CITY OF PELHAM – WORK SESSION

Pelham City Hall – Council Conference Room
May 7, 2012 – 5:30 p.m.

AGENDA

BY GENERAL CONSENT OF THE COUNCIL, AGENDA ITEMS MAY BE ADDED, REMOVED OR CONSIDERED OUT OF ORDER

Proper notice of the regularly scheduled work session of the Pelham City Council was given at least 72 hours in advance of such public meeting and the notice remained posted through the scheduled meeting.

A. Call to Order

B. Roll Call

C. Approval of the April 2, 2012 Work Session minutes.

D. Old Business – AS TIME PERMITS

1. Rink Management Services, Inc. - Tom Hillgrove and/or Jim Littlejohn

E. Executive Session

PURPOSE: To discuss preliminary negotiations involving matters of trade or commerce.

F. Mayor's Comments

G. Review of May 7, 2012 City Council Agenda

H. New Business – AS TIME PERMITS

I. Announcements

Rescheduling of the May 21, 2012 council work session to May 14, 2012 at 6 p.m. due to the annual Alabama League of Municipalities Convention in Birmingham, May 19-22, 2012.

J. Adjournment

THE COUNCIL WORK SESSION IS OPEN TO THE PUBLIC BUT IS NOT A PUBLIC HEARING

CITY OF PELHAM – COUNCIL MEETING

Pelham City Hall - Council Chambers
May 7, 2012 – 7:00 p.m.

AGENDA

BY GENERAL CONSENT OF THE COUNCIL, AGENDA ITEMS MAY BE ADDED, REMOVED OR CONSIDERED OUT OF ORDER

Proper notice of the regular scheduled meeting of the Pelham City Council was given at least 72 hours in advance of such public meeting and the notice remained posted through the scheduled meeting.

A. Call to Order

B. Invocation

C. Pledge of Allegiance

D. Roll Call

E. Consent Agenda

(A consent agenda is presented by the Council President at the beginning of a council meeting. Items presented on the consent agenda are considered routine and non-controversial and are organized apart from the rest of the agenda and are adopted by general consent without debate. Items may be removed from the consent agenda on the request of any one member. Removed items may be taken up either immediately after the consent agenda is approved or placed later on the agenda at the discretion of the Council President and City Council.)

1. Approval of the May 7, 2012 City Council Agenda.

2. Approval of the April 23, 2012 regular City Council meeting minutes.

3. Approval of the following non-budgeted expenses from restricted fund accounts. None

F. Public Hearing - None

G. Mayor's Comments

H. Proclamations

1. Declaring May 2012 as "Healthy Vision Month" in the City of Pelham, Alabama.

2. Certificate of Achievement to Andrew Bosworth.

I. Requests to Address the Council - None

J. Old Business - None

K. New Business

1. Resolution 2012-05-07-01 informing the Department of Environmental Management of the actions taken by the Pelham City Council with regard to the Municipal Water Pollution Prevention (MWPP) Program.

2. Resolution 2012-05-07-02 for consideration to authorize the participation by the City of Pelham in the 2012 Sales Tax Holiday for Severe Weather Preparedness Items, July 6-8, 2012.

3. Resolution 2012-05-07-03 for consideration to appoint Michael Helms to the Pelham Park and Recreation Board to fill the unexpired term of David Ladewig.

L. Council and Public Comments

M. Public Announcements

Rescheduling of the May 21, 2012 council meeting to May 14, 2012 at 7 p.m. due to the annual Alabama League of Municipalities Convention in Birmingham, May 19-22, 2012.

N. Adjournment

THE COUNCIL MEETING IS OPEN TO THE PUBLIC
BUT IS NOT A PUBLIC HEARING

PROCLAMATION

WHEREAS, a child's ability to learn and enjoy the world around them becomes more difficult without good vision; and

WHEREAS, children with untreated eye problems which can worsen and can cause a child other serious problems which impact their ability to learn and properly develop; and

WHEREAS, untreated eye problems, such as Amblyopia, are very serious and can lead to the loss of vision if not detected and treated early in life; and

WHEREAS, vision problems affect 25% of school-aged children and 5% of preschool children; and

WHEREAS, the best way to detect vision problems at the earliest, most treatable stages, is through a comprehensive dilated eye exam; and

WHEREAS, these comprehensive dilated eye exams can detect eye diseases and conditions before vision loss occurs; and

WHEREAS, all parents are encouraged to schedule a comprehensive dilated eye exam for their child before they enter kindergarten; and

WHEREAS, the month of May is designated across the nation as Healthy Vision Month in order to elevate vision as a health priority for the nation; and

WHEREAS, Hayley Barber as a contestant for Miss Alabama this year has developed as a personal platform: "Sight for Small Eyes"; and

WHEREAS, Hayley Barber will travel the state in May on behalf of Sigh Savers America, a Pelham, Alabama based non-profit, to raise awareness of the importance of improving access to children's eye care:

NOW, THEREFORE, I, Don Murphy, by virtue of the authority vested in me as Mayor of the City of Pelham, Shelby County, Alabama, do hereby proclaim the month of May 2012 as

HEALTHY VISION MONTH

in Pelham, Alabama.

