MARCH 20, 2007
COUNCIL MEETING
14809 GATES AVE.
MAGNOLIA SPRINGS, AL.
5:00 P.M.

1. Call to Order
Mayor Houser called the workshop meeting to order at 5:00 p.m.
Present – Mayor Houser, Councilmember’s: Bob Holk, Joe Sankey, Ken Underwood, Reva Hinson and Kenny Laurendine. Also present: Town Clerk, Karen S. Biel.

2. Invocation and Pledge of Allegiance
Mayor Houser led Invocation and Pledge of Allegiance

3. Approval of minutes from Council Workshop on February 13, 2007
Motion by Councilmember Holk, 2nd by Councilmember Sankey to approve the minutes from the Council Workshop on February 13, 2007. No additions, deletions or corrections. All in favor. Motion carried.

4. Approval of minutes from Public Hearing on February 20, 2007
Motion by Councilmember Sankey, 2nd by Councilmember Hinson to approve the minutes from the Public Hearing on February 20, 2007. No additions, deletions, or corrections. All in favor. Motion carried.

5. Approval of minutes from Regular Council Meeting on February 20, 2007
Motion by Councilmember Underwood, 2nd by Councilmember Sankey to approve the minutes from the Regular Council Meeting on February 20, 2007. No additions, deletions, or corrections. All in favor. Motion carried

6. Committee Reports
Mayor Houser gave a financial report as follows: Committee met on 3/12/07. Rick Marenco from USDA, reviewing various programs, loan and/or grants. Bob Zeanah discussed the Educational grant, which we have received a grant, just don’t know how much as of yet. Bob Zeanah also discussed a $10,000.00 grant from Alabama Power for fund raising. Mayor also stated that the Town received a letter of commitment for United Bank on loan for Town Hall improvements.
Councilmember Hinson said the PR&B met on 3/6/07. Town signs were discussed, town logo, and landscaping. Also Town birthday party and clean-up day, June 29th and 30th, also discussed an article for town newsletter about the event.
Councilmember Holk stated that with all the other business taking place, the Public Safety committee hasn’t met, but if the citizens have any issues that concern them to bring them to the Town Clerk.

7. Approval of Treasures Report
Clerk reported for the month of February, the revenue was $8,806.56, the expenses where $6,231.19 and that she also made a $1,000.00 (plus interest), payment on the line of credit loan.
Motion by Councilmember Underwood, 2nd by Councilmember Holk to approve the treasures report. No additions, deletions, or corrections. All in favor. Motion carried.

8. Public Comment
No public comment.

Mr. McIlwain contacted four (4) engineering firms, Volkert, HMR, Geographic Solutions and Barry Vittor. He will be at the PR&B meeting on 4/3/07 to discuss with the committee, but the County will make the final decision on the engineering firm to be used.

10. Resolution 2007-12 – Participation in the Employees’ Retirement System
Motion by Councilmember Sankey, 2nd by Councilmember Hinson to waive the reading of Resolution 2007-12. All in favor. Motion carried.
Motion by Councilmember Underwood, 2nd by Councilmember Sankey to adopt Resolution 2007-12. All in favor. Motion carried.

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11. Ordinance 2007-08 – Sales/Use Tax
Motion by Councilmember Holk, 2nd by Councilmember Sankey to suspend the rules for consideration of Ordinance 2007-08. Roll Call Vote: Councilmember Holk – Aye, Councilmember Sankey – Aye, Chairman Houser, Aye, Councilmember Underwood – Aye, Councilmember Hinson – Aye, Councilmember Laurendine – Aye. All in favor. Motion carried.

Motion by Councilmember Underwood, 2nd by Councilmember Hinson to waive the reading of Ordinance 2007-08. Discussion: Change the date of adoption from March 12, 2007 to March 20, 2007. All in favor. Motion carried.

Motion by Councilmember Hinson, 2nd by Councilmember Sankey to adopt Ordinance 2007-08 as amended with date change. All in favor. Motion carried.

