

Pinson City Council Minutes  
September 21, 2006  
Regular Meeting

The Pinson City Council met in regular session at Pinson City Hall on Thursday, September 21, 2006 at 7:00pm. Mayor Sanders led the invocation and Councilor Tanner led the Pledge of Allegiance to the Flag of the United States of America.

**Roll Call:** City clerk, Marie Turner, called roll of Pinson City Council with the following council members present:

Mayor Hoyt Sanders  
Councilor Dawn Tanner  
Councilor Joe Cochran  
Councilor Shane Shelnett  
Councilor John Churchwell  
Councilor Joy McCain

**Minutes:** Councilor Shelnett made a motion to waive the reading of the August 3, 2006, minutes. Councilor Cochran duly seconded the motion. As there was no discussion, Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Councilor Cochran made a motion to accept the minutes as written of the August 3, 2006, meeting. Councilor Tanner duly seconded the motion. Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Both motions carried unanimously.

**Motion passed to adopt minutes of August 3, 2006.**

Councilor Shelnett made a motion to waive the reading of the August 17, 2006, minutes. Councilor McCain duly seconded the motion. As there was no discussion, Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Councilor Cochran made a motion to accept the minutes as written of the August 17, 2006, meeting. Councilor Churchwell duly seconded the motion. Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Both motions carried unanimously.

**Motion passed to adopt minutes of August 17, 2006.**

Councilor Shelnett made a motion to waive the reading of the August 31, 2006, minutes. Councilor Churchwell duly seconded the motion. As there was no discussion, Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Councilor Cochran made a motion to accept the minutes as written of the August 31, 2006, meeting. Councilor McCain duly seconded the motion. Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Both motions carried unanimously.

**Motion passed to adopt minutes of August 31, 2006.**

Councilor Shelnett made a motion to waive the reading of the September 7, 2006, minutes. Councilor Cochran duly seconded the motion. As there was no discussion,

Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Councilor Cochran made a motion to accept the minutes as written of the September 7, 2006, meeting. Councilor Churchwell duly seconded the motion. Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Both motions carried unanimously.

**Motion passed to adopt minutes of September 7, 2006.**

**Special Guest:** Mayor Sanders shared that City of Pinson last year gave \$10,000.00 to the fire departments that cover our area, Center Point and Palmerdale fire Departments. The money was divided among both departments. Mayor Sanders called upon Robbie Roberts, the Chairman of the Palmerdale Fire Board, to the front to introduce Lt. Howell. Mr. Roberts shared his thanks for the money to help buy the much needed defibrillator. In addition, Mr. Roberts thanked the council and Councilor Cochran for the parking ordinance on Innsbrooke Parkway. He reported that he had noticed the hazard caused by parked cars with respect to blocking passage to emergency vehicles. Robbie called upon Lt. Howell. Lt. Howell spoke on how new this defibrillator compared to the one it replaced which was over 14 years old. The new unit comes with its own blood pressure monitor and it will measure oxygen levels, which lets you hook this up to a patient and then begin to work on that patient or another patient if you are short-handed. Mayor Sanders asked about the cost of the defibrillator. Cost new for this machine was \$21,000.00, so the \$5,000.00 that was given by the City Council helped a lot in buying the defibrillator. With the defibrillator being new, this should last for 15 years if not longer. The unit is used in 90% of the calls the PFD makes. Lt. Howell again thanked the Council for their support in buying this machine.

**Committee Reports:**

**Finance:** Councilor Tanner made a motion to pay miscellaneous bills in the amount of \$11,271.59. B/W & Sons for \$190.00, Birmingham Water (Triangle Park) for \$20.01, Birmingham Water (City Hall) for \$53.12, BJC Animal Control for \$695.00, Amsouth Bank (Credit Card) for \$303.55, Total Printing for 110.00, Deputy Jeff Hall for \$200.00, Call-A-Haul for \$450.00, Center Point Fire (vehicle) for \$4,000.00, Regional Planning Commission of Greater Birmingham for \$3,314.00, PVYA for \$1,566.00, Winston Mortimer for \$250.00, Joy McCain for \$79.86, and Dawn Tanner for \$40.05. Councilor Cochran duly seconded the motion. Mayor Sanders called for any discussion. Hearing none, Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Motion carries unanimously to pay miscellaneous bills.

**Motion to pay bills passed unanimously.**

**Annexation:** Councilor Churchwell presented an ordinance annexing certain territory into the corporate limits of the City of Pinson, Alabama owned by Ronald W and Elizabeth Ann Brown described as Lot 16, Block 4, Saddle Ridge Second Sector, Unit 1, 117/74, Located at 5418 Saddle Ridge Lane.

