

Council Minutes
September 3, 2009 – 7:00 p.m.
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, September 3, 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 August 20, 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 August 20, 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 \$39,577.53. Nextel for \$338.77; Trussville Utilities for \$102.84; Jefferson County Sheriff’s Office for \$14,162.09; Telephone Systems Contractors for \$1,516.48; Alabama Power for \$164.38; B/W & Sons Lawn Maintenance for \$1,025.00; Jeff Hall-security TCNP 8/22 & 8/23 for \$350.00; Jeff Hannah-security TCNP 8/29 & 8/30 for \$350.00; Hand Arendall for \$3,934.90; Acceptance Janitorial for \$280.00; Payroll for \$5,928.39; Regions-mortgage for \$3,854.18; Skipper Consulting for \$3,180.00; Scruggs Trailer for \$2,430.00; Stan Godfrey for \$1,550.00; Moore Coal Co. for \$60.50; B/W & Sons Lawn Maintenance for \$350.00. 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: Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owners, Robin and Deborah Eubank and Billy and Dana Wright, located at 5032 Summer Crest Drive and 6226 Summer Side Circle. Councilor Churchwell recommends this property be annexed into the City of Pinson. Councilor Tanner 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 Shelnutt-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 Shelnutt-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, ordinance adopted unanimously as Ordinance number 2009-28.

Public Safety: Councilor Cochran mentioned that preparations are ongoing for the Alabama Butterbean Festival. Main Street will be closed on Friday, September 4, 2009, at 5:00 p.m.

Education: Mayor Sanders stated that Pinson Valley High School has a “Replace the Sign” campaign underway, to replace the Marquee. Anyone interested in helping with this cause, please contact Mr. Dick or Ms. Brown.

Enhancements: Councilor McCain made a motion to purchase ¾’ City Seal Lapel Pins. 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 McCain made a motion to purchase 4 outdoor and 2 indoor 3 x 5 “City Seal” Flags. 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 McCain made a motion to have a 64 page Booklet made for the Small Town Downtown Celebration at a cost of \$3,720.00 for 1000 booklets. 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.”

Mayors Report: Mayor Sanders, Councilor Tanner, Councilor Cochran, and Councilor Churchwell were all in attendance of Army Specialists William Z. VanOsdol’s Funeral service. They were all honored to have attended the service.

Mayor Sanders mentioned that Eagle Scout Candidate Clay McAlpin has reached his monetary goal for the Storm Water Drain Markers, which is his Eagle Scout Leadership Project, and any additional money that he raises will be donated to Turkey Creek Nature Preserve Education Center.

Mayor Sanders announced that the Planning Commission will meet on Tuesday, September 8, 2009, at 5:00 p.m. and again on Thursday, September 24, 2009, at 5:00 p.m. at 4410 Main Street.

Old Business: Councilor Cochran offered a resolution authorizing an automobile use agreement by and between the City of Pinson, Alabama and Birmingham Southern College in connection with the Turkey Creek Nature Preserve. Councilor Churchwell duly seconded the motion. Mayor Sanders called for any discussion. As there was no discussion 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 Shelnut-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, resolution adopted unanimously as Resolution number 09-19.

New Business: Councilor Churchwell offered a resolution with respect to seeking to have the City relieved from the reporting requirements of Section 5 of the Voting Rights Act of 1965. Councilor Tanner duly seconded the motion. Mayor Sanders called for any discussion. As there was no discussion Mayor Sanders asked for a roll call vote on the main resolution with the following results: Mayor Sanders-abstain; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnut-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, resolution adopted with the Mayor abstaining as Resolution number 09-20.

Councilor Cochran offered a resolution authorizing the Mayor and City Attorney to investigate possible litigation against those responsible for the unimproved conditions of the roads in the Heather Pointe Subdivision. Councilor Tanner duly seconded the motion. Mayor Sanders called for any discussion. Attorney Black explained that the road conditions in that area are not the fault of the City but they are within the City Limits and the City wants to help resolve the problem. Mayor Sanders called for any further discussion. As there was no further discussion, Mayor Sanders asked for a roll call vote with the following results: Mayor Sanders-abstain; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnut-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, resolution adopted with the Mayor abstaining as Resolution number 09-21.

Councilor Shelnut made a motion to authorize having trees removed from the trail around the lake behind the high school for the September 15, 2009, Cross Country meet to be held at the high school. 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.) Taylor Steel, Turkey Creek Nature Preserve. Asking the City to provide a letter of support for a Grant Application from ADECCA for a recreational shelter to be built at the preserve.
- 2.) Hana Burwinkle, Storm Water Management Association. Announced that her last day with SWMA will be September 25, 2009. The Storm Drain Marking Project is October 10, 2009. Let her know if the city needs anything from SWMA, maps, educational information, etc.

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

Mayor Sanders, according to the Alabama Open Meetings Law, I provide certification that this Executive Session is necessary to discuss trade and commerce information that would be detrimental if not discussed in executive session.

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

Adjourned at 8:56 p.m.

Respectfully submitted,
Marie Turner, City Clerk

September 3, 2009 Minutes Adopted _____