June 8, 2010
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 5:05 p.m.

2. **Roll Call**
Councilmember's present – Mayor Houser, Bob Holk, Rick Odess, Ken Underwood, and Brett Gaar. Also present: Town Clerk - Karen S. Biel and Legal Counsel – Brad Hicks. Not in attendance: Kenny Laurendine.

3. **Invocation and Pledge of Allegiance**
Mayor Houser led the invocation and pledge.

4. **Discussion of Minutes – 05/03/10 Special Meeting – 05/11/10 Workshop**
No corrections were noted. Clerk did not have the minutes from the regular meeting of 05/19/10 but will have for the regular council meeting.

5. **Financials and Expenditures for May, 2010**
The clerk reviewed the financials: General Fund - Income - $217,252.90, which includes $200,000 grant money received for the oil spill – Expenses - $68,810.76. Money Market - $102,065.86. CD - $51,807.38. Special Revenue – Income - $381.14. Balance: $11,016.00.

6. **Public Comment**
   - **Rodney Hubble** – Recycle Bin – he stated that when the bid is full people are still leaving items on the sides of the bin and asked the council to address the problem. Mayor Houser said that the town will provide some signage prohibiting dumping outside the bin.
   - **Donna Esslinger** – Historic Marker Dedication – she spoke about the ceremony dedicating the marker during the July 3rd celebration. Ed Stone will display the marker on the back of his truck through the parade, and then over to the flag pole at the Fire Department. At that point the Mayor will welcome everyone, and then do the pledge of allegiance. The clerk added that she is working on a proclamation for the dedication and will send it to Donna for review. Donna also stated that maybe a member of the Historic Preservation could talk about the marker for just a few minutes.

7. **Discussion – Proposed Zoning Ordinance**
Councilmember Holk stated that the zoning ordinance has been amended to remove the PUD zoning designation. Within the PUD designation, manufactured and modular homes were allowed and now they will be allowed in any residential are by conditional use. Rodney Hubble asked now a manufactured home can be placed anywhere in Magnolia Springs? Councilmember Holk stated yes, but under conditional use, which means with a site plan for approval.

8. **Discussion - Arbor Day Expenditure**
Mayor Houser stated that it is time to order the trees for Arbor Day next year and the Garden Club is asking for an amount that they can spend on tree seedlings. The clerk stated the council approved $400.00 last year. Mayor Houser stated that the town may want to approve a little more this year with pricing going up and they did get rid of all the trees last year. **Will be on the agenda.**

9. **Discussion - Baldwin County Watershed Coalition Expenditure**
Mayor Houser explained that the Watershed is trying to come up with a unified way to address storm water issues. They have come up with a fee that will be assessed on your ad valorem tax and this will be voted on in November. The Watershed is asking for an amount from each municipality according to population for a marketing campaign to make the public aware of what the coalition is trying to do. The cost to the town would be $300.00. **Will be on the agenda.**

10. **Discussion – Annexations**
Mayor Houser stated that Craig Dyas will be submitting an application for annexation on the Family Dollar property and asked the council to think about inquiring with the property owners from the town limits to Schlinder Road about annexing into the town limits. The council all seemed to be in agreement.
11. **Discussion – Committee Chairs**
Mayor Houser discussed with the council changing some of the committees since Joe Sanky’s resignation and Rick Odess joining the council. He will have his appointments at the regular meeting.

12. **Committee reports/recommendations**
- **Finance:** No report – no meeting
- **Public Safety:** No report – no meeting
- **Parks & Recreation:** No report
- **Public Works:** Councilmember Gaar submitted a “to do list” to the council. It included asphalt work on School St., shoulder work on Jessamine – South and in Village Green, pot holes on Pecan, a culvert near Tommy Racheal’s needs cleaning out and he will be getting estimates on the work. He will also be talking to Glen Bishop about doing the ROW maintenance.
- **Planning Commission:** Mayor Houser reported the commission will meet and a new Chairman will be appointed. Mike Costigan and Bob Holk have agreed to be the Chairman and we will need to appoint a Vice Chairman. The commission will also start working on any amendments to the Subdivision Regulations and recommend to the council a member to take the vacant seat.
- **Historic Preservation:** Councilmember Underwood reported that David Schneider is working on the National Register and the agreement for the possible revision of the Design Review Guidelines has been forwarded to him.
- **Environmental Protection:** Councilmember Odess reported that Donna Esslinger is researching information for OAW signage on Hwy 49

13. **Council, legal counsel and staff comments**
- **Brad Hicks** – reported that there is a criminal statue for littering which is 13A-7-29, one who knowingly deposits any litter on public or private property, having no permission to do so. The town will look into placing no littering signs at the dumpster site.
- **Councilmember Holk** stated that traffic on Hwy 49 must be slowed down and asked that the clerk let Deputy Gandy know that the council would like him to patrol and set radar up on Hwy 49. Mayor Houser asked that the committee to think about renaming Co. Rd 49/Magnolia Springs Hwy and maybe that would help slow traffic down. Another issue discussed was a weight limit on the bridge to slow or stop trucks from coming through. Councilmember Holk suggested sending a letter to Cal Markert stating the town would like to advise you that we are thinking about putting a stop sign at Co. Rd. 49 and Co. Rd. 26 and a weight limit on the bridge to limit truck traffic and if you would like to participate in a solution to this problem please let us know otherwise we will proceed.
- **Councilmember Underwood** asked what the progress was with the law suit on Rock Street (filed by the Fuller’s and Turner’s), Mayor Houser stated it has been turned over to AMIC, an adjuster will review the case, assign it to an attorney and the town will be notified who will handle the case. Councilmember Underwood stated that we need to fight for this, even if we have to go to the Supreme Court with it.

**With no other business:**

**Motion by Councilmember Underwood, 2nd by Councilmember Holk to adjourn the meeting.**
Workshop ended at 7:15 pm

Approved this the 27th day of July, 2010

Kenneth Underwood – Mayor Pro Tempore

ATTEST:

Karen S. Biel – Town Clerk