November 27, 2007
Regular Council Meeting
12191 Magnolia Springs Hwy.
Magnolia Springs, Al.
5:00 P.M.

1. Call to Order
Mayor Houser called the Council 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
Councilmember Hinson led Invocation and Pledge of Allegiance

3. Approval of minutes from workshop on October 9, 2007 and Regular Council Meeting on October 23, 2007
Mayor stated the minutes are the same minutes that were presented to them at the workshop.
Motion by Councilmember Laurendine, 2nd by Councilmember Sankey to approve all minutes as presented. All in favor. Motion carried.

4. Committee Reports
Mayor Houser: committee reports were submitted for the workshop and asked if there were any changes or additions to the reports. No changes or additions were noted.

Councilmember Hinson: committee met on November 6th and there will be no meeting of the PR&B in December. Rick Odess and Brett Gaar will be at the January meeting to give an update on the OAW. She and Sheila Turner met with Kevin Tyler from Volkert concerning landscaping plans for the springs and town hall. Town signs should be ordered this week; Councilmember Underwood is working on obtaining the easements.

Public Works: Councilmember Sankey said the committee is still gathering information on the roads and their condition. He did state that the town has fewer roads that previously noted it is about eight (8) miles, paved and unpaved.

Public Safety: Councilmember Holk stated that he and Councilmember Sankey attending a meeting with the County concerning animal control. The County is looking into building a larger facility to house the animals. They are asking the municipalities to come on board, the cost for town would be around $800.00 per year. As he finds out more information, he will report back to the council.
Motion by Councilmember Underwood, 2nd by Councilmember Holk to accept committee reports as submitted. All in favor. Motion carried.

5. Approval of Treasurer’s Report
Clerk reported: For October, General Fund income was $8,380.52, expenses were $7,439.98. Expenses for vendors were $7,259.65. Income for Special Revenue: $426.20. Motion by Councilmember Underwood, 2nd by Councilmember Sankey to accept the treasures report as submitted. All in favor. Motion carried.

6. Public Comment
Julie Batchelor: Senior Natural Resource Planner with Baldwin County gave an updated on the “Springs” project. She stated there were four (4) bids submitted, and the low bid of $80,000.00 went to Waterfront Construction, Inc. The estimated cost of the project was $82,800.00, so they will go back to the County Commission to ask for the remainder. She did state that Volkert is the engineering firm on the contract. They hope to have the preconstruction meeting soon and once the project is started the estimated completion date should be in ninety (90) working days. The Mayor and Council thanked her for attending the meeting and giving an update on the project.

Steve Fuller: concerns about the vandalism of trees on Rock St. and suggested the council consider a tree ordinance.

Richard Holk: stated that he visited Madison, Mississippi, he obtained copies of their zoning ordinance, sign ordinance and architectural procedures, he will get the copies to Councilmember Holk.
7. Rezoning – Mannich Lane Development, LLC
Mayor Houser stated that Mannich Lane Development, LLC submitted a letter withdrawing their application for rezoning and that no action needed to be taken. Councilmember Holk suggested a motion accepting the letter.
**Motion by Councilmember Holk, 2nd by Councilmember Hinson to accept the letter from Mannich Lane Development withdrawing their application for rezoning. All in favor. Motion carried.**

8. Resolution 2007-23 – Naming the members of the Historic Preservation Commission
Mayor Houser stated that Resolution 2007-23 was discussed in the workshop and he asked the council for recommendations on the members. He presented the resolutions with his recommendations.
**Motion by Councilmember Holk, 2nd by Councilmember Hinson to adopt Resolution 2007-23 with the following members: Kenneth Underwood – three (3) years, Burt Hinson – three (3) years, Rodney Hubble – three (3) years, Jim Gaines – two (2) years, Donna Esslinger – two (2) years, Bob Stoddard – one (1) year and Lana Silverthorn – one (1) year. All in favor. Motion carried.**

