

**October 11, 2016**  
**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 Ken Underwood - Council Members: Dotty Johnson, Jim May, Bob Holk, Donna Esslinger and Ben Dykema. Also present: Town Clerk - Karen S. Biel and Legal Counsel – Brad Hicks

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

**4. Discussion of Minutes – September 2016**

Workshop – 09/13/2016

Special Emergency Meeting – 09/15/2016

Regular Meeting – 09/27

No discussion

**5. Discussion of Financials and Expenditures – September 2016**

The Mayor reported: Balances as of 9/30/2016 - General Fund - \$95,334.84. Income - \$18,893.79, Expenses - \$84,640.78. Money Market – \$210,022.91. CD - \$54,327.00. Special Revenue 4, 5, & 7¢ Gas Tax – Income \$362.79 – Balance \$11,979.11.

**6. Deputy Smith**

Reported – 2 arrests off traffic stops - 143 Traffic Stops – 47 Citations – 61 Written Warnings – 35 Verbal Warnings

**7. Public Comment**

No comment

**8. Discussion - Resolution – 2017 Severe Weather Preparedness Tax Holiday**

Mayor Underwood informed the council that the town has adopted this resolution in the past. Certain items for severe weather preparedness are tax exempt and will be held the last weekend in February 2017.

**9. Discussion – Resolution – Donating Funds to the Magnolia Springs Fire Department**

Councilmember May asked about donating to any organizations. Councilmember Holk stated there is a code that allows municipalities to donate to public organizations. Legal counsel added that it's different than donating to an organization like the Red Cross.

**10. Discussion – Change Meeting Dates in November and December**

Mayor Underwood said that the regular meeting in November falls on November 22<sup>nd</sup> the week of Thanksgiving and it would be moved to November 15<sup>th</sup>. In December the workshop is on December 13<sup>th</sup> and the regular meeting is on December 27<sup>th</sup>. In the past we have moved the December meetings up a week, so workshop would be December 6<sup>th</sup> and the regular meeting December 13<sup>th</sup>. This seemed to be agreeable with the council.

**11. Committee Reports**

- a. **Finance & Audit** – no report
- b. **Public Works & Safety** – Councilmember Holk said the committee discussed the street repair and stump removal by the silo house.
- c. **Public Lands** – Councilmember Dykema stated that he met with Harold Sherman about the ladders at the piers. Mayor Underwood said that he has been in contact with someone about doing the clearing at Magnolia Landing when the weather gets a little cooler.
- d. **Tree & Streetscape** – Mayor Underwood said that the trees are in the process of being trimmed.
- e. **Planning Commission** – no report
- f. **Historic Preservation Commission** – Mayor Underwood reported that the kiosk is still being worked on.

Councilmember Holk said that the Library Board made a recommendation for a board member and we need to take it up at the next meeting. The clerk will prepare the resolution for appointment.

**Motion by Councilmember May, 2<sup>nd</sup> by Councilmember Esslinger to adjourn the workshop. All in favor. Motion carried.**


**Council, Legal Counsel and Staff Comment**

Legal counsel Brad Hicks suggested the council go into executive session.

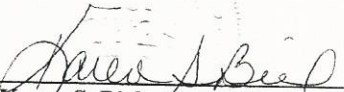
**Motion was made by Councilmember May, 2<sup>nd</sup> by Councilmember Esslinger to go into executive session to discuss with the town attorney the legal ramifications of and legal options for pending litigation. Brad Hicks stated that he is an attorney licensed to practice law in the Alabama and this exception, Section 36-25A-7(a)(3) is applicable to the planned discussion. Roll call vote: Councilmember Johnson – Yea, Councilmember May – Yea, Mayor Underwood – Yea, Councilmember Holk, Yea, Councilmember Esslinger-Yea and Councilmember Dykema– Yea. Councilmember Holk recused himself from the executive session. Mayor Underwood stated that the Council will reconvene after the executive session into a Special Council Meeting.**

Meeting ended at 5:18 pm

Approved this the 15<sup>th</sup> day of November, 2016

  
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**Bob Holk – Mayor**

**ATTEST:**

  
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**Karen S. Biel – Town Clerk**