

Council Minutes
February 17, 2011 – 7:00 p.m.
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, February 17, 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 February 3, 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 February 3, 2011, meeting. Councilor Tanner 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 \$32,300.45, 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."

Mayor Sanders reported that the business license income to date is \$85,000.00 and the actual budgeted amount was \$90,000.00. Mayor Sanders added that Insurance companies have until March 31st to remit their applications so we should be very close to our projected budget. Mayor Sanders reported that the Sales Tax receipts for December 2010 were \$96,000.00 and the increase is most likely from holiday purchases and should be back to normal in the next month. Mayor Sanders mentioned that the city has been reimbursed approximately \$70,000.00 for our Sidewalk Grant.

Annexation: Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owner CVS Pharmacy, located at 6665 Highway 75. 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 2011-05.

Public Safety: Councilor Cochran mentioned that National Night Out will be held on, Tuesday, August 2, 2011, and we will discuss how to participate and promote this upcoming event.

Enhancement: Councilor McCain mentioned that CityFest will be held on April 2, 2011 and the vendor applications are available at City Hall and on the website.

Councilor McCain made a motion to authorize the expense of renting a tent, table and chairs for CityFest in the amount of \$869.90. Councilor Cochran duly seconded the motion. Mayor Sanders called for any discussion. Councilor Cochran mentioned that this is the same company that has provided the Art Tent for 3 years at no charge. 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."

Councilor McCain made a motion to increase the previously approved \$2,000.00 for rides to \$3,100.00. 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 mentioned that the Girl Scouts are looking for an area for a Community Garden . Mayor Sanders stated that since there was no objection from council he would look for an area for the garden.

Education: Mayor Sanders stated that there is a tentative education meeting scheduled for February 28, 2011, at 6 p.m. at Rudd Middle School. Mayor Sanders added that attendees will view the mobile laptop lab.

Mayor's Report: Mayor Sanders reported that there is now monitored Electronic Surveillance at PVYA.

Mayor Sanders offered a 2nd reading on a quote from APEX for HVAC in the gym at PHCC. Mayor Sanders added this would be up for approval at the next council meeting.

Mayor Sanders announced that SWMA will hold a Public Hearing on, March 23, 2011, at 10:00 a.m. at the Trussville Civic Center.

Mayor Sanders stated that the electrical progress continues at PVHS .

Old Business: Councilor Cochran offered a resolution concerning the City of Pinson's consent and approval of the issuance of an alcoholic beverage license by the Alabama Alcoholic Beverage Control Board. 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 Shelnett-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, resolution adopted unanimously as, Resolution 11-08.

Councilor Cochran offered a resolution authorizing the Mayor to purchase a Dump Truck utilizing the Alabama Department of Finance current bid list and special road tax funds. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion. Councilor Shelnett asked who will be able to drive it? Mayor Sanders stated anyone on our drivers list, employees and the deputies or any volunteer that has a valid driver's license. Councilor Shelnett asked is there any training required? Mayor Sanders stated no this is below the CDL. Councilor Shelnett asked what is the yearly insurance cost? Mayor Sanders stated that insurance is through AMIC so approximately \$500.00- \$1,000.00 per year. Councilor Shelnett asked about the cost of the yearly up keep? Mayor Sanders stated it should be nominal on a new one primarily oil changes. Councilor Shelnett asked who else had input on the purchase? Mayor Sanders stated that council has been discussing the purchase here during council meetings for about a month now. Councilor Shelnett made a motion to table voting on the resolution until the Enhancements Committee had a chance to review the purchase. Councilor McCain stated that she thought it should go through Roads not Enhancements. Councilor Shelnett amended his motion to go to the Road Committee rather than the Enhancement Committee. Mayor Sanders called for a second. Mayor Sanders, motion to table fails due to lack of second. Mayor Sanders called for further discussion on the main resolution. Councilor Churchwell asked if the Dump Truck would be available for use at Turkey Creek as well. Mayor Sanders, yes. Councilor Tanner asked if it would be available for use at PVYA. Mayor Sanders, yes.

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-no; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, resolution passes as, Resolution 11-09.

