

Council Minutes
April 15, 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 15, 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

Absent:
Councilor McCain

Minutes:
Councilor Shelnutt made a motion to waive the reading of the April 1, 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 April 1, 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.

Mayor Sanders recognized Lee Lesley, Candidate Circuit Judge, Place 20. Mr. Lesley introduced himself and stated his platform. Mr. Lesley 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 \$45,517.33, a copy of the bills schedule is attached. Councilor Cochran duly seconded the motion. Mayor Sanders called for any discussion. Councilor Tanner mentioned that the excessive amount of the bills is for \$15,000.00 for the annual Civitan Building payment, \$14,000.00 for the monthly Jefferson County Sheriff's Dept. bill and \$6,000.00 for Hand-Arendall. Mayor Sanders also mentioned that the City has received the Capital money this week as listed on the schedule in the amount of \$42,293.49. Mayor Sanders called for 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."

Annexation:

Councilor Churchwell presented an ordinance annexing certain territory into the Corporate Limits of the City of Pinson, Alabama. Owner, Goneba Ratchford Taylor, located at 8496 Highway 75. 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 Shelnutt-yes; Councilor Churchwell-yes. Mayor Sanders, unanimous consent passes.

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.

Mayor Sanders, ordinance adopted unanimously as Ordinance number 2010-07.

Public Safety:

Councilor Cochran made a motion to have streetlights installed on Tapawingo Road and on Dewey Heights Road. Councilor Tanner duly seconded the motion. Mayor Sanders explained that this would add an addition \$35.00 to \$40.00 to our monthly streetlight power bill. 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 passed unanimously."

Education:

Mayor Sanders reported that the Education Committee meeting was held on April 13th at Kermit Johnson Elementary and that all of the Principals sent their appreciation of the monetary support from the City.

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 19th is Meghann Hall.

Enhancements:

Mayor Sanders thanked Councilor McCain and the Enhancements Committee for all of their work on CityFest. Mayor Sanders added that this year's festival was probably the best with approximately 3000 people in attendance. Mayor Sanders added that this year we sold several different items of memorabilia and with the exception of the Pinson Recollections Books, CityFest basically broke even. Councilor Churchwell stated that the books can still be purchased at City Hall for \$10.00 each.

Mayor Sanders mentioned 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. Mayor Sanders added that the City has purchased a freezer to store the frozen treats for the June and July events.

Mayors Report:

Mayor Sanders reported that the Fire/Smoke Alarms and the Phone lines to support the alarms have now been installed at P.H.C.C.

Councilor Cochran made a motion to authorize the Mayor to contract with Ed's Lock and Key for approximately \$2,000.00 to repair and replace some of the hardware at P.H.C.C. Councilor Churchwell 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 passes with the Mayor abstaining."

Councilor Cochran stated that he attended an Executive Board meeting with P.V.Y.A. where the lease and deed were signed over to the City.

Mayor Sanders noted that Council had voted earlier this year to increase the amount that the City allows the participants at P.V.Y.A. from a yearly \$5,000.00 to an approximately yearly \$10,000.00. Mayor Sanders added that now that the City owns the P.V.Y.A. Ballpark, rather than pay for the participants, we could now take the amount appropriated for participants and put it toward repairs needed at the P.V.Y.A. Ballpark, such as paving the entrance driveway and repairing some of the diamond clay's.

Councilor Churchwell made a motion to authorize \$10,000.00 for paving the entrance driveway and repairing the diamond clay's at the P.V.Y.A. Ballpark. Councilor Cochran duly seconded the motion. Mayor Sanders called for any discussion. Councilor Cochran requested that there be an additional \$500.00 included to cover the diamond clay expense. Councilor Churchwell accepted Councilor Cochran's request for \$10,500.00. Mayor Sanders called for any further discussion, as there was no further 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 passes with the Mayor abstaining."

Mayor Sanders announced that the next Planning Commission meeting will be April 19, 2010, at 5:00 p.m., at City Hall.

Old Business: Councilor Cochran made a motion to adopt 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 Tanner duly seconded the motion. Mayor Sanders called for any discussion. Councilor Tanner stated that she has spoken with many people and found most of them to be in favor of the tax. Councilor Tanner added that the City as a whole is doing well financially, and the additional revenue generated by the sales tax will be used for future City projects. Mayor Sanders stated that he has given this ordinance more consideration than anything that this Council has ever voted on. Mayor Sanders added that the City is in no financial hardship. Councilor Churchwell stated that he believes that the majority of the citizens are in favor of the sales tax for additional services and we must have the tax to provide those services. Councilor Churchwell added that he is in support of the tax but he would like to delay the start of the sales tax until January 1, 2011.

