WORK SESSION
Pelham Senior Center
September 23, 2019 – 4:00 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 September 23, 2019 at 4:00 p.m. The regular work session was held at the Pelham Senior Center and was open to the public.

Call to Order

The work session was called to order by Council President Hayes at 4:03 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

A motion was made by Councilmember McMillan to approve the September 9, 2019 Special and Regular Council Work Session Minutes. The motion was seconded by Councilmember Lanier and passed by voice vote of those members present.

Review of Council Agenda

Council President Hayes reviewed the September 23, 2019 city council agenda.

F. Public Hearing - None

G. Proclamations by the Mayor

1. Proclaiming September 30, 2019 as Family Day and the week of September 29 through October 5, 2019 as Family Week in the City of Pelham

J. Requests to Address the Council

Fire Chief Tim Honeycutt's recognition of Fire Medic Adam Moore

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

1. **Ordinance No. 488** for consideration to enter into a franchise agreement with Spectrum Southeast, L.L.C. D/B/A Charter Communications, to construct, operate, and maintain a cable system in the city of Pelham, Alabama. The First Reading was on September 9, 2019.

Councilmember Scott asked about the Federal Communication Commission's legislation regarding franchise agreements. Taylor Vice, representing Charter Cable, stated the cap on what a city can receive as a franchise fee is 5.00%. He stated anything above 5.00%, for instance any free services, is not permissible under the new legislation. Councilmember Scott inquired if Charter Cable tracks outages. Mr. Vice said they did. Councilmember Scott asked about discounted rates for city facilities. Mr. Vice said the rate is the same for city facilities and commercial businesses. Council President Hayes asked about the areas not served by Charter Cable in Pelham. Mr. Vice confirmed there were still areas in Pelham not currently being served by Charter and explained the reasons for this, as well as the opportunities to address this issue. City Engineer Chris Cousins stated he recommended approval of Ordinance No. 488.

2. **Ordinance No. 091-03** for consideration to adjust the water connection fees for residential and commercial customers. The First Reading was on September 9, 2019.

City Engineer Chris Cousins said the adoption of Ordinance 091-03 makes the city whole with regard to the increased cost of the radio read water meters.

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

1. **Resolution 2019-09-23-01** for consideration to approve a request by T-Mobile for modifications to an existing telecommunications facility located at 5010 Oak Mountain Drive

Jeff Bass with the Center for Municipal Solutions (CMS), the city's telecommunications consultant, stated T-Mobile has made application to modify their equipment at the existing tower located at 5010 Oak Mountain Drive. He said T-Mobile currently is providing service from this 248 foot self-support tower at a height of 248 feet. T-Mobile currently has six (6) antennas mounted on the tower, three (3) per sector or side. Mr. Bass stated they are proposing to remove all of the existing antennas and replace them with three (3) new models. The total antenna count will be reduced from six (6) to three (3) antennas. He further stated T-Mobile will be removing six (6) remote radio units and replace them with six (6) new models. He said there should not be any adverse impact to the aesthetics of the facility. He stated T-Mobile currently has five (5) feedlines mounted on the face of the tower and they are proposing to add one (1) additional feedline. He said T-Mobile has complied with the city's Wireless Telecommunication Ordinance. Mr. Bass further stated the upgrade to the existing tower is due to a change in technology. He said CMS has reviewed the application and recommends approval.

2. **Resolution 2019-09-23-02** for consideration to approve certain improvements by the Alabama Department of Transportation, more specifically, bridge replacement and approaches on Shelby County Highway 52W over Buck Creek

Mr. Cousins stated this is a standard Alabama Department of Transportation (ALDOT) agreement for the replacement of the bridge and approaches on Shelby County Highway 52W. He further stated there should be very little traffic disruption. He said he had no concerns with the city council approving Resolution 2019-09-23-02. Councilmember Lanier asked about a completion date for the project. Mr. Cousins said a completion date is unknown at this time.

