

**PELHAM CITY COUNCIL
MINUTES OF MEETING**

Date: February 21, 2005
Time: 7 p.m.
Place: Pelham City Hall
Present: Mayor Bobby Hayes
Mr. Mike Dickens, Council President
Ms. Karyl Rice, Council Member
Mr. Willard Payne, Council Member
Ms. Rosemary Metcalf, Council Member
Mr. Robert Sullivan, Council Member

Council President Mike Dickens called the meeting to order. Robert Sullivan led the invocation.

Mike Dickens asked that the record show all members of the council present.

Rosemary Metcalf moved to waive the oral reading of the February 7, 2005 minutes and approve as presented. Willard Payne seconded the motion. Mike Dickens asked for a vote on the motion to approve; on voice vote the motion passed unanimously.

Mayor Bobby Hayes addressed the council concerning several business matters.

- 1) The property adjoining the site of the proposed public safety building can be purchased.
- 2) The city has received an offer to purchase property fronting SC52E adjoining Pelham Racquet Club. New construction would not obstruct the view of the racquet club. The developer would pipe the ditch and use Racquet Club Parkway.
- 3) Mayor Hayes stated that due to Peggy Bates' pending retirement as city clerk, he would like to divide the responsibilities of the clerk's office. He proposed developing a job description, advertising and hiring a finance director by May 1, 2005, and appointing Donna Treslar city clerk.
- 4) Mayor Hayes commented about Ordinance No. 135-160 specifying exterior wall requirements for commercial development. After talking to several builders and developers, he believes the ordinance is too strong and should be reevaluated. He expressed concern that the city might zone itself out of business with an ordinance that is too restrictive and consequently hurt the city's tax base. Mayor Hayes asked the council to rescind Ordinance No. 135-160 and let the Mayor's office rewrite the ordinance. Karyl Rice made a motion to rescind Ordinance No. 135-160 and let Mayor rewrite. There was no second to the motion. Mike Dickens asked Mayor to table until the next meeting and bring them something to consider.

During old business two public hearings were held to consider Ordinances No. 135-158 and No. 135-159 changing the present zoning of R-1 Residential to Special District on two properties on Mitoba Trail. The applicant was Bobby Bynum of Foresight Development. Bobby Bynum told the city council that he plans to have 34 single family lots 60' wide on 10 acres. He hopes to leave trees, but plans to go to the top of the hill. The development will have retention ponds, which should make water problems better. Claude Peacock, a member of the Planning Commission, stated that the Planning Commission voted against the rezoning. Mr. Gray, Stratford Homeowners Association, stated they were against the rezoning because of flooding problems. Mr. Bynum did work in subdivision to turn water by placing pipes under streets. Charles Raybun (?) stated that he felt AL 261 had too much traffic. He described Hayesbury as an eyesore, and stated this subdivision will make the area look worse. Joe Fulton, Chandalar Homeowners, was concerned about added traffic through their subdivision. Robert Sullivan moved to approve Ordinance No. 135-158 as presented. Willard Payne seconded the motion. Mike Dickens asked for a vote on the motion to approve; on voice vote the motion passed unanimously. Robert Sullivan moved to approve Ordinance No.

135-159 as presented. Willard Payne seconded the motion. Mike Dickens asked for a vote on the motion to approve; on voice vote the motion passed unanimously.

During new business, Mike Dickens introduced a resolution authorizing Mayor Hayes, on behalf of the city, to enter into an agreement with the Regional Planning Commission of Greater Birmingham to update the City of Pelham Zoning Ordinance for a cost of \$20,0000. Karyl Rice moved to approve the resolution as presented. Robert Sullivan seconded the motion. Mike Dickens asked for a vote on the motion to approve; on voice vote the motion passed unanimously.

Mike Dickens introduced a Quit Claim Deed for city council review conveying a 25' strip of land adjoining the property of Mr. And Mrs. Richard Tunnell of 1818 Chandamont Circle, Pelham, Alabama and explained that the city reserves the right to the property for utility and or drainage easements.

An ABC License and Resolution for 032 Club Liquor Class II (For Profit Club) was introduced. The applicant was Hooters of Highway 119 Pelham, L.L.C., trade name – Hooters Club located at 400 Cahaba Valley Road. Rosemary Metcalf moved to approve the license and resolution as presented. Karyl Rice seconded the motion. Mike Dickens asked for a vote on the motion to approve; on voice vote the motion passed unanimously.

An ABC License and Resolution for 020 Restaurant Retail Liquor was introduced. The applicant was Pelham Grill, Inc., trade name – Pelham Grill located at 2651 Pelham Parkway. Rosemary Metcalf moved to approve the license and resolution as presented. Karyl Rice seconded the motion. Mike Dickens asked for a vote on the motion to approve; on voice vote the motion passed unanimously.

A resolution was introduced authorizing Alabama Power to lower the wattage on traffic signals at the following locations:

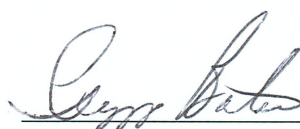
172 Watts Highway 31 Traffic Signal at CR68 East – New Signal Load LED
128 Watts Highway 31 Traffic Signal at Wal-Mart Access – New Signal Load LED
172 Watts Highway 31 Traffic Signal at food World Plaza – New Signal Load LED
128 Watts Highway 31 Traffic Signal at aCR105 – New Signal Load LED
172 Watts Highway 31 Traffic Signal at AL Highway 261/CR17– New Signal Load LED

Willard Payne moved to approve the resolution as presented. Robert Sullivan seconded the motion. Mike Dickens asked for a vote on the motion to approve; on voice vote the motion passed unanimously.

Mayor Hayes asked for a decision on hiring a finance director, purchasing the property that adjoins the site for the public safety building and selling the city property near the Pelham Racquet Club. Robert Sullivan moved to approve hiring a finance director. Willard Payne seconded the motion. Mike Dickens asked for a vote on the motion to approve; on voice vote the motion passed unanimously.

Karyl Rice moved to approve purchasing the property that adjoins the site for the proposed public safety building and selling city property on SC52E near the Pelham Racquet Club. Willard Payne seconded the motion. Mike Dickens asked for a vote on the motion to approve; on voice vote the motion passed unanimously.

With no other business before the council, Karyl Rice moved to adjourn. Willard Payne seconded the motion and the meeting adjourned.


Peggy Bates, City Clerk