Councilor Churchwell made a motion to amend item #7 of the Sales Tax ordinance, from September 1, 2010 to January 1, 2011. Councilor Shelnett duly seconded the motion to amend. Mayor Sanders asked for further discussion.

Councilor Cochran stated that his original thought for implementing the Sales Tax was, July 1, 2010. Councilor Cochran added that Councilor Churchwell wanted to implement the Sales Tax, January 1, 2011, Mayor Sanders suggested, September 1, 2010, as a compromise. Councilor Cochran stated that there are significant projects in our City that this tax revenue will be used for and we don't intend to start spending any of the revenue for at least 6 months after we begin collecting the tax allowing us the time to get an idea of how much revenue we will be collecting.

Mayor Sanders asked for a roll call vote on the amendment of the ordinance only with the following results: Mayor Sanders-no; Councilor Tanner-no; Councilor Cochran-no; Councilor Shelnutt-yes; Councilor Churchwell-yes.

Mayor Sanders, Motion to amend fails.

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-no; Councilor Churchwell-yes.

Mayor Sanders, ordinance adopted as Ordinance number 2010-08.

Councilor Cochran made a motion to adopt the proposed use draft as a guideline for the sales tax revenue. Councilor Tanner duly seconded the motion. Mayor Sanders called for any discussion. Councilor Churchwell stated that he has no problem with using this as a guideline but doesn't think we should commit the revenue at this time. Mayor Sanders stated that this is just a guideline. Councilor Cochran added that this is just a guideline and does not bind us to anything. Councilor Shelnutt stated that he feels that we should have some goals for the revenue from the sales tax.

Councilor Shelnutt made a motion to amend the original motion to adopt the proposed use draft as a guideline for sales tax revenue until we have at least \$100,000.00 in a reserve account before spending any of the sales tax revenue. Councilor Cochran stated that we have more than \$100,000.00 in reserve now, so we are not starting from zero. Councilor Cochran added that this council has been very good stewards of the cities money. Councilor Cochran continued that we can't budget over 90% of the revenue coming in. Mayor Sanders called for a second to the motion. As there was no second, Mayor Sanders stated that the motion to amend failed due to lack of second.

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

Mayor Sanders, passes with one no vote.

New Business:

Councilor Cochran made a motion to authorize IT upgrades in the amount of \$4,889.95. Councilor Tanner duly seconded the motion. Mayor Sanders explained that the existing four computers will be moved to the councilor's offices. 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 passes unanimously."

Councilor Cochran made a motion to nominate the Alabama League of Municipalities and the AMIC Delegates for the annual League Convention as follows: Voting Delegate-Councilor John Churchwell; 1st Alternate-Councilor Dawn Tanner; 2nd Alternate-Mayor Hoyt Sanders. 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 the motion passes unanimously."

Councilor Tanner made a motion to grant a work easement to Alabama Power for installation of a light on the Community Center property for Robinson Car Lot. 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."

Mayor Sanders announced that the City has received the Presidential Award from AMIC for no claims or accidents or risk over the past 5 years.

Public Comment:

- 1.) Tami Parker, Rudd Middle School. Thanked Mayor and Council for their support of the school each year. Ms. Parker announced that Rudd will host "Rudd's Got Talent" Talent Show at Rudd Middle School on May 15, 2010 at 7:00 p.m., there will be a sneak peek of the talent show on April 30, 2010, at P.H.C.C. with a Dinner beginning at 6:00 p.m. and the show beginning at 7:00 p.m. Ms. Parker also presented a check in the amount of \$688.59 to the Mayor and Council for the future library from Rudd Middle Schools "Student Doer and Problem Solvers" faculty and staff group. Ms. Parker added that the money was raised by the students by hosting Hat Day, Tacky Day, etc. during Homecoming Week.
- 2.) Randy Godeke, RDS/ALATax. Mr. Godeke presented options of the administration of the sales tax and explained the services the City would have if RDS/ALATax were to administer collecting the sales tax for the City.
- 3.) James Hyche, Miles Spring Road. Mr. Hyche asked about the access road at P.V.Y.A. and where it is located. Mayor Sanders stated that it is not on the map that we have displayed but he will try and explain where it is after the meeting.
- 4.) Bill Dooley, Palmerdale. Mr. Dooley asked if a streetlight has been discussed for the intersection of Miles Spring Road and Highway 75. Mayor Sanders stated not that area specifically.

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 7:55 p.m.

Respectfully submitted,
Marie Turner, City Clerk

April 15, 2010 Minutes Adopted _____