



WORK SESSION
Pelham City Hall – Council Conference Room
December 3, 2018 – 6:15 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 December 3, 2018 at 6:15 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 6:23 p.m.

Record of Attendance

The following elected officials were present:

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

Not present: Councilmember Maurice Mercer

Media Present: Shelby County/Pelham Reporter

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 November 19, 2018 Regular Council Work Session Minutes. The motion was seconded by Councilmember Lanier and passed unanimously by voice vote of those members present.

Mayor Waters' Comments – None

City Manager's Comments

- Met with Michael Cantanese, owner of El Santuario earlier today regarding the noise problems coming from his business.

- Stated Mr. Cantanese is making every effort to minimize the noise levels. It appears the noise problem lies with the “bass” instruments in the live band.
- Every complaint has been reviewed. The dates of the complaints coincide with the dates when the live bands were performing. During a recent three month period, El Santuario stopped all live music and there were no complaints.
- Stated at this time there are no live bands performing at El Santuario.
- El Santuario is taking additional steps with the assistance of a sound professional to make added recommendations to minimize the ongoing noise levels.
- Mr. Cantanese requested that she or Chief Palmer be involved to review changes under consideration prior to the resumption of live music.
- Stated Mr. Cantanese wants to be a good neighbor.
- Councilmember Scott stated when the liquor license was under consideration additional questions should have been asked on how the venue was going to operate in the future. He said having live music until 2:00 a.m. is a concern. Asked if there is a possibility for some “give and take” on this issue. Suggested stopping the live bands at 11:00 p.m. or 12 midnight.
- Councilmember Lanier thanked City Manager DiFante and Police Chief Palmer for their efforts to investigate the complaints.
- Announced Jonathan Seale is working to assist the City Manager with various projects until such time an executive assistant is hired. She stated he will begin working on the following projects:
 - Naming rights for the Pelham Civic Complex & Ice Arena
 - Language for massage business licensing
- Updated the city council on the shared services agreement for fleet operations with the City of Hoover. Stated Hoover was scheduled to take up the issue last Thursday in their work session. It appears the next available date for both councils to consider is December 17. Stated she will get back with the city council for a proposed date for review.
- Have developed a list of items for HRM, Inc. to do as a part of the human resources audit. Will be meeting with Carolyn Campbell with HRM, Inc. on Tuesday.
- A contract accountant will be coming in on Wednesday to assist in the Water Department with accounting and bookkeeping processes.
- Would like to make a presentation before the city council at a council meeting of the first year accomplishments of the city manager. With city council guidance, will work with the city clerk and council president and try to schedule the presentation at a time that makes sense.

Review of Council Agenda

Council President Hayes reviewed the December 3, 2018 city council agenda.

F. Public Hearing – None

H. Proclamations – None

J. Requests to Address the Council

1. Ashelea Powell Herrero representing Carly's Clubhouse

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

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

1. **Resolution 2018-12-03-01** for consideration to approve a request by Verizon for modifications to an existing telecommunications facility located at 5010 Oak Mountain Drive

David Aymett, with the Center for Municipal Solutions (CMS), the city's telecommunications consultant, stated Verizon has made application to modify their equipment at the existing tower located at 5010 Oak Mountain Drive. He stated Verizon is currently providing service from this 248 foot self-support tower at a height of 154 feet. Verizon currently has six antennas mounted on the tower, two per side. Mr. Aymett further stated Verizon is proposing to remove all of the existing antennas and replace them with new models. Mr. Aymett said the total antenna count will not change. He said Verizon will also be adding two new hybrid feed lines and there should not be any adverse impact to the aesthetics of the facility. In closing, Mr. Aymett said Verizon has complied with the City's Wireless Telecommunication Ordinance and CMS recommends approval of the request.

2. **Resolution 2018-12-03-02** for consideration to an addendum to the Video Services Agreement with BellSouth Telecommunications, LLC d/b/a AT&T Alabama to provide IP Video Service to the residents of Pelham

Chris Cousins, the city's interim engineer, explained the existing IP Video Services agreement expires on December 31, 2018. He said the proposed addendum is for a five year renewal with no additional contract changes. Mr. Cousins stated he and city attorney Josh Arnold have both reviewed the proposed addendum and recommend approval. He added, the definition of "gross revenues" is still under review and discussion with all city franchise agreements. Council President Hayes discussed fiber optics. Councilmember Scott asked if AT&T would provide information on what areas of the city they are not serving. Councilmember Scott also inquired about having AT&T provide the city council with a coverage map of AT&T's current service area. Council President Hayes asked City Manager DiFante about potential issues with this agreement related to other telecommunications contracts currently in place, as well as a recently proposed contract. Mrs. DiFante stated they had asked AT&T to provide the same services to the City of Pelham that they are providing to other municipalities. She said AT&T said no. Mr. Cousins said this resolution mainly relates to voice over IP (VoIP). He asked if the city council was possibly talking about other telecommunications aspects. Mr. Cousins said AT&T is not willing to provide any additional services that are not in the contract.

City Manager DiFante and Mr. Cousins stated it was their desire to require contractors working in the city to have a permit and a level of bonding before digging. Mrs. DiFante said this is a big problem. They said this requirement adds a level of accountability and ensures the contractor is properly licensed. City Manager DiFante said they would bring this requirement for city council's review. Councilmember Lanier asked if this recommendation would be coming to city council soon. Mr. Cousins said yes, around the first of the year.