3. **Resolution 2019-09-23-03** acknowledging the American Legion Post 555 date change hosting the Southeastern Pro Rodeo Charity Event

Council President Hayes explained the need for the date change. Councilmember McMillan expressed her concerns with the location since the property is for sale. Additional discussion followed regarding potential alternative City of Pelham sites if the planned location is not still available in March.

4. **Resolution 2019-09-23-04** for consideration to approve a change order regarding Lift Station J improvements reducing the total construction costs

Mr. Cousins stated the project has been completed. He said the resolution simply sets the quantities and is administrative in nature.

5. **Resolution 2019-09-23-05** for consideration to declare certain personal property (vehicles) as surplus and no longer needed by the City of Pelham or the Pelham Police Department.

There were no questions from the city council regarding the adoption of Resolution 2019-09-23-05.

6. **Resolution 2019-09-23-06** for consideration to authorize an agreement between the City of Pelham and the Alabama Department of Transportation for preliminary engineering for the Highway 261 Widening Project

Mr. Cousins stated this is a three-party agreement for preliminary engineering design for the Highway 261 widening and road improvements project. He said this agreement does not include any construction or right-of-way acquisition costs. He further stated the agreement is between Pelham, Hoover and Shelby County. Councilmember Scott asked why Helena was not included. Council President Hayes said Shelby County had requested Helena to be excluded. He further stated Helena has agreed to be a partner in the right-of-way acquisition, utilities relocation, and construction expenses.

7. **Resolution 2019-09-23-07** for consideration to adopt the City of Pelham's Fiscal Year 2020 Budgets

It was the consensus of the members of the city council to further discuss Resolution 2019-09-23-07 during the Old Business portion of tonight's work session.

8. **Resolution 2019-09-23-08** for consideration to adopt the City of Pelham's Vehicle Use Policy, Procedures and Guidelines for city owned vehicles

Director of Human Resources Tracy Hill was out of town for this meeting, but had stated in a previous meeting the need for a city-wide Vehicle Use Policy. She had also said city departments have developed their own vehicle use policies.

Councilmember McMillan moved to remove Resolution 2019-09-23-08 from the September 23, 2019 city council agenda. Councilmember Scott seconded the motion. There being no further discussion, the motion to remove Resolution 2019-09-23-08 from the agenda passed unanimously by voice vote of those members present and the council president declared the same passed.

It was the consensus of the members of the city council to further discuss Resolution 2019-09-23-08 during the Old Business portion of tonight's work session.

(End of September 23, 2019 Agenda Review)

Executive Session

Council President Hayes stated for the record the purpose of the Executive Session was to discuss the legal ramifications and/or legal options for pending litigation, to discuss with our attorney controversies not yet being litigated but imminently likely to be litigated if the governmental body pursues a proposed course of action. City Attorney Josh Arnold stated the purpose of tonight's Executive Session is appropriate under Section 36-25-A-7(a)(6), Code of Alabama 1975, as amended.

A motion was made by Councilmember McMillan to enter into an Executive Session of the city council for the stated purpose. 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	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, Mayor Gary Waters, City Manager Gretchen DiFante, Fire Chief Tim Honeycutt, City Attorney Josh Arnold, Fire Medic Todd McCarver, Firefighter Jim Terrell 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. The city council went into executive session at 4:26 p.m.

Councilmember Lanier moved to adjourn the executive session. Said motion was seconded by Councilmember Mercer. The motion passed unanimously by voice vote of those members present, and the executive session was adjourned at 5:13 p.m.

Council President Hayes called the September 23, 2019 work session back to order at 5:18 p.m.

Old Business

1. Proposed FY2020 Budget Review

Council President Hayes reviewed the proposed FY2020 budget with the members of the city council.

- Sales Tax. Council President Hayes stated he believes the city will come out higher than the budgeted amounts for some of the specific revenue items included in the FY2020 Budget including the SSUT. However, based on the current economic conditions and forecasts, he said he is not recommending a change to these items since being conservative in budgeting revenues may offer a needed cushion in FY2020.

- Accounting Manager Jenny Gray discussed the employee flex insurance accounts. She said moving forward we would like to eliminate both the revenue and expense line items in the budget.

