

Council Minutes
July 16, 2015 – 10:00 a.m.
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 5320 Miles Spring Road on Thursday, July 16, 2015. Barry Wilson, PHCC President 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 Roberts
Councilor Churchwell
Councilor McCain

Minutes: Councilor Roberts made a motion to waive the reading of the July 2, 2015, 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 July 2, 2015, meeting. Councilor McCain 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 "Let the record reflect both motions passed unanimously."

Committee Chair Comments:

Finance: Councilor Tanner made a motion to approve payment of the bills in the amount of \$24,092.27; 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 to say "no", all in favor say "aye." Mayor Sanders "Let the record reflect the motion passed unanimously."

Annexations: Councilor Churchwell offered an ordinance annexing certain territory into the corporate limits of the City of Pinson, Alabama, located at 6275 Leslie Drive. Councilor Tanner duly seconded the motion. Mayor Sanders called for unanimous consent to consider:

Mayor Sanders-yes; Councilor Tanner-yes; Councilor Cochran-yes; Councilor Roberts-yes;
Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, unanimous consent passes.

Mayor Sanders called for any discussion. As there was no 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 Roberts-yes; Councilor Churchwell-yes; Councilor McCain-yes.

Mayor Sanders, ordinance passes unanimously as, Ordinance 2015-53.

Enhancements: Councilor McCain reminded everyone of the Beat the Heat/Float your Boat event at Turkey Creek, on Saturday July 18, 2015, beginning at 11:00 a.m. Councilor McCain added the city will provide refreshments.

Mayor's Report: Mayor Sanders reported the garage addition at the Rock School is going well.

Mayor Sanders stated the PYSC Task Force held its first meeting and received a lot of positive input.

New Business: Councilor Cochran offered a resolution authorizing approval of a lease purchase agreement, with Joe Hudson Collision. Councilor McCain duly seconded the motion. Mayor Sanders stated this agreement is for $\frac{3}{4}$ acre of our land behind them which is not conducive for a restaurant. Mayor Sanders added this lease agreement is for a period of 7 years and at the conclusion of 7 years if they continue to operate the property would be theirs.

Mayor Sanders opened the Public Hearing regarding the Economic Incentive Lease.

Mayor Sanders stated "Let the record reflect there was no comment presented from the Public."

Mayor Sanders closed the Public Hearing.

Mayor Sanders called for any discussion. Councilor Cochran stated he felt that an empty building discourages other businesses. Councilor Tanner stated she is excited for a new business in the city. Councilor Roberts stated everyone he has spoken with says we need more restaurants no one says we need a new Body Shop. Councilor Roberts added the Mayor and Council have worked hard to bring in restaurants. Councilor Roberts stated the Joe Hudson's Collision Center in Trussville is located in a Light Industrial Park and he is concerned about zoning issues. Councilor Roberts added that he is not anti-business and he would like council to work with them to find another location in the city. Councilor Churchwell stated that he has some reservations and his concerns include the number of payback years adding that the income and what the business pays taxes on can be 2 different things. Councilor Churchwell added that if this passes his concern is that no one else will want to put a restaurant in. Councilor McCain stated her concern is that the building has been vacant for a while and she would rather have something in the building than nothing. Mayor Sanders stated that there have been restaurants that have looked at that building but it is not conducive to a restaurant and with the cost of the building, \$250,000-\$300,000, they can't afford to tear it down. Mayor Sanders added when the city purchased the property Rite Aid agreed to and did annex into the city. Mayor Sanders continued, the sales tax from Rite Aid would pay for the property over 10-15 years, 3 of which have already passed. Councilor Cochran stated we did not recruit Joe Hudson's business, they want to be here. Councilor Cochran added he understands Councilor Roberts concerns but it is not like the money spent on the property was done with no plan at all. Mayor Sanders stated

several people have told us the area was developed backwards. Councilor Tanner stated regarding the zoning, initially Jefferson County approved the zoning for that property not us, adding she does not like the empty building. Councilor Tanner added recruiting restaurants is our #1 priority, but we are not earning anything on an empty building. Councilor Roberts stated he felt if the building was empty longer the price may drop and it might be viable to tear it down and rebuild. Mayor Sanders called for any further discussion. As there was no further 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 Roberts-no; Councilor Churchwell-no; Councilor McCain-yes.

Mayor Sanders, resolution passes as, Resolution 15-41.

Councilor Roberts, Point of Order, regarding item “H” in the lease agreement, there was no vote taken to cause the public notice. Mayor Sanders stated the notice was in the paper, per our requirement. Councilor Roberts stated he had spoken with Alabama League of Municipalities Attorney Lori Lein and her response was that she would not want to go before a Judge with this.

