

City of Pelham
City Council Work Session
July 19, 2010

MINUTES

Members of the Pelham City Council met on July 19, 2010 at 6 p.m. The work session was held in the conference room of Pelham City Hall and was open to the public.

The following elected officials were present:

Mayor Don Murphy
Council President Mike Dickens
Councilmember Teresa Nichols
Councilmember Bill Meadows
Councilmember Steve Powell
Councilmember Karyl Rice

Media Present: None

Others present: Tom Seale, Eddy Jowers, Butch Byrd, Gary Waters, Mike Morgan, Janis Parks, Scott Bottchen, Chief Danny Ray, Mike Roberts, Tom Walker, Lia Whitney, Robin Wilkinson, Willard Payne, Johnny Busby and other city employees and members of the public.

The council work session was called to order by Council President Mike Dickens at 6:00 p.m.

Mayor's Comments

Mayor Murphy elected to hold his comments to council meeting.

Approval of Minutes

A motion was made by Councilmember Teresa Nichols to approve the July 12, 2010 work session minutes. The motion was seconded by Councilmember Bill Meadows and by voice vote the motion passed unanimously by all members present.

Review of Council Agenda

Resolution 2010-07-12-02 authorizing payment for the purpose of removal/replacement of storm sewer pipe and associated appurtenances along Shelby County Highway 52 and Applegate Parkway in the amount of \$ 43,188.75 from the Capital Improvement Fund. There was no additional discussion.

Ordinance 443 repealing Ordinance 411 which provides lifetime free membership to the Pelham Racquet Club and Ballantrae Golf Club for any retiring City of Pelham employee or officials with certain minimum years of service and repealing Resolution dated February 6, 2006 which adopted a membership policy at the Pelham Racquet Club and Ballantrae Golf Club for any retiring City of Pelham employee or officials with certain minimum years of service. Discussion followed regarding the repeal of Ordinance 411.

Announcements

Mrs. Rice announced a rezoning hearing would be held on August 2, 2010 to consider rezoning one parcel into two parcels. The Planning Commission has recommended their approval to the city council. The owner has no plans at this time to build on the property. Mr. Meadows questioned the ownership of State Park Road. Mayor Murphy stated that it had been determined the road is owned by the U.S. Department of the Interior. Various comments were made with regard to the safety and maintenance of the road.

Old Business

Sewer Ordinance – Dual Water Meter Dr. Nichols deferred to Mr. Powell for review of notes inserted into proposed Ordinance 156-5. Mr. Powell noted there were several items remaining to be discussed and decided by the council.

1. One secondary meter located on the customer side of the meter box was approved 5-0.
2. Cost of second meter set (actual cost) plus a \$50 inspection fee was approved 4-1.
3. Location of the secondary meter must be within three feet of the property line or within five feet of the primary meter was approved 5-0.

Mr. Powell moved to amend the July 19, 2010 agenda to include Ordinance 156-5 as a first reading. Said motion was seconded by Mrs. Rice and by voice vote the motion was approved by those members present. Mr. Powell further explained the Water Department would be responsible for the inspection of the meter installation. Mr. Meadows noted the meter set could be purchased from the Water Department and installed by a licensed plumber in order to save money. Dr. Nichols thanked Mr. Powell for his work in developing the changes to the ordinance. Mr. Dickens thanked Mr. Jowers for his assistance.

New Business

Lia Whitney, a resident of the Hidden Creek sub-division, addressed the council with regard to “Urban Chicken Farming”. She read a statement about the advantages of raising backyard chickens. Mr. Meadows questioned the zoning and what is allowed in RT Townhouse zoning. According to Ms. Whitney the Hidden Creek Homeowners Association (HOA) would have to redefine pets to include chickens. Mr. Powell noted her current HOA covenants prohibit poultry and she would first have to address this issue with the HOA. Mr. Dickens informed Ms. Whitney the matter would be discussed with the city attorney. (Note: In a follow-up

conversation between the city clerk and City Attorney Butch Ellis on July 20, 2010, Mr. Ellis stated the City has no authority to circumvent HOA covenants.) Mr. Powell asked Ms. Whitney to leave the information she had compiled from other cities about urban chicken farming.

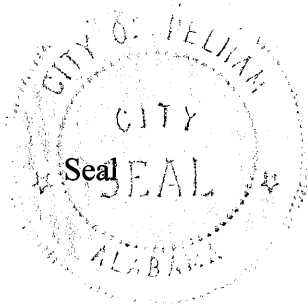
Dr. Nichols announced training for representatives of homeowners associations would be held in Pelham. The date, time and location will be announced.

Dr. Nichols requested a "Success by Six" PowerPoint presentation be placed on the August 2, 2010 council work session agenda. Mr. Dickens announced the work session would begin at 5:30 p.m.

Adjournment

Dr. Nichols moved to adjourn the work session and said motion was seconded by Mr. Powell. The motion passed unanimously by those present and the work session was adjourned at 6:49 p.m.

Respectfully submitted,



A handwritten signature in dark ink, appearing to read "Tom Seale".

Tom Seale, Finance Director/City Clerk