



WORK SESSION

Pelham City Hall – Council Conference Room

November 19, 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 19, 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 6:00 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: Shelby County/Pelham Reporter

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

Approval of Minutes

A motion was made by Councilmember McMillan to approve the November 5, 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 November 19, 2018 city council agenda.

F. Public Hearing – None

H. Proclamations

1. Declaring November 2018 as National Hospice and Palliative Care Month
2. Recognizing Bobby Joe Seales and the publication of “Pelham Memories: A Pictorial History”

J. Requests to Address the Council – None

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

1. **Ordinance No. 067-010** for consideration to amend the building permit fee schedule for the City of Pelham (First Reading was on November 5, 2018)

Building Official Bob Miller stated he had no concerns and felt comfortable with the city council moving forward adopting the ordinance at tonight’s meeting. Councilmember McMillan asked when the ordinance would go into effect. Mr. Miller said if the ordinance passes, state code requires the ordinance to be posted for five working days. Mr. Miller stated the effective date would be November 26th or 27th.

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

1. **Resolution 2018-11-19-01** for consideration to declare certain personal property of the City of Pelham are no longer needed for public or municipal purposes

City Clerk/Treasurer Tom Seale said the city has accumulated a large inventory of surplus items. He stated should the city council approve this resolution; the city will host a yard sale style event at the former Valley Elementary School in the coming months.

2. **Resolution 2018-11-19-02** for consideration to approve a tax abatement agreement between the City of Pelham and Extruflex North America, LLC

58 Inc. Managing Director Yvonne Murray updated the city council and asked for their consideration of a five-year tax abatement for Extruflex. She said after recent conversations, several slight modifications had been made to the agreement. She stated she feels this is a great project and is excited Extruflex wants to stay and expand their business in the City of Pelham. She said it is extremely important to have and maintain a strong Gross Domestic Product (GDP), especially at the state and local level. Mark Brown, representing the Birmingham Business Alliance and having worked on this project from the regional level, was present to show his support. Councilmember Scott asked about the resolution under consideration and the \$32,000 abatement cap associated with this project. Mr. Brown and Ms. Murray clarified there is no abatement cap, this was simply a misunderstanding by the company’s attorney.

David Willingham, Director of Development Services & Public Works, stated this looks like a positive move for the city and has no concerns.

3. **Resolution 2018-11-19-03** for consideration to approve a Master Services Agreement and Service Order No. 01 with Barry Davis Architects, P.C. for the architectural design of the City of Pelham's Fire Station No. 3

Fire Chief Tim Honeycutt said the city will not be moving dirt anytime soon. He stated the contract under consideration is for architectural designs only. He said once the final designs are complete, they will then be brought to the city council for review and hopefully receive authorization to begin the bid process. Chief Honeycutt said the city worked with contract attorney Daniel Murdoch in order to write a contract that would protect the City of Pelham. He said a lot of work went into the contract with Mr. Murdock and Barry Davis' group to make sure everyone was satisfied. He said this has been a great project for the city and is excited to see it get underway. Chief Honeycutt said additional service agreements will come before the city council as the project continues.

Council President Hayes said Chief Honeycutt made a good point about the city bringing in a specialist in the area of construction contracts. He said the normal construction contracts in Alabama can be very hard to get through. He further stated it was good to bring in an expert in this area to clean up the contract and make sure it protects the city.

(End of November 19, 2018 Agenda Review)

Old Business

1. Discuss City Manager Annual Performance Evaluation Process with HRM, Inc.

Council President Hayes stated the city manager's employment contract called for a six-month evaluation, an end of the first year evaluation, and then annual evaluations after that. He noted the six-month evaluation was a starting point, and that the city council wanted to implement some better process and learn from it. He stated Councilmember Lanier reached out to different municipalities and organizations (ICMA, ACCMA) to gather samples and best practices to evaluate city managers. He noted the city council agreed in a previous meeting to utilize HRM, Inc. and their expertise to assist with the evaluation process.

