

PLANNING COMMITTEE

Rev. Chambers states the board has no business but he does have a gentleman that has questions that will be heard at the next meeting about a travel trailer in the yard and will be addressed according to the ordinance.

ZONING BOARD OF ADJUSTMENTS

No business

PARKS AND RECREATION

Councilman Howell states he was not able to get in touch with someone and that soccer league starts soon.

UTILITIES AND SENIOR CITIZEN

Councilwoman Moss states they are still having trouble with the Ice machine. Councilman Howell states he has talk to someone and that the only problem is the thermostat at the sail center.

FINANCE

No business

POLICE AND FIRE

Chief Reeves states that Creola is a 7/9 and what that means is if you live 2 miles from a fire station or within 1000 feet of a fire plug you get a 7 and if you do not meet that criteria you get a 9. Saraland is a 4. A question was asked if the annexation was to happen would we have a 4 or a 7. We would stay a 7 until Saraland asked for another ISO inspection because even though you become part of the city, ISO does not take its word it has to do an inspection. If you look on this page it says ISO community outreach program in the third paragraph, gives an example. It says for a new inspection a significant change includes annexation, or changes in the boundaries of the fire district. Chief states that he spoke with ISO directly. Chief Reeves states that they are finishing up the last two blocks of fire 1 and once this is complete all of the fire fighter will be state certified fire fighters and the goal is to have it complete by the end of this year. We have roughly 23 fire fighters. Chief Reeves also clarifies about a fire they had a three weeks ago over by the Jackson Road area, there is talk of miscommunication. When the call came to them, there was a fire on James Road, the fire was actually on Jackson Road on the south side and this area is Satsuma. They dispatched to the fire of where it was and called the dispatch in the county and advised them that it was Satsuma because of jurisdiction. This is their policy and there was talk that they called for backup to put out the fire and that is not the case. However, if your house catches on fire and they call 10 fire trucks to your house do you care as long as it is put out? When Chief Reeves calls for mutual aid from another department it is for the safety of the fire fighters. Chief Reeves states he has a big issue with the face book thing and if you have a question about the fire department he is the fire chief, to call him and he will answer it. Chief states he knows it is freedom of speech but it has turned from a tool to a nuisance. Chief states he has stayed neutral but when you speak about fire department you're talking about his brothers and sister on the team and they are trained and work hard and he does not appreciate anybody short changing them. Chief Reeve's states that a paid fireman would be better for the community but without volunteers, and only having 3 on duty, you still run the risk of not having enough firemen to respond and don't put his fire fighters down for their expense to prove a point. Chief Reeves stated that his firefighters are highly trained and certified and he would put

them in range with any paid fireman and that his firefighters do what they do because they love this community, not because they are paid.

Councilman Ivy made a motion to accept William Brown resignation in good standing.
Councilwoman Moss second, all favored, none opposed, motion carried.

Councilman Ivy made motion to accept Matthew Rockhold resignation in good standing.
Councilman Heathcoe second, all favored, none opposed, motion carried.

Chief Taylor states that he hates to lose them but they're both fine gentleman. Chief Taylor states that if anyone has any question about the police department that he is here almost every day to speak with. Chief Taylor states that the face book stuff is destroying the town; he states that he has refrained from falling into the gossip, but he draws the line when his department is belittled by citizens that don't know anything about the department just to make a point. Whether the city merges or not, the same amount of officers are on duty and his officers, just as the fire chief stated his officers are highly trained and qualified and very respectable. Chief Taylor stated that he doesn't appreciate the negative comments and nor the lies spread about the lacking of the officers in the community.

STREETS

Mayor states that Tuesday, September 17 at 11:00am the Alabama Forestry tree people will be making the presentation at the Oak tree near the railroad tracks.

Mayor will be calling a special council meeting next Tuesday, September 17 at 7:00pm held at the senior building for council to vote on the merger agreement with Saraland. Mayor asked Kim to post notice.

Mayor states that the engineers will be meeting at the senior building at 6:00pm to discuss the paving projects.

ADDITIONAL NOTES

Mayor reads the merger agreement between Creola and Saraland verbatim.

*Mayor asked Ms. Ashley Gunner to share what Mr. Black (over zoning) and Attorney Andy Rueten (atty Saraland) spoke on mobile home parks. That if the annexation takes place, Saraland would come to verify what Creola has. No new additions can be made to the park which is the same rule for Creola. The inspector told Ms. Gunner that they are not coming up telling everyone they have to clean up or they write you a ticket. They will come in and look to make sure it is labeled what it is supposed to be. You can't bring in outdated trailers; you have to have a modular home.

*Mr. Loden states what a catastrophic failure is for your septic tank. It is the walls, the closing or the box itself. It is not mute pipe lines or having to pump the tank.

*Councilman Howell states maintenance that replacing lines is maintenance not failure.