Councilor Churchwell recommends this be brought into the city and was duly seconded by Councilor Cochran.

Mayor Sanders called for roll call vote for unanimous consent with the following results: Mayor Sanders- yes, Councilor Tanner- yes, Councilor Cochran- yes, Councilor Shelnutt-yes, Councilor Churchwell- yes, and Councilor McCain- yes.

Mayor Sanders called for questions or comments on the ordinance. Hearing none, 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 Shelnutt-yes, Councilor Churchwell- yes, and Councilor McCain- yes.

Ordinance passed by unanimous vote of council as ordinance 2006-27.

**Ordinance 2006-27 passed on September 21, 2006.**

Councilor Churchwell presented an ordinance annexing certain territory into the corporate limits of the City of Pinson, Alabama owned by Jonathan and Anjelea May described as Lot 2 Mountain View Park 60/46, Located at 6004 May Avenue.

Councilor Churchwell recommends this be brought into the city and was duly seconded by Councilor Cochran.

Mayor Sanders called for roll call vote for unanimous consent with the following results: Mayor Sanders- yes, Councilor Tanner- yes, Councilor Cochran- yes, Councilor Shelnutt-yes, Councilor Churchwell- yes, and Councilor McCain- yes.

Mayor Sanders called for questions or comments on the ordinance. Hearing none, 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 Shelnutt-yes, Councilor Churchwell- yes, and Councilor McCain- yes.

Ordinance passed by unanimous vote of council as ordinance 2006-28.

**Ordinance 2006-28 passed on September 21, 2006.**

**Public Safety:**

No Report.

**Education:** Mayor Sanders gave update on Pinson Valley High School, they were awarded \$2,500.00 from the State Board of Education as part of the Special Academic Award. There will be a meeting at PVHS on October 9, 2006, to see the new renovations. Kermit Johnson Elementary has asked that the school be given \$250.00 of the money that is allocated to them to fund the PAWS program. Mayor Sanders asked for the will of Council. Councilor Churchwell made motion to give \$250.00 to Kermit Johnson. Councilor McCain duly seconded the motion. Mayor Sanders asked for any discussion or

comments. Hearing none, Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Let the record reflect motion passed with the Mayor abstaining.

**Motion to give Kermit Johnson \$250.00 passed.**

**Zoning & Beautification:** Councilor McCain stated that the P/B/Z had a meeting yesterday and they discussed upcoming events, next month meeting, and the Christmas Parade. The board will start having meetings every Wednesday @ 2:00, starting next week to talk about the Christmas parade.

**Mayor’s Report:** Mayor Sanders reported that last year there was a proposed fee increase from Storm Water Management, but was rescinded and that no fee increase has been approved at this time, nor has any jurisdiction pulled out. Mayor Sanders is planning to attend the next SWMA meeting and will give a report on the outcome of that meeting.

Mayor Sanders reported that there had also been press coverage of the County Flood Ordinance and NFIP compliance. The ordinance that was passed two years ago by the City of Pinson is fully compliant, no one in the City of Pinson is in danger of losing flood insurance.

Mayor Sanders reported that Center Point Fire Department accepted bid for the Tahoe. The Mayor will conclude the sale when the paperwork is ready.

Mayor Sanders mentioned that he will be directing Best Insurance to bond Anje May for 25,000.00 which is half of the City Clerk’s bond. This is the standard amount recommended by the carrier.

Mayor Sanders reported that Ms. King has almost completed her survey and will be coming to give a report when it is concluded. Hopefully, this will be within the next few meetings.

Mayor Sanders mentioned that he had the opportunity to meet and talk with a representative of the Alabama Trust for Historical Preservation. They have also sent a brochure on the conservation conference to all of Council. Mayor Sanders mentioned that Council would be welcomed and encouraged to attend and asked for the will of Council with respect to the registration fee. Councilor Cochran made a motion to pay entrance fees for anyone who would like to attend. Councilor Tanner duly seconded the motion. Mayor Sanders asked for any discussion or comments. Hearing none, Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Let the record reflect motion passed with the Mayor abstaining.

**Motion to pay entrance fees for conservation conference passed.**

Mayor Sanders mentioned the Planning Commission Law, Section 11-52-3 of the Code of Alabama. The commission would consist of 9 members. Mayor Sanders reviewed the code which specifies the nine members as the Mayor, an ex-officio member from

Council, and an administrative official, plus 6 other members appointed by the Mayor. Mayor Sanders stated that he would ask for one nomination from each Councilor, then will see if the people nominated would be able to serve. Since this would be the first appointment, the terms would be staggered causing the term of one of the six appointed members to expire each year.