Council President Hayes asked Mr. Cousins and City Manager DiFante if they had any concerns in moving forward with the approval of Resolution 2018-12-03-02. They said there were no concerns but if the city council had specific issues regarding the AT&T IP Video Services renewal to let them know so the questions could be answered.

Council President Hayes asked if approving the addendum was time sensitive. Mr. Cousins stated he had confirmed with the attorneys and although the agreement expires on December 31, 2018, if we cannot get it done by the end of the year the city will continue operating under the old agreement.

It was the consensus of the city council to remove Resolution 2108-12-03-02 from the December 3, 2018 agenda.

3. **Resolution 2018-12-03-03** for consideration to accept a donation of land from Housso, LLC located at 3191 Lee Street and containing approximately .07727 acres

Mayor Waters requested Resolution 2018-12-03-03 be removed from consideration to allow the grantor to be present.

4. **Resolution 2018-12-03-04** for consideration to approve a Purchase Contract between the City of Pelham and Athletica Sport Systems for the replacement of dasher board glass at the Pelham Civic Complex & Ice Arena

Pelham Civic Complex & Ice Arena Administrator Danny Tate explained the replacement of the dasher board glass was basically for the city to be compliant with Southern Professional Hockey League requirements. He explained this is the next step in the process. Councilmember Scott asked how many pieces of glass would be replaced. Mr. Tate said he did not know the exact number but there would be fewer stanchions which would improve visibility and fan enjoyment.

5. **Resolution 2018-12-03-05** for consideration to approve a scope of work agreement for the installation of dasher board glass at the Pelham Civic Complex & Ice Arena

Mr. Tate stated this is a continuation of the previous resolution which would complete the installation of the dasher board glass per the Southern Professional Hockey League requirements. Council President Hayes explained the purchase and installation of the dasher board glass would go over budget by approximately \$500. Councilmember McMillan questioned the height of the new dasher board glass. Mr. Tate said the height of the new glass varies between six and eight feet and it is their expectation every other stanchions will be removed around the rink, reducing the number by half.

(End of December 3, 2018 Agenda Review)

Old Business

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

Council President Hayes stated he had asked Carolyn Campbell with HRM, Inc. to provide information, suggestions and feedback regarding the city manager evaluation process.

Council President Hayes said of the 360 evaluation tools available, HRM, Inc. suggested using a product called DecisionWise. He said if the DecisionWise evaluation tool is used it cost approximately \$300. Council President Hayes added that HRM said that using the DecisionWise tool would alleviate the need for the HRM database administrator and reduce the HRM time needed to support this effort from 20-25 hours to 8-10 hours. He said the same HRM consulting contract could be used related to supporting the DecisionWise 360 effort and the city council's performance evaluation of the city manager.

For the city council's performance evaluation of the city manager, Council President Hayes referenced the ICMA example, which had been provided to the city council along with several other sample performance evaluations. He said the ICMA example jumped out at him because it was simple. He said that HRM could help finalize the questions to be included, provide the council members seven to ten days to provide their responses, and then compile the information for council's review. Councilmember Scott asked about the shortcomings with regard to what HRM would be doing for the city and why a second effort would be needed. Council President Hayes explained HRM would actually coordinate the DecisionWise process and the more specific performance evaluation to be completed by the council members.

Councilmember McMillan suggested having City Manager DiFante make her presentation prior to the evaluation. Council President Hayes asked Mrs. DiFante when she would like to make the presentation. Mrs. DiFante said the December 17th agenda will probably be very full. Councilmember McMillan asked Mrs. DiFante if she did not mind, is it acceptable to delay the evaluation to a later date. She said the city council wanted to speed up the process so her evaluation was not going "on and on". Council President Hayes suggested January 3, 2019 for Mrs. DiFante to make her presentation to the city council. Mrs. DiFante asked how she would receive feedback. Council President Hayes said the details of her evaluation should be discussed in groups of one or two, but the summary would be discussed as a group. She stated the process for completing the performance appraisal sounds fast.

Councilmember Lanier agreed a January 3rd date did seem quite fast. She further stated we want to make it fair and highlight what she has done. Councilmember Lanier questioned the 360 evaluation process and are we moving forward toward completion. She stated she wants to make sure what we are doing is fair to the city manager. She suggested having HRM review all the documents which have been provided to the city council. Council President Hayes explained how the 360 evaluation should work in this instance.

Councilmember Scott stated whatever the city does it is important to use the confidentiality of HRM.

Council President Hayes asked if this is the process the council wants to use and where do we go from here. The consensus was to allow HRM to manage the evaluation process.

Councilmember Scott stated he had concerns and wants to look into the process. He asked if this is the type management/evaluation tool that other cities use. Council President Hayes pointed out that this is the example that ICMA provided for city manager performance evaluations.

City Manager DiFante asked how do you choose who will complete the 360 evaluation? It was agreed to talk with HRM for their input regarding the 360 evaluation.

New Business

1. Rescheduling the January 2019 Work Sessions and Council Meetings

The city council discussed various date options in order to work around the College Football Playoff National Championship Game on January 7, 2019 and the scheduled Martin Luther King, Jr. National Holiday on January 21, 2019.

It was the consensus of the city council to reschedule the January 2019 work session and council meetings as follows:

- January 7, 2019 Work Session and City Council Meeting to Thursday, January 3rd
- January 21, 2019 Work Session and City Council Meeting to Monday, January 14th.

Adjournment

A motion to adjourn the work session was made by Councilmember McMillan and seconded by Councilmember Scott. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 7:07 p.m.

Respectfully submitted this 3rd day of December 2018,



Tom Seale, MMC, City Clerk/Treasurer



Rick Hayes, Council President

