

Council Minutes  
February 4, 2010 – 7:00 p.m.  
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, February 4, 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 Shelnutt  
Councilor Churchwell  
Councilor McCain

**Minutes:**

Councilor Shelnutt made a motion to waive the reading of the January 21, 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 21, 2010, 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 approve payment of the bills in the amount of \$31,527.58, 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 \$31,527.58; \$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 we are still receiving Franchise Fees as well as business license and he will update council with a financial report at the next meeting.

Councilor Cochran made a motion to authorize the Mayor to order a 2<sup>nd</sup> credit card to be kept at City Hall for use by council or the City Clerk. Councilor Tanner duly seconded the motion. Mayor Sanders called for any discussion. Councilor Cochran stated that we this is something that we have needed for a while. Mayor Sanders stated that receipts will be turned in to the clerk to represent those charges being made. 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."

**Public Safety:**

Councilor Cochran reported that the repaving of Marsh Street and Church Street will begin once we have several nights in a row of 40° weather before paving can begin.

**Education:**

Councilor Cochran attended the PVHS Parent Meeting and reported that there were several items discussed including AYP Goals. Councilor Cochran added that there will be a repeat of that meeting on February 28, 2010, and you can login to the schools website to view a power point presentation of the meeting.

Mayor Sanders announced that the PVHS Drama Department will present “Cry of the Native Children”, February 5<sup>th</sup> and 6<sup>th</sup>, at 7:30 p.m., admission is free. This drama was written by PVHS Drama teacher, Mr. Tittle.

**Enhancements:**

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 added that the events that are scheduled so far are City Fest in April and Movies in the Park in May.

Mayor Sanders mentioned that all of the wreaths have been taken down except for one in Palmerdale. Mayor Sanders added that the bucket truck being used to take down the wreaths was not able to get to that wreath due to the wet ground. Mayor Sanders stated that there were a couple of wreaths that have been damaged and may need to be replaced.

**Mayors Report:**

Mayor Sanders reported that the surveys continue on PVYA and PHCC.

Mayor Sanders announced that the Planning Commission will meet on Monday, February 15, 2010, at 5:00.

**Old Business:**

Councilor Shelnutt stated that all of the comments and suggestions that he has received have been added to his version of the Travel Guidelines and Regulations. Councilor Shelnutt added that his version would follow the Domestic Per Diem Rate and Councilor Cochran’s version calls for general guidelines. Councilor Cochran added that he had also cleared up some redundant language in the document. Mayor Sanders stated that he had taken a look at the GSA and was concerned that it might not fit every occasion.

Councilor Shelnutt made a motion to adopt the Travel Guidelines and Regulations using the per diem rates. Mayor Sanders called for a second. As there was no second, Mayor Sanders stated motion fails due to lack of second.

Councilor Cochran made a motion to adopt the Travel Guidelines and Regulations without the per diem rates. Councilor Tanner duly seconded the motion. Mayor Sanders called for any discussion. Councilor Tanner stated that the bills go out to council for review 24 hours before the meeting, and council then votes whether to pay or not. Councilor Churchwell stated that he did not see the need for either of the guidelines, but thought that Councilor Shelnut had done a good job getting all of this together and if we pass the one with the general guideline then we are already ahead. Mayor Sanders called for any further discussion.

Mayor Sanders asked for a roll call vote on the motion with the following results: Mayor Sanders-yes; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnut-no; Councilor Churchwell-yes; Councilor McCain-yes.

**Mayor Sanders, Travel Policy #2 is adopted.**

Councilor McCain offered a resolution authorizing the Mayor to enter into a License Contract with Solid Rock Church, regarding CityFest, April 10, 2010, and Movies in the Park during May 2010. 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 Shelnut-yes; Councilor Churchwell-yes; Councilor McCain-yes.