Mayor states that 1/3 of Saraland is on septic tanks now. A citizen stated that those that have septic tanks but have sewer available are required to pay an availability fee whether they tie in or not.

Mayor states that he asks Chief West and Dr. Rubinstein how many police officer, they state a minimum of 10 officers. A citizen stated that the committee says 2 to 3 officers and up to 10

only if necessary. 10 officers were not guaranteed to be on duty at all times, Saraland doesn't even have 10 officers on duty at one time.

Mayor explains the merger and the school system that if you live outside city limits but inside the police jurisdiction you are not residents of the city and do not have the option to attend the Saraland school system, you would still have to pay tuition. It was stated that no one knows where the jurisdictional lines will be if Saraland takes over.

Mayor addresses the face book issue about which children would attend the Saraland School. Mayor states that he spoke with Mr. Silvers with Saraland Board of Education and his reply was:

1. The Saraland school board not the city council of Saraland sets the district lines.
2. No resident that lives on Kali Oka Road that is within the city limits of Saraland pays tuition to attend Saraland city schools.
3. No school board member acknowledges talking with the face book person.
4. No part of Creola that is within the city limits of Creola will be excluded or have there been any discussion to exclude and any portion of the city limits of Creola. This is total hogwash.
5. No part of Radcliff Road was excluded from attending Saraland city schools that was within the city limits of Saraland.
6. Nonresident students, who live outside the city limits of Saraland, and are accepted into the Saraland city school system on a tuition based fee must maintain acceptable grades, have a good attendance record and no disciplinary actions. This policy is included in our board policy manual and is made known to parents who apply for nonresident status.

Several citizens spoke stating that they have family members that have Saraland addresses that are not allowed to attend Saraland schools and can verify. The children are in county jurisdiction and also they pay Saraland taxes, they have to pay tuition to attend Saraland schools.

Mayor applauds what Chief Reeves said and he appreciates it. Mayor states he is sadden that somebody would demean our departments. Mayor states that you can go after him but do not go after his employees don't go after his fire department or police department. If you go after them, then he will answer the questions. That's why he is the Mayor, the buck stops here. He loves every one of you but this is going to have to cease.

Mayor states Tuesday, September 17 at 7:00pm at the senior building a special council meeting for the council to vote on this issue.

Mayor asked Jimmy if he has any questions about what's going on at Sailor Road. Mr. Norred stated that the noise from the grinder is disturbing his horses and other neighbors. Mayor states he spoke with them tonight and Mayor states he told them it is not a chipping yard and a letter was sent after the last council meeting for him to grid that stuff up and get it out of there. Mayor states that another letter will be sent that there will not be any more chipping operations. Mayor states he has spoken to legal counsel. Mr. Jimmy Norred wants to make aware that he is the one that made the complaint and he said I was lying. Mr. Norred states that the noise is loud and it sounds like a vehicle sitting right outside his window. Mayor states that the city does not have a noise ordinance but the city does have a nuisance ordinance. Mayor states that the letter sent was in regards to the nuisance ordinance. Mayor states he is going to look at the zoning book. Mayor states that the zoning board meets at 6:00pm on Tuesday the 17th.

Mayor address Mr. Enzor about bringing in his 15 feet of road to be accepted by the city and this is a council decision. Mr. Enzor states that he has been waiting and so far all he has got is a yea and a no. He spoke with one council member that said they would talk to the other council members and he spoke to another council member and they did not know anything about it. Somebody is not telling somebody something. All he wants to know is if the city is going to take his road in and it should not take 3 months to do it.

John Loden states that his understanding is that next Tuesday, the council will vote in favor of letting the people individually go to the polls and vote to let them make a decision about the issue or the 6 much more intelligent and wiser representatives will make the decision for them.

A citizen asked Mr. Loden if he was calling the citizens stupid, there was no answer given. Several outbursts came about from Mr. Loden's comments.

Mayor pounds the gavel and states that everyone is going to be respectful and at the next special meeting will be called at 7:00pm at the senior center and the council at that time will vote, 6 members and the majority will decide whether the citizens will be allowed to vote on the agreement. Mayor stated that if the council votes it down, the issue is dead. No annexation will be pushed.

A citizen asked if Saraland was going to get to vote or does this agreement need to be voted on or accepted by the city of Saraland first, council stated that Saraland citizens will not get a chance to vote and the council will possibly accept agreement after Creola votes.

