WORK SESSION
Pelham Civic Complex & Ice Arena
December 16, 2019 – 5:30 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 16, 2019 at 5:30 p.m. The regular work session was held in the Pelham Civic Complex & Ice Arena and was open to the public.

Call to Order

The work session was called to order by Council President Hayes at 5:33 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 Scott to approve the December 2, 2019 Special and Regular Council Work Session Minutes. The motion was seconded by Councilmember McMillan and passed by unanimous voice vote of those members present.

Review of Council Agenda

Council President Hayes reviewed the December 16, 2019 city council agenda.

F. Public Hearing - None

H. Proclamations by the Mayor - None

J. Requests to Address the Council

1. Gary Griffith, instructor with the Shelby County Board of Education's Career Technical Education Center - Public Service Academy, will be honoring several members of the Pelham Police for their assistance in the school's mock interview process.

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

1. **Ordinance No. 257-05** for consideration to clarify the educational incentive program offered to employees of the City of Pelham and, notwithstanding its repeal by implication, to expressly repeal Ordinance 257-04, Section 2, and further, to repeal Resolutions 2010-03-15-01 and 2011-08-22-01. The First Reading was on December 2, 2019.

Council President Hayes reminded the city council Ordinance No. 257-05 was introduced as a first reading on December 2, 2019.

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

1. **Resolution 2019-12-16-01** for consideration to declare certain personal property (vehicles) as surplus and no longer needed for public or municipal purposes and to donate said surplus personal property to local public safety organizations.

Fire Chief Tim Honeycutt and Interim Police Chief Pat Cheatwood recommended approval of Resolution 2019-12-16-01 and the donation of two of the vehicles to the Alabama Historic Ironworks Police Department and the Kingdom Volunteer Fire Department.

2. **Resolution 2019-12-16-02** for consideration to approve the appointment of a Chief of Police for the Pelham Police Department.

Mayor Waters announced the appointment of Pat Cheatwood as the new police chief for the City of Pelham, pending city council approval of Resolution 2019-12-16-02.

3. **Resolution 2019-12-16-03** for consideration to accept the lowest pricing from Cummins, Inc. through Sourcewell, a purchasing cooperative, in the amount of $80,000 to replace a 38 year-old portable generator.

City Engineer Chris Cousins said the project includes replacing a 38 year-old portable generator for the sewer department. He said refurnishing the current portable generator would have resulted in an undersized generator for the purposes needed. He stated the $80,000 purchase price is below the FY2020 budgeted amount of $85,000.00. Mr. Cousins said the pricing from Cummins, Inc. is through Sourcewell, a purchasing cooperative, and he recommended approval of Resolution 2019-12-16-03.

4. **Resolution 2019-12-16-04** for consideration to approve a Professional Services Agreement with EEFS Company, P.C. to provide engineering design services for corrective actions and improvements to Huntley Parkway.

City Engineer Chris Cousins explained EEFS Company, P.C. will provide engineering services for the remediation of Huntley Parkway. He stated their proposal is based on the geotechnical report and recommendations prepared by Terracon earlier this year. He further stated although he recommends approval of the entire project, he suggested, if approved, only Phase 1 of the design be authorized at this time. Mr. Cousins said he will be exploring the possible inclusion of the design into Shelby County's annual paving contract in FY2020 as a cost saving measure. Councilmember Scott asked how comprehensive is the project? Mr. Cousins said the scope of work would include the entire length of Huntley Parkway. He stated the failed areas would be addressed and the entire road will be repaved. He stated the underlying problem with Huntley Parkway is the lack of enough asphalt on the road. Council President Hayes asked about the project schedule and Mr. Cousins stated the project should be completed during the summer 2020.

5. **Ordinance No. 156-08** for consideration to amend the Code of Ordinances, City of Pelham, Alabama, by adding rules and regulations to Chapter 10, Article III, as Division 4.5 Low Pressure Sanitary Sewer Systems. **First Reading.**

City Engineer Chris Cousins asked the city council to review proposed Ordinance No. 156-08 and consider introducing as a first reading at tonight's city council meeting. He said low pressure sewer systems are fairly common and are typically installed where topography makes traditional gravity systems cost prohibitive, including Ballantrae. He stated this Ordinance will leave gravity sewers as the preferred method for new sewer connections but will allow for the installation of low pressure systems when the City concurs that a low pressure system is the better solution for providing service. He further stated this Ordinance requires the Homeowner's Association (HOA) to contract with an approved third party service provider to maintain consistency in both the quality of equipment installed and the level of service provided.