9. Ordinance 2007-17 – An ordinance to fix and prescribe a license tax for the sale, distribution, use or delivery of gasoline, motor fuel, or any other fuel used in the propulsion of vehicles, to provide for the ascertainment, collection and payment of such license tax and to fix penalties for the violation of any of the provisions of this ordinance
Mayor Houser stated that the gas tax revenue would be about $4,200.00 per month, but for budgeting purposes it was estimated a monthly revenue of $3,500.00. The tax would be 2¢ per gallon inside the town limits and 1¢ in the police jurisdiction.
**Motion by Councilmember Sankey, 2nd by Councilmember Underwood for immediate consideration of Ordinance 2007-17. Roll call vote: Councilmember Holk – Aye, Councilmember Sankey – Aye, Mayor Houser – Aye, Councilmember Underwood – Aye, Councilmember Hinson – Aye and Councilmember Laurendine – Aye. All in favor. Motion carried.**

**Motion by Councilmember Underwood, 2nd by Councilmember Sankey to waive the reading of Ordinance 2007-17. Councilmember Sankey asked if legal counsel reviewed the ordinance and the clerk stated that legal counsel did review the ordinance. All in favor. Motion carried.**

**Motion by Councilmember Sankey, 2nd by Councilmember Laurendine to adopt Ordinance 2007-17. Discussion: Councilmember Hinson questioned the rate and being higher than other local municipalities. Mayor Houser added that there are two other surrounding towns that are the same rate. Clerk added, Summerdale was already at 2¢/l¢ as of January-2007 and the clerk in Silverhill was going to present it to her council about raising their tax but she hadn’t heard from her whether they’re considering it or not. Roll call vote: Councilmember Holk – Aye, Councilmember Sankey – Aye, Mayor Houser – Aye, Councilmember Underwood – Aye, Councilmember Hinson – Aye and Councilmember Laurendine – Aye. All in favor. Motion carried.**

The Council had a copy of a policy regarding the reviewing/coping of public records. The price for copies 8½ X 11; black & white are 50¢, color copies 8 1/2 X 11 are $1.00 and color copies larger than 8 1/2 X 11 are $1.50.
**Motion by Councilmember Holk, 2nd by Councilmember Sankey to approve Policy Regarding Public Records. All in favor. Motion carried.**

11. Approval of Annual Budget
Councilmember’s had a copy of the proposed budget as it was discussed at the workshop. Discussion: Councilmember Holk had some concerns adopting a budget with a $2,508.00 deficit, Councilmember Sankey agreed with him. After some discussion on the cost of the Comprehensive Plan it was decided to adjust the cost from $57,000 down to $54,000, which changes the deficit from $2,508.00 to a surplus of $402.00.
**Motion by Councilmember Laurendine, 2nd by Councilmember Sankey to adopt proposed budget for fiscal year 2007-2008. All in favor. Motion carried.**

12. Comprehensive Plan
Mayor Houser suggested appointing an Ad Hoc Committee of five (5) members to review, interview and recommend to the Planning Commission and Town Council: the scope of the plan, the time frame for completion, the budget for completing the plan and the firm for completing the plan. The Mayor’s recommendation for the Ad Hoc Committee is: Mayor Houser – Chair, Planning Commission Members - Les Farmer and Mike Costigan - Councilmember – Bob Holk and Joe Sankey.
**Motion by Councilmember Underwood, 2nd by Councilmember Laurendine to approve the Ad Hoc Committee for the Comprehensive Plan. All in favor. Motion carried.**
13. Council, Legal Counsel and Staff Comments
Councilmember Hinson wished everyone a Merry Christmas since she would not be here the month of December.
Motion by Councilmember Sankey, 2nd by Councilmember Underwood to adjourn the meeting. All in favor. Motion carried. Meeting adjourned at 7:00 P.M.

Approved this the 18th day of December, 2007
ATTEST:

Karen S. Bie - Town Clerk

Charles S. Houser - Mayor