

Minutes of the Westover Town Council August 1, 2006

The regular meeting of the Mayor and Council of the Town of Westover, Alabama is held in the Town of Westover, Town Hall in Westover, Alabama at 7:00 p.m. on August 1, 2006, at the regular place for such regular sessions.

Upon roll call, the Mayor declares a Quorum present and the regular session open for transaction of business.

In attendance are: Councilmembers Jeanne Champion Fisch, Larry Riggins, Susan Strickland, Annette Tyler, and Mayor Mark McLaughlin

ABSENT: Ed Bahr

Invocation: Councilmember Annette Tyler, with Mayor McLaughlin leading the Pledge of Allegiance.

COMMUNICATIONS

Mayor McLaughlin reads the council's disclaimer:

The Town Council of Westover thanks you for attending tonight's meeting and would like to remind everyone the following:

Anyone desiring to be on the agenda will notify the Mayor no later than ten business days prior to the following scheduled meeting. All guests are limited to three minutes unless extended by a majority of the Council. All guest speakers will speak only to the subject scheduled on the agenda. Any questions or clarifications will be addressed to the Mayor and the ruling of the Mayor will be final. Again, thank you for attending and your understanding, patience and cooperation. We look forward to a productive meeting.

The Mayor announces the following:

Appreciates the patience of everyone while the town park is under construction.

Recognizes Mr. Mark Strickland who is the town's webmaster and thanks him for his work.

Use the town's voicemail, 205 678-3375

MINUTES OF PREVIOUS MEETING

The Mayor presents the minutes from the July 18, 2006, regular meeting of the council. Councilmember Riggins moves to accept minutes as presented, and

Councilmember Tyler seconds motion. Being no discussion, the vote is taken and Mayor McLaughlin declares motion passing with a majority vote.

The vote is as follows:

YEAS: Champion Fisch, Riggins, Strickland, Tyler, and McLaughlin

NAYS: None

ABSENT: Bahr

FINANCE REPORT

Clerk Jones-No report

Reports of Standing Committees

ANNEXATION AND DEVELOPMENT -Councilmember Riggins-No report tonight.

PUBLIC SAFETY - Councilmember Strickland-No report

EDUCATION AND PUBLIC RELATIONS - Councilmember Tyler-

Education-October 4, 2006, at the Birmingham Marriott Hotel will be a class for Certification of Municipal Officers.

Public Relations-August 3, 2006, will be the South Shelby County Chamber of Commerce luncheon

Senior Program- August 9, 2006, at 10 a.m. at the town hall will be the next meeting, The theme will be "Remembering Our School Days", and Ms. Becky Brasher from the Harrison Regional Library will present the program.

August 17th will be Coffee with the Mayor at Harpersville, AL., at the City Hall at 7:30 a.m.

Shelby County Fair will be Sept 18-23,

SUBDIVISION AND ZONING - Councilmember Champion Fisch-
Chelsea Square has 3 lots being cleared, 2 houses completed and one being built.

Carden Crest has 2 houses sold, 5 for sale, and 5 under construction.

PUBLIC WORKS - Councilmember Bahr-Absent.

REPORTS OF SPECIAL COMMITTEES

Parks and Recreation: Councilmember Bahr-Absent.

REPORTS OF OFFICERS

GUSC

Chair, Mr. Larry Riggins-No report

PLANNING COMMISSION

Chair Michael Sampsell- Absent

HISTORICAL AND BEAUTIFICATION BOARD

Historical Commission- Councilmember Tyler-Shelby County Historical Society will hold their quarterly meeting August 6th, at 2p.m. at the old courthouse in Columbiana.

Beautification- Board Meeting will be August 5th at 10a.m.

TOWN ATTORNEY

Mr. Bill Justice-No report.

ZONING BOARD OF ADJUSTMENT

Board Chair Roberta Stamp- On Thursday, July 27th there was a called meeting to hear a setback application for 14 lots in Chelsea Square. These lots of record were approved.

Old Business:

Motion to research and assign charges for town documents, copying and research fees is being held over due to research being done on this subject.

Councilmember Riggins move to amend the 2006 budget by increasing the fees for attorney fees to \$12,000 from \$2000.00. A second is given by Councilmember Champion Fisch.

Discussion -Councilmember Strickland asks to see the billing from the attorney that justifies amending the budget by \$10,000.00

Councilmember Riggins asks if the town owes for services rendered. Due to services rendered for funding to the fire department, annexations, subdivision approvals, and other duties, the attorney fees are more than anticipated. This is to increase the budgeted line item for the attorney fees.