(End of December 16, 2019 Agenda Review)

New Business

1. Dr. Scott Coefield, Superintendent, Pelham Board of Education, regarding refinancing school debt and Plan Pelham

Dr. Coefield stated the Pelham Board of Education (BOE) has consulted with financial advisor Chris Williams of Rice Advisory, LLC regarding the possible refinancing of their debt. He said the BOE has been advised positive opportunities may exist related to the refunding of the debt, particularly a portion of the 2014 debt. He said the BOE is ready to engage their financial advisor in conversations with the city staff. Council President Hayes asked about the negative arbitrage related to portions of the 2014 debt. City Manager DiFante stated she would be the contact for the debt refinancing.

Dr. Coefield said the current ordinance states the one cent educational sales tax is to be "expended to support public education for the residents of Pelham". He expressed the BOE's concern there is no provision in the funding ordinance stipulating the BOE will receive the educational sales tax. He said the BOE seeks the opportunity of removing this uncertainty. He further stated the BOE understands this opportunity may exist if there is a bond refinancing and pledging of the education sales tax. He said a reworded ordinance or resolution may need to be considered. Dr. Coefield said a pledging of the educational sales tax would make it more difficult for future city leaders to "undo" the work of current city leaders. Councilmember Scott agreed there is a need to rework the ordinance and specifically name the Pelham Board of Education as the recipient of the one cent educational sales tax. He said the city needs to get this issued cleared up. Council President Hayes spoke about the opportunity for the refinancing and the issues related to the educational sales tax ordinance wording.

Dr. Coefield said the BOE believes there are immediate and high priority issues in our city that have a direct impact on the schools. He said upon their review of PLAN PELHAM, there are certain action items listed under Section 7, Goal #2, that the BOE supports and believes should be high priority items. Those items include:

- Action Item #9: Rental property inspection system and a good landlord program
- Action Item #5: Additional code enforcement efforts to increase inspections, permits, etc.
- Action Item #7: Citizens' guide for code enforcement
- Action Item #3: Blight court
- Action Item #1 and #2: Appropriate code

Old Business

1. Update & Discuss Timeline – Retiree & Employee Health Insurance/Benefits

City Manager DiFante stated the need to obtain a consensus from the city council on moving forward with retiree and employee health insurance and benefits. She said four cities in Alabama have already made decisions with regard to moving Tier 2 employees to Tier 1. Those cities approving the move are Vestavia Hills, Auburn and Gulf Shores. Mountain Brook elected not to make any changes. Accounting Manager Jenny Gray said there were many questions regarding different scenarios if the city council selects a particular course of action. She said there are many variables in trying to determine a cost. Mrs. Gray suggested having an actuarial study performed to better determine the long term costs to the city. She explained the reason behind Mountain Brook's decision not to approve the Tier 1/Tier 2 proposal was the unknown cost variables. Council President Hayes stated the possibility of having a competitive hiring disadvantage by not approving the change. Councilmember McMillan asked if this change would primarily benefit the police and fire departments. City Manager DiFante stated the change would benefit all employees. She further stated she has always suggested the Tier 1/Tier 2 decision be made earlier than later. Council President Hayes agreed with City Manager DiFante regarding the need to address this issue and move as quickly as possible. Additional discussion followed between the city council, City Manager DiFante and Accounting Manager Gray. City Manager DiFante and Mrs. Gray asked if the city council would be agreeable to a review of the information during the January 6, 2020 work session and followed by a resolution to consider the Tier 1/Tier 2 proposal on January 23, 2020. Mrs. Gray suggested a timeline for review and approval of all the different variables currently before the city council. Councilmember Lanier stated her concerns in wanting to make sure the city council and city staff were on the same page in providing the necessary information. Mayor Waters stated he agreed with Councilmember McMillan that our goal is to have the pay plan, Tier 1/Tier 2 decision and retirement issues addressed for implementation in the FY2021 budget.