FURTHERMORE, I call upon and encourage all citizens in the City of Pelham to schedule comprehensive dilated eye exams for themselves and their children in order to detect any vision problem before vision loss occurs.

Given under my hand,
in the City of Pelham, Alabama
this 7th day of May, 2012.

Don Murphy, Mayor

3162 Pelham Parkway • P.O. Box 1419 • Pelham, Alabama 35124 • (205) 620-6400 • Fax (205) 663-0050

Certificate of Achievement

This certificate is awarded to

Andrew Bosworth

in recognition of your achievement of the rank of Eagle Scout in the Boy Scouts of America. I would like to acknowledge your contributions to the Tarrant Ecoscape Garden, the Boy Scouts of America and the Pelham High School Tower of Power Marching Band. I appreciate the time and dedication you give to these projects.

CITY OF PELHAM CITY SEAL ALABAMA

May 7, 2012

Don Murphy

Don Murphy, Mayor
Pelham, Alabama

RESOLUTION 2012-05-07-01

Municipal Water Pollution Prevention (MWPP) Program

NOW, THEREFORE, BE IT RESOLVED that the City Council of Pelham, Alabama informs the Department of Environmental Management that the following action was taken by the Pelham City Council.

1. Reviewed the MWPP annual Report attached to this Resolution.
2. Set forth the following actions and schedule necessary to maintain effluent requirements contained in the NPDES Permit, and to prevent the bypass and overflow of raw sewage within the collection system or at the treatment plant.

   (a) No Action Required

THEREUPON _____, a member, moved and _____, a member, seconded the motion that said resolution be given vote, and said resolution passed by majority vote of the Council present, and the President of the Council declared the same passed.

ADOPTED this 7th day of May 2012.

_____

Teresa Nichols
President of the Council

[SEAL]

ATTEST

_____

Tom Seale, CMC, City Clerk

I, the undersigned qualified City Clerk of the City of Pelham, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named herein, at a regular meeting of such Council held on the 7th day of May 2012 and that such resolution is on file in the office of the City Clerk and that no action has been taken to rescind or modify said Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 7th day of May 2012.

_____

Tom Seale, CMC, City Clerk

[SEAL]

Eddy Jowers
Public Works Director

Don Murphy
Mayor

Water Department

April 26, 2012

EPA
Water Compliance Branch Region 4

To Whom It May Concern:

The following information is for the City of Pelham, Alabama Wastewater Plant. The Treatment Plant is 4.0 m.g.d. oxidation ditch plant with two 135 foot diameter clarifiers and two sand filters. An ultraviolet system is used for disinfection. The sludge is processed by wasting to an aerobic thickner for further digestion. After this process the sludge is pumped to an Andritz Centrifuge average is 19% solid. The cake is hauled to Rodney Davis Farm at Route 3, Box 266, Highway 22, Marion, Alabama 36756, Latitude North 32 degrees 31 minutes 30 seconds and Longitude West 87 degrees 23 minutes 20 seconds.

Sincerely,

Larry Pruitt

Larry W. Pruitt
City of Pelham
Waste Water Plant Supervisor
WWTP C000308
800 Thames Court, Industrial Park
Pelham, Alabama 35124
205-620-6424

LANCE R. LEFLEUR
DIRECTOR

ROBERT J. BENTLEY
GOVERNOR

Alabama Department of Environmental Management
adem.alabama.gov
1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

APR 26 2012

Mr. Eddy Jowers, Director of Public Works
City of Pelham
Post Office Box 1479
Pelham, Alabama 35124

RE: Final Permit
NPDES Permit No. AL0054666
Pelham WWTP
Shelby County, Alabama

Dear Mr. Jowers:

Attached is the issued copy of the above referenced permit. Please note the permit limitations and conditions with which the permittee must comply. Please specifically note the Total Phosphorus limitations in Part I.A and the schedule of compliance in Part I.E.2.

