

Council Minutes
January 15, 2009 - 7:00 p.m.
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, January 15, 2009. 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 18, 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 December 18, 2008, meeting. Councilor Churchwell 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 \$12,186.95. BJC Animal Control for \$540.00; Regions-Visa for \$1,257.04; APEX for \$367.71; Acceptance Janitorial for \$120.00; Alacourt.com for \$107.00; Trussville Utilities for \$573.38; Birmingham Water Works for \$48.73; AT&T for \$468.76; Marie Turner-reimbursement for IIMC CMC admission fee \$50.00; Alapestco for \$450.00; Security-PVHS Basketball 1/9/09 for \$240.00; Nextel for \$394.50; Call-A-Haul for \$1,253.00; Moore Coal Co. for \$60.50; Harris Home Improvements for \$550.00; Alabama Power-Streetlights for \$139.19; Robb Electric for \$417.00; B/W & sons Lawn Maintenance for \$790.00; Regions-mtg. for \$3,854.18. 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, Birmingham Water Works Board, known as Lot 11, Harry Charles Addition to Pearl Lake. 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 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 unanimously as Ordinance number 2009-01.

Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owner, The Jefferson County Commission, known as lots 1, 2, 3, and 4, Dale Subdivision located on Old Bradford 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 Shelnett-yes; 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 Shelnett-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, ordinance adopted unanimously as Ordinance number 2009-02.

Public Safety: Councilor Cochran made a motion to purchase the vehicle that Center Point Fire District is selling in the amount of \$6,500.00. 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”.

Education: Mayor Sanders announced that the Education meeting will be held on February 9, 2009, at 6 p.m. at P.V.H.S.

Mayor Sanders mentioned that the Boy’s Basketball Tournament and the Theatrical Festival will be held on February 6 & 7 at P.V.H.S. and we may provide some additional security for those events.

Councilor Cochran announced that the Miss Pinson Valley Pageant will be held on January 31, 2009, at P.V.H.S.

Enhancements: Mayor Sanders suspended rules and presented a check provided by our City Attorney, Shane Black, to New Covenant Fellowship for their Christmas Parade Float entry which won 1st Place. 2nd Place was donated by Nail Avenue, won by Pinson Elementary Science Department; 3rd Place was donated by Stuman Agency, won by Pinson Elementary; Best in Show was donated by Hometown Bank, won by Solid Rock Church.

Mayor Sanders reinstated rules.

Councilor McCain announced that Cityfest will be held March 28, 2009, from 10:00 a.m. until 3:00 p.m. Mayor Sanders added that the City may be able to provide some power this year for those vendors interested in that option.

Mayors Report: Mayor Sanders mentioned that he will be accepting resumes for the vacancy on the Planning Commission until, January 29, 2009.

Mayor Sanders announced the reappointment of Thomas Simmons, Jr. to the Planning Commission.

Mayor Sanders announced the reappointment of Donnie West to the administrative seat on the Planning Commission.

Mayor Sanders announced that the Planning Commission will meet on Thursday, January 22, 2009, at 4 p.m. at City Hall.

Councilor Churchwell made a motion to provide tuition for the Planning Commission members to re-certify or certify through UNA. 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”.

Old Business: Mayor Sanders reported that the Board of Education declined the venture with the High School Lake for a park or running trail, due to liability and security concerns. We will continue to look for another venue for that purpose.

Mayor Sanders asked Attorney Black to speak to the changes in the amended Sheriff’s contract. Attorney Black explained the changes that have been made in Section 20 which deals with indemnification.

Councilor Cochran offered a first reading of a resolution authorizing the Mayor to execute a contract with the Sheriff of Jefferson County. Councilor Churchwell asked Attorney Black why the County was no longer involved in the contract. Attorney Black stated that the County did not state why they were no longer involved, but that he does not see any reason for them to be involved.

Councilor Cochran offered a resolution authorizing the Mayor to execute a Financial Agreement with Capital South Bank for the purchase of property. Councilor Churchwell duly seconded the motion. Mayor Sanders asked for a roll call vote on the main 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 number 09-01.

New Business: Mayor Sanders, “Let the record reflect that a first reading on a resolution authorizing the Mayor to execute a contract with the Alabama Department of Transportation has been presented”.

Councilor Cochran made a motion to continue the same level of support to the Alabama Butterbean Festival as last year. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion. Mayor Sanders stated that we will update and sign the contract at the next meeting. Councilor Churchwell asked if the contract would be \$12,000.00 and \$8,000.00 from the City. Mayor Sanders replied that’s my understanding and the way the contract was last year. Councilor Cochran added that the City would continue to supply the same level of security and emergency workers as last year. Mayor Sanders call 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 passes with Councilor Shelnuttt abstaining”.

Councilor Cochran made a motion to spend approximately \$702.00 for servicing the restrooms, etc. in City Hall. 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 Shelnuttt made a motion to approve tuition and expenses for Mayor and Council members interested in attending the February CMO Training. 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”.

Councilor McCain made a motion to approve registration fees for Council and/or Planning Commission members to attend the RPC Annual Convention. 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”.

Public Comment:

1. Elizabeth Reiff, 241 St. John Drive. President of the Homeowners Association for Heather Point, asking the City for help with repairing the roads in that area. Repairing of the roads was promised when the last house was built which was in 2007, and the roads still have not been paid. Mayor Sanders the bonds were insufficient and he is working on this with the County, and more than likely the County and the City will work out some type of cooperative effort to fix those areas.

Councilor Cochran made a motion to enter in executive session for purpose to discuss real estate and litigation. Councilor Tanner duly seconded the motion.

Attorney Black, according to the Alabama Open Meetings Law, I provide certification that this Executive Session is necessary to discuss threatening and/or pending litigation.

Mayor Sanders asked for any discussion. As there was none, Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Mayor Sanders said we will enter Executive session and will not reconvene other than to entertain a motion to adjourn. 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 Tanner duly seconded the motion. Mayor Sanders called for all opposed to say “no”, all in favor say “aye”. Motion carried.

Adjourned at 8:04 p.m.

Respectfully submitted,
Marie Turner, City Clerk

January 15, 2008 Minutes Adopted _____