- Sale of Assets. Regarding the sale of Valley Elementary School, it was noted for the record the Amendment 772 hearing for Campus No. 124 is scheduled in Judge Lara Alvis' courtroom on October 21, 2019 at 9:00 a.m. The related $1,000,000 will be added to FY2020 revenue.

- Election expense. Council President Hayes asked about the need to print municipal election ballots for all registered voters versus a lower number based upon past voter turnout. He said that he just thought he should mention that close to 75% of the ballots had to be thrown away during the last two elections. Councilmember Lanier said she hoped for 100% turnout in the municipal elections next summer. She encouraged the city council not to decrease the number of ballots to be ordered. Councilmember Mercer agreed with Councilmember Lanier and no change was made to this item.

- There was discussion regarding the Voice over IP (VoIP) expenses of $1,133 per month. After discussions with IT Manager Dell Ann Holly, it was the consensus of the city council to leave the line item as is.

- Marketing/Brand Manager. The needs and desires of the city were discussed at length. City Manager DiFante said we may not be getting the "biggest bang for our buck". She stated not wanting to renew the contract with the current provider for a full year and that they may not want to use Pelham Living for the full year. Council President Hayes mentioned the Pelham Living proposal to Pelham was to be the sponsor for the whole episodes like the City of Calera is currently doing where Pelham would direct all of the content. Councilmember McMillan stated she did not feel comfortable choosing a business and allowing that business to be a part of the city's marketing efforts. Council President Hayes spoke to the potential unfairness to the competitors of the business chosen by the city.

- City Hall Renovations. City Clerk/Treasurer Tom Seale stated no funding for renovations had been included in the FY2020 budget. He noted $30,000 was added for preliminary engineering and design work. City Council Hayes suggested budgeting money to begin a simple startup for the mold abatement. Councilmember Mercer said he was still considering what to do with the building. He stated the need for appropriately evaluating any potential renovations before money is budgeted. He said he would like to hear back from Joey Roach with Edmonds Engineering, Inc. Councilmember Lanier agreed with Councilmember Mercer. She said she loves the current city hall and prefers to decide what to do with the building before any money is appropriated.

Councilmember Scott supported this idea and said the budget is a living document. He said getting to a point to make a decision is important. He further stated he does not feel the necessity to budget funds for city hall today when we can come back and amend the budget at a later time. He agreed with Councilmember Mercer. Council President Hayes noted it has been almost seven months since city hall was closed and he is ready to move forward at least with the no-cost analysis that has been proposed for mold remediation. Councilmember Lanier asked for the city council to move forward and make a decision about City Hall. There was a consensus not to add any funds for this work at this point.

- Library. It was noted the Library dumpster was removed due to restrictions in the Overlay District. Library Director Mary Campbell stated two trash cans and two recycling bins were not enough. She said a dumpster is needed because the custodial staff was putting the Library's trash in the trash containers versus one of the nearby dumpsters. Discussion followed about possible fencing and landscaping to hide the dumpster. Councilmember Lanier asked if there is another option to place the dumpster. Mrs. Campbell stated she would look for more options to hide the dumpsters to ensure it is not visible from Highway 31.

- Pelham Park Upgrades. It was suggested to remove the restrooms upgrade from the budget, per City Manager DiFante's recommendation. It was recommended to place $25,000 in the budget for the park upgrades. Council President Hayes agreed to move ahead and plan for the upgrades with a possible partnership with Shelby County. He stated that this area stands out like a sore thumb to him. Councilmember McMillan stated that she agrees with Council President Hayes, but that she is okay not making a change to the budget at this time for additional park improvements and no change was made.

