

Council Minutes
August 7, 2008 - 7:00 p.m.
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 6230 Dry Creek Lane on Thursday, August 7, 2008. Mayor Sanders led the invocation. Councilor Dawn 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 Shelnuttt
Councilor Churchwell
Councilor McCain

Minutes:

Councilor Shelnuttt made a motion to waive the reading of the July 17, 2008, 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 July 17, 2008, 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 pay miscellaneous bills in the amount of \$19,676.07. Alacourt.com for \$107.00; Trussville Utilities for \$114.88; Nextel for \$224.03; Pete Chandler-reimbursement for installation of iron gate at 4410 Main Street for \$613.80; Moore Coal Co. for \$60.50; Allen Iron Works for \$1,520.00; PC Doctor for \$374.95; AT&T for \$452.11; B/W & Sons Lawn Maintenance for \$820.00; Acceptance Janitorial for \$96.00; Mayer Electric for \$177.79; Probate Court-Condernation for \$500.00; Payroll for \$2,876.41; Pike’s Plumbing for \$4,341.12; Cassidy & Self Glass Co. for \$1,558.94; Regions Visa for \$155.28; Regions-Mortgage for \$3,854.18; Craig’s Lawn Service-mowing Hwy 79-75-151 & Spring Street for \$673.75; B/W & Sons Lawn Maintenance-mowing R-O-W for \$250.00; Alabama Power-streetlights for \$135.33; Supreme Lawn Care-mowing Hwy 75 for \$580.00; Call-A-Haul for \$190.00. 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”.

Annexation: None.

Public Safety: Councilor Cochran mentioned that Deputy Hannah along with other Jefferson County Deputies were awarded commendations for the apprehension and arrest in the Wachovia Bank robbery.

Education: Mayor Sanders announced that the Board of Education will hold a Town Hall meeting on, August 10, 2008, at 3:00 P.M. at New Covenant Church.

Mayor Sanders mentioned that the AYP Reports have been posted. Pinson Elementary, Kermit Johnson Elementary and Rudd Middle School all made AYP grade, Pinson Valley High School did not make AYP due to the graduation rate.

Enhancements: Councilor Cochran announced the ABBF Main Street Clean up Day to be held on, August 9, 2008.

Councilor McCain announced the Enhancements Committee will meet on August 20, 2008, at 10:00 a.m. at City Hall, to discuss the Christmas Parade and the Christmas tree lighting.

Mayors Report: Mayor Sanders reported that Mrs. Pam King will be in attendance of the, September 18, 2008, meeting to present the finished draft of the Historical District.

Mayor Sanders stated that the Voter List is now available for viewing at City Hall, Palmerdale First Baptist Church and Pinson United Methodist Church.

Mayor Sanders reported that the HAVA required AutoMark ballot marking machine is available at City Hall to assist handicapped absentee voters in marking their ballots.

Councilor Cochran made a motion to hold a Special Called meeting on September 2, 2008, at 11:30 a.m., to canvass the August 26, 2008, vote and conduct the regularly scheduled September 4, 2008 meeting at that time. 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”.

Old Business: Councilor Shelnutt made a motion to adopt the Federal Government guidelines for mileage and meals reimbursements for future Council. Councilor Cochran stated that the federal government guideline of 58.5% mileage reimbursement is only through the end of 2008. Councilor Cochran feels that the federal guideline for meals should be used only as a guideline rather than an absolute figure because there could be situations that arise when someone on Council may be entertaining some perspective business for this community and it would be a hindrance to put that restriction on the guideline. Councilor Shelnutt amended the motion to Privately Owned Vehicle reimbursement absolute Meals and Incidentals absolute except for the Mayor and only the Mayor could approve up to \$100.00 at his discretion. Mayor Sanders, the motion is so amended. Councilor Churchwell asked if we were having a problem with this now. Mayor Sanders responded not that I’m aware of. Councilor Churchwell added then why do anything about it? Councilor Cochran added that any reimbursement has to be approved by Council anyway, so if Council felt it was inappropriate it can always be

denied. Mayor Sanders asked Councilor Shelnutt to restate the amendment to the motion. Councilor Shelnutt stated the amendment to be absolute on the mileage reimbursement and meals and incidental expenses, but at the Mayors discretion, up to \$100.00 he could pre-approve and then get councils approval. Mayor Sanders called for a second to the motion as amendment. Mayor Sanders, “Motion fails due to lack of second”.