Carolyn Campbell, with HRM, Inc. stated the city's job analysis has been going tremendously. She thanked Payroll and Benefits Analyst Candy Porter for her hard work. She said they have met with a lot of employees to gather information and complete job analysis forms. She further stated great progress has been made and they hope to finish the job analysis within the next week and then begin writing updated job descriptions.

Charles Wilkinson, owner of HRM, Inc., offered insight and suggestions as to the best practices regarding the evaluation of the city manager. He said a multi-rater system is effective in assessing personality traits and characteristics. He further stated it may not be the best to evaluate objectives either met or not met by the city manager. He said that would fall to the governing body. He stated common practice is to use the multi-rater system every two to three years to compare to a baseline sampling. He discussed the 360 rating which is input from individuals from all over the organization. Council President Hayes stated the way he has seen 360 ratings conducted includes customers, the public in the city's case. He asked if there would be any concerns going externally and getting feedback from non-employees. Mr. Wilkinson said it is important to be careful of who the city solicits feedback from, ensuring there is no sample bias. He said the types of questions would certainly be valid and get to the heart of the position, and the organizations mission through this role. Mr. Wilkinson said they would be happy to assist and help determine what the best process for the city is.

Councilmember McMillan noted several councilmembers have had some areas of concern as well as areas that are praiseworthy. She asked that the city council be involved with evaluation process.

Councilmember Lanier, speaking about the evaluations, stated Mountain Brook City Manager Sam Gaston recommended the ones he had provided for review. She noted Mr. Gaston had provided four sample evaluations for the city council to consider. Council President Hayes said he also liked components of all the samples, but thought the second one in the packet looked the best. He asked the city council to take another look at the evaluations. He asked HRM to provide more information on the multi-rater evaluation format.

Ms. Campbell said HRM is looking forward to assisting with the city manager evaluation. The city council agreed for HRM to draft a proposal on moving forward to ensure this is the best process possible. It was the consensus of the city council they wanted to have the best evaluation process and to do it the right way. Ms. Campbell said good communication is key in any evaluation process. HRM stated they would prepare a proposal for city council consideration by the end of next week.

Councilmember McMillan asked if HRM would be able to provide the services of a Human Resources Director during this interim period. Ms. Campbell stated they had sent a proposal to City Manager DiFante regarding this topic within the past few days. She said the five-page proposal had various options for consideration, one being an on-site human resources director.

2. Review Brush Collection Procedures and Operations

David Willingham, Director of Development Services & Public Works, introduced new Administrative Assistant Tammy Harris to the city council. Mrs. Harris stated she has 24 years of active duty military experience and seven years in the reserves. She said she recently retired and is excited to be working with the City of Pelham. Mr. Willingham also thanked administrative intern Jonathan Seale for his assistance and input over the past six months.

Mr. Willingham presented prepared information to the city council related to the city's current brush operations and procedures as well as proposed alternatives.

Mr. Willingham said over the past six months the city has been conducting an internal evaluation of its current brush collection operations. He thanked Mrs. Harris, Mr. Seale, and department team members for their continued efforts in this evaluation process. He said this service is provided to Pelham residents at no cost. However, the city has an annual expense of over \$500,000. He said the current fleet consists of three brush trucks and one pickup truck.

Mr. Willingham reviewed a graph depicting the brush tonnage report over the past 12 months. He said the city has transported almost 3,000 tons of brush to the landfill over the course of 650 trips. The average roundtrip to and from the landfill is 1.5 hours. He said the time spent of the road traveling to and from the landfill is concerning. He said a centrally located parcel, approximately 5-10 acres, within the city to stockpile brush would be ideal. He noted they are still exploring all available options.

