

Council Minutes
October 4, 2007 - 7:00 p.m.
Regular Meeting

The Pinson City Council met in regular session at the Pinson City Hall on Thursday, October 4, 2007. Mayor Sanders led the invocation and Clinton Helms, BSA, Troop 11, 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 Shelnutt
Councilor Churchwell
Councilor McCain

Minutes: Councilor Shelnutt made a motion to waive the reading of the September 20, 2007, 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 September 20, 2007, meeting. Councilor Tanner duly seconded the motion. Mayor Sanders called for any discussion. 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:

Mike Vanderboegh – Spoke regarding P.V.H.S. and a handout he gave to all present. Handout included herein.

Jennifer Hardy – Manager, Advance America in the Foodgiant Shopping Center. Spoke in support of the Alabama Butterbean Festival.

Tony McCurry – Little Caesars Pizza. Spoke in support of the Alabama Butterbean Festival.

Deborah Helms – Spoke in support of the Alabama Butterbean Festival.

Leslie Chatta – Spoke in support of the Alabama Butterbean Festival.

Diana Morris – Owner, Groomingdales Pet Salon, spoke in support of the Alabama Butterbean Festival.

James Hyche – Spoke in support of the Alabama Butterbean Festival. Probated letter included herein.

Committee Reports:

Finance: Councilor Tanner made a motion to pay miscellaneous bills in the amount of \$4,744.22. Nextel for \$182.00; United Flagpole for \$73.70; AL Association of Municipal Clerks for \$30.00; Hand Arendall for \$2,427.16; Payroll for \$1,659.16; B/W & Sons Lawn Maintenance for \$70.00; Trussville Utilities for \$15.60; AT&T for \$286.60. 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.”

Annexation:

Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owner, Jefferson County Commission, located on Sweeney Hollow Road. 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 Shelnuttyes; Councilor Churchwell-yes; Councilor McCain-yes.

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 Shelnuttyes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, ordinance adopted unanimously as Ordinance number 2007-40.

Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owner, Lanecia Jones, located at 7852 Williams Street. Councilor Churchwell recommends this property be annexed into the City of Pinson. Councilor McCain 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 Shelnuttyes; Councilor Churchwell-yes; Councilor McCain-yes.

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 Shelnuttyes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, ordinance adopted unanimously as Ordinance number 2007-41.

Public Safety:

Councilor Cochran introduced Deputy Jeff Hannah. Deputy Hannah is the newly assigned Deputy to the Pinson Area for evening shift. Mayor Sanders stated that we will be swearing in Deputy Hannah and the new SRO at the October 18, 2007, meeting.

Education:

Mayor Sanders announced the Band Boosters meeting, October 23, 2007, at 7:30. Council has been invited to attend to officially present the Mellophones that were purchased.

Mayor Sanders mentioned the Pride of the Valley Marching Festival, Saturday, October 27, 2007, everyone is invited.

Mayor Sanders stated that the addition on the High School was awarded today to Wyatt. There will be a meeting on October 29, 2007, or November 5, 2007, with Dr. Hammonds to continue the discussion from the last meeting.

Enhancements:

Councilor McCain announced the Christmas Parade will start at 11:00 a.m. this year.

Councilor McCain reported on the price of commercial trash removal for the Carraway Building. Councilor Cochran made a motion to secure a dumpster for the Carraway Building. 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."

Mayors Report:

Mayor Sanders stated that due to some damage to the air conditioning units at the Carraway Building, Carraway has agreed to reduce the purchase price of the building to \$534,000.00. Mayor Sanders mentioned that he has received 2 offers of financing, and the rate will be less than 5%, he will recommend one of those at the next meeting.

Councilor Cochran stated that the Architect that inspected the Carraway Building spent 2 hours looking over the building. Councilor Cochran asked the Architect if he thought that the price we are purchasing the building for was reasonable buy. The Architect stated that we were getting an outstanding buy.

Mayor Sanders stated that part of the money that we receive from the State is called Capital Trust Funds and can only be used for fixed Capital Assets that the City owns. This is how we are paying for the building. This money cannot be used on anything but a Capital improvement. We are not diverting money that could be used for anything else.

Councilor Shelnutt asked if we had received an estimate on how much it will cost to get into the building. Mayor Sanders stated that it has been estimated at \$60.00 per ft. to renovate the proposed Council Chamber area. Renovating the 1,000 to 1,200 ft., into a large room would be \$60,000. to \$80,000.

Mayor Sanders announced that Pam King will be at the October 18, 2007, meeting.

Mayor Sanders recommended that we adopt the following Federal Holidays:

New Year's Day
Martin Luther King Day
Washington's Birthday
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans Day
Thanksgiving Day & Friday after
Christmas Eve & Christmas Day

Councilor Cochran Made a Motion to adopt the Federal Holiday guideline. 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 stated that with the addition of a new Deputy we need to increase our Nextel Plan. Councilor Cochran made a motion to increase the Nextel Plan. Councilor Tanner 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 with the Mayor abstaining."

Old Business:

Councilor Cochran offered a Resolution of the Reduction of Corporate Limits. Councilor Cochran would like to make a motion to amend the wording of the Resolution to Ms. Mary J. Cochran a resident of the City. Councilor Tanner duly seconded the motion. Mayor Sanders asked Attorney Black to comment on the Resolution. Attorney Black briefly explained the De-annexation Resolution.

Councilor Cochran and Councilor Churchwell made comments regarding this Resolution. 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-no; Councilor Cochran-yes; Councilor Shelnutt-no; Councilor Churchwell-no; Councilor McCain-no. Mayor Sanders, "Motion fails."

The Agenda posting was discussed and Mayor Sanders agreed to expand on the descriptions and Councilor Cochran will check in to posting the Agenda on the Website and creating an email list.