Councilor Shelnutt made a motion to put into place mass email notifications for the citizens that are interested. 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”.

New Business: Councilor Tanner made a motion to purchase 3 sets of flags for the new City Hall at a cost of \$120.00 per set. 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 offered a resolution electing the Office of Mayor without opposition. Councilor Shelnutt duly seconded the motion. Mayor Sanders called for any discussion. Mayor Sanders called for a roll call vote on the resolution with the following results: Mayor Sanders-abstain; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnutt-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, resolution adopted with the Mayor abstaining, as Resolution number 08-22.

Councilor Tanner offered a resolution electing the Office of Councilor-Place 2 without opposition. Councilor Shelnutt duly seconded the motion. Mayor Sanders called for any discussion. Mayor Sanders called for a roll call vote on the resolution with the following results: Mayor Sanders-yes; Councilor Tanner-yes; Councilor Cochran-abstain; Councilor Shelnutt-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, resolution adopted with Councilor Cochran abstaining, as Resolution number 08-23.

Councilor Tanner offered a resolution electing the Office of Councilor-Place 4 without opposition. Councilor Shelnutt duly seconded the motion. Mayor Sanders called for any 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-abstain; Councilor McCain-yes.

Mayor Sanders, resolution adopted with Councilor Churchwell abstaining, as Resolution number 08-24.

Councilor Tanner offered a resolution electing the Office of Councilor-Place 5 without opposition. Councilor Shelnutt duly seconded the motion. Mayor Sanders called for any 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-abstain.

Mayor Sanders, resolution adopted with Councilor McCain, abstaining as Resolution number 08-25.

Councilor Cochran offered a first reading on an ordinance prohibiting or regulating the owning or keeping of vicious/dangerous dogs, and providing penalties for violations.

Councilor Shelnutt discussed the possibility of creating a Cross Country/Walking Trail at Pinson Valley High School. Councilor Shelnutt stated that 90% of the trail is already there. This course is located around the lake and baseball field.

Mayor Sanders suspended rules to allow Coach Palmer and Ms. Brown time to speak.

Ms. Brown stated that the students now have to run near Highway 75 which is a concern for the faculty. Ms. Brown feels as it would be a safer and more attractive environment for the students.

Coach Palmer stated that the course is not near busy roads and offers shade. Coach Palmer added that the residents of Pinson would also be encouraged to use this trail.

Mayor Sanders reinstated rules.

Council will research and discuss at the next meeting.

Public Comment:

- 1.) Jack Chandler, 4267 Walnut Street. Asked if Bingo is legal in Pinson. Mayor Sanders stated, the legality varies by county.
- 2.) Pete Chandler, 4450 Silver Lake Road. Doesn't feel that the new grass cutting crew is doing a good job.
- 3.) L.C. Dennis, Innsbrook. Responded to Pete Chandler, stating that the Lawn company could not get to the low spots due to it being wet.
- 4.) Ron Hyche. Asked when he might get a response to the letter he had sent Council regarding Special Needs Children in Pinson. Mayor Sanders stated that it would be after the first of the year because that is when we receive our franchise money. Councilor Cochran added that he is in support of the request.

Councilor Cochran made a motion to enter into Executive Session to discuss ongoing or pending litigation. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion. Attorney Shane Black certified that the Executive Session was for the purpose to discuss ongoing or pending litigation. 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 will excuse ourselves leisurely; we will not reassemble for any function other than to adjourn.

Mayor Sanders stated we are hereby called out of Executive Session.

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.

Adjourned at 8:15 p.m.

Respectfully submitted,
Marie Turner, City Clerk

August 7, 2008 Minutes Adopted _____