



Personnel Board

February 6, 2013

The Personnel Board was called to order by Janis Parks, Human Resources Director in a public hearing meeting held, Thursday, January 23, 2103 at 5:04 PM in the Conference Room at Pelham City Hall.

Present were Board members, Jim Collins, and Greg Darnell. Board member Bobby Hayes was not present.

This meeting was held for the express purpose of an appeal hearing of Fire Medic Stephen Kiel. Mr. Kiel's counsel representative, Inge Johnstone had submitted a written request dated January 22, 2013, to allow a 30 day extension of Mr. Kiel's hearing. A copy of the attorney letter is included in these minutes.

A motion was made by Board member Greg Darnell to grant the extension of the appeal hearing. Board member Jim Collins seconded the motion, and the motion was passed.

Mr. Kiel's attorney will be contacted to advise of the date of the appeal hearing.

In other matters addressed by the Board, Mr. Collins advised that the Pay Plan Revision Committee had completed its work on the revisions and were presented in a public hearing on Thursday, January 17, 2013 in the Municipal Court Room. The Board requested comments from Mayor Gary Waters concerning the public meeting. Mayor Waters introduced the PowerPoint presentation to the Board, specifically for Greg Darnell who was unable to attend the hearing.

Mayor Waters expressed that the pay plan was a living breathing document and would continue to be developed and updated as required by the Civil Service Law. He also expressed that it was important that this be a transparent process and that there will always be a solution for a problem presented.

The presentation included the financial of implementing the pay plan. This included the cost of employee pay increases measured against costs saved as there had been departmental consolidations, reduction in work force, retirements, resignations and other terminations. A copy of the presentation is included in these minutes.

Other discussion included looking at a five-year projection of retirees. Mr. Collins wanted to know the number of eligible retirees to date and through the next five years. Janis Parks will provide those numbers to the Board.

Though Mr. Bobby Hayes was absent from the Board meeting, he had expressed a need to make a change on the Ballantrae Golf Pay Plan, to include the classification title of General Manager. While this position may not be funded, the title should be included in order to maintain the classification within the Golf department for Assistant General Manager. The change will be included in the documents presented to the Council.

With there being no further comments concerning the classification pay plan, Mr. Collins made a motion to adopt the classification pay plan as presented, which would include the requested change for Ballantrae Golf; Mr. Darnell seconded the motion and the motion passed.

The Classification Pay Plan will be presented to the Council for their review at the meeting for February 4, 2013.

A motion to adjourn was made by Mr. Collins, seconded by Mr. Darnell and the Board adjourned at 6:08PM.

LAW OFFICES OF F. INGE JOHNSTONE
ONE INDEPENDENCE PLAZA DRIVE, SUITE 520
BIRMINGHAM, AL 35209

PHONE (205) 383-1809
FAX (888) 759-3882

E-MAIL ijohnstone@ingejohnstone.com
WEB www.ingejohnstone.com

January 22, 2013

Via Facsimile: 620-6548

Janis Parks
Director of Department of Human Resources
City of Pelham

RE: Steve Kiel

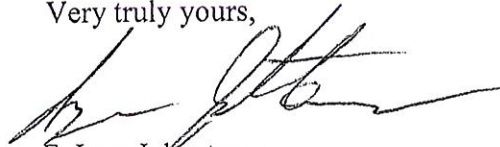
Dear Director Parks:

I, along with Heather Leonard, represent Firemedic Steve Kiel. We have learned that the appeal of Mr. Kiel's suspension is set for hearing tomorrow afternoon at 5:00 pm. Rule 6.6 of the Pelham Civil Service Law gives Mr. Kiel the right to have an attorney present at the hearing. Furthermore, Rule 6.7 allows an employee twenty (20) calendar days after the filing of an appeal to request discovery.¹ The rules further allow the City an additional fifteen (15) days to respond to any such requests. So that we may have sufficient time to serve any necessary discovery and prepare for Mr. Kiel's hearing, we request a continuance of the current hearing of at least thirty (30) days.

As you know, Mr. Kiel is presently a party to a lawsuit alleging the City's violation of the Fair Labor Standards Act and breach of the Pelham Civil Service Law. We caution the City against taking any adverse action with respect to Mr. Kiel in retaliation for this lawsuit.

Please contact me as soon as possible regarding this request for a continuance.

Very truly yours,



F. Inge Johnstone

FIJ/ld

cc: Albert Vreeland, II, Esquire (Via Facsimile: 326-3008)
Heather Leonard, Esquire

¹ We understand that Mr. Kiel appealed his suspension on January 13, 2013.