Future monitoring data should be submitted in accordance with the conditions of your permit. Please see PART I.C for your reporting requirements. To reduce the paperwork burden for both the Department and the Permittee, when submitting the required Discharge Monitoring Reports (DMRs), please **do not submit** lab worksheets, logs, reports or other paperwork not specifically required by the permit unless requested by ADEM staff.

For your convenience, DMR forms for the first several months following the permit effective date are attached. In the future, you should receive pre-printed DMR forms from the Department near the beginning of each calendar quarter.

Please be aware that Part I.C.1.c of your permit requires that you apply for participation in the Department's web-based electronic environmental (E2) reporting system for submittal of DMRs within 180 days of the effective date of this permit unless valid justification as to why you cannot participate is submitted in writing. After 180 days, hard copy DMRs may be used only with written approval from the Department. The E2 DMR system allows ADEM to electronically validate, acknowledge receipt, and upload data to the state's central wastewater database. This improves the accuracy of reported compliance data and reduces costs to both the regulated community and ADEM. The Permittee Participation Package may be downloaded online at **https://e2.adem.alabama.gov/npdes** or you may obtain a hard copy by submitting a written request or by emailing e2admin@adem.alabama.gov.

If you have questions regarding this permit or monitoring requirements, please contact Kimberly Minton by email at kminton@adem.state.al.us or by phone at (334) 394-4367.

Sincerely,

Scott Ramsey, Chief
Municipal Section
Water Division

Enclosure: Final Permit

cc: Mr. Mark Nuhfer/Environmental Protection Agency
Ms. Elaine Snyder/U.S. Fish and Wildlife Services
Mr. Marion Bertolotti/ADEM
Mr. Mike McCary/Permits & Services

Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Branch
2715 Sandlin Road, S. W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)

Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile Coastal
4171 Commanders Drive
Mobile, AL 36615-1421
(251) 432-6533
(251) 432-6598 (FAX)

RESOLUTION 2012-05-07-02

Authorizing the Participation by the City of Pelham in the 2012 Sales Tax Holiday for Severe Weather Preparedness Items

WHEREAS, the State Legislature of Alabama passed and the Governor of Alabama has signed into law House of Representatives Bill 436 (HB 436) of the 2012 Regular Session granting municipal governments authority to provide for the exemption of certain covered severe weather preparedness items from the payment of municipal sales tax during a period commencing at 12:01 a.m. Friday, July 6, 2012 and ending at twelve midnight the following Sunday, July 8, 2012 under the same terms, conditions and definitions as provided for the state sales tax holiday for such covered items, and

WHEREAS, the City Council of Pelham, Alabama wishes to participate in the State of Alabama Sales Tax Holiday for Severe Weather Preparedness Items beginning at 12:01 a.m. on Friday, July 6, 2012 and ending at twelve midnight on Sunday, July 8, 2012.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Pelham, Alabama as follows:

Section 1. That approval is granted for the exemption of certain covered severe weather preparedness items from the payment of municipal sales tax for the period commencing at 12:01 a.m. Friday, July 6, 2012 and ending at twelve midnight Sunday, July 8, 2012 under the same terms, conditions and definitions as provided for by House Bill 436 of the 2012 Regular Session.

BE IT FURTHER RESOLVED by the City Council of the City of Pelham that the Council will consider participation in the State of Alabama Sales Tax Holiday for Severe Weather Preparedness Items on an annual basis.

THEREUPON _____, a member, moved and _____, a member, seconded the motion that said resolution be given vote, and said resolution passed by vote of all members of the Council present, and the Council President declared the same passed.

ADOPTED this 7th day of May 2012.

_____

Teresa Nichols
President of the Council

[SEAL]

ATTEST

_____

Tom Seale, CMC, City Clerk

I, the undersigned qualified City Clerk of the City of Pelham, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named herein, at a regular meeting of such Council held on the 7th day of May 2012 and that such resolution is on file in the office of the City Clerk and that no action has been taken to rescind or modify said Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 7th day of May 2012.

_____

Tom Seale, CMC, City Clerk

[SEAL]

Governor Bentley Signs Sales Tax Holiday for Severe Weather Preparedness Items into Law

MONTGOMERY – Governor Robert Bentley on Thursday signed into law House Bill 436, a measure that will provide an annual sales tax holiday for severe weather preparedness items.

"The bottom line is this sales tax holiday can help save lives. We want to encourage people to stock up on supplies that will help them safely weather a storm and its aftermath," Governor Robert Bentley said. "Alabama is no stranger to severe storms. Whether it's a tornado, a hurricane, or even an ice storm, we must all be prepared for whenever severe weather strikes. I commend members of the Legislature for passing this extremely important bill."

