September 14, 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 5:00 p.m.

2. Roll Call
Councilmembers present – Mayor Charles Houser, Bob Holk, Rick Odess, Ken Underwood, Brett Gaar and Kenny Laurendine. Also present: Town Clerk - Karen S. Biel and Legal Counsel – Brad Hicks

3. Invocation and Pledge of Allegiance
Invocation by Rev. Bill Stephens and Pledge led by Councilmember Laurendine

4. Speakers/Guests/Presentations
Bill Stephens – is in charge of Municipal Funding with the Baldwin County Voluntary Organization Active in Disaster. VOAD is seeking partnerships with all the municipalities in Baldwin County. It is a coalition of service organization, churches and governmental agencies dedicated to serving the citizens of Baldwin County. The organization is established by, run by, and led by community volunteers. There are about 20 agencies in the network of disaster relief. Mr. Stephens stated that any contribution would help and has asked that the Council consider the partnership during their budgeting process. The Council all seemed interested in the organization. Will be on the agenda.

5. Discussion of minutes – 08/10/10 Workshop – 08/24/10 regular meeting
There was one addition noted on Councilmember Odess statement. Clerk will make the correction.

6. Approval of financials and expenditures for August

7. Public Comment
Janet Paarberg – complaint about recycle container. Ms. Paarberg requested that the container be moved to another location or removed. She stated people can go back to using the container at Weeks Bay. She is tired of people leaving trash outside the container, and the school yard being littered and blown over onto her property. Councilmember Gaar will contact Jim Ransom at the Land Fill to see if he has any suggestions. The Council discussed using the container at Weeks Bay and at the Land Fill.
Joan Dykes & Marilyn Cobb – are members of the Garden Club and asking for cooperation and/or suggestions to work with the community on projects. The club is going to work on the front part of the Springs and possible put some annuals in the triangle at the end of Oak Street. Mayor Houser reminded them that the town has no staff to take care of any plants that are planted. Joan did say that the Garden Club would be responsible for the maintenance. Councilmember Odess did suggest that at the Bay Street public access the town is looking into doing a living shoreline and they might want to think about plantings there things there that are native to the area. Mayor Houser also suggested the dirt areas outside the back door of Town Hall. Councilmember Laurendine suggested they attend his committee meeting. He also showed them the landscaping plans that the Garden Club submitted to the town for the Springs, which Joan said she had no knowledge of. He also reminded them that plans are good, but there is always the maintenance that is not taken care of.
Mayor Houser discussed the pier at Bay Street and its need for repair immediately before someone gets hurt. Councilmember Gaar agreed and will research getting it repaired. There was discussion on removing the boards so no one could walk out on the pier.

8. Discussion – CARE House
Mayor Houser stated that the Town donates to United Way which is associated with CARE House and that the budget has been set for the donations for the next fiscal year. Will not be on the agenda.

9. Discussion – Magnolia Elementary PTA Donation
The PTA is asking for a donation to go towards the kids activities. The council gives $1,000.00 to the school each year through a contractual agreement. Will not be on the agenda.

10. Discussion – Council hosting Community Association pot luck
The Clerk informed the Council that Mrs. Koborg called and asked if the Council would like to host the pot luck at the Community Association. The Council agreed that hosting the pot luck last year during
the month of February with a super bowl theme was a good idea and have agreed to host it again in February 2011. The clerk will call Mrs. Kolberg to inform her of the month the Council will host.

11. **Discussion – Littering Ordinance**
Mayor Houser explained that he had thought about a littering ordinance because he saw someone throw some thing out the car window, but the clerk told him that there is a state code for littering, 13A-7-29 which each of the council members were given. **Will not be on the agenda.**

12. **Discussion – Proposed Budget 2010-2011**
Mayor Houser reviewed the proposed budget with the council. The Mayor did state that the Finance Committee reduced attorney fees by $4,000 to add to Parks & Recreation so the sidewalk could be funded. The attorney fees are $70,000, with the anticipation of the Fuller/turner - Rock Street lawsuit costing the town $50,000 or more. There were no changes to the budget. **Will be on the agenda.**

13. **Committee reports**
**Finance:** Mayor Houser stated the Community Association, as a fund raiser, would like to sell stickers to the residents of Magnolia Springs. The Community Association is asking the Council to waive the fee on the use of the town logo. Councilmember Gaar said that he thought it was a good idea but asked can the town pick and choose who is charged for the use of the logo. Mayor Houser said their plan is to sell the first sticker for $2.50 and the second one for $5.00 and if we charge them $1.00 per item as the agreement states, they would not be make much of a profit. Legal counsel stated the town doesn’t have to use the same contract; on small items of this sort he suggested that a percentage could be used so the town is compensated for the use of its trademark. Mayor Houser did state that the town might want to change the stickers by having them numbered and keeping records of who has them by getting names and addresses. Another issue the Mayor brought before the council was an invoice turned into the town from the Community Association for $27,000.00. The invoice was for the Community Hall usage for the oil spill training that the Fire Department provided. Janet Paarlberg stated that the numbers are estimated because they could never get the information from the Fire Department. Mayor Houser stated that it should be submitted to BP and Janet stated it could not be turned in because the numbers are not accurate. Councilmember Holk stated that they need to get in touch with Mary Emmett; she does have the information. Mayor Houser suggested they try to file it with BP again; if it’s denied then we’ll see if there is anything we can do.

**Public Safety:** Councilmember Holk discussed the hand held radar gun and asked the clerk to speak to Wayne about getting one from the Sheriffs Department and to have a report on it for the regular council meeting. Mayor Houser added that the Deputy needs to concentrate on Hwy 98 and Co. Rd. 49 to slow down the traffic.

**Parks & Recreation:** Councilmember Laurendine stated that two estimates were received:
Specialty Concrete - $28,795.75
Pav'r Construction - $22,167.00 and $18,080.00 w/o 3" compacted base
After the council discussed the two estimates at length, Councilmember Laurendine stated that the committee's recommendation is to use Pav'r Construction. The Mayor suggested that Councilmember Laurendine obtain another estimate on the pavers using the same specs and have it for the regular meeting on September 28th. **Will be on the agenda**

**Public Works:** Councilmember Gaar reported that Will Moore was inquiring about clearing the pedestrian trail between North Holly St. and North Oak St. He will do this on his own time with his own resources as a service to the community. Councilmember Gaar suggested have the area surveyed first.

**Planning Commission:** Councilmember Holk reported that the Planning Commission will hold a public hearing on the annexation of the Family Dollar property on September 16th and will make a recommendation to the Town Council.

**Historic Preservation:** Councilmember Underwood stated the committee had no recommendations.

**Environmental Protection Committee:** Councilmember Odess stated the committee had no recommendations.

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

Workshop ended at 7:15 pm
Approved this the 28th day of October, 2010

[Signatures]

Charles S. Houser – Mayor

Karen S. Biel – Town Clerk