

Council Minutes
November 5, 2009 – 7:00 p.m.
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, November 5, 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 Shelnuttt
Councilor Churchwell
Councilor McCain

Mayor Sanders suspended rules to allow Perry Macon, U.S. Census Bureau to speak.

Mr. Macon stated that the 2010 Census is very important to our community in order for the city to receive the proper funds from the government; the Census is very secure; and the Census is very simple. Mr. Macon added that the only reason that Census workers will go door to door will be to collect information from those individuals that have not returned the questionnaire that was sent to them in the mail. The Census employees will have the appropriate I.D. to show when they arrive.

Mayor Sanders reinstated the rules.

Minutes: Councilor Shelnuttt made a motion to waive the reading of the October 1, 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 October 1, 2009, meeting. Councilor Tanner 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.”

Councilor Shelnuttt made a motion to waive the reading of the October 15, 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 October 15, 2009, 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 \$38,544.81. J. T. Smallwood-Storm water fees various addresses for \$336.16; Nextel for \$352.43; Acceptance Janitorial for \$120.00; Trussville Utilities for \$39.20; Jeff Hall-Security PVHS Band Competition for \$300.00; Jeff Hannah-Security PVHS Band Competition for \$300.00; Chris Sharit-Security PVHS Band Competition for \$300.00; AT&T for \$469.97; Alabama Power for \$1,355.39; B/W & Sons Lawn Maintenance for \$870.00; Lyle Arrington for \$190.00; Best Insurance Agency for \$10,524.00; Hand Arendall for \$4,758.55; Dixie Decorations for \$364.00; Pike's Plumbing for \$446.00; Payroll for \$6,836.79; Regions Mortgage for \$3,854.18; Thomas (Pete) Chandler for \$447.00; SWMA for \$63.70; RPC-Conference attendance 3 Planning Commission members for \$105.00; Spectrum Industrial Services for \$4,004.75; B/W & Sons Lawn Maintenance for \$350.00; Alacourt.com for \$107.00; Alabama Power-streetlights for \$266.19; Stan Godfrey –median mowing for \$1,550.00; Allcomm wireless for \$113.50; Moore Coal Co. for \$121.00. 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, Kevin & Maria Shea Wright located at 4241 Centerwood Drive. 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 2009-31.

Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owners, Derek Bartholomew and Henry and Denise Williams located at 5313 and 5325 Bridle Path Lane. 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 2009-32.

Public Safety: Councilor Cochran mentioned the Mobile Home fire that occurred on November 5, 2009, and thanked Law Enforcement and Center Point Fire Department for their work.

Education: Mayor Sanders announced that the Education Committee will meet, Tuesday, November 17, 2009, at 6:30 p.m., at City Hall.

Mayor Sanders mentioned that Pinson Valley High School will move to the 5A Classification in the next school year. Pinson will go from being one of the smallest schools in the 6A Classification to one of the largest in the 5A Classification.

Enhancements: Councilor McCain mentioned that the Christmas Tree Lighting will be Friday, December 4, 2009, at 7:00 p.m. at Triangle Park, and the Christmas Parade will be Saturday, December 5, 2009, at 2:00 p.m. The Grand Marshall of this year's parade is Desmond Jennings.

Councilor McCain made a motion to approve funds not to exceed \$1,000.00, for rental of bleachers for the Tree Lighting. 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 mentioned that Mr. Harrison will be opening the Bids for the Sidewalk on November 10th at 11:00 a.m. at City Hall.

Mayor Sanders announced that the Planning Commission will meet on November 16, 2009, and December 14, 2009, at 5:00 p.m. at City Hall.

Old Business: Councilor Tanner offered a ratification ordinance recognizing Marshall County Gas District's Acceptance of Franchise agreement. Councilor Cochran duly seconded the motion. Mayor Sanders mentioned that this ordinance was previously presented but the agreement was not signed and returned in a timely manner. Mayor Sanders called for any further discussion. As there was no further discussion, 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 2009-33.

Councilor Cochran offered a resolution authorizing the Mayor to execute a contract for the paving of Marsh Street. 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 Shelnett-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, resolution adopted unanimously as Resolution number 09-24.

Councilor Cochran offered a resolution authorizing the Mayor to execute a contract with the Sheriff of Jefferson County, regarding law enforcement services. Councilor Tanner duly seconded the motion.

Mayor Sanders suspended rules to allow Sheriff Hale to speak.

Sheriff Hale explained the contract to Mayor and Council.

Mayor Sanders called for any discussion. Councilor Cochran stated that this is an invaluable service that the Sheriff's Department offers our community, they do a fantastic job. Councilor Churchwell added that when council attends different events with other cities, there is always a law enforcement discussion and other cities are amazed at the arrangement we have with the Jefferson County Sheriff's Department.

Mayor Sanders reinstated rules.

Mayor Sanders called for any further discussion. As there was no further 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 Shelnutt-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, resolution adopted unanimously as Resolution number 09-25

Councilor Cochran offered an ordinance regarding the curfew hours, enforcement, and penalties for violation of the City of Pinson, Alabama. 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 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 2009-34

Councilor Shelnutt offered a Draft Proposal for City of Pinson Travel Guidelines & Regulations for consideration, to be taken up at the next meeting.

New Business: Councilor Cochran offered a resolution authorizing the Mayor to finalize certain contracts, survey property, and expend incidental funds regarding Palmerdale School property. 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-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 09-26

Councilor Shelnutt mentioned that there is a Safe Routes to School Grant that he will be checking into.

Public Comment:

- 1.) Karen Norum, Pinson Ridge. Regarding the Curfew Ordinance, the Food Giant parking lot needs patrol after 10:00 p.m., during the week and weekend.

Mayor Sanders stated that there has been quite a bit of verbal enforcement.

Councilor Cochran made a motion to enter into executive session for purpose to discuss real estate, and litigation. Councilor McCain 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 "Let the record reflect that the motion passed unanimously." 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 Churchwell duly seconded the motion. Mayor Sanders called for all opposed to say "no", all in favor say "aye". Motion carried.

Adjourned at 8:23 p.m.

Respectfully submitted,
Marie Turner, City Clerk

November 5, 2009 Minutes Adopted _____