- Highway 31/33 Connector Road. Council President Hayes asked if the geotechnical work in the amount of $175,000 had been removed from the budget. City Engineer Chris Cousins said the route plans for the road have not been developed at this time. He further stated the engineering firm is currently working with five different options/routes. Council President Hayes stated his concerns with project was important enough to leave in the budget and spoke to the recent conversations with the Pelham BOE leadership of this issue. He further stated leaving the geotechnical work funding in the budget would take another step forward in getting this project started in FY2020. Mr. Cousins said the geotechnical work could be completed late in FY2020, if the preliminary work is completed by then. Council President Hayes stated this is a critical road for the city, for the schools, and for citizens to have the option for easier access to the city center from Highways 33 and 35. He said he would like to move forward on this during the upcoming fiscal year.

  A motion was made by Councilmember Lanier to add $175,000 to the FY2020 Engineering budget. Said motion was seconded by Councilmember McMillan and passed by a majority voice vote of those members present with Councilmember Scott dissenting.

- City Hall Renovations – Continued. It was noted there was $30,000 proposed in the last meeting to move forward with site evaluations and preliminary design work for a new city hall. City Manager DiFante stated the need to decide exactly what direction we want to pursue. She said the project needs to be a collaborative effort in order to make the right decision. She noted the importance in choosing the right partner in the project. Council President Hayes said the current report states City Hall has good bones which gives us an opportunity to make significant improvements. He further stated, in his opinion, a new city hall is not the right choice, but wants to move forward. Councilmember McMillan said she agrees with Council President Hayes. She further stated the need to decide what is most important in addressing the wishes of the city. She said it is hard to spend money on city hall while so many other projects call for attention. Councilmember Mercer said he supports keeping the $30,000 in the budget for the evaluation. Councilmember Lanier and Councilmember Scott stated they were also comfortable leaving the $30,000 in the FY2020 and no change was made to the budget.

- Community Outreach Position. It was suggested to remove and not fund the community outreach position in the Police Department's FY2020 budget. Council President Hayes stated when former Police Chief Larry Palmer presented the request for the new position several years ago, he was not sure how successful this position/these efforts would be. He said that he had trouble seeing how eliminating this position would benefit and at the same time help the city. Councilmember Scott said he is not a proponent of keeping the position for the additional nine months in the FY2020 Budget as everything is evaluated. Instead, he said he sees a greater good to have an overall plan for the entire city. Councilmember Scott said that allowing silos to develop and becoming territorial with employees is a concern and would be a detriment. He further stated success of this position is a subjective one and he would like to see an individual in this position come in and support the whole city. Councilmember McMillan stated the Police Department is unlike other departments. She stated seeing the need for this position in the Police Department. Council President Hayes suggested not eliminating this position from the budget. Councilmember Mercer said this conversation is not based on the success of the position. He said he would like to see the success expanded upon throughout the entire city and not restricted to a single department. Councilmember Mercer stated he would not include the position in the Police Department but in the Administration's portion of the general fund budget. City Manager DiFante stated Paula Holly has been leading the event planning and social media aspects of the city for a number of years. She stated Mrs. Holly would be a part of the team, with the new employee, who would be tasked to oversee all city marketing. She also said that she had been told that although this position is full-time, it is not currently being utilized as a full-time position. Councilmember Lanier said the city needs to evaluate departments as they grow and to give new employees time to adjust. She stated she would like to leave the position as it is in the current budget. City Manager DiFante commented the marketing manager would have oversight over the current position in the Police Department, as opposed to being restricted to just the Police Department. Council President Hayes stated there needs to be a period of time to figure out the direction of the city. Councilmember Lanier said no one individual has time to cover all areas of the city's marketing needs. She further stated seeing the need for a second person at some point. Interim Police Chief Cheatwood said they have had a lot of success with this position and that they are passionate about it. He stated the current community outreach position could partner with the Fire Department easily. Discussion followed concerning the need to push public safety information out in a timely manner. Councilmember Scott said the person in this position needs to be a team player. Interim Police Chief Cheatwood agreed, stating we are all on the same team. Councilmember Scott said no department or position should be without oversight from the administrative staff. Councilmember Lanier stressed the importance in following job descriptions. She mentioned the possible need to reevaluate the position at some point. Councilmember Lanier said there needs to be clarification as to whom the position reports to and with a clear description of duties. Council President Hayes said moving the position would not make any sense at this time. He suggested leaving the community outreach position in the Police Department and move it to Administration at the appropriate time. City Manager DiFante said structurally it is important to set people up for success. Councilmember Scott stated we are drifting toward the same place and coming to a consensus in what the city would like to see.

