

Council Minutes  
January 21, 2010 – 7:00 p.m.  
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, January 21, 2010, at 7:00 p.m.. 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 Shelnut  
Councilor Churchwell  
Councilor McCain

**Minutes:**

Councilor Shelnut made a motion to waive the reading of the January 7, 2010, 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 January 7, 2010, 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."

Mayor Sanders suspended rules to allow Joe Knight, Jefferson County Commission Candidate to speak.

Mr. Knight introduced himself to those present and explained his plan for Jefferson County if elected.

Mayor Sanders reinstated rules.

**Committee Reports:**

**Finance:**

Councilor Tanner made a motion to approve payment of the bills in the amount of \$24,902.03, a copy of the bills schedule is attached. Councilor Cochran duly seconded the motion. Mayor Sanders called for any discussion. Councilor Tanner stated that of the \$24,000.00; \$14,692.00, is for the Contract Deputies. 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."

Mayor Sanders mentioned that the end of January is the time that we receive our Franchise monies from the prior year. Mayor Sanders added that he should be able to give council a mid year financial report at the next meeting. Mayor Sanders stated that he anticipates a hold our own year once again. Mayor Sanders added that the balance

sheet should change in the next month but much of that is received at the beginning of the year and has to last the City all year.

**Annexation:**

Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owners, Wanda Sue and Justin Wayne Morton, known as Lot 9, located at 5422 Dug Hollow Road. 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 2010-03.**

Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owner, Celeste Dent, known as Lot 23, located at 5340 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 2010-04.**

**Public Safety:**

Councilor Cochran reported that he and Mayor Sanders made preparations for the winter storm by purchasing sand and preparing the vehicles and chain saws. Councilor Cochran added that there was an incident in Innsbrooke that required the sand and we were able to help.

Councilor Cochran mentioned that as a standing rule, the Mayor is authorized to grant added security for Basketball games at P.V.H.S. as needed.

**Education:**

Mayor Sanders announced that there will be a Parent meeting at P.V.H.S., February 1, 2010, at 6 p.m., regarding testing, etc.

Councilor McCain mentioned that Pinson Elementary will host Body Trek, every Monday beginning February 9, 2010 through March 5, 2010. Councilor McCain explained that Body Trek is a Mobile Unit sponsored by Children's Hospital, to teach children about positive health choices. Councilor McCain stated that in order for Body

Trek to open each Monday, they will need 6 volunteers, if you can volunteer; please call Missy Presley at Pinson Elementary School.

**Enhancements:**

Mayor Sanders stated that there was a steady stream on shred-it day, everyone was very appreciative. Councilor Churchwell added that everyone was very complementary and appreciative and stated that they were looking forward to the event next month.

Councilor McCain mentioned that on February 20<sup>th</sup> the City will sponsor recycling of plastic, glass, and cardboard, from 9:00 a.m. until 1:00 p.m. Councilor McCain added that the recycling company is not charging for this service, but in order to make it profitable for them please bring paper and cardboard as well as glass.

Councilor McCain mentioned that the Enhancements Committee has discussed having Fireworks at the Ballpark, either on Sunday or Wednesday in June. Councilor McCain added that the cost on Sunday is \$3,500.00 and Wednesday \$5,000.00, lock & key.

Mayor Sanders mentioned that there were 26 people that attended the Senior Citizens day at the Community Center.

**Mayors Report:**

Mayor Sanders reported that Fire alarm vendors; HVAC vendors; and Lawn vendors have previewed the property at P.H.C.C. for estimates.

Mayor Sanders announced that the Planning Commission will meet, Monday, February 1, 2010, and Monday, February 15, 2010, at 5:00 p.m. at City Hall.

Mayor Sanders mentioned that the City of Leeds approached SWMA to come back as a member and the Board of Directors unanimously approved their membership.

**Old Business:**

Councilor Shelnutt discussed the City of Pinson Travel Guidelines and Regulations. Councilor Shelnutt stated that the main difference between his version and Councilor Cochran's version is the per diem per day, Councilor Cochran wants it to be just a general guideline. Councilor Shelnutt explained that his version is based on the Federal Guidelines with the per diem per day. Councilor Shelnutt stated that he feels that there are 2 reasons that we should adopt the per diem per day: 1) If 2 people are told to go out and purchase the most economical car, they would come back with 2 completely different types of cars. But, if you give a limit of \$5,000.00, they will come back with something close to the same. 2) This is not only for us but future employees and Council of the City. This is just an extra policy so that nobody now or in the future can abuse the City's money. With this policy if Councilmember's felt like they needed to spend something over and beyond they could always come back and justify it to the council and be reimbursed. But if it is just being used as a guideline it will lead to abuse sometime in the future. This is just an extra step to show that we are accountable with their money.

Mayor Sanders stated that Councilor Cochran had submitted a version of the Travel Guideline and Regulations as well but his version did not meet the 48 hour threshold to be voted on but Mayor Sanders stated that he would allow discussion.

Councilor Cochran stated that the basic changes he has is that it should be used as a general guideline because any expenses to be reimbursed must come before council before it can be reimbursed anyway. Councilor Cochran feels that a per diem can easily be abused as well. Councilor Cochran mentioned that the other changes he had were minor language clarifications. Councilor Cochran stated that Councilor Shelnuttt brought this same issue up last year and Councilor Cochran asked Councilor Shelnuttt to compromise on the language changing it to read as general guidelines, but Councilor Shelnuttt said no.

