

Council Minutes
January 6, 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 6, 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 December 16, 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 December 16, 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:

- 1.) Phil Sims. Regarding the contract for Clay-Pinson Chamber of Commerce/ABBF, please refer to it in the contract as ABBF, this is required by the State Tourism Board of Festivals and should be listed as such in any legal documents. Also, C-PCC is the appropriate acronym for the Clay-Pinson Chamber of Commerce, please make those changes in the agreement.

Mayor Sander reinstated rules

Committee Reports:

Finance: Councilor Tanner made a motion to approve payment of the bills in the amount of \$54,738.25, a copy of the bills schedule is attached. Councilor Cochran 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 stated that we have begun to receive business license revenue and franchise funds and should receive our Misc. Road allocation soon. Mayor Sanders added that the first months sales tax collected was approximately \$51,000.00; the second month was approximately \$61,000.00; we should have more information at the next meeting regarding the yearly income.

Annexation: Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owner The City of Pinson, located south and southeast of Innsbrooke Parkway/Winston Terrace. Councilor Churchwell recommends this property be annexed into the City of Pinson. 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 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 as Ordinance number 2011-01.

Public Safety: Councilor Cochran announced that January 1, 2011, Donnie West was named as the new Center Point Fire Department Chief. Councilor Cochran stated Chief West was a great leader and Fire Fighter and is very deserving and we would like to congratulate him on this.

Councilor Cochran made a motion to authorize the purchase of four new tires for the Dodge truck at a cost of approximately \$565.61. 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."

Enhancement: Councilor McCain mentioned the Christmas Parade Float winners; Best in Show-Girl Scout Troop #142; First Place-First Baptist Church Pinson; Second Place-Mrs. Tatum's Kindergarten Class; Third Place-Solid Rock Church. Councilor McCain added that the Grand Marshals were the Alabama Butterbean Festival Committee.

Councilor McCain offered a resolution authorizing the Mayor to enter into a License Contract with Solid Rock Church, regarding CityFest and Movies in the Park. Councilor Cochran 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 main 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 passes unanimously as Resolution 11-01.

Councilor Cochran made a motion to authorize free amusement rides at CityFest. Councilor McCain duly seconded the motion. Mayor Sanders stated that the cost is approximately \$2,000.00. 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 McCain made a motion to host two free Movies in the Park events in May 2011. Councilor Cochran 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."

Education: Mayor Sanders congratulated the Pinson Valley Marching Chiefs on an outstanding year. Mayor Sanders mentioned that the Pinson Valley Marching Chiefs have been invited to be a participant in the inaugural parade for the Governor and Mr. Caldwell, Band Director, has asked if the city would be willing to assist them with their travel cost involved.

Councilor Cochran made a motion to subsidize the band with at least \$1,000.00 to help with the travel expense for the Inaugural Parade in Montgomery. 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."

Mayor Sanders stated that the PVHS Football program has asked for assistance with some electrical work needed at the football field.

Councilor Cochran made a motion to provide assistance for the electrical work needed at PVHS football field. 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's Report: Mayor Sanders reported that the electrical work at PVYA is being completed.

Mayor Sanders mentioned that the city has acquired property on both the North and South sides of PVHS.

Mayor Sanders mentioned that there will be a Work Session with the Clay-Pinson Chamber of Commerce after the main meeting on, January 20, 2011, to discuss the 2011 Alabama Butterbean Festival and other Chamber matters as they arise.

Mayor Sanders offered a first reading of 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.

Old Business: None.

New Business: Councilor Cochran offered a first reading of an ordinance to establish the public ways excavation policy of the City of Pinson, Alabama. Attorney Black explained that since there are many streets in Pinson that the city is now responsible for, this ordinance would establish policy and procedure for the streets in the City of Pinson under the city's control.

Councilor Shelnett offered a resolution to acquire certain real property, regarding property located at 4249 Main Street. Councilor Cochran duly seconded the motion. Attorney Black explained that this resolution involves the Redevelopment Plan for a portion of Downtown Pinson. Attorney Black added that the city has made numerous requests for well over a year to the owner to clean up the property but no action by the owner has been taken. Attorney Black continued that once this process is put into effect the City can acquire the property and once the city owns the property it can then be cleaned up. Mayor Sanders called for further discussion. As there was no further discussion, Mayor Sanders called for a roll call vote on the main 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 passes unanimously as Resolution 11-02.

Councilor Cochran offered a first reading of a resolution authorizing the Mayor to enter into a contract for advertising and promotion with the Clay-Pinson Chamber of Commerce. Mayor Sanders stated that the appropriate changes will be made to the resolution before the next meeting.

Mayor Sanders stated that the city had received a letter from the Palmerdale Fire District requesting assistance with the purchase of a Heart Monitor/Defibrillator.

Councilor Cochran made a motion to assist the Palmerdale Fire District in their purchase of a Heart Monitor/Defibrillator in the amount of \$11,690.00. 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."

Public Comment:

- 1.) Holly Webb, 6928 Brittany Lane. Representing the Pinson Valley High School Softball team asking for assistance with netting on the Softball Field at a cost of approximately \$3,500.00.
Councilor Cochran stated that this would also benefit the Rudd Softball team as well as the PVHS Softball team. Councilor Cochran added that the Softball team has already done many improvements to the Softball field and have had 3000 blocks donated to rebuild the dugout and backstop. Councilor Cochran continued that the overall improvements to be made are in excess of \$12,000.00 to \$15,000.00.
- 2.) John Harrison, 3709 Fitzgerald Mountain Drive. Regarding the ordinance for excavation of the streets, Mr. Harrison stated that he is against open cutting the streets and would rather use boring because you never get the compaction back under the lines. Mr. Harrison stated that there may be something in the zoning regulations regarding this and would like to read the ordinance.

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 called council out of executive session.

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 8:05 p.m.

Respectfully submitted,
Marie Turner, City Clerk

January 6, 2011 Minutes Adopted _____