Mayor Sanders reported on the Alabama Department of Transportation. Mayor Sanders spoke with Roy Hartline on assuming the maintenance of the road median. The city can do this using the 7-2 account to pay for the maintenance. The flashing light, North bound of Highway 75 in front of the High School is now working.

**Old Business:** Mayor Sanders declared consideration of the Smoking Ordinance in order and ready for immediate consideration. The Council has included all modifications and changes to the ordinance, and had read the proposed ordinance at previous meetings therefore not requiring unanimous consent. Councilor Churchwell stated that when the ordinance was first brought up to council that there were a lot of pros and cons, probably more cons than pros, but by all the council working together they came up with an ordinance that everyone can work with.

Mayor Sanders called for questions or comments on the ordinance. Hearing none, 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 Shelnett- yes, Councilor Churchwell- yes, and Councilor McCain- yes.

Ordinance passed by unanimous vote of council as ordinance 2006-29.

**Ordinance 2006-29 passed on September 21, 2006.**

**New Business:** Councilor Cochran made a motion to purchase badges for the Council like the one that Mayor and Pro-Tempore have. This is a bigger and nicer badge. This will be nice when council has to go to meetings or conferences they can wear them and be recognized. Councilor McCain duly seconded the motion. Mayor Sanders asked for any discussion or comments. Hearing none, Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Motion carries with one no by Councilor Shelnett.

**Motion to purchase badges for council passed.**

Councilor McCain made a motion for the City to sponsor a Christmas Parade on December 9, 2006 @ 10:00 a.m. with the City paying any nominal expenses. Councilor Cochran duly seconded the motion. Councilor Cochran stated that last years parade was great. Councilor Churchwell agreed that last years parade was a great success and that we are already getting request from other areas to be invited to participate in this years parade. Mayor Sanders called for any discussion. Hearing none, Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Motion carries unanimously.

**Motion to sponsor Christmas parade passed unanimously.**

Councilor McCain made a motion to purchase wreath's this year with the money that was donated by Carolyn Chatham last year. Councilor Cochran duly seconded the motion. Mayor Sanders commented that there have been requests for Christmas décor for the city. Mayor Sanders called for any discussion. Hearing none, Mayor Sanders called for all opposed say "no", all in favor say "aye." Motion carries unanimously.

**Motion to purchase wreaths passed unanimously.**

Councilor Tanner made a motion for the city to pay for those who would like to attend the Alabama League of Municipal 2007 convention held in April at an approximate cost of \$600.00 a person. Councilor Cochran duly seconded the motion. Mayor Sanders asked if they would get league hours. Councilor Tanner answered yes. Mayor Sanders called for any discussion. Hearing none, Mayor Sanders called for all opposed say "no", all in favor say "aye." Motion carries unanimously.

**Motion to pay for council to attend the LOM passed unanimously.**

Councilor Shelnutt reported that he had planned to bring an update on the Butterbean Festival but seeing Phil Sims, he supposed that Phil could give a better report. Councilor Shelnutt asked to suspend the meeting rules and let Phil speak. Mayor Sanders suspended meeting rules and recognized Phil Sims.

Phil Sims stated that BB Festival was a great success this year. Next year they are expecting at least 30,000 people. He requested that the City of Pinson come aboard early for next year and support the BB Festival. BB Festival spent about \$ 32,000.00 cash and with other in-kind support had a total of approximately \$70,000.00 in cash and donations. Mr. Sims hopes that the council will help next year and they will be coming to council to ask for \$10,000.00 for next year in cash alone. Mr. Sims also asked Council to take over security, because it was a major concern the past year. Another need is a professional survey for Main Street so that if there was an emergency that the fire truck could get thru. He requested that the council pay for that as well. The BB Festival will be looking over the next few months to see what the council can help do next year. There were people that came from all other the world. Everyone at the Festival that had a vending booth made money. Phil stated that there was a need for people to cook the butterbeans. They will be having class on how to cook different dishes.

Councilor Cochran attended the ABBF meeting Monday evening and thought that the meeting went great with a lot of ideas on the floor. Councilor Churchwell stated that this was a very good Festival and could not have been done without all the hard work of the PHCC. Councilor Shelnutt asked how much money they had to start for next year's festival. Phil stated they had lost approximately \$2,000 on the festival.

**Public Comments:** none

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

**Motion to adjourn passed unanimously.**

**Approved:** \_\_\_\_\_