Councilor Churchwell made a motion to table the discussion until a later meeting. Councilor Tanner duly seconded the motion. Mayor Sanders called for any discussion. As there was no discussion, Mayor Sanders called for all opposed to say "no", all in favor say "aye." Mayor Sanders said "Let the record reflect that the motion to table passes unanimously."

**New Business:**

Councilor Churchwell offered a resolution regarding the 2010 Census Partner Proclamation. Councilor Cochran duly seconded the motion. Mayor Sanders called for any 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 Shelnuttt-yes; Councilor Churchwell-yes; Councilor McCain-yes.

**Mayor Sanders, resolution adopted unanimously as Resolution number 10-02.**

Councilor McCain offered a first reading of a resolution authorizing the Mayor to enter into a license contract with Solid Rock Church, regarding CityFest and Movies in the Park for 2010.

Mayor Sanders stated that we have received the ABBF request for the 2010 Festival. Councilor Cochran stated that this is a similar document to what we have had in the past. Councilor Cochran added that the only thing that is different this year is that the festival this year is planned to be a 2 day festival, so there will be extra expense for in-kind services. Councilor Cochran stated that in the past we have contracted with ABBF for \$12,000.00 for advertising and we pay for the Deputies Security and the Fire Medics for the festival which has run in the past around \$11,000.00 to \$12,000.00. Councilor Cochran would recommend that this year because the festival will be a 2 day event, the City reduce the advertising amount from \$12,000.00 to \$10,000.00 to help with the additional in-kind cost that will be incurred. Councilor Shelnuttt stated that he thinks the City should keep the funding as it was in 2009. Councilor Shelnuttt added that the ABBF is the biggest thing happening in Pinson and he feels that anyway we can help would be beneficial. Councilor Cochran explained that because the cost will go up this year approximately \$5,000.00, due to the additional day, we will be taking \$2,000.00 off of advertising and adding that to the in-kind expenses. Councilor Cochran added that we will be adding \$5,000.00 more to in-kind services so we are actually increasing our portion by \$3,000.00. Councilor Cochran stated that the ABBF is a very positive thing for our community, and feels that the City is very committed to this festival, but there is not another City in Alabama that offers as much financial support to their area festivals as we do. Councilor Cochran added for example the City of Gardendale has a much larger budget than we do but they only offer around \$5,000.00 to \$10,000.00 support to the Magnolia Festival. Councilor Churchwell asked, if we were already paying out

\$2,000.00 more than our commitment? Mayor Sanders, correct. Councilor Churchwell stated so what the arrangement has been was \$12,000.00 advertising and \$8,000.00 in-kind services, but our actual has been \$12,000.00 advertising and approximately \$12,000.00 in-kind services. Mayor Sanders, yes. Councilor Churchwell stated that the extra ½ day festival will increase our portion by \$4,000.00 or \$5,000.00. Mayor Sanders, that is our best estimate. Councilor Churchwell stated that he would agree that cutting back to \$10,000.00 on the advertising would be something to consider.

Councilor Cochran stated that he would like to have a brief discussion on the possibility of having Sales and Use Tax in the City. Councilor Cochran stated that he would like to consider a 2 cent sales tax and possibly have a public hearing in February for the citizens in the community to comment on this. Councilor Cochran added that a 2 cent sales tax would raise approximately 1 million dollars which would allow the City to hire more Deputies, enhance the P.V.Y.A. facilities, enhance the schools, etc. Mayor Sanders stated that we could possibly have a hearing after the second meeting in February at 7:30 p.m. Mayor Sanders stated that the City is not in any financial straights of any kind, we have had surplus monies and whatever is done is not being done because of any financial hardship only to take the City to the next level.

Councilor McCain asked if council wanted to do 2 or 3 movies in the park this year? Mayor Sanders stated that we will put 2 movies in the Solid Rock Church contract.

Councilor McCain asked, regarding the memory book for CityFest, what color would they like the book to be? Mayor Sanders stated, Garnet and Gold with Gold writing on the cover.

Councilor Tanner announced that January 26, 2010, is the last home Basketball game and senior night. Councilor Tanner added that Pinson is playing Erwin.

### **Public Comment:**

- 1.) Patsy Shelnut, 8001 South Valley Road. Regarding the 2 cent Sales Tax, how do you figure how much it will bring in? Councilor Cochran stated that the business license is what he used. Mrs. Shelnut commented that the City does not want to spend \$28,000.00 for the ABBF but will spend \$3,500.00 on fireworks. Mrs. Shelnut added that the ABBF brings more to the City. Mrs. Shelnut asked what was meant by the 48 hour rule regarding the Travel discussion. Mayor Sanders explained that the written instrument that was presented by Councilor Cochran was not received by everyone within 48 hours of the meeting. Mrs. Shelnut stated that you still discussed it and made a motion to not go with the other motion because of Councilor Cochran's. Mayor Sanders stated that the motion was made to table the whole topic. Mrs. Shelnut stated but that was because Councilor Cochran's was discussed. Mrs. Shelnut asked if Councilor Cochran's was not received within the 48 hours why was it discussed. Mayor Sanders stated that you can't vote but he often allows discussion on items that don't meet our self imposed 48 hour threshold.
- 2.) Pete Chandler. Thanked the City of Pinson for allowing the Senior Citizens to use the Community Center. There were 26 people that attended and they

are planning another Senior Citizens Day on February 17, 2010. Mr. Chandler extended an invitation to all mature adults to attend the next meeting.

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 7:52 p.m.

Respectfully submitted,  
Marie Turner, City Clerk

**January 21, 2010 Minutes Adopted \_\_\_\_\_**