Mrs. Bonnie asked question about the Saraland land use development ordinances, Bonnie stated that there is a long process for any requests made to the Saraland board. Bonnie stated that there are several differences and requirements within the Saraland code that will affect a lot of Creola citizens and everything is not covered in the 8 page merger. How do the citizens know that they are protected if all issues are not covered in detail? Mayor told Bonnie that there isn't much difference in zoning ordinances and that if you are rezoning or subdividing property, the same rules should apply and he asked if he had answered her question. Mayor said that a merger of cities and annexation of property is two different issues. Bonnie said no, he had not and Bonnie said there are citizens that moved to Creola from Saraland in order to be allowed to live in in their mobile homes, what is different, how do the citizens know that they will not be forced to move. She is concerned that there are no guarantees. Johnny Lane said the Saraland code was laid out and not vague. Mayor told Bonnie that Andy Rueten, Saraland attorney, has researched the zoning issue more than Johnny Lane has and he is sure that all issues are covered.

Ashley Gunther stated that she spoke with Saraland attorney and she stated that use of land or discontinued of use of land means changing the use and that unless ownership is transferred or something the parks should be allowed to operate. She said there had to be a period of over 6 months where no revenue is received from park before anything would be required to happen. Bonnie said the Citronelle call stated that a mobile home park cannot be zoned a mobile home park in Saraland, Johnny said that they went over that and it can be zoned. Bonnie said why that can be changed so there are no problems down the road, he said because the agreement has been signed.

Kenny Walker asked if he owns a mobile home park, can he continue to operate it, Johnny said yes, Bonnie said the newspaper says differently. Mayor says that anything built before 1975 is called a trailer and after 1975 is a manufactured home and there are several manufactured homes in Creola. You can upgrade in Creola and Saraland to a better home.

A citizen stated that in a previous meeting that the council stated they would be getting an opinion on allowing Creola children to attend Satsuma schools; the citizen asked if the Creola lawyer was able to research it. Johnny Lane says there are only 2 types of school systems in the state of Alabama; it's a county schools system and a city, not cities. Citizen said that things are amended all the time, why can't the city pursue this option further before they jump feet first in with Saraland if this is only about the children.

Councilwoman Moss stated that she would like to present a resolution that would allow the city to continue to research options with Satsuma. The mayor stated that he will not open the floor to talk about a resolution, and that he doesn't appreciate being given information a few minutes before the council meeting and wanting it presented. Councilwoman Moss stated that it was done quite often by the Mayor and she did not realize that it was a problem. She asked could she present the resolution for discussion, the mayor called her out of order and pounded the gavel. 2 previous councilmembers and Councilmen Heathcoe and Ivy stated that the mayor has always given them info to vote on right before and sometimes during a meeting. Kenny Walker stated that the mayor was not being fair and that the council and city could at least hear the resolution. Mayor Nelson stated that he is the Mayor and the buck stops there and they will not be entertaining a resolution about Satsuma schools or negotiating with them until he has time to look into it. A citizen stated that he had the opportunity to do so and had not because he had given all his attention to Saraland. Mayor continued to call Councilwoman Moss out of order and pounded the gavel. Councilwoman Moss said the League of Municipalities stated that the city can in fact seek a resolution in reference to Satsuma and the schools.

Tim Ryals asked who will be allowed to vote, he was assured all registered voters can vote on the annexation. Carol Heathcoe asked if the finances for Saraland were studied and how does Creola know that the schools can accommodate our children. Carol Heathcoe stated that without Saraland districting, how the citizens will get proper representation, she asked who chooses which councilmember to serve throughout the next 3 years. Council states that it will be voted on by the council. Carol Heathcoe stated that the same thing should have been done with the annexation committee. She also stated that a corporate lawyer told her that an agreement to dissolve a city should be more than 8 simple double spaced pages. Mayor said that, No they had not negotiated with Saraland Schools at all and they were completely separate issues. A citizen said that if it's about the children and the schools, why it wasn't negotiated.

Mrs. Heathcoe said that according to the Alabama code, in an annexation there should be districts, will there be districts, mayor states No, No, and there will be no districting. Mrs. Heathcoe said so Creola will not have representation. Mayor asked what else she had to ask.

Sybil Chamber stated that all of this should have been about the children; she stated that the children and the issue of the schools is becoming a financial gain for prominent citizens. She stated that it is amazing that the committee doesn't even know what the school can even offer or

accommodate but we are negotiating a merger for the "schools". Johnny Lane said that it is about the kids, but the merger has to be in place in order for anything to happen. Sybil Chambers said if it's not about the children what is it about. The changes in zoning and certain rules may have a negative effect on other citizens.

Mr. Fischer asked how many school kids were involved, stated that he had asked this question many times and not gotten an answer. Becky Smith stated that she thinks it's about 300 kids. Mayor said its about 1900 to 2000 citizens. Mr. Fisher said so we are annexing for 300 kids that may or may not be in the area in 10 years but by then we may be stuck with Saraland. Councilwoman Moss responded that she would like to have other options just in case that is why she is speaking to Satsuma; Mayor called her out of order and asked her not to talk when others are talking.

