

Council Minutes
August 6, 2015 – 7:00 p.m.
Regular Meeting

The Pinson City Council met in regular session in Council Chambers at 4410 Main Street on Thursday, August 6, 2015. 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 Roberts
Councilor Churchwell

Absent:
Councilor McCain

Minutes: Councilor Roberts made a motion to waive the reading of the July 16, 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 16, 2015, meeting. 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 "Let the record reflect both motions passed unanimously."

Pre-meeting comments:

Bill Dooley, 8211 Brookwood Road. Voiced his disappointment with the possibility of a Body Shop opening in the old Big 10 Tire building, adding he felt it should be relocated on Highway 79. Mr. Dooley added the community would rather have a restaurant.

Vann Muth, 6850 Briarwood Drive. Asked council what the plans are to contain oil fluids.

Diane Herrin, 6279 Tyler Loop Road. Asked council to reconsider allowing a Body Shop at that location.

Katie Herrin, 6279 Tyler Loop Road. Please reconsider placing Body Shop at that location.

Deborah Helms, 4282 Silver Lake Road. Asked council to reconsider allowing a Body Shop at that location.

Mayor Sanders reinstated rules.

Committee Chair Comments:

Finance: Councilor Tanner made a motion to approve payment of the bills in the amount of \$153,546.61; a copy of the bills schedule is attached. Councilor Cochran duly seconded the motion. Mayor Sanders called for any discussion. Councilor Tanner stated \$112,000. of the amount is payment on the new park. 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 "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 3324 Sweeney Hollow Road; 4287 Brumbeloe Drive; & 4290 Brumbeloe Drive. Councilor Cochran 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.

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.

Mayor Sanders, ordinance passes unanimously as, Ordinance 2015-54.

Councilor Churchwell offered an ordinance annexing certain territory into the corporate limits of the City of Pinson, Alabama, located at 4180 Glen Brook Road & 6776 Brittany Place. Councilor Roberts 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.

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.

Mayor Sanders, ordinance passes unanimously as, Ordinance 2015-55.

Enhancements: Mayor Sanders reported the Beat the Heat at Turkey Creek event was well attended and everyone seemed to enjoy themselves. Mayor Sanders added the City provided cool treats to approximately 300 people.

Mayor Sanders reported the National Night Out event was also well attended.

Mayor Sanders mentioned the Alabama Butterbean Festival will be our next big event on October 2-3, 2015.

Mayor's Report: Mayor Sanders reported the cooktop at the Community Center is inoperable and will need to be replaced with a standard range at a cost of less than \$1,000.00.

Councilor Cochran offered a motion authorizing the Mayor to purchase and have installed a new range at the Community Center at a cost of approximately \$1,000.00. Councilor Roberts 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 motion passed unanimously."

Planning And Zoning: Mayor Sanders asked Attorney Black to speak regarding the properties to be abated by the city. Attorney Black explained the reason for abatement of each property adding the owners have been notified repeatedly.

Mayor Sanders opened a Public Hearing regarding abatement of the properties located at 5896 Red Hollow Road; 6809 Ridgewood Drive; and 6905 Brittany Lane.

Susan Goodman, 6900 Brittany Place. Spoke in favor of the abatement.

There were no further comments, Mayor Sanders closed the Public Hearing.

Councilor Cochran offered a resolution concerning conditions at three properties-5896 Red Hollow Road; 6809 Ridgewood Drive; and 6905 Brittany Lane, and directing action with respect to them. Councilor Churchwell duly seconded the motion. Mayor Sanders called for unanimous consent to consider with the following results:

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.

Mayor Sanders, resolution passes unanimously as Resolution 15-42.

Councilor Roberts offered a resolution authorizing the Mayor to execute a change order with Clements Dean Construction for a deductive change order relating to the construction of Pinson Bicentennial Park. Councilor Cochran duly seconded the motion.

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.

Mayor Sanders, resolution passes unanimously as Resolution 15-43.