Mayor Sanders offered a clarification of his comment at the last meeting as to who can be allowed to enter executive session. Mayor Sanders stated that under narrow sets of circumstances someone could enter executive session under trade and commerce with the exception that their information or input was specifically needed for our discussion. Mayor Sanders added that he would have Attorney Black explain this further at another meeting.

New Business: Councilor McCain offered a first reading of a quote from Sweeping Corporation regarding monthly litter removal for, Narrows Road; Rudd School Road; Sweeney Hollow Road; Faucett Cutoff Road; and Bud Holmes Road at an approximate monthly cost of \$800.00.

Councilor Shelnett updated the Mayor and Council on approximate cost for an access road for the proposed PVHS Walking Track. Councilor Shelnett stated that the approximate cost for gravel road access from Tapawingo Road to the Lake behind PVHS would be anywhere from \$75,000.00- \$80,000.00 from one contractor to \$134,000.00 from another contractor. Councilor Shelnett added that one of the contractors gave a lock and key quote which would include pavilions and everything to complete the Track at an approximate cost of \$350,000.00. Councilor Shelnett stated the next step would be to take this to the Board of Education. Mayor Sanders stated that Attorney Black would need to draft a license agreement for that portion of property, and now that we have an estimate we would need to pass a resolution to accept bids for the work. Councilor Churchwell ask if this would be a completed road surfaced and everything or just an access road? Councilor Shelnett stated it is a gravel road for public access. Councilor Cochran asked if they were to do it all, pave and put in the track it would be approximately \$350,000.00? Councilor Shelnett stated that the track is roughly already there, but for curb and gutter; parking lot; small pavilion; drainage with connecting sidewalk from Highway 75 to the entrance of track, yes roughly \$350,000.00. Councilor Tanner asked what was the original cost to do the track? Mayor Sanders stated he thought it was \$10,000.00 to \$20,000.00. Councilor Shelnett stated that the \$10,000.00-\$20,000.00 was just getting the trail back there not access to the trail but getting the trail

ready for races. Councilor Tanner asked once the access road is put in can it be used by the school. Councilor Shelnutt stated that the Board did not want to allow public access through their property they wanted offsite entrance but according to the drawing it will connect to the baseball facility the high school would have a gate there. Councilor Tanner asked Councilor Shelnutt if he had looked for any grants for this project. Councilor Shelnutt stated that he had not found any yet. Mayor Sanders asked if there was any further discussion. Mayor Sanders stated that we would continue discussion at the next meeting.

Councilor Tanner offer a motion to approve expenses for the City Clerk to attend the International Institute of Municipal Clerks Annual Conference in Nashville, May 8th -12th, at an approximate cost of \$2,000.00. Councilor Cochran duly seconded the motion. Mayor Sanders stated that there is scholarship money available and the clerk will be applying for a scholarship to pay for a portion of the conference. Councilor Churchwell asked if there is a membership fee required. Mayor Sanders stated she is already a member. 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."

Councilor Shelnutt made a motion to change the term Committee Reports to Committee Chairman Comments. 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 suspended rules and introduced Captain Richard Archer of the Palmerdale Fire Department.

Captain Archer thanked the Mayor and Council for their contribution allowing the Palmerdale Fire District to purchase a refurbished Lifepak 12 Defibrillator. Captain Archer displayed and explained the capabilities of the Lifepak 12. Captain Archer stated that with this purchase the Palmerdale Fire District now has 3 of these types of units. Mayor Sanders asked what the expected life span of this unit would be. Captain Archer stated that in a refurbished unit it is usually 10-15 years.

Public Comment:

- 1.) John Harrison, 3709 Fitzgerald Mountain Drive. In reference to the driveway to the lake, Mr. Harrison suggested that the city put money toward a Grant Consultant to find a grant for this project. Mr. Harrison feels that it is a waste of money to use gravel as an access road and it will be continuous maintenance problems. Mr. Harrison also spoke to the condition of PVYA Ballpark. Mr. Harrison stated that he has visited Clay Ballpark and was amazed at their park, it was first class. Think we need to put our money toward an overall plan. Once again we need a Grant consultant but not one that works for any of our neighboring cities, just to work for us. Mayor Sanders stated we are working diligently to get the park in order, we have had it less than a year. Councilor Cochran stated that he didn't disagree with anything Mr. Harrison was saying, but wanted Mr. Harrison to know that Clay borrowed \$5 million dollars to build their ballpark and didn't feel that any member on this council would want to borrow \$5 million, although he agrees we need an overall plan before we spend any significant amount of money.
- 2.) Phil Sims, 8136 North Valley Road. Mr. Sims feels that the city does need a Master Plan for PVYA before we spend any more money there.
- 3.) Liz Reiff, 241 St. John Drive. Regarding CVS Alcohol License. Don't they have to be so many miles away from a school to sell alcohol? Mayor Sanders stated that's for on premises sales, CVS is off premises sales.