2. Parks and Recreation Master Plan Agreement Review

Parks & Recreation Director D. Tyrell McGirt stated the city council has before them a draft of the Clemson University/Park & Recreation Master Plan Agreement. He stated the Plan would be developed over the next four months. He said there would be citizen and elected official involvement in the process. Mr. McGirt further stated the purpose of tonight's discussion was to update the city council on what to expect in the coming months.

3. Discuss State Revolving Fund (SRF) Loan Options

Council President Hayes gave an overview of the State Revolving Fund (SRF) Loan program. City Engineer Chris Cousins asked the city council to consider authorizing the no-obligation, pre-application for a State Revolving Fund (SFR) by approving Resolution 2019-12-16-06. He said the pre-application is non-binding and allows the Alabama Department of Environmental Management (ADEM) to gauge interest in the upcoming SRF funding cycle. Council President Hayes asked if the pre-application had to be project specific. Mr. Cousins stated the three projects to be included in the pre-application are: (1) a backup water supply to Ballantrae, (2) radio read meter replacement project, and (3) sanitary sewer repair and remediation. Mr. Cousins said the pre-application will contain conceptual budget estimates for funding which will be refined as the project scopes are better defined. He said a separate, full application, will be required to be submitted later in the process. Mr. Cousins explained the proposed Ballantrae back-up water supply options which could be included in the SRF pre-application. Council President Hayes asked Mr. Cousins if the proposed option was the best option and he said he thought it was. Mr. Cousins explained they have already assigned cost estimates to sanitary sewer repairs and remediation.

4. Update – Proposed New Fire Station No. 3

Director of Development Services & Public Works Director Andre Bittas stated it was his understanding the initial cost estimate came in over budget. He further stated Mr. Cousins has laid out a plan which makes sense. He said the plans are to work with the architect and make sure the city is delivered a good proposal and within budget. This would include building systems that work within the budget. He stressed the need to come back to the city council with a realistic proposal. Councilmember McMillan asked if there were options to possibly replicate an existing fire station already in existence. Mr. Bittas stated the need to design a building that is realistic to the needs of the City of Pelham. Council President Hayes said the Highway 11 area of Pelham has been long underserved. Mr. Bittas said the city owns the design created by the previous architect and there exists the possibility of using some of those design features. He stated the agreement with Stephen Coker will include schematic design and design development services for the proposed new Fire Station No. 3. Mr. Cousins said Stephen Coker intends to use Wayne Davis Construction as a construction estimator. He said the City will work with the architect and contractor to evaluate alternate building systems and components to produce a conceptual design meeting the City's needs with the lowest practical estimated cost. He further stated should the city council decide not to move forward with completing the design this agreement would be terminated. Mr. Bittas said the timeline for this phase of the project is approximately 90 days.

5. Interview Schedule for Personnel Board Appointment

Council President Hayes stated that six applications for the Personnel Board appointment had been received. Councilmember Lanier stated she thought it was necessary to set up interviews for all the applicants. She also mentioned the need to have a list of questions which would be consistent for all candidates. Councilmember Mercer asked if the city council wanted to interview all six candidates. Council President said in the past the list has been narrowed and all candidates were not interviewed. Councilmember McMillan agreed. Councilmember Scott stated he would like to interview all the candidates. Council President Hayes suggested a special called work session to interview candidates. He further suggested allotting each candidate 15 minutes for the interview. Councilmember Scott agreed and the time allotted would allow for questions and answers. Director of Human Resources Tracy Hill stated one candidate requested to be considered only for the position to be appointed by the members of the Personnel Board and it was agreed that this candidate would not be interviewed by the city council. Council President Hayes suggested each councilmember take a look at their schedule with the possibility of a special work session on January 16, 2020 at 6:00 p.m. at Pelham City Hall, followed by a vote to appoint on January 23, 2020.

<u>Adjournment</u>

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 7:05 p.m.

Respectfully submitted this 16th day of December 2019,

Tom Seale, MMC, City Clerk/Treasurer

Rick Hayes, Council President

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