**Mayor Sanders, resolution adopted unanimously as Resolution number 10-03.**

Councilor McCain made a motion to offer free children's rides at CityFest, at a cost to the City of approximately \$2,600.00. 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 Cochran offered a resolution authorizing the Mayor to execute a contract with the Alabama Butterbean Festival/Palmerdale Homesteads Community Center. Councilor Churchwell duly seconded the motion. Mayor Sanders called for any discussion. Mayor Sanders called for a roll call vote on the main resolution with the following results: Mayor Sanders-yes; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnut-abstain; Councilor Churchwell-yes; Councilor McCain-yes.

**Mayor Sanders, resolution adopted as Resolution number 10-04.**

Councilor Cochran offered an ordinance concerning Bingo, and amending ordinance no. 2008-18. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion.

Mayor Sanders called for a roll call vote on the main ordinance with the following results: Mayor Sanders-yes; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnut-yes; Councilor Churchwell-yes; Councilor McCain-yes.

**Mayor Sanders, ordinance adopted unanimously as Ordinance number 2010-05.**

Councilor Cochran offered a resolution authorizing the Mayor to accept a bid and to execute a contract for sidewalk construction. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion.

Mayor Sanders called 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 10-05.**

Councilor Cochran asked the Mayor to call a Public Hearing regarding Sales Tax. Mayor Sanders stated that we will hold the Sales Tax Hearing on Thursday, February 18, 2010, at 7:30 p.m. Councilor Cochran stated that he is proposing a 2cent Sales Tax. Councilor Cochran added that the Sales Tax can not be voted on by the community, only council can vote, that is why he has asked for a Public Hearing so that we can hear from the community before voting. Councilor Cochran stated that he would like to encourage everyone to come and voice their opinions.

Councilor Cochran made a motion to charge the Mayor to issue further communication on this hearing to those in the community. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion. Councilor Shelnut stated that he would like the communication to be handled by the schools. Mayor Sanders stated that his plans are to put it on the schools email bulletin, because the School Cast that was used last time really caused more confusion than benefit. 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 passes with the Mayor abstaining."

**New Business:**

Councilor Tanner made a motion authorizing Council and the City Clerk to attend the Annual Alabama League of Municipalities Conference in Mobile during the month of May. 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 offered a resolution declaring nutrition for Senior Citizens a public purpose and authorizing the purchase of nutrition supplies for senior activities. Councilor Churchwell duly seconded the motion. Mayor Sanders called for any discussion.

Mayor Sanders called 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 10-06.**

Councilor Cochran offered a resolution authorizing the Mayor to request opinions from the Alabama Attorney General concerning the enforcement of parking ordinances. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion.

Mayor Sanders called 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 10-07.**

Councilor Cochran offered a resolution authorizing the Mayor to receive bids for the mowing of rights of way; said bids to be returned by the 26<sup>th</sup> day of February, 2010, at 3:00 p.m. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion.

Mayor Sanders called 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 10-08.**

Councilor Cochran made a motion to authorize the Mayor to purchase 12 chairs for the Conference room. 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 passes with one no vote."

**Public Comment:**

- 1.) Taylor Steel, Turkey Creek Nature Preserve. Appreciated the Cities help with the MLK Service Day, approximately 5 tons of debris was picked up. Mr. Steel presented the City with Snowflake Hydrangeas that he will plant here at City Hall. Also, National Endangered Species Awareness Day is May 15<sup>th</sup>, and in conjunction with that the Nature Preserve will be holding a fund raiser called the 1<sup>st</sup> Annual Float your Boat this is similar to the Rubber Ducky Race. This will be Balsa Wood Boats that will begin at the Blue Hole and continue to the Falls.
- 2.) Teresa Aderholt. PVHS Auxiliary, Dance Line and Colorguard. The Auxiliary is raising funds to attend summer camp. They are asking for a portion of the appropriated monies for the school be set aside for the auxiliary.

Councilor Churchwell made a motion to enter into executive session for purpose to discuss trade and commerce, real estate, and litigation. Councilor Tanner 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, I provide certification in regard to trade and commerce, it would be detrimental if items were discussed in open forum.

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

Adjourned at 8:37 p.m.

Respectfully submitted,  
Marie Turner, City Clerk

**February 4, 2010 Minutes Adopted \_\_\_\_\_**