The annual sales tax holiday was a key recommendation of Governor Bentley's Tornado Recovery Action Council. The council was appointed by the Governor following the April 27, 2011, tornado outbreak. The council's mission has been to help further improve the state's readiness for future severe weather.

Under the new law, items related to severe weather preparedness will be exempted from state sales and use taxes over a designated weekend. A provision also allows counties and municipalities to join the state by removing their own local sales and use taxes from the same items during the same weekend.

The sales tax holiday for 2012 will begin at 12:01 a.m. on Friday, July 6. The holiday will continue through midnight on Sunday, July 8. By having the holiday in July of this year, retailers will have time to prepare following Thursday's legislative approval and bill signing. Also, local municipalities will have time to organize their own participation if they choose to remove their own local sales and use taxes from the items covered.

Beginning in 2013, the annual sales tax holiday will be held during the last full weekend of February. This will place the holiday in close proximity to the annual Severe Weather Awareness Week and will encourage people to stock up on needed supplies in advance of Alabama's primary severe weather season.

Items covered by the legislation include:

- Several types of batteries, including cell phone batteries and chargers
- Battery-powered radios
- NOAA weather radios
- Flashlights, lanterns, and emergency glow sticks
- First aid kits
- Duct tape
- Plywood, window film or other materials, specifically designed to protect window openings
- Portable generators
- Gas or Diesel fuel containers
- Tarpaulins and plastic sheeting
- Any non-electric food storage cooler or water storage container
- Non-electric can openers
- Any artificial ice, blue ice, ice packs, or reusable ice
- Fire extinguishers, smoke detectors, and carbon monoxide detectors
- Ground anchor systems such as cords or rope or tie-down kits

The covered items must cost $60 or less, except for generators, which are covered as long as they cost $1,000 or less.

Senator Greg Reed of Walker County was the Senate sponsor of the legislation.

"Last April, we saw unparalleled destruction across this state. While our citizens are rebuilding their lives, we want to give them every opportunity to prepare themselves for the next time a storm hits," Senator Reed said. "This disaster preparedness tax free weekend not only gives our citizens a chance to prepare for storms, but will also provide an economic boost to Alabama businesses."

Representative Bill Poole of Tuscaloosa County was the House sponsor of the legislation.

"I am proud to have assisted in passing this important bill that I believe will help raise awareness regarding natural disaster preparation," Representative Poole said. "For one weekend each year at the beginning of tornado season, this bill will allow our citizens to acquire, tax-free, several of the most basic but also most important supplies that are necessary to be prepared for a natural disaster or other emergency. For instance, items covered by this bill include first aid kits, weather radios, flashlights, and other emergency response items. We all have a responsibility to protect our families, neighbors and communities, and I believe that this bill will assist all Alabamians in fulfilling that obligation."

HB436

137901-4

By Representative Poole

RFD: Ways and Means Education

First Read: 28-FEB-12

ENROLLED, An Act,

To exempt certain covered items from the state sales and use tax during the first full weekend in July in 2012 and the last full weekend of February in subsequent years; to authorize any county or city to exempt certain covered items from local sales and use taxes; and to prohibit a county or municipality from providing for a sales and use tax exemption during any period, other than the first full weekend in July in 2012 and the last full weekend of February in subsequent years, that is not designated as a sales tax holiday.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) As used in this section, the term "covered items" includes the following selling for $60 or less per item:

(1) Any package of AAA-cell, AA cell, C-cell, D-cell 6-volt, or 9-volt batteries, excluding coin batteries and automobile and boat batteries;

(2) Any cellular phone battery or cellular phone charger;

(3) Any portable self-powered or battery-powered radio, two-way radio, weatherband radio, or NOAA weather radio;

(4) Any portable self-powered light source, including battery-powered flashlights, lanterns, or emergency glow sticks;

(5) Any tarpaulin, plastic sheeting, plastic drop cloths or other flexible, waterproof sheeting;

(6) Any ground anchor system, such as bungee cords or rope, or tie-down kit;

(7) Any duct tape;

~~(8) Any plywood;~~ (8) Any plywood, window film or other materials specifically designed to protect window openings;

(9) Any non-electric food storage cooler or water storage container;

(10) Any non-electric can opener;

(11) Any artificial ice, blue ice, ice packs, or reusable ice;

(12) Any self-contained first aid kit;

(13) Any fire extinguisher, smoke detector or carbon monoxide detector; and

(14) Any gas or diesel fuel tank or container.

(b) The term "covered items" also includes the following selling for $1,000 or less per item:

(1) Any portable generator and power cords used to provide light or communications or preserve food in the event of a power outage.

