

Council Minutes
April 2, 2009 - 7:00 p.m.
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, April 2, 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 March 19, 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 March 19, 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.”

Committee Reports:

Finance: Councilor Tanner made a motion to pay miscellaneous bills in the amount of \$38,210.03. Terry Payton-work done at Rudd girls dugouts (paid out of RMS allocation) for \$3,200.00; Larry Taylor-electrical work for CityFest for \$195.00; Trussville Utilities for \$606.65; AT&T for \$454.13; B/W & Sons Lawn Maintenance for \$495.00; Jefferson County Sheriff’s Office for \$14,162.09; Commercial Printing-mailing srvc. of newsletter for \$600.40; Nextel for \$336.47; Payroll for \$6,020.55; Quarterly Payroll report-withholding for \$114.50; Acceptance Janitorial for \$160.00; Reliable Sign-add’l 50% electronic sign for \$3,877.26; Regions-mortgage for \$3,854.18; Simmons Surveying for \$2,800.00; B/W & Sons Lawn Maintenance for \$250.00; Moore Coal Co. for \$60.50; Hoyt Sanders-reimbursement for Tahoe repairs for \$144.98; Call-A-Haul for \$878.32. 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 mentioned that after the Work Session that is scheduled for April 30, 2009, there will be a Finance Committee meeting.

Annexation: Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owners, Don L. Butler, Tewana M. Jones, Lilian Caballero, Edward & Tonja Keith and the Estate of Jerry Ragan Taylor, known as Lot 2, Block 6, Astro World, First Sector; Lot 4 Block 7 Astro World First Sector; Lot 1, Block 4 Astro World, First Sector; Lots 2 and 1, Block 5 Astro World, Second Sector and the adjacent rights of way of Jupiter Drive and Mars Avenue. 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 2009-08.

Public Safety: Councilor Cochran mentioned that the Emergency/Fire Lanes at the Winn-Dixie Shopping Center and Mission Possible Shopping Center have been marked. Signs have also been placed to mark those areas.

Councilor Cochran made a motion to pave Marsh Street at a cost of \$11,783.00. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion. Councilor Churchwell asked if the survey changed the road in any way. The surveys primary function was to insure that the road that existed lay within the official platted right of way. And that there were no utilities that were mislocated, etc. Councilor Churchwell stated that the property across the street is not in the city, are we going to be paving a street that is in front of property that is not in the city? Mayor Sanders stated that after talking to the county, if someone wants to subdivide it we would require that they improve the road even further. We are just paving on top of the pavement that is there. This subdivision predated the more up to date rights of way. Councilor Churchwell stated that he is not against this but he has always been informed that you could not pave in front of property that was not in the city. Councilor Churchwell added, we have that in different areas, like Innsbrooke, etc., I just want to be sure were doing what's supposed to be done. Councilor Cochran made a motion to table the motion until the next meeting. Councilor McCain duly seconded the motion. Mayor Sanders called for all opposed say "no", all in favor say "aye." Mayor Sanders said "The motion is hereby tabled for further confirmation."

Education: Mayor Sanders stated that the Education meeting will be held on April 20th at Pinson Elementary.

Councilor Shelnett announced that the Pinson Foundation Committee has extended the due date for nominations from March 31, 2009, to April 7, 2009, to get more senior students nominated. There will be a banquet at Pinson United Methodist Church on May 4, 2009, and a meeting at City Hall on April 13, 2009, where

the committee will vote on the awards. Announcements of the awards are to be made at the banquet.

Mayor Sanders announced that the potential meeting at the High School will be May 7, 2009, we will confirm at the next meeting.

Enhancements: Cityfest was postponed due to the weather and will be held Saturday, April 4, 2009.

Mayors Report: Planning Commission will meet April 23, 2009 at 4 p.m.

Councilor Cochran made a motion to allow the Heatherpointe Homeowners Association to use the Civitan Building for their Association meeting on April 18, 2009 at 9:00 a.m. Councilor Churchwell 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 passes with the Mayor abstaining.”

Old Business: Mayor Sanders opened the public hearing for the abatement of nuisance weed & litter on the property located at 5031 Richard Street. Mayor Sanders advised council that the property is now 95% complete. Mayor Sanders asked if there was anyone present to represent the owner or someone with intent to speak against the abatement. Mayor Sanders, “Let the record reflect that no one showed cause why the property should not be abated.” Mayor Sanders stated that the hearing is closed on this matter.

Councilor McCain stated that the first Movie in the Park will be May 29, 2009, and we will be showing a Disney Movie at that time.

Councilor Cochran offered a resolution authorizing the mayor to execute a contract for cleaning and mowing of medians. 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 09-13.

New Business: Mayor Sanders offered a first reading on an ordinance amending ordinance number 200 - , concerning parking violation and ticketing procedures.

Public Comment:

- 1.) John Harrison, Fitzgerald Mountain Road. Concerning Marsh Street, you could work with the County and have them pay part of the cost of paving for the portion that is in the county. Regarding the use of the building, you may want to consider restricting food and drinks within the area because of staining the carpet.

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 7:32 p.m.

Respectfully submitted,
Marie Turner, City Clerk

April 2, 2009 Minutes Adopted _____