- 4.) Pete Chandler, 4450 Silver Lake Road. It seems that anybody that needs money and comes to council and ask for it we give it to them. Mayor Sanders asked for clarification. Mr. Chandler stated that recently the Softball Team came and asked for money. Councilor Cochran stated that the Softball Team asked for \$3,500.00 to create a new backstop. Councilor Cochran added that there are additional projects going on and they asked for a portion of money for those projects and they have been doing fundraising to offset some of those expenses. Mr. Chandler stated that he felt that the parents of those involved should be doing the work. Councilor McCain stated that there are a lot of parents that work all day on Saturdays and we still have to pay \$2,400.00 for the child's Spirit Pack.

Councilor Shelnutt stated that he is in agreement with Mr. Harrison regarding the Lake and would like a recommendation from the Road Committee as to what type of road would be most beneficial and our budget on that type of project. Mayor Sanders stated that would be a Park Committee more so than a Road Committee and would be glad to have Mr. Harrison take a look at it if we want to have a motion to expend some money with Harrison Engineering because that would be more of an engineered matter than a committee matter. Councilor Shelnutt stated that has already been done, what he means is we need some kind of recommendation on which way to go. Mayor Sanders asked Councilor Cochran if he would take that request to the Public Safety, Councilor Cochran responded that he would. Councilor Tanner asked if we are going to break this Park project or any project down by committees. Councilor Tanner added if Councilor Shelnutt wants to do this project, should he not do that himself? Councilor Tanner asked are you going to ask the Enhancements Committee what type of trees to put out there. Councilor Tanner stated that she feels that if Councilor Shelnutt wants this Park he should do everything. Councilor Tanner stated for example I am doing everything on the Library. Councilor Shelnutt stated it's not what I want it's what's best for the city and the best way to get input from the city is through our committees. Councilor Tanner stated that Councilor Shelnutt should research the information and get the estimates for the project himself. Councilor Shelnutt stated that he feels that we should be asking the citizens of this community if this is the best thing and the best way to do that is through our committees. Councilor Tanner stated that Councilor Shelnutt should do the research himself and then take that information to the committees. Councilor Shelnutt stated that he just did that. Councilor Tanner stated that Councilor Shelnutt needs to have his proposals for the committees. Councilor Tanner stated she didn't understand why Councilor Shelnutt is pushing this project off on a committee when he wants to do this project. Councilor Tanner added not only this project but any project. Mayor Sanders stated that we will take it to Public Safety with Mr. Harrison's involvement. Councilor Cochran stated that is fine, but he hesitates to see the role in it at this point. Councilor Cochran added that this project crosses boundaries between Enhancements, Park, Roads and Streets. Councilor Cochran added so far what we have in front of us is a project that at first estimate was a \$20,000.00 project and now it is up to \$350,000.00 and has not been seen by a committee yet, what committee did this come through? Councilor Shelnutt stated we haven't decided on anything yet. Councilor Shelnutt stated that he would like to form a committee just to do the Park. Councilor Cochran stated, that responsibility lies with the Mayor. Councilor Shelnutt made a motion that the Mayor allow him, (Councilor Shelnutt), to create a committee for this Park. Councilor Cochran stated, once again that responsibility lies with the Mayor. The Mayor did not call for further discussion or a second and stated that he felt that Council should give this more consideration since the projected cost of this project is \$300,000.00.

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

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 15 minutes. Mayor Sanders added that we will progress leisurely to the back, feel free to talk with us if you would like.

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 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 8:17 p.m.

Respectfully submitted,
Marie Turner, City Clerk

February 17, 2011 Minutes Adopted _____