Mayor Sanders reported the Pinson Bicentennial Park is approximately 8 weeks away from opening and the plans are to have a soft opening during the Alabama Butterbean Festival.

Councilor Cochran offered a resolution providing for the efficient operation of the Pinson Youth Sports Complex. Councilor Tanner duly seconded the motion. Mayor Sanders stated this action would make it possible for Mike to order items for Youth Sports without waiting on a vote from council. Mayor Sanders called for any discussion. Councilor Roberts stated he felt there should be a specific amount of money included in the resolution. Mayor Sanders stated we will need to work through our first year of operation to have an idea for the limitations. Councilor Cochran stated football will always be the most expensive. 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-yes; Councilor Churchwell-yes.

Mayor Sanders, resolution passes unanimously as Resolution 15-44.

Councilor Roberts offered a motion to amend the terms of Resolution 15-44 to expire in six months. 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 motion passed unanimously."

Attorney Black reported on the advertising requirement, regarding the question raised by Councilor Roberts at the July 16, 2015, council meeting. Attorney Black stated Section 94.01 of the Alabama Constitution states the following:

(2) At least seven days prior to the public meeting, a notice is published in the newspaper having the largest circulation in the county or municipality, as the case may be, describing in reasonable detail the action proposed to be taken, a description of the public benefits sought to be achieved by the action, and identifying each individual, firm, corporation, or other business entity to whom or for whose benefit the county or the municipality proposes to lend its credit or grant public funds or thing of value.

Attorney Black added the notice was publicized on July 8, 2015, in the Birmingham News. Attorney Black stated publication of the public hearing does not require a vote from city council. Attorney Black stated the only requirement is that the notice is publicized 7 days prior to the public hearing. Attorney Black stated this does conform with Alabama Law, there was no violation done by this council.

Councilor Roberts stated it doesn't matter who puts it in the paper the law is not specific. Councilor Roberts added he felt we should consider an examination of the publishing requirements. Councilor Roberts stated the website also listed the wrong time for the meeting held on July 16, 2015, at PHCC.

Councilor Cochran stated it was mentioned 2 or 3 times prior to the meeting at PHCC, that there was a time change and a location change, as well as posted. Councilor Cochran added we encouraged everyone to be at that meeting. Councilor Cochran stated this council did not try to hide anything from anybody. Councilor Cochran added there was zero illegal action taken up at the last meeting, hopefully this will put this to rest.

Councilor Churchwell stated he wanted to assure everyone that nothing illegal was done, everything was legal and above board.

New Business: Councilor Roberts offered a resolution adding an additional member to the Youth Sports Task-Force Committee, regarding Stephanie McFarland. Councilor Cochran duly seconded the motion. Mayor Sanders called for any discussion. As there was no 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-yes; Councilor Churchwell-abstain;

Mayor Sanders, resolution passes as, Resolution 15-45.

Councilor Roberts stated he felt that with all of the confusion and problems our citizens have had transitioning to Advanced Disposal it might be a good idea to ask Advanced Disposal to have a booth at the Alabama Butterbean Festival to help inform and answer additional questions the citizens may have. Councilor Cochran stated he will be meeting with Ronnie Dixon, Executive Director of ABBF on Friday and he will mention that to him.

Councilor Roberts offered a motion to rescind Resolution 15-41, regarding the agreement with Joe Hudson Collision Centers. Councilor Tanner duly seconded the motion. Councilor Cochran offered a motion to table rescinding Resolution 15-41 for 30 days. Councilor Churchwell duly seconded the motion. Mayor Sanders stated the table motion supersedes the motion to rescind. 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.

Mayor Sanders stated there was no quorum at our last Planning Commission meeting, all zoning cases were postponed until the August 25, 2015 meeting.

Mayor Sanders stated Bob Jones, Zoning Administrator posted additional cases for public hearing tonight, adding we will consider the resolutions at our next meeting.

Mayor Sanders opened the Public Hearing.

