

**August 26, 2008**  
**Regular Council Meeting**  
**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**

Councilmember's present – Mayor Houser, Bob Holk, Joe Sankey, Ken Underwood, Reva Hinson and Kenny Laurendine. Also present: Town Clerk - Karen S. Biel

**3. Invocation and Pledge of Allegiance**

Councilmember Laurendine led the invocation and pledge.

**4. Approval of minutes from the council workshop on 7/8/08 and council meeting 7/22/08**

No corrections to the minutes.

**Motion by Councilmember Laurendine, 2<sup>nd</sup> by Councilmember Hinson to accept all minutes as presented. All in favor. Motion carried.**

**5. Discussion of Committee Reports**

**Finance:** Mayor Houser stated the committee reports were reviewed at the workshop and asked if there were any questions. He did review the two letters with his report, one from State Lands Division, notifying the town that we received the \$25,000.00 grant for the comprehensive plan. The other letter from the Alabama Forestry Commission also notifying us that we were awarded \$2,500.00 grant and that he has signed the agreement and mailed it back to them.

**Public Safety:** Councilmember Holk reported that he did attend an EMA meeting and they went over preparations for storms.

**PR&B Committee:** Councilmember Hinson thanked the Garden Club for the hard work and the money spent on projects for the town. The irrigation company has been hired by the Garden Club and they are in the process of installing the system. The parking lot has been graded and the beds are being prepared and the Garden Club will be landscaping that. The town hired the same company to do the edging and bring in the gravel. A definite date has not been set for the opening but if everything is completed they are looking at October 10<sup>th</sup>. Signage for the springs is still being worked on. Mayor Houser also thanked the Garden Club for their time and financial assistance on the springs.

**Public Works:** Councilmember Sankey reported that he is still waiting on a reply from the county on the right-of-way annexation

**Planning Commission:** Mayor Houser reported: Planning Commission is making a recommendation to the council to retain HMR (Christopher Baker) as consultants through the rest of the process on the Comprehensive Plan, and they also discussed the overlay district for Hwy 98. The Planning Commission is holding a public hearing at the next meeting (9-11-08) to amend the subdivision regulations to include condominiums.

**Historic Preservation Commission:** Councilmember Underwood reported: the commission has received two proposals from David Schneider of Anniston, the survey of all structures will cost \$6,500.00, and the proposal for preparing the Design Review Standards is \$3028.00. He did speak with the state and there are no grant monies left for this year but we will be considered in the next fiscal year.

**Motion by Councilmember Underwood, 2<sup>nd</sup> by Councilmember Sankey to accept all committee reports as submitted. All in favor. Motion carried.**

**6. Discussion of financial reports and expenditures for July**

The clerk reported July 31<sup>st</sup> balances as follows: **General Fund** - \$13,215.58, Income: \$15,237.52, Expenditures: \$29,373.07, Vendor Expenses: \$22,120.68. **Money Market** - \$126,293.26. **Special Revenue Accounts** - Income: \$405.35, YTD: \$3,864.81, Balance of \$7,008.96.

**Motion by Councilmember Underwood, 2<sup>nd</sup> by Councilmember Sankey to approve financial and expenditures for July. All in favor. Motion carried.**

**7. Public Comment**

**Carey Bentley:** discussed Ordinance 2008-10 – Regulating Parking – he feels that the ordinance goes too far and that the town should place signs only where they want to restrict or limit parking. He also stated that it refers to property owners and the town does have renters. He also does not agree with “Town Council or its designee”, it should be the Town Council only. He also talked about parking near fire hydrants.

**Jim Gaines:** discussed Ordinances 2008-09 & 2008-10 – he emailed the council changes in verbiage for parts of the ordinances and did not hear back from anyone. He also added paragraphs to the ordinances and does not understand why the citizens can not landscape in the right-of-ways. He also agreed with Mr. Bentley's suggestions.

**Harry Dwyer:** discussed public accesses – he feels that the public accesses are a part of Magnolia Springs' culture and he believes that the accesses should be available for the citizens and other visitors. He stated that most of the citizens do not know that this ordinance is being voted on and should be tabled until a later date. Mr. Dwyer also stated that two of the council members that live near the accesses should abstain from any vote because of a severe conflict of interest.

**Victoria Armstrong:** had three previous issues to discuss - 1) **Contamination of water table** near her residence, which was brought up at a previous meeting – good news - she did receive notification that the water is not contaminated. 2) **Standing water and mosquitoes:** her neighbor's pool has a sagging cover and it contains standing water which is attracting mosquitoes, Mr. Hubble did put some tablets in it but the council needs to address this as a health issue. 3) **Pool fencing** – the state does not require fencing around pools but the town should consider an ordinance for fencing around pools, as safety issue. Councilmember Holk stated that we might be able to address that in our zoning ordinance.

**8. Ordinance 2008-09 - Right-of-Way**

Mayor Houser stated this is the second reading of Ordinance 2008-09 and called for a motion.

**Motion by Councilmember Laurendine, 2<sup>nd</sup> by Councilmember Underwood to waive the reading of Ordinance 2008-09. All in favor. Motion carried.**

**Motion by Councilmember Hinson, 2<sup>nd</sup> by Councilmember Underwood to table Ordinance 2008-09 until the October regular council meeting. All in favor. Motion carried.**

**9. Ordinance 2008-10 – Regulating Parking**

Mayor Houser stated this is the second reading of Ordinance 2008-10 and called for a motion

**Motion by Councilmember Underwood, 2<sup>nd</sup> by Councilmember Hinson to table Ordinance 2008-10 until the October regular council meeting. All in favor. Motion carried.**

**10. Approval of expenditure to the Community Association**

Mayor Houser asked the council approve the expenditure of \$200.00 to the Community Association for the use of the hall during the week Gould Evans was here working on the Comprehensive Plan.

**Motion by Councilmember Laurendine, 2<sup>nd</sup> by Councilmember Hinson to approve the \$200.00 expenditure to the Community Association for the use of the hall. All in favor. Motion carried.**

**11. Council, Legal Counsel and Staff Comments**

No comments

**12. Recommendation from the Planning Commission**

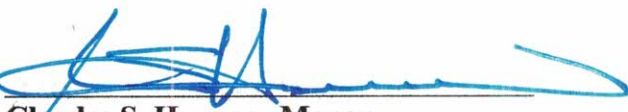
Mayor Houser explained that the Planning Commission is recommending to the Town Council to authorize the Mayor to enter into an agreement with HMR for professional services through the rest of the comprehensive plan process.

**Motion by Councilmember Sankey, 2<sup>nd</sup> by Councilmember Laurendine to authorize the Mayor to enter into an agreement with HMR for professional services through the comprehensive plan. All in favor. Motion carried.**

**Motion by Councilmember Laurendine, 2<sup>nd</sup> by Councilmember Sankey to adjourn. All in favor.**

**Workshop adjourned at 6:05 P.M.**

Approved this the 23<sup>rd</sup> day of September, 2008

  
Charles S. Houser - Mayor

ATTEST:

  
Karen S. Biel – Town Clerk