May 10, 2011  
Council Workshop  
12191 Magnolia Springs Hwy.  
Magnolia Springs, Al.  
5:00 P.M.

1. **Call to Order**  
Mayor Pro-Temp, Ken Underwood called the meeting to order at 5:00 p.m.

2. **Roll Call**  

3. **Invocation and Pledge of Allegiance**  
Invocation and Pledge by Councilmember Underwood.

4. **Discussion of minutes – 04-12-11 Workshop and 04-26-11 Regular Meeting**  
There were no corrections to the minutes.

5. **Discussion of financials and expenditures April**  
The clerk reported: General Fund Balance 04/30/11 - $54,623.71 - Income - $27,335.03 - Expenses - $25,092.37. Money Market - $102,269.62. CD - $52,288.80. Deepwater Horizon - $226,774.70. Special Revenue 4, 5 & 7¢ Gas Tax - Income - $362.47. Balance: $10,675.79. Councilmember Gaar stated that the Town should be receiving the bill from R&S Paving soon. The bill is estimated at about $27,000 and the clerk said that she will take $9,000 out of the 4¢ & 5¢ and the remainder out of the General Fund.

6. **Public Comment**  
Tom Mills – talked about the Magnolia River and Spring Branch. He had complaints about the trailer that is parked on Rock Street in the right-of-way, he also complained about the one way at Bay Street, and he told the Council they needed to cut the shrubbery on Jessamine, or he will. He wants it cut back so he and his wife can see the river. He also stated that the Town should not let one judge tell them what to do with the public accesses. He suggested the Town have a fish fry to raise some extra money. He also added that the Town should put a gate at Rock Street to close it down at night like at the Springs. Councilmember Holk stated to Mr. Mills that the Town just spent a lot of money trying to figure out what the Town can do to protect the public’s interest in the public accesses. The Council is still trying to understand what we can and can’t do with the access at Rock Street.

7. **Discussion – Ordinance to lower the speed limit on Magnolia Springs Highway**  
The clerk had a copy of an ordinance from another municipality that she presented to the Council. Councilmember Holk asked if we have researched whether the Town has the authority to change the speed limit. The clerk stated that she was advised by another clerk that we might have to check with the state or county, if it is one of their roads that run through our municipality. She called the County and Troy Smith stopped by to visit with her and stated that the Town could change the speed limit and gave her a few suggestions. The clerk called the League of Municipalities and talked to an attorney and was advised that the Town could change any speed limit they wanted as long as the Town stayed within the State Law. Councilmember Gaar stated that he talked with our Deputy and he said that he didn’t think we needed to lower the speed limit. Councilmember Gaar feels that enforcement is the answer and we need to try harder with that. Councilmember Holk stated that the Town might eventually install a walkway going over the bridge and then traffic would have to be slowed down, or possibly installing a crosswalk at Gates Ave. and Magnolia Springs Hwy. Councilmember Gaar said if we would narrow the road to ten feet by installing a traffic island that would slow the speeders down. The Council decided to discuss it at a later date. **Will not be on the agenda.**

8. **Committee reports**  
**Finance:** No meeting  
**Public Safety:** Councilmember Holk did not have a report, but mentioned that the Fire Dept. wanted to invite the Council to a 50th anniversary celebration at the fire station on Saturday from 3:00-8:00 pm.  
**Parks & Recreation:** Councilmember Laurendine reported that there was some vandalism to the sprinkler system at the Springs. He stated that out of 28 sprinklers, 17 of them are broken off. The company that install the system has been call and Richard Stampel has given two estimates; one is to cut them down to ground level the way it is laid out now, that is $1,440.00; the other estimate was lowering all the heads and on the right side of the walk, install misters and on the left side of the walk, he
would install rotary heads and move them closer to the sidewalk to spray outward, that quote was $2,150.00. After some discussion, the general consensus was to go with the second quote. Councilmember Laurendine’s recommendation it to do it the right way now by lowering the heads and moving them. Councilmember Underwood asked if he thought he had enough in his budget, the clerk with check and let him know.

**Public Works:** Councilmember Gaar reported that the paving projects are complete and the final inspection is done, there were just a few minor items such as clean up debris and to put the stop bars down.

**Planning Commission:** Councilmember Holk stated that there is one more chance for the Council to submit any suggestions or changes. We will be discussing whether to have someone look at the stormwater section for us. Councilmember Gaar said that we are at the point where we need to have a consultant review them, as with the sewer specs.

**Historic Preservation:** Councilmember Underwood stated they are still working on restoring the old photographs and they are going to start on the oral histories real soon.

**Environmental Protection Committee:** Councilmember Odess reported that Mike Shelton is reviewing the living shoreline design. Still no word from Fish and Wildlife on any funding. Councilmember Gaar asked about the dock at Bay Street. Councilmember Underwood said that he should go ahead with the planning and Councilmember Laurendine recommended bringing the plan to the council for review.

9. **Council, legal counsel and staff comments**

The town attorney requested that the Town Council go into executive session to discuss any legal ramifications and options of pending litigation.

Motion by Councilmember Holk, 2nd by Councilmember Gaar to go into executive session to discuss with our attorney the legal ramifications and options of pending litigation.

Brad Hicks stated that he is an attorney licensed to practice law in the State of Alabama and this exception 36-25A-7, subsection 3 is applicable to the planned discussion with the Open Meetings Act.

**Roll call vote:** Councilmember Holk – Aye, Councilmember Odess – Aye, Councilmember Underwood – Aye, Councilmember Gaar – Aye, and Councilmember Laurendine – Aye. All in favor. Motion carried.

Mayor Pro-Temp Underwood stated that the meeting would not reconvene.

Motion by Councilmember Underwood, 2nd by Councilmember Laurendine to adjourn the meeting and Councilmember Underwood stated that the meeting will not reconvene.

Meeting ended at 6:05 pm

Approved this the 28th day of June, 2011

[Signature]

Charles S. Houser – Mayor

**ATTEST:**

[Signature]

Karen S. Bief – Town Clerk