

**September 9, 2014**  
**Council Workshop**  
**12191 Magnolia Springs Hwy**  
**Magnolia Springs, Al.**  
**5:00 P.M.**

**1. Call to Order**

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

**2. Roll Call**

Members present – Mayor Underwood - Council Members: Dotty Johnson, Jim May, Bob Holk, Tom Webb and Ben Dykema. Also present: Town Clerk - Karen S. Biel and Legal Counsel – Brad Hicks

**3. Invocation and Pledge** – led by Mayor Underwood

**4. Discussion – Minutes – August**

Workshop Meeting – 08/12/2014

Regular Council Meeting – 08/26/2014

No comments or corrections

**5. Discussion - Financials and Expenditures - August**

The Mayor reported: Balances as of 08/31/2014 - General Fund - \$19,744.46. Income - \$56,911.96. Expenses - \$49,434.37. Money Market – \$179,199.93. CD - \$53,934.61. Deepwater Horizon - \$9,716.21. Special Revenue 4, 5, & 7¢ Gas Tax – Income \$299.08, Balance - \$14,392.07.

**6. Public Comment**

**Janet Paarlberg** discussed the recycle container with the council. Ms. Paarlberg feels that the recycle container is an eye sore in the middle of the historic district and would like to see it removed. She doesn't feel that moving it to another area on the town lot would solve anything. Councilmember Holk stated that if the town removes the recycle container there would be a lot of upset people in the town. Ms. Paarlberg said they would get over it. Councilmember Holk will research the possibility of moving the container over to the other side of the town lot by the fire department. He would like to put the container on a cement slab with some privacy fencing around it. Councilmember Holk will try to have a proposal for this cost by next council meeting.

**Carey Bentley** wanted to discuss the property behind the Pure Station. He stated that there is a continuous used car lot and surplus property organization. Mr. Bentley stated that it has been going on for over a year and he doesn't believe our zoning allows it. Mayor Underwood informed Mr. Bentley that the man has been sent letters and that the problem is being handled.

**7. Deputy Kaiser's monthly report**

Deputy Kaiser reported: 6 arrest off traffic stops for outstanding warrants - 2 on view arrest – 53 traffic stops – 17 citations – 27 warnings – 10 verbal warnings.

**8. St. Paul's Chapel – Use of town lot**

Mayor Underwood stated that St. Paul's is requesting the use of the town lot for parking on October 25<sup>th</sup> for their fishing tournament. Council will vote on the request at the next meeting.

**9. Resolution - 2015 Severe Weather Preparedness Tax Holiday**

The State of Alabama Department of Revenue is requesting a response from the municipality about adopting a resolution for the tax free holiday on Friday, February 20, 2015 through Sunday, February 22, 2015. Items for severe weather preparedness will be tax exempt during that weekend. Resolution will be on the agenda for the next meeting.

**10. Resolution – Authorizing the Mayor to enter into an agreement with Alabama State/ALDOT for the Sidewalk Grant**

This resolution authorizes the Mayor to execute an agreement with the State of Alabama acting by and through the Alabama Department of Transportation to move forward with the sidewalk project. Resolution will be on the agenda for the next meeting.

**11. Committee/Commission Reports**

- a) **Finance Committee** – Mayor Underwood stated that a draft of the budget was sent to the council for review it. Budget will be on the agenda for adoption.
- b) **Public Works & Safety** – Councilmember Holk stated that the committee discussed the FEMA work that still needs to be completed on Jessamine. The committee also discussed signage for the Bay Street curve. Mayor Underwood and Rodney Hubble will be working on some drainage issues.
- c) **Public Lands** – Councilmember Dykema stated Magnolia Landing is just about finished and he thinks the town can be proud of the project. Mayor Underwood stated that he is working with David Houser on an informational kiosk for Magnolia Landing. Mayor Underwood informed the council that NCRS has approved the grant for the Springs to shore-up the bank and remove some of the sand from the water bed.
- d) **Historic Preservation Commission** – Mayor Underwood reported a couple from Troy bought the two story house on Oak Street and started renovations on the front porch.

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

**Brad Hicks** stated that he was asked to research a couple of issues. Brad reported:

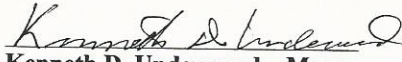
- 1. Sand that has washed up onto people's property – generally speaking the land under the water belongs to the state and any sand that washes up is not the town's responsibility. With boats docking and people sun bathing on people's property that is a trespassing issue and the property owners need to call the sheriffs office or file a civil lawsuit against the trespassers.
- 2. Library – in 2011 the town established a Library Board. That Board has the authority to establish and maintain a library. Brad stated that all that the town needed to do to establish a library has been done. So the town needs to decide if it wants that financial liability and responsibility. The mechanism to do it is already in place. Councilmember Johnson asked about the ad hoc committee that was going to study this because she has questions. Mayor Underwood stated that the committee is going to meet with the librarian in Summerdale towards the end of this month. Councilmember Holk stated that because of their highway frontage their budget is 3-4 times larger than our budget.

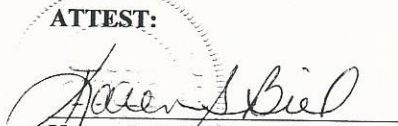
**Councilmember Johnson** asked about the school property. Mayor Underwood stated that at this time the town may want to wait but if any of the council members can speak with any of the school board members please do so. Councilmember May stated that one of the new school board members wants to talk about it.

Motion by Councilmember Johnson, 2<sup>nd</sup> by Councilmember Webb to adjourn the workshop.

Workshop ended at 5:55 pm

Approved this the 28<sup>th</sup> day of October, 2014

  
**Kenneth D. Underwood – Mayor**

**ATTEST:**  
  
**Karen S. Biel – Town Clerk**