  There was unanimous agreement by the members of the city council to include the position in the budget for all of FY2020 under the Police Department.

- Civic Complex. Council President Hayes reviewed various revenue line items in the Pelham Civic Complex & Ice Arena budget. Accounting Manager Jenny Gray made additional comments regarding the Birmingham Bulls and projected revenues including ticket and concession stand sales. Council President Hayes said he was not suggesting to include $125,000 for naming rights and would even consider removing the $25,000 from the budget line item. Discussion followed regarding the restroom upgrades and if $30,000 was sufficient to move forward with the renovations. Mrs. DiFante said she would like to increase the budgeted amount to $50,000 for the restroom upgrades. The purchase of a forklift and box truck was also discussed.

- Further discussion followed regarding the as-built drawings for the completed Civic Complex renovations from Goodwyn Mills and Cawood. Hockey Director Erik Hudson spoke to the importance of having a forklift available when needed and an alternative to the box truck and second fork lift.

  By a unanimous voice vote, the city council followed the suggestions of Accounting Manager Jenny Gray regarding advertising, banquet room rentals, banquet food and beverage, concessions and pro hockey ticket revenue line items.

- Racquet Club. Increases in the salary, workers compensation, and payroll taxes line items (including the $38,403 adjustment to salary for the proposed raise) were discussed. Council President Hayes noted the Personnel Board would be reviewing the job description and salary ranges for the Director of the Racquet Club position on Tuesday night and pointed out that the $38,403 was much more than the raise would be based on the proposed salary range for the Director of the Racquet Club position. It was agreed that these numbers would be checked and corrected as necessary.

- Ballantrae Golf. Various line items were reviewed. Revenue for Range Balls and Tournament Food and Beverage was increased slightly.

- Sewer revenues. City Engineer Chris Cousins said he was comfortable with the budgeted sewer revenues of $4,850,000 for FY2020.

A motion was made by Councilmember Mercer 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 7:11 p.m.

Council President Hayes called the work session back to order at 8:02 p.m.

2. Vehicle Use Policy – Tracy Hill

City Manager DiFante stated Director of Human Resources Tracy Hill had drafted a Vehicle Use Policy with input from all department heads. She stated the policy is comprehensive and allows the department heads flexibility in managing their staff. She highlighted several items in the proposed policy. Councilmember Scott asked how the 35 mile limit was determined. Fire Chief Honeycutt stated Mrs. Hill surveyed several local municipalities and a 35 mile limit was recommended. Fire Chief Honeycutt and Interim Police Chief Cheatwood complimented City Manager DiFante and Director of Human Resources Hill for their detailed work on the proposed policy. Both Fire Chief Honeycutt and Interim Police Chief Cheatwood provided additional information. Mayor Waters noted the recently added provision allowing the mayor and/or city manager to administer the policy and this was discussed. Councilmember Lanier asked about permission being required to park a city vehicle within the 35 mile limit. City Manager DiFante noted the need for the department head to have flexibility to approve such requests. Council President Hayes asked if the current city practices/policy was appropriate. Fire Chief Honeycutt stated since 2012 each department head was instructed to administer their own policy. He further stated the city-wide policy clears up many "gray" areas within the department policies. Councilmember Lanier asked about perimeters when choosing the location to park vehicles. Fire Chief Honeycutt said he was confident the locations were safe and secure. Councilmember Scott asked Interim Police Chief Cheatwood how many police employees take vehicles home. He said approximately 30 employees have this privilege. He stated having this policy cuts down on response time for his department.

New Business - None

Adjournment

A motion to adjourn the work session was made by Councilmember Scott and seconded by Councilmember Mercer. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 8:24 p.m.

Respectfully submitted this 23rd day of September 2019,

Tom Seale, MMC, City Clerk/Treasurer

Rick Hayes, Council President

[SEAL]