A citizen said, that earlier that Mr. Loden stated that 6 more intelligent people would make a decision if the council couldn't; she said there are 5 councilmembers and a mayor, can he vote? The mayor said with a city of that size, he can vote. She said she thought his vote only counted if he was a tie breaker. The mayor said if it ties, it doesn't matter, the issue is dead. He said the vote will have to be 4 to 2 in favor to pass.

Steven Myers said he had a question for Mr. Loden, Mayor says no, he cannot address Mr. Loden he can address the mayor, he says all questions need to be directed to him. Mayor said go ahead and ask your question, Steven said he was trying to but the Mayor won't hush. Steven asked if there is a problem at the Saraland Schools with overcrowding. Mayor said there was an article in the paper that talks about the Saraland Schools system and a lot of y'all probably saw it. He said he had the privilege of talking to a teacher at the elementary and middle schools and back in the article it talks about the brand new elementary school and they already have provisions for a new wing to be added for this type of situation, and there are 20 to 25 students right now per classroom, he states that is what he was cited. He asked Mr. Loden to add any information that he had. Mr. Loden states that he had several conversations with the leader of the school board and he said that "Yes, the schools are at the backs, full but they have standing plans ready to go for wings and the children will not be in portables if this happens, he said they will grow and have plans to grow if necessary. Mr. Myers asked when additions would be started. Kenny Walker stated that he is sure the citizens in Creola would like to know how many kids are involved, is there anything in writing. One person told him there were 66 kids attending Satsuma from Creola, someone says 100 and then tonight he hears 300, can they have something in writing. Mayor said he will answer a few more questions. He asked his mother in law if she needed to speak. She said No.

Mr. Smith asked if the land owners needed to be notified for annexation, he said it's in code 11-42-1. Mayor and Johnny Lane said no, they do not have to notify individually. Mayor asked Mr. Lane if he had read that code, Mr. Lane said he isn't familiar with that portion but he believes that is for annexation, this is a merger. Councilwoman Moss stated that according to the code 60% of the land owners consent must be attained and verified in probate according to Alabama League. Mr. Lane said this is a merger, Councilwoman Moss says this is annexation.

Bonnie said she had another question, Mayor said this will be her last question, Bonnie asked that he not limit her, her property is at stake. Bonnie asked will there be any type of office or annex in Creola to take care of regular business, and pays fees. Mayor said yes everything will go through Saraland for all business.

Mrs. Heathcoe stated that an attorney told here the fate of the city could not have fairly been decided in 3 hours and 8 pages, all issues are not covered and that he could fill Mobile Bay with the merger agreement because that is what it's worth. She said it is 8 pages, double spaced, garbage, and it is a blatant attempt to steer people to vote as if their rights were covered. Ms. Stewart asked what about the dogs in Creola running loose, mayor stated that Saraland has a dog catcher. Ms. Stewart said what do we have now, and wanted to know can she shoot the dogs.

Councilwoman Moss said the citizens of Creola will be allowed to vote if it gets to that point. The mayor said he will be happy with whichever decisions that are made after the vote. Councilwoman Moss asked could the annexation happen without the council, mayor said No. Mayor said he will put another rumor to rest, it was alleged that he went to Montgomery to circumvent the annexation, he states the last time he went to Montgomery was a couple of years ago, he said he went toward Montgomery to the hunting camp. He said that it was another face book rumor.

Mr. Boucher said could the mayor define grandfathering, he said that the mayor stated that all Creola current conditions with livestock etc. would be grandfathered in, he needs a definition. Mr. Lane explained the meaning, he said that grandfathering is over if ownership transferred. The citizen said that means it's not forever as stated earlier. He said you can have horses in Saraland, you can have anything but pigs just like in Creola. Mr. Lane said he had to prosecute someone for pigs in Creola, Ms. Stewart said she had plenty of pigs or wild hogs.

Ms. Lowe explained about property that she owned in Saraland, and that her daughter lives on the property and her grandchild is not allowed to go to Saraland schools. How is this any different from annexing into Saraland if their current residents aren't taken care of now? Mayor said her property is probably in the jurisdiction not city limits. She states that she pays her money to Saraland for building and any other issues she has on the property but still cannot use schools. If the annexation happens, how do citizens know that they will be in the district? The citizen said that she has a Saraland address and cannot go to the schools. Mayor interrupted and said any child in the city limits of Creola will be able to attend Saraland Schools if the merger happens. She asked was her property in Creola now, mayor said he doesn't know. Kenny Walker said that her property was annexed by state legislature and told the mayor that she wasn't notified so that is why she is asking if she is in the city limits. Mayor said if she wanted to know if she was in the city limits she needed to come up and look on the map.

Adjournment

Councilman Ivy made a motion to adjourn the meeting.

Councilwoman Heathcoe seconded, all favored, none opposed, motion carried.