

The Pelham City Council convened at 7:00 p.m., April 5, 1993. Mayor Hayes called the meeting to order and Willard Payne opened with prayer. Mayor Hayes asked that the record show all members of the Council present.

Willard Payne moved to approve the March 15, 1993 minutes as written. Karyl Rice seconded the motion and all approved.

There was no old business to come before the Council.

During new business a resolution designating Bill Overstreet as Pelham's agent to file for assistance under the President's Disaster Relief Fund was presented. Jim Phillips moved to approve the resolution as written. Connie LaBue seconded the motion and all approved.

A resolution appointing Richard Beck, Wayne Sides and Edward Forman to the Board of Adjustments & Appeals for four year terms was presented. Ken Maynard moved to approve the resolution as written. Willard Payne seconded the motion and all approved.

A resolution appointing Jesse Cadenhead to a three year term and Norman Brashier to a one year term on the Board of Adjustments was presented. Willard Payne moved to approve the resolution as written. Karyl Rice seconded the motion and all approved.

Ordinance No. 237 annexing Charlene H. Scott and J. A. Brown Co., Inc. property was introduced. Jim Phillips moved to suspend the rules for immediate consideration of the ordinance. Ken Maynard seconded the motion and a roll call vote was taken with all council members agreeing to suspend the rules. Thereupon, Jim Phillips moved to approve Ordinance No. 237 as written. Connie LaBue seconded the motion and all approved.

Ordinance No. 61A-1 amending the cable ordinance adopted March 5, 1979, was introduced. The ordinance amends Section No. 2, Definitions, paragraph 2 "Auxiliary Services", paragraph 12 "Gross Subscriber Revenues", paragraph 16 "Regular Subscriber Service", and Section No. 12, Franchise Payments, paragraph 1. Karyl Rice moved to suspend the rules for immediate consideration of said ordinance. Jim Phillips seconded the motion and a roll call vote was taken with all members of the council agreeing to suspend the rules. Thereupon, Karyl Rice moved to approve Ordinance No. 61A-1 as written. Jim Phillips seconded the motion and all approved.

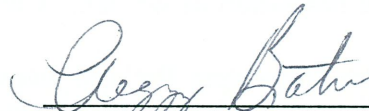
A public hearing to consider amending the zone district boundaries of the City changing the present zoning of R-3 Multiple Dwelling District to M-1 Light Industrial District on property located off County Road 105 was held. The applicants were J. E. and Irene Bearden. The purpose of the rezoning was to allow a cellular tower to be erected on the property. Ken Maynard moved to approve Ordinance No. 135-34 changing the zoning of the Bearden property from R-3 to M-1. Karyl Rice seconded the motion and all approved.

A public hearing to consider amending the zone district boundaries of the City changing the present zoning of A-1 Agricultural to B-1 Business was held. The property consists of approximately 40 acres off Highway 31 across from Lighting and Lamp. The applicant Batchelor Enterprises, Inc. stated that he planned to open a Paint Ball Recreation business at the site. Mayor Hayes explained that our firearms ordinance would have to be amended in order to allow the operation of air powered guns within the city limits. Karyl Rice moved to approve Ordinance No. 135-35 rezoning said property from A-1 to B-1 with the understanding a paint ball business could not be opened until the firearms ordinance has been amended. Jim Phillips seconded the motion and all approved.

A public hearing to consider amending the zone district boundaries of the City changing the present zoning of A-1 Agricultural to Special District on property located on Highway 119 by M. M. Argo, III was held. Jack Harris of Jack Harris Enterprises presented a map of 51 garden homes ranging in size from 1600-1800 sq. ft. and prices ranging from \$130,000 - \$180,000. Mr. Doug Corette spoke against the development citing lot size of Special District not conforming to surrounding areas, an increase in traffic, drainage problems and the rezoning not being in the best interest of surrounding property owners. Jim Odom representing Harris Development pointed out that the effect on adjoining property should be considered, which is Bishop Creek and the Church, where the development will have a positive effect. Rod Long did

a traffic study and stated that the development will not adversely effect traffic. Mr. Summers did a survey and found garden home communities did not lower property values of adjoining properties. Larry Weygand, Engineer for the development, stated he was aware of drainage and this project would not add to problem. Mr. Corette stated adjacent is surrounding, not contiguous. Several residents spoke against the development. Ken Maynard moved to approve Ordinance No. 235-36 rezoning said property from A-1 to Special District. Jim Phillips seconded the motion and all approved.

With no other business before the Council, Karyl Rice moved to adjourn. Jim Phillips seconded the motion and all approved.



City Clerk