New Business:

Mayor Sanders offered a first reading for councils consideration on Friendly Condemnations of 5 Glenn Brook/Kaley Lane properties.

Councilor Cochran made a motion to add City provided night security to the existing City provided day security during the Alabama Butterbean Festival beginning on Friday at 5:00 p.m. and ending Saturday at 7:00 a.m.

Councilor McCain duly seconded the motion. Mayor Sanders called for a roll call vote with the following results: Mayor Sanders-yes; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnett-yes; Councilor Churchwell-yes; Councilor McCain-yes. Mayor Sanders said "Let the record reflect that the motion passed unanimously."

Mayor Sanders stated that there is a request from the Alabama Butterbean Festival Committee for the City of Pinson to provide additional financial sponsorship to the 2008 Festival. Mayor Sanders suspended rules to allow Council a question and answer time with Phil Sims of the Alabama Butterbean Festival. After much discussion, Councilor Churchwell made a motion to table this and the remainder of the request until the next meeting. 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."

Attorney Black spoke regarding issuance of Peddlers Licenses, Permits, or other Temporary Business Licenses during the hours of the Festival on Pinson Main Street. A copy of the Attorney General's opinion is included herein.

Mayor Sanders called a Work Session for Monday, October 8, 2007, at 6:30 p.m., to allow discussion between Council and ABBF Committee members. Mayor Sanders added that this Work Session is open to the General Public.

Mayor Sanders reinstated rules.

Public Comment:

1.) Phil Sims, Alabama Butterbean Festival. Mr. Sims spoke regarding his request to be hired as a consultant to run the festival. Mr. Sims stated that it takes a lot of time to run a festival of this size. Mr. Sims added that his experience with Grant Writing would be another reason to be hired by the City. Mr. Sims stated that he has the expertise, abilities, and political connections to help the City.

2.) L. C. Dennis, Innsbrooke. Mr. Dennis stated that he appreciates the Butterbean Festival and the work that Phil has done, but he does not appreciate the demands made on Council. Mr. Dennis added that he agrees with Council's decision to look into why money was lost and then do something to make it a paying proposition or at least break even. Regarding hiring Phil Sims fulltime, he doesn't think that it's up to the City to pay it.

3.) Diana Morris, Groomingdales. Ms. Morris stated that the Dump Trucks are still speeding down Main Street and feels that it is only a matter of time before somebody gets hurt if we don't do something about the speeding.

4.) Deborah Helms. Ms. Helms thinks that Phil is the best person to represent the Butterbean Festival. Ms. Helms thinks that Phil needs to be paid and needs City Council behind him. Ms. Helms stated that she has received contacts from other states regarding demonstrations she did at the Butterbean Festival. Ms. Helms stated that she was disappointed that she did not see many of the Council members at the Clean up Day for the Butterbean Festival.

5.) Pete Chandler, Silver Lake Road. Mr. Chandler stated, all you Christian people, there is a line drawn up the road between Palmerdale and Pinson. You Christian people better wake up and live and love your neighbor instead of hating them.

6.) Mike Vanderboegh, Womack Road. Mr. Vanderboegh spoke regarding the de-annexation of Mary Cochran's property., stating that she is blind, 98 years old, but she is still sharp as a tack, and she knows what she wanted to do. Mr. Vanderboegh stated that he personally heard her say that "there is no reason I'd want to put that mountain side in Pinson."

7.) Tori Howell, 6557 Womack Road. Ms. Howell thinks that the annexation of Ms. Cochran's property was a misunderstanding, regarding the property itself, she did want her residence in Pinson because she wanted to continue the protection of being a part of the City but, she did not want her other property in the City. Ms. Howell commented on the Butterbean Festival, stating that they need more volunteers. Ms. Howell feels that it would benefit the City and be an excellent use of taxpayer dollars to go ahead and invest in making some kind of a contractual arrangement with Mr. Sims.

Mayor Sanders spoke to the Grant writing issue. We subscribe to 2 publications and do look for grant money. Councilor McCain added that we do research all of them and she keeps in contact with all of the grants we have applied for, but if we don't qualify then they are not brought to the public.

8.) Brad Walker, Dug Hollow Road. Wanted to commend Council because there is a Biblical principal that says a man shall not build without counting the cost. Mr. Walker commended Council for wanting to count the cost before submitting the money. Mr. Walker also commended Mr. Sims for his vision of the Butterbean Festival. Mr. Walker

added that he thinks it was a great thing; he appreciated the vision and the volunteers that helped.

9.) Lisa Underwood, Elm Avenue. Asked that Council remember when you are having your meeting that there is always room for compromise. Ms. Underwood would like to suggest that we have a Pride in Pinson Contest to be held on an annual or semi annual basis to promote pride in our City. Thinks it would be a great way to put a sense of pride in our city.

10.) Barbara Pass, 8401 North Valley Road. Treasurer of PHCC. Ms. Pass stated that the non-negotiable statement made on the list of request is the truth, if we can't start off with this first step toward getting our Butterbean Festival for next year in the works then that's it, that's the end of it. In saying that, she believes that City Council either makes or breaks the Butterbean Festival.

11.) Diana Morris, Groomingdales. Ms. Morris feels really blessed to be apart of the City of Pinson. Ms. Morris hopes that we can all come together and make this town really pretty. We will only become stronger as we grow and the Butterbean Festival is an asset bringing a lot of people to Pinson to see what we are made of.

12.) Shane Shelnett. Read a letter from a resident that could not attend the meeting tonight. Mayor Sanders stated that we would turn the information into Roads and Transportation. A copy of the letter is included herein.

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

Respectfully submitted,
Marie Turner, City Clerk

October 4, 2007 Minutes Adopted _____