

Council Minutes
May 5, 2011 – 7:00 p.m.
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, May 5, 2011. Mayor Sanders led the invocation. Councilor Tanner led the Pledge of Allegiance to the Flag of the United States of America.

Mayor Sanders appointed, Anje May, as acting City Clerk.

Roll Call: Anje May, Acting City Clerk, called roll of Pinson City Council with the following council members present:

Mayor Sanders
Councilor Tanner
Councilor Cochran
Councilor Shelnutt
Councilor Churchwell
Councilor McCain

Minutes: Councilor Shelnutt made a motion to waive the reading of the April 21, 2011, minutes. Councilor Cochran duly seconded the motion. Mayor Sanders called for all opposed to say "no", all in favor say "aye." Councilor Cochran made a motion to accept the minutes as written of the April 21, 2011, meeting. Councilor McCain duly seconded the motion. Mayor Sanders called for all opposed to say "no", all in favor say "aye." Mayor Sanders said "Let the record reflect that both motions passed unanimously."

Committee Reports:

Finance: Councilor Tanner made a motion to approve payment of the bills in the amount of \$28,539.21, a copy of the bills schedule is attached. Councilor Churchwell duly seconded the motion. Mayor Sanders called for any discussion. As there was no discussion, Mayor Sanders called for all opposed say "no", all in favor say "aye." Mayor Sanders said "Let the record reflect that the motion passed unanimously."

Councilor Tanner announced the Finance Committee will be meeting at City Hall on, May 16, 2011, at 6:00 p.m. to discuss the budget.

Public Safety: Councilor Cochran announced Center Point Fire Department #2 will have an open house May 9.

Mayor Sanders stated the dump truck will be delivered in approximately one month.

Enhancements: Councilor McCain reminded everyone to come to Movies in the Park behind Solid Rock Church on the ball fields. If it rains the movies will be shown at Pinson Methodist Church.

Education: Mayor Sanders announced graduation has been moved to 5:00 p.m. on May 26, 2011.

Mayor Sanders commented on the recent meeting at Rudd Middle School to observe their mobile laptop lab. Mayor Sanders stated that at the meeting the checks given to schools by council were distributed.

Councilor Tanner stated laptops are a wonderful tool.

Councilor Cochran mentioned the PVHS boys baseball team has advanced to the 3rd round of playoffs and the girl's softball team is going to the state playoffs tomorrow.

Mayor's Report: Mayor Sanders reported that the LOM conference has been postponed till June 25 due to storm damage in Huntsville.

Mayor Sanders stated he was still accepting resumes for the vacant seat on the planning commission.

Mayor Sanders mentioned that the city closed on the land owned by Mr. Sandlin that is north of the north end zone of PVHS.

Old Business: Councilor Tanner offered an Ordinance recognizing a sales tax holiday that would exempt certain covered items from the municipal sales and use tax during the first full weekend of August, 2011, as authorized by 40-23-213 of the Code of Alabama, generally referred to as the state sales tax holiday legislation. Councilor Cochran duly seconded the motion.

Mayor Sanders asked for unanimous consent to consider with the following results: Mayor Sanders-yes; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnett-yes; Councilor Churchwell-yes; Councilor McCain-yes. Mayor Sanders, unanimous consent passes.

Mayor Sanders called for any discussion. As there was no discussion, Mayor Sanders asked for a roll call vote on the main ordinance with the following results: Mayor Sanders-yes; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnett-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, ordinance adopted unanimously as Ordinance number 2011-06.

Councilor Tanner offered a resolution concerning the membership of the Library Board of the City of Pinson, Alabama. Councilor McCain duly seconded the motion. Mayor Sanders stated there was a typographical error mistake on the prior resolution, position 5, Patrick Coleman, should have been listed as expiring on March 31, 2015.

Mayor Sanders called for any further discussion. As there was no further discussion, Mayor Sanders asked for a roll call vote on the main ordinance with the following results: Mayor Sanders-yes; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnett-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, resolution passes unanimously as Resolution 11-12A.

New Business: Mayor Sanders offered a first reading of an ordinance to establish the emergency and non-emergency public ways excavation policy of the City of Pinson, Alabama.

Attorney Black explained in detail the differences in the ordinance to establish the non-emergency public ways excavation policy and the ordinance to establish the emergency public ways excavation policy.

Councilor Cochran made a motion to give Center Point Fire Department \$12,000.00 to help purchase equipment for the new vehicles. Councilor Churchwell duly seconded the motion. Mayor Sanders mentioned this was discussed in the public safety meeting. Councilor Churchwell stated that \$12,000.00 was not a lot of money when you look at the total amount, \$825,670.00, which will be spent to purchase the vehicles and equipment. Mayor Sanders called for any further discussion. Councilor Shelnett asked if the Public Safety Committee recommended this motion. Councilor Cochran stated the Public Safety Committee did not recommend the motion. Councilor Shelnett asked to wait on motion till a recommendation came from the Public Safety Committee. Councilor Cochran stated he would rather move forward with the motion. Mayor Sanders stated that it was discussed in the public safety meeting. Mayor Sanders called for any further discussion. As there was no further discussion, Mayor Sanders asked for a roll call vote on the main ordinance with the following results: Mayor Sanders-yes; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnett-no; Councilor Churchwell-yes; Councilor McCain-yes. Mayor Sanders said "Let the record reflect that the motion passes."

Councilor Churchwell made a motion to appoint Councilor Tanner as the Library Board Liaison. Councilor Cochran duly seconded the motion. Mayor Sanders called for any discussion. Councilor Cochran mentioned Councilor Tanner has done most of the work for the Library thus far. Mayor Sanders called for any further discussion. As there was no further discussion, Mayor Sanders called for all opposed say "no", all in favor say "aye." Mayor Sanders said "Let the record reflect that the motion passes unanimously."

Councilor Cochran made a motion to check prices on trash cans for PVYA. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion. Councilor Tanner stated as a board member having to clean them out they are very nasty. Mayor Sanders called for any further discussion. As there was no further discussion, Mayor Sanders called for all opposed say "no", all in favor say "aye." Mayor Sanders said "Let the record reflect that the motion passes unanimously."

Public Comment:

- 1.) Barry Wilson, Palmerdale Homestead Community Center. The PHCC annual Fish Fry will be Memorial Day weekend; tickets are \$9.00 for adults and \$4.50 for children.

Councilor Cochran made a motion to enter into executive session for purpose to discuss litigation, and real estate. Councilor McCain duly seconded the motion.

Attorney Black, according to the Alabama Open Meetings Law, I provide certification that this Executive Session is necessary to discuss pending and/or threatening litigation.

Mayor Sanders asked for any discussion. As there was no discussion, Mayor Sanders called for all opposed say "no", all in favor say "aye." Mayor Sanders said "Let the record reflect that the motion passed unanimously."

Mayor Sanders stated, we will enter Executive session and will not reconvene other than to entertain a motion to adjourn, which I estimate to be approximately 30 minutes. Mayor Sanders added that we will progress leisurely to the back, feel free to talk with us if you would like. Mayor Sanders dismissed Anje May as acting City Clerk and appointed Councilor Tanner as acting City Clerk.

Mayor Sanders called council out of executive session.

Councilor Cochran moved to adjourn. Councilor Churchwell duly seconded the motion. Mayor Sanders called for all opposed to say "no", all in favor say "aye". Motion carried.

Adjourned at 8:06 p.m.

Respectfully submitted,
Anje May, Acting City Clerk

May 5, 2011 Minutes Adopted _____