

Council Minutes
January 20, 2011 – 7:00 p.m.
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, January 20, 2011. Mayor Sanders led the invocation. Councilor Tanner led the Pledge of Allegiance to the Flag of the United States of America.

Roll Call: Marie Turner, City Clerk, called roll of Pinson City Council with the following council members present:

Mayor Sanders
Councilor Tanner
Councilor Cochran
Councilor Shelnett
Councilor Churchwell
Councilor McCain

Minutes: Councilor Shelnett made a motion to waive the reading of the January 6, 2010, 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 January 6, 2010, 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."

Pre-meeting Public Comment:

Mayor Sanders suspended rules.

Mayor Sanders made the following presentations to the Christmas Parade Float Winners:

1st Place – First Baptist Church Pinson, \$100.00 donated by Attorney Shane Black

2nd Place – Mrs. Tatum's K-5 Class, \$75.00 donated by Hometown Bank

3rd Place – Solid Rock Church, \$50.00 donated by Marvelyn Deese

Best in Show – Girl Scout Troop #142, \$25.00 donated by the Clay-Pinson Chamber of Commerce

Mayor Sanders thanked all those who donated prizes.

Mayor Sanders reinstated rules

Committee Reports:

Finance: Councilor Tanner made a motion to approve payment of the bills in the amount of \$15,927.61, a copy of the bills schedule is attached. Councilor McCain 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."

Mayor Sanders reported that the December sales tax figures were approximately \$70,000.00, which is in line with what we anticipated. Mayor Sanders added that the tax collected the 1st month was \$50,000.00; 2nd month \$60,000.00; and 3rd month \$71,000.00. Mayor Sanders stated that franchise fees will be in the end of January and he will give a report at the next meeting.

Public Safety: Councilor Cochran reported that in preparation of the recent winter storm, he and the Mayor took the city vehicles home to assist the Department of Transportation, Sheriff, etc. if needed.

Mayor Sanders mentioned that in the future the city may consider purchasing a small dump truck for sand, etc.

Enhancement: Councilor McCain mentioned that CityFest will be held on April 2, 2011, and the city will provide free amusement rides for the children. Councilor McCain added that vendor applications for CityFest are available at City Hall.

Education: Mayor Sanders mentioned that council had received a thank you note from the band program for our assistance with travel expenses for the bands trip to Montgomery to participate in the Inaugural Parade.

Mayor Sanders stated that there is a tentative education meeting scheduled for February.

Mayor's Report: Mayor Sanders reported that the streetlights have been installed at PVYA. Councilor Tanner stated that the streetlights really brightened up the park.

Councilor Cochran made a motion to approve approximately \$3,500.00 in new plumbing fixtures and regular maintenance on the septic system at PVYA. Councilor McCain 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 made a motion to approve approximately \$4,800.00 for painting in the library area. 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."

Mayor Sanders reported that Eagle Scout, Stephan Conner, placed shrubbery in front of PHCC as his Eagle Project. Mayor Sanders thanked Eagle Scout Conner for his efforts.

Councilor Tanner made a motion to approve approximately \$300.00 for litter removal on Narrows Road from Highway 79 to Turkey Creek Landfill. Councilor Cochran duly seconded the motion. Mayor Sanders called for any discussion. Councilor Cochran mentioned that sometimes we allow local groups to earn money for litter removal but Narrows Road is too dangerous, so we have pursued professional help. Councilor McCain asked if we could have this done monthly. Mayor Sanders stated that we are only planning to have this done once but the company doing the litter removal will offer a reduced price if

we chose to have them do this monthly. Councilor Tanner stated that she thinks it is a good idea to have this done monthly. Councilor Cochran charged the Mayor with contacting the County Commission and have the Commission speak to the owners of the landfill to enforce their covered load policy. 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 passed unanimously."

Mayor Sanders announced that the Planning Commission will meet January 24, 2011, at 5:00 p.m. at City Hall.

Old Business: Councilor Cochran offered a resolution authorizing the Mayor to receive bids for the mowing of rights of way; said bids to be returned by the 15th day of February, 2011, at 3:00 p.m. Councilor Tanner duly seconded the motion. Mayor Sanders called for any discussion. As there was no discussion, Mayor Sanders called for a roll call vote on the resolution 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 adopted unanimously as, Resolution 11-02.

Councilor Tanner stated that the resolution should be updated to state Wells Fargo instead of Wachovia, and she moved to amend the resolution. Councilor McCain duly seconded the motion. 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 Cochran made a motion to approve a request made by the Pinson Valley High School Softball Team for \$3,500.00, to help with the cost of netting at the Softball Field. Councilor Tanner duly seconded the motion. Mayor Sanders called for any discussion. Councilor Shelnett questioned whether this request should have been examined by the Education and/or Finance Committees; to be sure it is the best value. Councilor Cochran stated that the Education Committee has never reviewed these types of request before. Mayor Sanders added that the committees do what we charge them to do, council ultimately makes the decision. Councilor Shelnett asked what qualifies the committee to help us do this? Mayor Sanders stated that they do any task that we charge them to do. Councilor Churchwell asked if the softball players presented their request to the school before coming to us. Councilor Cochran stated they had informed Ms. Brown that they were making this request and they informed the Board of Education what their plans are for the facility upgrades. Mayor Sanders called for any further discussion. As there was no further discussion, Mayor Sanders called for a roll call vote with the following results: Mayor Sanders- yes; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnett-abstain; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, request passes.