12. Ordinance 2007-09 – Fee Schedule for Planning and Zoning
Motion by Councilmember Holk, 2nd by Councilmember Sankey to suspend the rules for consideration of Ordinance 2007-09. Roll Call Vote: Councilmember Holk – Aye, Councilmember Sankey – Aye, Chairman Houser, Aye, Councilmember Underwood – Aye, Councilmember Hinson – Aye and Councilmember Laurendine – Aye. All in favor. Motion carried.

Motion by Councilmember Hinson, 2nd by Councilmember Underwood to waive the reading of Ordinance 2007-09. All in favor. Motion carried.

Discussion: to remove the fees for Preliminary and Final Plat, to be address at another time, the Planning Commission has a ninety (90) day moratorium on subdivisions.

Motion by Councilmember Laurendine, 2nd by Councilmember Hinson to adopt Ordinance 2007-09 as amended without the subdivision fees. All in favor. Motion carried.

13. Approval of Application forms for Zoning Amendment and Restrictions Variance
Motion by Councilmember Sankey, 2nd by Councilmember Underwood to approve the application forms for Zoning Amendment and Restrictions Variance. All in favor. Motion carried.

14. Approval of Town Newsletter
Motion by Councilmember Hinson, 2nd by Councilmember Holk to approve the Town Newsletter, with the Town Clerk as publisher and to be mailed out. Discussion: Councilmember Sankey voiced concerns about the purpose of the letter and that it should not be used for personal agendas.

Councilmember Hinson rescinded her motion to approve the Town Newsletter.

Motion by Councilmember Laurendine, 2nd by Councilmember Underwood to table Town Newsletter till the April Workshop. All in favor. Motion carried.

15. Resolution for Board of Adjustment
Motion by Councilmember Sankey, 2nd by Councilmember Hinson to table Resolution till the April meeting, with it being first on the agenda. All in favor. Motion carried.

There was some discussion that the council did not have time to look at the member for the Board of Adjustment and would be ready by the next workshop to discuss it.

16. Resolution 2007-13 – Authorizing the Mayor to enter into an agreement for Town Legal Counsel
Mayor Houser stated at the request of Councilmember Laurendine, to accept proposals from other law firms. The town received three (3) proposals, Bonner Landreau, Brackin & McGriff and Murchinson & Howard. The Mayor went over the proposals with the Council. Mayor Houser also asked that a letter he had given the Clerk be entered into the minutes. See attached:

Motion by Councilmember Laurendine to table Resolution 2007-13 till the April workshop to get statement of qualifications for the firms in question. Motion died, lack of a second. Councilmember Sankey agreed to discuss it at a workshop but that the proposals had the firm’s qualifications.


Motion by Councilmember Underwood, 2nd by Councilmember Hinson to adopt Resolution 2007-13 authorizing the Mayor to enter into an agreement with James M. Gaines and Gaines & Gaines for Legal Counsel. Roll Call Vote: Councilmember Holk – Aye, Councilmember Sankey – Aye, Chairman Houser, Abstained, Councilmember Underwood – Aye, Councilmember Hinson – Aye and Councilmember Laurendine – Nay. Four (4) Aye’s – One (1) Abstained – One (1) Nay. Motion carried.
17. Resolution 2007-14 – Town Historian
Discussion: Councilmember Hinson suggested there be two (2) appointed to the position, Donna Esslinger and Jacque Juvenal. The corrections were made to the Resolution.
Motion by Councilmember Hinson, 2nd by Councilmember Holk to adopt Resolution 2007-14 as amended, with both names. All in favor. Motion carried.

18. Correspondence
Smart Coast Workshop – April 27, 2007 12:30-1:30
Copy of a letter that the Mayor wrote to Dr. Hollinger.

19. Council Comments
Councilmember Underwood asked that the council look over the Ordinance to establish a Historic Preservation Commission to discuss at the April workshop.
Councilmember Holk stated that the Planning Commission sub-committee is working on the subdivision regulations and their having a workshop on March 28, 2007 at 5:00 p.m. if any one would like to attend.
Mayor Houser talked about the subdivision on Lipscomb Rd. and that the County Planning Commission had approved it, even with all the people that showed up were against it.

Motion by Sankey to adjourn:
Meeting adjourned at 7:15 P.M.

Approved this the 17th day of April, 2007

Attest:

[Signatures]

Karen S. Bies – Town Clerk

Charles S. Houser – Mayor