March 24, 2009
Regular Council Meeting
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 of Allegiance
Councilmember Laurendine led the invocation and pledge.

4. Approval of council minutes from 02/10/09 workshop and 02/24/09 regular meeting
No corrections or additions.

Motion by Councilmember Underwood, 2nd by Councilmember Sankey to approve the council minutes from 02/10/09 and 02/24/09. All in favor. Motion carried.

5. Approval of financial reports and expenditures for January

Motion by Councilmember Laurendine, 2nd by Councilmember Holk to approve the February financials and expenditures. All in favor. Motion carried.

6. Public Comment
No public comment
Mayor Houser acknowledged two guests that attended the meeting. Lynn Thompson and Patsy Parker from Perdido Beach, they will be holding an election to incorporate at the end of April. They were here to observe the procedures of a council meeting.

7. Public Hearing – Town of Magnolia Springs Comprehensive Plan
Mayor Houser opened the public hearing at 5:08 p.m. and asked if anyone would like to speak. With no one there to speak, Mayor Houser closed the public hearing at 5:09 p.m.

8. Resolution 2009-01 – Approval and adoption of Comprehensive Plan
Mayor Houser stated that Resolution 2009-01 was to adopt the Magnolia Springs Comprehensive Plan on the recommendation of the Planning Commission. The Comprehensive Plan was adopted by the Planning Commission on March 12th. Mayor Houser and the Town Council thanked Christopher Baker, who was also present at the meeting, for all of his work during the selection process of a firm and in developing the plan. Christopher stated that the town was so passionate about the project and that he really enjoyed working with the council on it.

Motion by Councilmember Underwood, 2nd by Councilmember Gaar to adopt Resolution 2009-01, Magnolia Springs Comprehensive Plan. All in favor. Motion carried.

Mayor Houser explained that the council wanted to lower the fee on the “Special Events” license and an amendment to the ordinance must be passed. The council did agree to make it $25.00 per day, instead of $100.00 per day.

Motion by Councilmember Sankey, 2nd by Councilmember Holk to suspend the rules for immediate consideration of Ordinance 2009-01. Roll call vote: Councilmember Holk – Aye, Councilmember Sankey – Aye, Mayor Houser – Aye, Councilmember Underwood – Aye, Councilmember Gaar – Aye, and Councilmember Laurendine – Aye. All in favor. Motion carried.

Motion by Councilmember Underwood, 2nd by Councilmember Sankey to waive the reading of Ordinance 2009-01. All in favor. Motion carried.
Motion by Councilmember Laurenidine 2nd by Councilmember Holk to adopt Ordinance 2000-01 an amendment to Business License Ordinance 2007-18. Roll call vote: Councilmember Holk – Aye, Councilmember Sankey – Aye, Mayor Houser – Aye, Councilmember Underwood – Aye, Councilmember Gaar – Aye, and Councilmember Laurenidine – Aye. All in favor. Motion carried.

10. Trademark Agreement
Mayor Houser stated the agreement was drafted by the town attorney and review at the workshop. It will allow the licensee to use only “Magnolia (leaf) Springs” and not “Town of”. The clerk has the art work for the licensee.

Motion by Councilmember Sankey, 2nd by Councilmember Underwood to authorize the Mayor to enter into license agreements with licensees using the Trademark License Agreement. All in favor. Motion carried.

11. Checklist for construction projects in or near the river
Along with the checklist there was a copy of a Right-of-Way Disturbance Permit Application and Land Disturbance & Erosion Control Permit Application. After discussing the application forms, Councilmember Sankey stated that he felt it should be left up to the clerk as far as the application forms but would endorse the approval of the checklist of requirements. We can go with what is required on the application and if it needs to be updated or more information required then the clerk can change the form. Mayor Houser suggest on the Right-of-Way permit that the fee of $10.00 should not be charged to utility companies that have a franchise agreement with the town. The council agreed and asked that the clerk add an asterisk with a statement that utility companies with a franchise agreement will not be required to pay the $10.00 permit fee.

Motion by Councilmember Laurenidine, 2nd by Councilmember Gaar to endorse the Checklist for construction projects in or near the river. All in favor. Motion carried.

12. Committee Recommendations
Public Safety: Council discussed the replacement of street signs and possible stop signs to be put up and the town hall will order the signs and research the installation of them.

Parks & Recreation: Councilmember Laurenidine stated that Fire Chief Joby Smith called him and would like to partner with the town on establishing a park on the property next to the fire department. Joby will be attending the committee meeting to discuss the project.

Historic Commission: Councilmember Underwood reported that Mr. Schneider is about finished with the survey and he has recommended a program and what size computer the town needs to purchase to maintain the survey.

Environmental Protection: Councilmember Gaar discussed with the council about the possibility of the town supplying bacteriological equipment for monitoring. The cost would be approximately $540.00 per year. The council all agreed that the town would pay for the equipment.

13. Council, Legal Counsel and Staff Comments
Clerk reported receiving a letter from the State of Alabama Revenue Department asking that the town vote on participating in the 2009 Sales Tax Holiday in August. There are no retail stores in the town limits.

Motion by Councilmember Sankey, 2nd by Councilmember Underwood not to participate in the 2009 Sales Tax Holiday. All in favor. Motion carried.

Clerk asked the council to start thinking about articles for the newsletter that she would like to mail-out by the end of April and asked that they send them to her by the middle of the month.

14. Any other business that might come before the meeting
License Agreement with John Pickron – Mayor Houser stated that Mr. Pickron has agreed to give the town a license agreement for approximately ten (10) feet along the shore line.

Motion by Councilmember Gaar, 2nd by Councilmember Sankey to authorize the Mayor to enter into a license agreement with John Pickron. All in favor. Motion carried.

With no other business.

Motion by Councilmember Underwood, 2nd by Councilmember Gaar to adjourn. All in favor.
Meeting adjourned at 6:00 P.M.
Approved this the 28th day of April, 2009

Charles S. Houser – Mayor
ATTEST:

Karen S. Biel – Town Clerk