Councilor Shelnett made a motion that the Education Committee review any school request before coming to council. Councilor Churchwell duly seconded the motion. Mayor Sanders called for further discussion. Councilor Churchwell stated that he is not against helping the schools but feels that we need some type of organization set up to take the request before they are brought to council. Councilor Cochran stated that with the organizations that have come to us through the school; typically they are handled through Ms. Brown first. Councilor Cochran added that he didn't see where the Education Committee reviewing request first would benefit the process in any way. Councilor Cochran asked if the proposal was to have the Education Committee review these request from different organizations from the school and then try to objectively judge the merit of each request and then make the recommendation on

which one they think needs the money more. Councilor Cochran added that the Education Committee may not be in tune with the needs of the different organizations. Councilor Churchwell stated that he thinks that the committee take a look at it and then if they think its appropriate then send the request to the Board of Education and let them know what we are doing. Councilor Churchwell added that the committee could go to Board of Education with the request and let them know that this was given to us for our consideration. Mayor Sanders asked if council would consider a table and let him check with some sister cities to see how they process these types of request. Councilor Cochran stated that he had no problem with the motion but feels it could introduce more bureaucracy and slow things down. Councilor Tanner stated that in the past she has spoken to principals at High School and sometimes it is a request that has never been answered by Board of Education. Mayor Sanders stated that he had been told by Ken Story, Athletic Director; that the Athletic areas generally fall to that particular program. Councilor Churchwell made a motion to table this request until the next meeting. Councilor Cochran duly seconded the motion. 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 to table passed unanimously."

New Business: Councilor Shelnutt offered a resolution dissolving the Main Street Tack Force. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion. As there was no discussion, Mayor Sanders called for a roll call vote on the resolution with the following results: Mayor Sanders-yes; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnutt-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, resolution adopted unanimously as, Resolution 11-03.

Councilor Churchwell offered a motion to approve the expenses for Councilor Cochran's attendance of the Retail Real Estate Convention in Las Vegas which will be held May 22, 2011 through May 25, 2011, at an approximate cost of \$2,200.00. Councilor Tanner duly seconded the motion. Mayor Sanders called for any discussion. Councilor Shelnutt asked if this was the item that Councilor Cochran stated he would attend and pay for all of his expenses and only asked that council pay for registration fees. Councilor Churchwell stated that yes, Councilor Cochran had stated he would be willing to go and pay all expenses if the city would pay registration fee. Councilor Churchwill added that by doing any of it we are saying that it would be beneficial to the city so if he is going on behalf of the city then the city should pay all of those expenses. Councilor Shelnutt asked Councilor Cochran if he requested this. Councilor Cochran replied, no, he was only asked how much the trip cost. Councilor Shelnutt asked if this is approved then apparently we have enough money budgeted for this. Mayor Sanders stated that we have the money in Conventions and Education/Training. Councilor Shelnutt asked Councilor Cochran if there is anything specific you are looking to get out of this meeting. Councilor Cochran stated that it is a Real Estate Convention so obviously we are trying to recruit retail to come in to our community. Councilor Shelnutt asked if there is a specific business like a Shoneys or something. Councilor Cochran stated that he has not communicated with Shoneys but there are different types of businesses and these are the things we will sit down and figure out over the next two months. Councilor Shelnutt stated that since this is the first he has heard of this request, he would like to make a motion to table this until the next meeting. Councilor McCain duly seconded the motion. 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 to table passed unanimously."

Public Comment:

- 1.) John Harrison, Fitzgerald Mountain Drive. Mr. Harrison, as Planning and Zoning Commission Chairman, asked to review an ordinance that council is considering which is an ordinance to establish the public ways excavation policy of the City of Pinson, Alabama. After bringing his concerns to council, Councilor Churchwell asked if any of Mr. Harrison's concerns are covered in the current Zoning Regulations. Mr. Harrison replied, yes they are in the zoning construction regulations.
- 2.) James Hobson, Owner Independence Gunworks, 4261 Main Street. Mr. Hobson had questions regarding resolution 10-35 that concerns 4249 Main Street. Mr. Hobson asked if the property was purchased what would requirements be for council to consider stopping the condemnation process if the purchaser planned to improve the property. Mayor Sanders stated that the title on the property is clouded and if title could be cleared, if we knew when the property would close and when repairs would begin I would think we could at least consider that. Councilor Cochran added that councils only goal is to enhance Main Street and that Mr. Hobson's business is an enhancement on Main Street. Mr. Hobson added that he has spent a lot of money to improve his business and has offered to go in and clean up the other spots but was not allowed entrance. Mayor Sanders stated that the Gun Shop and the Barber shop are the only buildings that are able to be occupied, and we would then demolish to the good part of the building because we are aware of your investment as well as the barber shops.

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

Adjourned at 7:42 p.m.

Respectfully submitted,
Marie Turner, City Clerk

January 20, 2011 Minutes Adopted _____