

Council Minutes  
April 1, 2010 – 7:00 p.m.  
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, April 1, 2010, at 7:00 p.m. Mayor Sanders led the invocation. Eagle Scout Candidates, Steven and Samuel Conner, Troop 450, 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 18, 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 March 18, 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."

Mayor Sanders suspended rules.

Mayor Sanders recognized Dr. Stan Cooke, Candidate House of Representatives, District 6, Alabama. Dr. Cooke explained his campaign platform and asked for support from those present.

Mayor Sanders reinstated rules.

**Committee Reports:**

**Finance:**

Councilor Tanner made a motion to approve payment of the bills in the amount of \$26,159.51, a copy of the bills schedule is attached. 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."

**Education:**

Mayor Sanders mentioned that the Education Committee will meet on April 13<sup>th</sup> at Kermit Johnson Elementary.

Mayor Sanders announced that P.V.H.S. will be performing "Grease" beginning May 6-8 at 7:30 in the Fine Arts Building. Mayor Sanders encouraged everyone to attend.

Mayor Sanders mentioned that the ABC 33/40 Student of the week for the week of April 19<sup>th</sup> is Meghann Hall.

**Enhancements:**

Councilor McCain reported that the Book Drive Day that was held on March 20<sup>th</sup> had a great turn out, collecting over 3000 books for our future Library.

Councilor McCain mentioned that CityFest will be held on April 10, 2010, 10:00 a.m.-3:00 p.m. Councilor McCain added that CityFest will offer free rides for the children again this year and there will be a lot of Pinson memorabilia sold as well.

Councilor McCain stated that in May the City will host 2 Movie in the Park dates and in June the City will hold a Flag Day event and in July the City is planning a Beat the Heat at Turkey Creek Nature Preserve.

**Mayors Report:**

Mayor Sanders offered a first reading of a resolution authorizing the Mayor to lease property from the Jefferson County Board of Education.

Mayor Sanders offered a first reading of an ordinance authorizing the sublease of certain real property to the Palmerdale Homestead Community Center.

Mayor Sanders offered a first reading of an ordinance authorizing the sublease of certain real property to the Palmerdale Fire District.

Councilor Cochran made a motion authorizing the Mayor to contract with Cole Equipment, Inc., to upgrade the Fire/Smoke Alarm system at PHCC at a cost of approximately \$2,595.00. Councilor Churchwell duly seconded the motion. Mayor Sanders called for any discussion. Councilor Cochran mentioned that the total for this service is \$5,595.00 and Cole Equipment is donating \$3,000.00 of the equipment from their stock to reduce our cost to \$2,595.00. Mayor Sanders call for any further discussion. As there was no further discussion, Mayor Sanders asked for a roll call vote on the motion with the following results:

Mayor Sanders-abstain; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnutt-yes; Councilor Churchwell-yes; Councilor McCain-yes.

**Mayor Sanders, motion passes with the Mayor abstaining.**

Councilor Cochran made a motion authorizing the Mayor to obtain 2 phone lines at PHCC to support the Fire/Smoke Alarm. Councilor McCain 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 motion with the following results:

Mayor Sanders-abstain; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Shelnutt-yes; Councilor Churchwell-yes; Councilor McCain-yes.

**Mayor Sanders, motion passes with the Mayor abstaining.**

Mayor Sanders announced that Robert “Bob” Wilkerson has been appointed to fill the unexpired term of Johnnie Waid on the Planning Commission, which has approximately 4 years remaining on the term.

Mayor Sanders stated that everyone should have received the Census form and asked everyone to mail in their Census form as soon as possible.

Mayor Sanders mentioned that we will need to consider putting blinds in the rear library area. Mayor Sanders stated that he has received a quote from Alabama Venetian Blind Company in the amount of approximately \$1,200.00.

Mayor Sanders reported that the parking lot sealing should begin next week.