Should the city council decide to make a change from the current procedures, Mr. Willingham proposed the following options to reduce the current operating costs:

- Reduce Volume of Brush
 - Implement a sign-up brush service with a fee
 - Promoting green initiatives such as recycling or composting
 - Transitioning to a bi-weekly collection schedule
 - Consists of dividing the city into 8 zones, collecting from 4 zones each week
- Reduce Landfill/Travel Costs
 - Obtain local parcel for brush storage
 - Grind/mulch brush to consolidate debris volume
 - Burn/incinerate brush, with the goal of maintaining a smoke free environment
- Outsource Collection

Mr. Seale stated the city has been considering all options, including outsourcing the collection operations.

Councilmember McMillan asked if the city continues its brush truck operations is it possible to dump at a local site and then outsource someone to haul the debris to the landfill to reduce time on the road. Mr. Willingham said he is concerned handling debris twice may cost more than simply hauling it straight to the landfill. He further stated regardless of the amount hauled to the landfill the tonnage is still the same at a cost of \$22 per ton. He said although savings are not immediate, the current personnel would be redistributed in the Street Department. He believes there are increases in efficiencies to be made regardless of whether a change is made in the brush collection operations.

Council President Hayes stated the reallocation of resources would not be hard savings but savings nonetheless.

Mayor Waters noted the city used to burn the brush and debris years ago. He said due to the amount of smoke this practice was discontinued. He outlined the various brush collection operations in neighboring cities.

Councilmember Lanier asked what the estimated fee would be for those residents requesting an off-week pickup. Mr. Willingham said if the council opted to move to the bi-weekly schedule they would have to calculate an average cost which fairly represents the city's expense. He said it is not the city's intent to overcharge our citizens for this service but to simply cover the costs.

Mr. Willingham provided the following information to the city council regarding brush and debris collections over a seven-week period last summer. He noted during this period the city made over 3,000 individual pickups.

75% of households had one collection
 20% of households had two collections
 5% of households had three collections
 <1% of households had four collections
 One household had 5 collections.

Council President Hayes said there has been great headway and analysis made. He asked Mr. Willingham for his recommendations in moving forward. Mr. Willingham asked for the opportunity to optimize the current procedures, and then reevaluate in March 2019. He said at that point he would like to come back to the city council with recommendations.

3. Evaluate Facebook Live Options for City Council Work Sessions

City Clerk/Treasurer Tom Seale stated the current pricing remains the same for up to two hours. He said anything over the two-hour block is \$75 for each additional hour. Council President Hayes noted there have been firmware upgrades to the current camera and audio device which has enhanced the audio quality. He further stated with the layout of the Council Conference Room there should be no issues with the acoustics.

Council President Hayes asked Dr. Scott Coefield, Superintendent of Pelham City Schools, about potentially having interested Pelham High School students participate in the Facebook Live recordings. Dr. Coefield stated he made contact with the broadcast teacher. He said there is a concern with the frequency of city council meetings and assuring the students would be able to attend on a consistent basis. Interfering with the students' schedule is another concern. Council President Hayes asked about the option of having the students participate in special called meetings which would give more real world and practical experience. Dr. Coefield said the broadcast teacher is always looking for opportunities. Dr. Coefield said City Manager DiFante has the school's broadcast teacher's contact information should she need to reach out to him. Councilmember Lanier stated she also had concerns about the Pelham High School students and all the other obligations they already have. She further stated she agreed with Dr. Coefield and his comments. Councilmember Mercer said he felt more comfortable if a professional group performed the recording and uploading to Facebook Live. He said he wanted to make sure the cost has been thoroughly looked at due to the number of meetings the council has, primarily during the budget process. Council President Hayes said he would not recommend recording all special meetings, just regularly scheduled meetings.

Council President Hayes asked if the city council would be comfortable having the work sessions recorded on a trial basis during the month of December.

Councilmember McMillan stated she was not in favor of recording city council work sessions.

Councilmember Scott said he would like to see this in place.

It was agreed by a majority of the city council to record the two regular work sessions in December.

4. Review Selection Process Alternatives for the CDA Applicants

Council President Hayes said six applications for the vacant positions on the Commercial Development Authority (CDA) had been received. He further stated the city had not received any applications for the Storm Water Board. It was agreed to extend the deadline for Storm Water Board applications to hopefully receive several candidate applications. Councilmember McMillan suggested setting up interviews for the CDA board member positions. Council President Hayes added this is an important position for our city. It was the consensus of the city council to conduct interviews at a time and date to be announced later.