Section 2. Purchases of covered items, as defined herein, are exempted from ~~paying~~ the state sales and use tax during the period from 12:01 a.m. on the ~~last~~ first Friday in ~~April~~ July in 2012 and ending at twelve midnight the following Sunday. In subsequent years, purchases of covered items are exempted from ~~paying~~ state sales and use tax during the period from 12:01 a.m. on Friday of the last full weekend in February and ending at twelve midnight the following Sunday. Items normally sold in pairs or packages shall not be separated to qualify for the exemption provided for in this act.

Section 3. The Commissioner of the Department of Revenue shall promulgate any rules necessary to implement and administer this section including, but not limited to, a list of those articles and items qualifying for the exemption pursuant to this act, that do not conflict with the Streamlined Sales and Use Tax Agreement.

Section 4. Any county or municipality may, by resolution or ordinance adopted at least ~~30~~ 14 days prior to the ~~last~~ first full weekend of ~~April~~ July in 2012 and at least 30 days prior to the last full weekend of February in subsequent years, provide for the exemption of covered items from paying county or municipal sales and use taxes during a period commencing at 12:01 a.m. on the ~~last~~ first Friday in ~~April~~ July in 2012, and the Friday of the last full weekend of February in subsequent years, and ending at twelve midnight

the following Sunday under the same terms, conditions, and definitions as provided for the state sales tax holiday. Notwithstanding the foregoing, a county or municipality is prohibited from providing such an exemption during any other period of the year that is not designated as a sales tax holiday.

Section 5. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.

Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 17-APR-12, as amended.

Greg Pappas
Clerk

Senate	26-APR-12	Amended and Passed
House	26-APR-12	Concurred in Senate Amendment

RESOLUTION 2012-05-07-03

Pelham Park and Recreation Board Appointment

WHEREAS, the Pelham City Council desires to appoint the following resident to the Pelham Park and Recreation Board effective May 7, 2012 to fill the unexpired term of David Ladewig.

Michael Helms 141 Lauchlin Lane, Pelham, Alabama 35124
Term Ending on March 31, 2014

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Pelham that the Council hereby appoints the above named citizen to the Pelham Park and Recreation Board with the term of office ending as noted.

THEREUPON _____, a member, moved and _____, a member, seconded the motion that said resolution be given vote, and said resolution passed by majority vote of the Council present, and the President of the Council declared the same passed.

ADOPTED this 7th day of May 2012.

_____
Teresa Nichols
President of the Council

[SEAL]

ATTEST

_____
Tom Seale, CMC, City Clerk

I, the undersigned qualified City Clerk of the City of Pelham, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named herein, at a regular meeting of such Council held on the 7th day of May 2012 and that such resolution is on file in the office of the City Clerk and that no action has been taken to rescind or modify said Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 7th day of May 2012.

_____
Tom Seale, CMC, City Clerk

[SEAL]

Tom Seale

From: Paula Holly
Sent: Monday, April 30, 2012 4:17 PM
To: Tom Seale
Subject: Michael Helms - Park Board

Michael Helms will fill the unexpired term of David Ladewig, term ending March 31, 2014

Bio:
I was born and raised in Gadsden, AL. I haved lived in Pelham, AL for 5 years with my wife Amanda and our 2 children Brayden (6) and Caroline (5). #3 is actually on the way and will grace us with his/her presence in September. I work as Helmsey on The Nationally Syndicated Rick & Bubba Show. My day to day includes on-air duties, keeping the website and social media current, network administrator, manage Xtreme Club, coproducer and manage other items and projects within Rick and Bubba Inc. I graduated from Jacksonville State University in Jacksonville, AL with a B.S. in Business and also played baseball for the Gamecocks. Away from the show my work consist of TV sideline reporting for JSU Gamecock Football and play-by-play announcing for local high school basketball and baseball games on the radio as well as IT consulting for small bsuinesses. Hobbies include coaching my sons baseball team and my daughter on the tennis court. When I have a little extra time I am a threat to play golf, tennis or go fishing and hunting. Though I have many acquaintances and Facebook Friends, I possess only a few very close friends. I am a lover of God's word, his creation, and most importantly His Son. Where I fail everyday I am ultimately striving to be more like Christ and share His love and greatness with others as my life's purpose and goal. Proverbs 3:5-6, "Trust in the LORD with all your heart, And lean not on your own understanding; In all your ways acknowledge Him, And He shall direct your paths.

☺

Paula
Paula L. Holly
Executive Administrative Assistant
Mayor Don Murphy

City of Pelham
3162 Pelham Parkway
Pelham, Alabama 35124
205.620.6403

www.pelhamonline.com