March 5, 2012
Council Workshop
12191 Magnolia Springs Hwy.
Magnolia Springs, Al.
5:00 P.M.

1. **Call to Order**
   Mayor Houser called the meeting to order at 5:00 p.m.

2. **Roll Call**

3. **Invocation and Pledge** – led by Mayor Houser

4. **Discussion of minutes – 2/6 Workshop, 2/15 Special Meeting and 2/20 Regular Meeting**
   There were no corrections or additions.

5. **Discussion of financials and expenditures for February**
   The Mayor reported: General Fund Balance 02/29/12 - $127,814.00 – Loan (turn lane) balance is $33,451.46. Income - $27,692.63 – Expenses – $32,907.50. Money Market - $102,423.83. CD - $52,793.28. Deepwater Horizon - $191,547.01. Special Revenue 4, 5, & 7e Gas Tax – Income $294.85 – Balance $5,177.83. Mayor Houser stated with the BP monies ($34,900.00) transferred into the General Fund that the Council should amend the budget to show the income. The Council did discuss at one time about budgeting those funds to Public Works. The clerk submitted a draft copy of the amended budget to the Council showing Grant Income of $34,900.00 and Public Works, Special Projects budget went from $30,700 to $65,600.00.

6. **Public Comment**
   There was no public comment.

7. **Discussion – Historic Preservation Commission appointment**
   Councilmember Underwood stated that Bob Stoddard’s term is almost up and the Commission is recommending his reappointment for another three years. The Commission is still looking to fill the vacancy of David Lawrence.

8. **Discussion – Speed limit ordinance**
   The Council discussed changing some speed limits on the smaller side streets and the Mayor asked Brad if it could be done with a blanket ordinance naming all the streets and their speed limits. Brad stated that the town could change the speed limits by ordinance as long as it’s not a state highway; you would have to pass the ordinance and also set out in the ordinance any punishment for the violation. The clerk will provide the Council with a draft ordinance for the April workshop.

9. **Committee reports**
   **Finance:** No report
   **Public Safety:** Councilmember Holk stated that since our deputy retiring in June this might be a good time to meet with the Sheriff to go over the contract for law enforcement. Councilmember Odess has a few points of the contract that he would like clarification on. Councilmember Holk will call Sheriff Mack and setup the meeting.
   **Parks & Recreation:** Councilmember Laurendine stated that they hadn’t met yet, but the Garden Club will be attending his meeting to discuss some plantings at the Springs. He added that he will discuss with the committee the cleanup on the other side of the river, stabilizing the bank and having a cleanup day.
   **Public Works:** Mayor Houser said that since Councilmember Gaar was not going to be at the meeting he had sent a memo and there were two issues he wanted the council to consider: one issue is to consider delaying the paving of Bay Street until a drainage study can be completed. The second issue is to ask the council to consider Dwayne Riebling as a replacement for Wayne Gandy when he retires. Mayor Houser said that Councilmember Gaar will bring the Bay Street paving up for a vote at the regular meeting. The Mayor stated as far as a replacement for Wayne we need to meet with the Sheriff and discuss our agreement before we get into who we want to hire. He also added that the town should
Interview two or three deputies before deciding who to hire. Councilmember Holk said that he didn’t think the town had any authority in that decision.

Mayor Houser presented the Council with a drawing submitted by David Shelby that proposed planting some Holley trees along the south side of the bridge from Dykes Drive up to the bridge. Mr. Shelby will donate the trees and the cost of planting of them. The Mayor did tell Mr. Shelby that it would have to go before the Public Works Committee and they would make a recommendation to the Council. Mr. Shelby will be at the regular meeting. Brad Hicks added that the town needs to state where they will be planted for safety reasons, not to obstruct any view. Mayor Houser asked if there was anything else on Public Works. Councilmember Underwood resigned from the Public Works Committee, and Mayor Houser asked him to reconsider. Councilmember Underwood said that “I never designed anything that didn’t meet some kind of standard, and I can not go along with the paving projects. I have not compromised in some forty years and I’m not going to start now, and I feel that strongly about it”

Planning Commission: No report

Historic Preservation: Councilmember Underwood stated that the commission is working on a design for signs to be placed at locations entering the historic district to be approved by the Town Council, and they are also working on the street name signs.

Environmental Protection Committee: Councilmember Odess informed the Council that the Town will need a No-Rise Certificate for the Living Shoreline Project on Bay Street. Councilmember Holk stated that he would talk to Mike Howell at the County to see if the Town needs a No-Rise Certificate.

10. Council, legal counsel and staff comments

Mayor Houser stated that he would like the Council to go into Executive Session.

Motion by Councilmember Holk, 2nd by Councilmember Underwood to go into Executive Session to discuss with the town attorney, Brad Hicks, legal options for pending litigation. Legal counsel Brad Hicks stated that he is an attorney licensed to practice law in the State of Alabama, this Executive Session is the appropriate use of Section 36-25A-7(3) of the Open Meeting Act. Roll call vote: Councilmember Holk – Yea, Councilmember Odess – Yea, Mayor Houser – Yea, Councilmember Underwood – Yea and Councilmember Laurendine – Yea.

Mayor Houser stated that the workshop meeting would not reconvene.

Motion by Councilmember Holk, 2nd by Councilmember Underwood to adjourn the workshop. All in favor. Motion carried.

Workshop ended at 6:05 pm

Approved this the 24th day of April, 2012

Charles S. Houser – Mayor

ATTEST:

Karen S. Biel – Town Clerk