending the next city council work session on November 19th. Council President Hayes said it would be good to have this process completed by the end of the year. City Manager DiFante said of the evaluation process, all feedback is good. She said she was comfortable with HRM leading the evaluation. Mayor Waters recommended that the process just not be made overly complicated.

Councilmember McMillan said it was important to get HRM involved this first time. Councilmember Lanier asked that Mountain Brook City Manager Sam Gaston be contacted to provide the evaluation worksheet Mountain Brook uses.

Council President Hayes asked that the city receive feedback from HRM. Councilmember Lanier asked about a timeline in completing the city manager's annual evaluation. Council President Hayes stated he would like to see the city council establish the evaluation process by the first week of December.

City Manager DiFante updated the city council on the recruitment of a Human Resources Director. She said contacts are already being made and she will continue to provide information to the city council regarding the search for a human resources director.

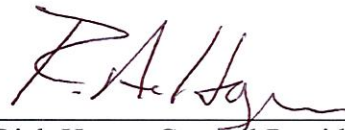
Adjournment

A motion to adjourn the work session was made by Councilmember Mercer and seconded by Councilmember Lanier. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 8:02 p.m.

Respectfully submitted this 5th day of November 2018,



Tom Seale, MMC, City Clerk/Treasurer



Rick Hayes, Council President