Councilor Roberts offered a motion to take a vote to call for a Public Hearing advertisement in the Birmingham News. Councilor Cochran duly seconded the motion. Mayor Sanders stated he will confirm with our attorney. Mayor Sanders called for any discussion. Councilor Cochran stated he was in agreement to see if there is a step that we might have missed. Mayor Sanders stated we do not have to vote to post, but he will be happy to check on this. 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 stated the motion passes unanimously.

Councilor Roberts offered a motion to authorize security alarm & monitoring at Pinson Youth Sports Complex, in the amount of \$1,900.00. Councilor Tanner duly seconded the motion. Mayor Sanders stated we are offering a reward for the recent vandalism and petty theft. Councilor Churchwell asked if the reward amount could be announced. Mayor Sanders stated \$1,000.00 without council action. 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 stated the motion passes unanimously.

Councilor Cochran offered a motion authorizing the city to become a member of TCPN Co-Op at no charge. 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 stated the motion passes unanimously.

Councilor Cochran offered a motion authorize the purchase of a Toro 3100 D mower through TCPN Co-op at a cost of approximately \$16,750.00 out of school discretionary funds, for use at PVHS. Councilor McCain duly seconded the motion. Mayor Sanders called for any discussion. After brief discussion, Mayor Sanders called for all opposed say “no”, all in favor say “aye.” Mayor Sanders stated the motion passes unanimously.

Mayor Sanders introduced Richard Archer, Palmerdale Fire Department. Archer provided a visual presentation regarding the allocation the Fire Department receives from the City of Pinson and thanked the Mayor and Council for support.

April Wallace, Library Director, gave an update on the Summer Reading Program.

Public Comment:

Wayne Hyche asked about the Storm Shelter. Mayor Sanders stated FEMA has this on hold until the Countywide Mitigation Plan is completed.

Charles Yeager, TCNP Manager. Gave an update on TCNP and reminded everyone of the Float your Boat event coming up on Saturday, July 18, 2015, beginning at 11:00 a.m.

David Ross, Emerald Valley Forest. Mr. Ross stated Advanced Disposal is not picking up the garbage in his area. Mayor Sanders stated we are meeting with Advance Disposal tomorrow and will make sure it is corrected.

Grant Mitchell stated that he agrees with Councilor Roberts that it would be a mistake to start building Light Industrial in the middle of Pinson. He would prefer the city acquire the land, tear down the building and work with a restaurant for that property and keep the Industrial on Highway 79.

Barry Wilson, President PHCC. Invited everyone to walk through the PHCC building and see all of the improvements that have been made.

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 11:26 a.m.

Respectfully submitted,
Marie Turner, City Clerk

July 16, 2015 Minutes
Adopted _____

Bills: 07/16/15

John Leon-TCNP	300.00
Anjelea May	56.22
Regions Credit Card	4,516.75
Kyrocera/Nohab-	2.07
Birmingham Water-City Hall	112.07
Rock School	96.76
Triangle Park	27.53
Comm Ctr	52.20
Lane Street	28.54
Spring Street	24.04
PHCC	226.53
Hand Arendall	3,343.70
David Stewart	687.50
Greater Birmingham Humane Society	762.25
Jim Signs	345.00
Craig's Lawn Serv.-Pkg 2	1,090.00
Pkg 4	250.00
Randall Terry-PHCC	585.00
PVYA	20.00
City Hall	55.00
Pete Chandler-PHCC	100.00
PVYA	40.00
Golf Carts Unlimited- Sports Complex	2,150.00
Smith Brothers- Turkey Creek	225.10
Kyrocera/Nohab-Library	43.20
AT&T-Library	242.81
Midwest Tape Library	11.99
Wendy Walker-Library (State Aid)	280.00
DEMCO Library (State Aid)	146.13
Findaway Library	1,279.91
JCLC Library	100.00
The Library Store- Library(state Aid)	269.01
Call-A-Haul- (misc road)	269.00
Craig's Lawn Serv (misc road)	1,480.00
Randy Terry-Rock School Center(7/2)	240.00
Pete Chandler-Rock School Center(7/2)	820.00
Eastern Tree Service(7/2)	900.00
Alabama Power (7/2)	1,067.03
Advance Lawn & Turf (7/2)	1,315.00
Traffic Signs (7/2)	531.93

TOTAL \$ 24,092.27

Account Balances @06/30/15:

Regions General Fund	\$ 857,853.96
Regions Debt Service Fund	851,678.77
Regions Debt.Srv.Rock Sch.	7,779.40
Regions MM Capital Fund	3,226.60
Hometown Library Fund	4,324.67

Account Balances @05/31/15:

Wells Fargo 4-6-5	110,018.18
Wells Fargo 7-2	234,155.93
Wells Fargo Misc. Road	43,406.91

Reserve CD @ 07/01/15 \$251,632.14