

**December 6, 2016
Council Workshop
12191 Magnolia Springs Hwy.
Magnolia Springs, Al.
5:00 P.M.**

1. Call to Order

Mayor Holk called the meeting to order at 5:00 p.m.

2. Roll Call

Members present – Mayor Bob Holk - Council Members: Dotty Johnson, Marley Gardner, Nick Shields and Ben Dykema. Not present: Donna Esslinger. Also present: Town Clerk - Karen S. Biel and Legal Counsel – Brad Hicks

3. Invocation and Pledge – Mayor Holk

4. Discussion of Minutes – November 2016

Special Council Meeting – 11/03/2016

Special Council Meeting – 11/07/2016

Organizational Meeting – 11/07/2016

Workshop Meeting – 11/08/2016

Regular Meeting – 11/15/2016

5. Discussion of Financials and Expenditures – November 2016

The Mayor reported: Balances as of 11/30/2016 - General Fund - \$72,055.90. Income - \$30,088.01, Expenses - \$16,983.85. Money Market – \$265,186.29. CD - \$54,327.00. Special Revenue 4, 5, & 7¢ Gas Tax – Income \$311.39 – Balance \$12,654.72.

6. Public Comment

Tom Miller – voiced concerns about the extension of the sewer line from Pecan Grove down Cougill Ave. and its capability. Mayor Holk stated that each house has a check valve so if there were to be a sewer line break it would not run to the open end. All sewer lines are designed and stamped by a licensed engineer. He added that the town does have concerns when ever sewer is run within the town limits. Mayor Holk stated that Baldwin County Sewer is abiding by the town's sewer specifications. Councilmember Dykema added that he is hesitant on giving Baldwin County Sewer a franchise agreement which says come do whatever you want in the town or maybe just approve each hookup.

7. Discussion – Resolution – RDS – Business License Cross Check Agreement

The clerk explained that RDS (Revenue Discovery Systems) collects the town's sales tax. In collecting the sales tax for the town RDS cross references with our business license vendors and makes sure each vendor that is paying sales tax also has a business license with the town. When RDS finds a vendor that needs a business license they in turn keep half of the fee just the first time and then the town collects the whole fee for future licenses. RDS also checks our business license vendors to make sure they are paying the proper sales tax to the town. The clerk stated that the town has contracted with RDS since 2006 and there is no fee for the town to enter into the contract.

8. Discussion – Resolution – Baldwin County Enforcement of Building Codes and Flood Prevention Ordinance

Mayor Holk stated that since the town is too small to have its own building department the town contracts with Baldwin County to issue building permits and do all inspections. Baldwin County keeps all fees associated with issuing the building permits and inspections. The County will only issue a building permit if a resident has obtained a Land Use Certificate from the town.

9. Discussion – Resolution – United Way Agreement

Mayor Holk explained that United Way covers a lot of different organizations and service agencies. By entering into the agreement with United Way we can refer those in need of any assistance to United Way. He added that this agreement is one of our budgeted items. The contract agreement is for \$500.00.

10. Discussion – Committee Appointments

Mayor Holk stated that he is still working on committee appointments but did reference what he has so far:

Finance Committee: Mayor Holk – Chair, Rick Odess, Donna Esslinger and Karen Biel as clerk.

Public Works: Mayor Holk – Chair, Rodney Hubble and Councilmember Shields agreed to be on the committee

Public Lands: Councilmember Dykema – Chair, Councilmember Johnson and Steve Mobley

Tree & Streetscape: Councilmember Shields – Chair and Councilmember Gardner

Public Relations & Communications: Councilmember Esslinger – Chair, Councilmember Gardner and Faye Pipa.

There was a lengthy discussion on the Public Relations & Communication committee. Councilmember Shields felt that having town information in too many different places might be confusing to some individuals and that one specific place would serve better. He also stated again that the clerk keeps the website up to date with information that is provided to her. The clerk added that she does not know who moves in or out of town but if notified by them and she will add them to her email list for town events or emergency information. Mayor Holk stated that Councilmember Esslinger can provide the council with what the purpose of the Public Relations & Communication will be. Mayor Holk will finalize the committees at the next regular meeting.

Mayor Holk reported that he:

1. Attended the Mobile Bay National Estuary meeting – discussed BP money that the county will be receiving and the purchase of the Gulf Islands properties and other properties to preserve.
2. Attended the Mayors Meeting - discussed issues concerning the different municipalities. One issue of discussion was golf carts and each town can adopt its own ordinance on golf cart use.
3. Attended the Santa Breakfast – great turn out and town event.

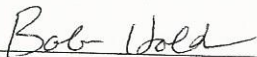
Legal – Brad Hicks

Brad stated that he prefer that the town move forward with a franchise agreement instead of a case by case basis with the sewer company. He added that the town has approved each one so far but when and if the time comes that one is not approved some issues could come out of that. Brad said that he doesn't want to put the town in the spot where discussions are being made each time and can be scrutinized differently. He added that the town tried to enter into a franchise agreement with the sewer company and at that time they did not like the town's franchise agreement or sewer specifications. Brad said that it takes two entities to enter into a franchise agreement and they are not required to enter into one. Under the Alabama Constitution no business is allowed to use the public way for their business unless approval from the governing authority. Brad said that he could reach out to the legal counsel for the sewer company and ask if they are interested in discussing it again. Mayor Holk stated that he believes it is time again to address it because there are areas and things we want to limit such as not on Oak Street or crossing the river. Mayor Holk stated that the town will research it further.

Motion by Councilmember Johnson, 2nd by Councilmember Shields to adjourn the workshop. All in favor. Motion carried.


Meeting ended at 6:00 pm

Approved this the 24th day of January, 2017



Bob Holk – Mayor

ATTEST:



Karen S. Biel – Town Clerk