

**CITY OF SPRINGVILLE
CITY COUNCIL
REGULAR MEETING
October 7, 2013 6:00 p.m.**

ROLL CALL:

Present: Members: David Jones, Hugh Marlin, Herbert Toles, Chip Martin, Wayne Tucker, Katrina Hennings, Larry Jones, Mayor William Isley

Absent: None

Public Hearing – Nuisance Abatement

Mayor William Isley stated that a public hearing would be conducted regarding the abatement of weed nuisances on Lots 20, 22, 47, 48, and the entrance to MacDonald Farms subdivision owned by MacDonald Farm LLC. A representative for Guy Martin, principal for MacDonald Farm LLC said that Mr. Martin was unable to attend the meeting due to a prior commitment.

Building Inspector Jennifer Disker reported that notification of the declaration of weed nuisances on the lots was delivered to Mr. Martin on September 19, 2013 and that Mr. Martin had not contacted her or made any abatement of the nuisances. Tammy Miller, 339 MacDonald Lake Road, asked the council for assistance in clearing the lots.

City Attorney James Hill stated the property owner had furnished the Council with a written response related to this issue, a copy of which was provided to each councilor and the Mayor. A copy of which is attached to these Minutes. Mr. Hill stated the property owner's response was to be considered when the Council was deliberating any action on this property.

The public hearing was closed at 6:22 p.m.

Mayor William Isley called the regular meeting to order and gave the invocation. David Jones led the Pledge of Allegiance.

Executive Session

David Jones made a motion to enter into executive session. Katrina Hennings seconded the motion. A roll call vote was taken with result as follows: Toles-aye, Marlin-aye, Tucker-aye, Isley-aye, Hennings-aye, Martin-aye, D. Jones-aye, L. Jones-aye. Motion carried. (6:22 p.m.)

City Attorney James Hill stated that the purpose of the executive session was to discuss pending litigation, threatened litigation and/or proposed actions that were eminently likely to lead to future litigation. Mr. Hill stated the council would be in executive session for approximately fifteen minutes and that the council expected to take action at the conclusion of the executive session.

The council reconvened in regular session at 6:57 p.m.

Hugh Marlin – MacDonald Farm Streets

Hugh Marlin asked James Hill to report on his investigation into legal options regarding the streets in MacDonald Farm subdivision.

James Hill stated that the situation with MacDonald Farm was unique in that the developer had not discharged his duties in bankruptcy or otherwise related to the subdivision and the City's Regulations and that the Financial Guarantee of Performance was not kept in place as the developer had allowed the same to lapse. After discussion, Hugh Marlin made a motion to authorize James Hill to file an action against MacDonald Farm, LLC seeking an Order from the Court requiring MacDonald Farm, LLC to comply with the Subdivision Regulations by providing a Financial Guarantee of Completion of

the Improvements therein or by otherwise complying with the Subdivision Regulations; Herbert Toles seconded the motion. All voted aye.

Abatement of Weed Nuisances in MacDonald Farm

David Jones made a motion to adopt Resolution 2013-32 declaring as a public nuisance the overgrowth on Lots 20, 22, 47, and 48 and the entrance to MacDonald Farm subdivision and authorizing city officials to said nuisances at the lowest provided estimates. Chip Martin seconded the motion. All voted aye.

Olivia Hutto – Turn Springville Pink

Olivia Hutto asked the council to support “Turn Springville Pink” to be held on October 18 to support breast cancer research by purchasing t-shirts and ribbons.

Minutes of September 16 Regular Meeting and September 30, 2013 Special Called Meeting

Chip Martin made a motion to approve the minutes of the September 16, 2013 regular meeting and September 30 special called meeting. Herbert Toles seconded the motion. All voted aye.

Mayor’s Report

Mayor William Isley said that he would meet Tuesday with ALDOT officials regarding supplemental funding for the Walker Drive project.

Betty Wisner, Lauri Jones, Richard Harvey, and Bill Lyle gave department reports.

Mayor William Isley asked council members to attend the St. Clair County Mayors Association meeting in Ragland on October 8.

With no further business to come before the council, David Jones made a motion to adjourn. Wayne Tucker seconded the motion. All voted aye.

Attest:

City Clerk

Mayor