Mayor Sanders announced that Pinson and the Turkey Creek Trail are listed on the Passport to Fitness State Website. (ADECA Website)

**Old Business:** Councilor Cochran offered a first reading an ordinance pursuant to the provisions of Code of Alabama 1975, Sections 11-51-200 through 11-51-207, this ordinance levies a privilege, license or excise tax against persons, firms, or corporations storing, using, or otherwise consuming or engaged in the business of selling at retail tangible personal property or conducting places of amusement in the City of Pinson, Alabama; and provides for penalties for the violation of the ordinance.

Councilor Cochran offered a 1<sup>st</sup> reading on a proposed use draft as a guideline for the proposed Sales Tax income.

Councilor Cochran offered a resolution requesting that the Mayor review options for the administration of the City of Pinson Sales and Use Tax, and to report a recommendation to the City Council. Councilor Tanner duly seconded the motion. Mayor Sanders called for any discussion. Councilor Shelnuttt asked for an explanation of the resolution. Councilor Cochran explained that there are many different venues in which you can facilitate the tax collection, and those venues will charge the City a percentage to collect the tax and deposit the balance of the taxes into the City’s bank account. Councilor Tanner stated that Councilor Cochran provided everyone with the information on the different companies a month ago. Councilor Churchwell asked if the company chosen will be included in the actual vote on the tax. Mayor Sanders, yes he would have a report at the next meeting for further discussion. Councilor Cochran added that he did not think that it is a requirement that we decide at the time of the sales tax vote which company would be collecting the tax. 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 Shelnuttt-abstain; Councilor Churchwell-yes; Councilor McCain-yes.

**Mayor Sanders, resolution passes as Resolution number 10-12.**

Councilor Cochran offered a resolution authorizing the Mayor to accept a deed from the Pinson Valley Youth Association concerning certain property. Councilor Churchwell duly seconded the motion. Mayor Sanders called for any discussion. As there was no discussion 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 resolution with the following results: Mayor Sanders-yes; Councilor Tanner-abstain; Councilor Cochran-yes; Councilor Shelnutt-yes; Councilor Churchwell-yes; Councilor McCain-yes.

**Mayor Sanders, resolution adopted, with one abstention, as Resolution number 10-13.**

Councilor Cochran offered an ordinance authorizing the lease of certain real property to the Pinson Valley Youth Association. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion. As there was no discussion, 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-abstain; Councilor Cochran-yes; Councilor Shelnutt-yes; Councilor Churchwell-yes; Councilor McCain-yes.

**Mayor Sanders, ordinance adopted, with one abstention, as Ordinance number 2010-06.**

**New Business:**

Councilor Churchwell offered a resolution authorizing the Mayor to accept certain property. Councilor Cochran duly seconded the motion. Mayor Sanders explained that this is property bought from the State for \$100.00 deed issuance fee to be used to preserve green space. 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 Shelnutt-yes; Councilor Churchwell-yes, Councilor McCain-yes.

**Mayor Sanders, resolution passes as Resolution number 10-14.**

Councilor McCain made a motion to approve the purchase of 2 more speakers for our sound equipment at a cost of approximately \$800.00. 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."

Councilor Cochran offered a first presentation of an IT upgrade at an approximate cost of \$4,889.95.

Mayor Sanders announced that there will be a Finance Committee meeting on April 29, 2010, at City Hall at 6:30.

**Public Comment:**

- 1.) Dolan Terry, 5455 Miles Spring Road. Announced some events of interest.  
Gardendale Civic Center April 8, 2010, 7:00 p.m.- 9:00 p.m., all  
Jefferson County Commissioner Candidates for District 4, discussion  
Finance & Taxes.  
Trussville Civic Center, April 20, 2010, 7:00 p.m.- 9:00 p.m., discussion  
County Management.  
PHCC, May 13, 2010, 7:00 p.m.- 9:00 p.m., discussion Economy and  
Development.

Councilor Churchwell made a motion to enter into executive session for purpose to discuss litigation, and real estate. Councilor Cochran 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, which I estimate to be in approximately 15 minutes. 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 McCain duly seconded the motion. Mayor Sanders called for all opposed to say “no”, all in favor say “aye”. Motion carried.

Adjourned at 8:12 p.m.

Respectfully submitted,  
Marie Turner, City Clerk

**April 1, 2010 Minutes Adopted \_\_\_\_\_**