A motion was made by Councilmember McMillan to recess the work session. Said motion was seconded by Councilmember Lanier. The motion to recess passed unanimously by voice vote of those members present. The work session was recessed at 7:00 p.m.

Council President Hayes called the work session back to order at 7:44 p.m.

5. Review the joint services agreement between the City of Hoover and the City of Pelham

Council President Hayes noted adjustments were made in the FY2019 budget to address a potential joint services agreement between the City of Hoover and the City of Pelham. Mayor Waters stated he has favored a different course of action about the City Garage for the past six years. He stated City Manager DiFante has done an excellent job putting together a draft of the agreement for city council consideration. He said this is a great concept and as the agreement moves forward both parties will have the opportunity to learn and figure out what is working and what needs to be improved. He further stated City Manager DiFante is excited about the savings the city will realize. Mayor Waters said he is excited about the quality of service our city employees will receive.

Council President Hayes stated the current plan is to vote on this joint services agreement on December 3, 2018.

Councilmember Lanier asked about the estimated time for vehicle repair. Mr. Willingham stated standard maintenance should not take longer than 30 minutes on any given vehicle.

Mayor Waters said he is glad to see two cities working together and hopes this will become a more common occurrence in the future.

6. Discuss Options to Clarify City Manager Job Description

Council President Hayes addressed the need to clarify the city manager's job description. He said some things could be open to interpretation. He further stated there has been no suggestion to change the city manager's employment contract. He said, however, there has been some concerns about the job description. He noted the need for both the Personnel Board and City Council to approve any changes to the job description, per the contract. Council President Hayes provided information to the city council for their review. He asked for feedback on whether changes, if any, need to be made.

Comments regarding the City Manager Job Description are as follows:

Councilmember McMillan said it is also important to obtain input and feedback from City Manager DiFante. She said there is this need because the city council may be reading the job description one way and she may be reading it in a different way.

Mayor Waters made three points:

1. Difficulty of who answers to who. Who answers to the City Manager? He stated there have been organizations who have gone through adversity due to lack of communication and a similar instance of not knowing who the primary authority figure is.
2. The Personnel Board and their involvement in this process should also be considered.
3. The contract and job description, one is dependent on the other, they support each other. Therefore, it is important the city manager is in a position to fulfill both the contract and the job description.

Councilmember Mercer reiterated the comments from a few weeks ago. He said Mayor Waters made a good point in the need to clarify who answers to the city manager. He further stated the city council should be on the same page and come to an agreement on the chain of command. He noted the need to improve the budget process. He said it is important everyone is on the same page in order to make sure the goal line is not being moved and everyone is crystal clear on the process.

Council President Hayes said it is important to address the budget process and make needed improvements. He stated any finance or budgetary issue ultimately falls on the city council. He said the budget process this year is certainly something to learn from, to address those concerns, and move forward next year.

Mayor Waters stated there have been discussions of a new budget process. Those discussions have included; starting in June of each year, the department heads will present their budgets, in total, to the city council. The city council will then prepare worksheets setting benchmarks for the city manager for items that are to be included in the budget, if the money is available. The city manager will then prepare a budget for council consideration. If the city council still has questions and would like changes to be made, the city manager has at that point essentially fulfilled her duty in presenting a balanced budget to the city council. The city council's budget review process would then begin. Mayor Waters said it is important to have the process in place before hand and it is paramount for that process to be adhered to. Councilmember McMillan thanked Mayor Waters for his positive outlook and his determination to continue to move forward.

New Business – None

Adjournment

A motion to adjourn the work session was made by Councilmember McMillan and seconded by Councilmember Lanier. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 8:04 p.m.

Respectfully submitted this 19th day of November 2018,



Tom Seale, MMC, City Clerk/Treasurer



Rick Hayes, Council President