6293 Leslie Drive. Mayor Tommy Presley, owner, stated he is 90% disabled. Mr. Presley stated his property is a work in progress and would appreciate it if he was allowed to let the trees take root to keep his yard from washing. Mayor Sanders stated we appreciate your service, but there are other fellow veterans in your area that keep their property clean and deserve to live in a clean area.

6195 Kaley Lane. Mayor Sanders stated "Let the record reflect no one was present to comment".

4247 Walnut Street. Mayor Sanders stated "Let the record reflect no one was present to comment".

5281 Stablehouse Lane. Mayor Sanders stated "Let the record reflect no one was present to comment".

Mayor Sanders closed the public hearing.

Councilor Cochran spoke regarding the proposed Police Department, stating he has received great feedback from the public. Councilor Cochran added there will be a Public Hearing on August 27, 2015, at 7:00 p.m. in Council Chambers at City Hall for further public input.

Public Comment:

Barry Wilson, 5972 Miles Spring Road. Announced the Labor Day BBQ at PHCC from 11:00 a.m.-2:00 p.m. Mr. Wilson added the last 3 years a group of citizens have met to pray for our schools, teachers, and administrators. We will be meeting this year on Saturday August 8, 2015, at Triangle Park beginning at 9:00 a.m. if anyone would like to join us.

Susan Goodman, 6900 Brittany Lane. Asked about Advanced Disposal yard debris service.

Van Muth, 6850 Briarwood Drive. Asked about the variance notice posted at 6880 Briarwood Drive.

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 8:48 p.m.

Respectfully submitted,
Marie Turner, City Clerk

August 6, 2015 Minutes
Adopted _____

Bills: 08/6/15

John Leon-TCNP	\$ 450.00
AL Rec & Parks Assoc-Mike Sullivan Training	100.00
Edgewire Digital	20.00
Acceptance Janitorial	449.67
Alabama Power-City Hall	2,647.72
Rock School	1,440.96
Triangle Park	71.50
Comm Ctr	444.38
Lane Street	77.29
Spring Street	132.29
PHCC	1,230.14
Hand Arendall	6,851.61
Center Point Fire District-Fire Marshal 3 rd qtr	2,873.00
Greater Birmingham Humane Society	925.50
AT&T	972.69
The Argos Group(Workman's Comp)	1,774.00
Best Insurance	36.00
Trussville Utilities-City Hall	78.96
Rock School	36.32
Comm Ctr.	15.60
APEX-Comm Ctr.	97.50
Craig's Lawn Serv.-Pkg 2	1,635.00
Pkg 4	375.00
Oneonta Utilities-PHCC	10.16
AT&T-PHCC	235.27
Pete Chandler-PHCC	300.00
PVYA	860.00
Randy Terry-TCNP	35.00
PYSC	915.00
PHCC	380.00
Pike's Plumbing- PYSC	275.00
Team Sports-PYSC	634.31
Amazon-Library	1,192.21
Midwest Tape Library	15.99
Call-A-Haul- (misc road)	2,007.00
Craig's Lawn Serv (misc road)	4,045.00
Verizon Wireless (misc road)	776.14
Stone & Sons (misc road)	736.63
Homewood Auto Body (misc road)	629.82
Craft Electric-Rock Sch.Garage(7/2)	1,471.49
Mayer Electric-Rock School Garage(7/2)	160.32
Pete Chandler-Rock School Center(7/2)	120.00
Randy Terry-Rock School Center(7/2)	140.00
Sweeping Corp (7/2)	1,450.00
Alabama Power (7/2)	382.54
Advance Lawn & Turf (7/2)	1,610.00
Waste Pro (7/2)	247.50
Clements Dean (Park)	112,182.00

TOTAL \$ 153,546.61

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
Wells Fargo 4-6-5	95,591.67
Wells Fargo 7-2	224,304.25
Wells Fargo Misc. Road	42,108.24
Reserve CD @ 07/01/15	\$251,632.14