Being no further discussion the mayor asks for a roll call vote.

The vote is as follows:

YEAS: Champion Fisch, Riggins, Tyler, and McLaughlin

NAYS: Strickland

ABSENT: Bahr

New Business:

Councilmember Strickland moves for the mayor and clerk to present to the council an itemized list of work performed by the town attorney and copies of all invoices justifying that an adjustment needs to be made to line item #8030 Attorney Fees on the budget. And justification documentation for any future adjustments for any line item on the budget be presented to the council for review before any adjustments are made.

Motion fails due to lack of second.

Councilmember Strickland moves "Motion concerning adjustments to the budget. No adjustments will be made to the budget until the following items have been recompleted as per Section 11-43-84 of the Code of Alabama. Section 11-43-84 requiring of reports by municipal officers, statement to council of financial condition of municipality. The mayor shall require reports to be made to him by any officer of the city or town at such times as he may direct or as may be prescribed by the council, and

shall, at least once in every six months, make a statement to the council in writing of the financial condition of the town or city, showing particularly all temporary floating indebtedness and for what created and the steps he proposes to take for the protection of the credit of the city or town.”

Motion fails due to lack of second.

Councilmember Strickland moves for the council to require the planning commission to review the comprehensive plan of Westover, have at the very least three public (well advertised) meetings for public input, paying close attention to the issue of zoning of subdivisions greater than five lots and Planned Unit Developments and make the necessary changes needed for the plan to be in accordance with the growth of Westover. The changes will need to be presented to the council for a vote for acceptance.

A second is offered by Councilmember Champion Fisch.

Councilmember Riggins asks what prompts the request for changes. Councilmember Strickland states that a statement was made at the planning commission, by Chair Michael Sampsell, that changes are needed. Riggins states the normal changes have been made through ordinances and public hearings. Discussion follows. Councilmember Riggins states we should look into possible funding on this project.

Being no further discussion and the question is called and a vote is taken.

The vote is:

Yeas: 1

Nays: 4

Councilmember Strickland moves that a moratorium be placed on issuing building permits for 6 months or until the comprehensive plan has been updated whichever comes first, on any subdivisions or Planned Unit Developments larger than 5 lots.

Motion fails due to lack of second.

READING OF PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, COMMUNICATIONS, ETC.

Dr. Roswell Pfister

623 Asland Forest

Harpersville, AL 35078

Speaks on facts regarding traffic considerations as they relate to the town.

Mr. Kevin Vernazza

Absent

Mr. David Woolley

310 Country Manor Drive
Sterrett, AL 35147
Clear cutting and removal of buffers

Mr. James Blackburn
151 Country Manor Drive
Sterrett, AL 35147
Inadequate water supply for additional developments on the Westover or Shelby
County Water Systems.

Jo Fish
Absent

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

ORDINANCE

Clerk Jones reads into the minutes for the second reading proposed ordinance number 2006-07-18-104, for Pembroke Village, a planned unit development.

Councilmember Riggins moves to adopt an ordinance as recommended by the town's planning commission to conditionally rezone certain herein described properties within districts zoned agricultural preserve and/or transition as a planned unit development overlay district upon certain terms and conditions.

Councilmember Tyler seconds motion.

Councilmember Strickland asks if all necessary permits, traffic study, and letter of approval from the Westover Water Board have been obtained to present to the council. The mayor states that all will need to be obtained before final approval is obtained.

Being no further discussion a roll call vote is taken. The vote is as follows:

YEAS: Champion Fisch, Riggins, Tyler, and McLaughlin

NAYS: Strickland

ABSENT: Bahr

Mayor McLaughlin reads to the council the written resignation of Councilmember Ed Bahr from the Westover Town Council effective August 1, 2006.

Councilmember Riggins moves and Councilmember Tyler seconds a motion to declare a vacancy effective August 1, 2006, from the Westover Town Council. A voice vote is taken, and after the vote the mayor declares the motion passing with unanimous vote.

COUNCIL COMMENTS

Councilmember Tyler asks at what time Chairman Michael Sampsell made the statement about changes being made to the Comprehensive Plan. Councilmember Strickland states it was during the Planning Commission meeting.

Councilmember Tyler questions why the Westover Water Board is giving conflicting information to the town representatives compared to what is being given to others who ask.

Councilmember Strickland with a second by Councilmember Tyler moves to adjourn. The motion is put to a vote and motion carries with unanimous vote. The mayor declares council adjourned.

Submitted by,

Town Clerk

Mayor, Mark McLaughlin