

Council Minutes
June 4, 2009 – 7:00 p.m.
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, June 4, 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 May 21, 2009, 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 May 21, 2009, 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 \$54,481.86. Commercial Printing Co. for \$599.52; Acceptance Janitorial for \$120.00; Jefferson County Sheriff’s Office for \$14,162.09; Trussville Utilities for \$170.13; Nextel for \$337.06; NCP-Newsletter Prep. for \$1,064.70; B/W & sons Lawn Maintenance for \$715.00; Payroll for \$6,580.38; Reliable Sign Service for \$23,236.25; Legacy, Inc.- environmental materials shipping fee for \$10.05; Regions-mortgage for \$3,854.18; Alacourt.com for \$107.00; B/W & sons Lawn Maintenance for \$350.00; Stan Godfrey- median mowing for \$2,850.00; Moore Coal Co. for \$105.50; Call-A-Haul for \$110.00; Call-A-Haul for \$110.00. 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.”

Councilor Tanner offered the July 1, 2009 through June 30, 2010, Budget for review.

Annexation: Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owner, Jimmy R. Smith, known as Lot 8, Heatherwood, Second Sector, located at 6941 Treeline Lane. 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 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 2009-16.

Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owners, Richard & Paula Garrett, John & Catherine Bandy, Margaret Windham and Karen Warnick, known as Lots 2, 3 and 4, Ridgewood, Second Sector, and Lot 17 Ridgewood 3rd Sector, located at 5090, 5100, and 5110 Briarwood Circle and 6830 Briarwood Drive. 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 2009-17.

Public Safety: Councilor Cochran offered a motion to install a street light at Pinson Street and Oak Street at Highway 75, investigate with Alabama Power regarding whether or not the existing pole can be used, if not get a price to put in a new pole, and install a street light at Tapawingo Road at the side exit of the high school, and install a Street light at Rudd Road and Highway 79. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion. After some discussion, Councilor Cochran amended the motion to install street lights at Tapawingo Road, and at Pinson Street, and to further investigate placing a street light at Oak Street and at Rudd Road and Highway 79. Councilor McCain accepted the amendment. 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 Cochran thanked Deputy Hall and the Jefferson County Sheriff’s Department for the robbery arrest made in the Heatherpointe Subdivision.

Education: Mayor Sanders stated that the new PTA's are being formed for the new school year and the Education Committee will be appointed at a later date.

Mayor Sanders mentioned that we have received a Thank you letter from Ms. Brown at P.V.H.S. for the yearly allocated funds.

Mayor Sanders stated that Matt Glover is the new Athletic Director at P.V.H.S.

Enhancements: Councilor McCain mentioned that the next movie will be Grease on June 12, 2009, if it rains the movie will be shown at Pinson United Methodist Church. Councilor McCain added that the movie that will be shown in July will be an edited version of Ironman. All movies start at dusk and Solid Rock Church will provide a concession stand.

Mayors Report: Planning Commission will meet June 11, 2009 at 4 p.m. and June 25, 2009, at 4 p.m.

Mayor Sanders mentioned that the new electronic sign has been set and will be turned on sometime next week.

Attorney Black reported that the property at 5031 Richard Street has changed ownership and the new owner has done a lot of work there. The property should be completely cleaned up within a week. Mayor Sanders added that the new owner plans to return the property to occupied property.

Old Business: Attorney Black spoke to the Education Foundation, regarding municipal expenditures of scholarships, which has come before the Attorney General on a number of occasions. The most recent opinion was in 2007 which refers to Section 94 of the Constitution. This prevents a City or County from doing things for a private individual unless a public purpose is served. Councilor Shelnett asked if it would be appropriate for the City to provide certificates or awards. Attorney Black stated that resolutions honoring a citizen are o.k., but when it is accompanied by an expenditure of municipal funds it is not appropriate.

Mayor Sanders stated at the last meeting it was discussed whether or not this building could be used. While this is a publicly owned building it can not be opened for rental anytime due to the fact that we have sensitive records here, etc. We have asked occasionally to allow some functions to be held here. Mayor Sanders feels that if it is not a City Business item that we approve it on a case by case situation. Councilor Cochran agreed with Mayor Sanders. Councilor Shelnett asked if we need a written policy. Attorney Black stated that as long as the rules are consistent, that is fine. Councilor Churchwell stated that he felt that there was no further discussion needed, this just needs to be on a case by case basis.

New Business: Mayor Sanders offered a first reading on an ordinance granting a Gas Franchise to the Marshall County Gas District, its successors and assigns, in the City of Pinson, Alabama. Attorney Black explained the ordinance to those present.

Public Comment:

- 1.) Taylor Steel, Turkey Creek Nature Preserve. Stated the roadway through the preserve has now transitioned to a “one way” road and is working well. The Education Center is almost complete, invited everyone to come by. The preserve now has an extremely advanced waterless composting toilet.
- 2.) Jack Chandler. Appreciates the parking situation at the Food Giant Shopping Center and the way it is being handled.
- 3.) Phil Sims, 8136 North Valley Road. Asked that the City declare August as “Clean Pinson Month”, and August 15, 2009, as “Clean Pinson Day” to get everything ready for the Butterbean Festival on September 5, 2009.

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 7:58 a.m.

Respectfully submitted,
Marie Turner, City Clerk

June 4, 2009 Minutes Adopted _____