



**CITY OF CREOLA**  
**P O BOX 490**  
**CREOLA, AL 36525**  
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**William R. Criswell** **Leanne Greene** **Harold Martin** **Ralph Walker** **Tonya Moss** **Kendal Hadaway**  
**Mayor** **Place 1** **Place 2** **Place 3** **Place 4** **Place 5**

**Carolyn Sue Cain** **Linda Hoiles** **Doug Kirkland** **Jeff Reeves**  
**City Clerk** **Court Clerk** **Chief of Police** **Fire Chief**

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Minutes of the City of Creola City Council Meeting  
Thursday, August 23, 2018 6PM  
Creola City Hall  
9615 Old Hwy. 43, Creola, AL  
Workshop: 5:30PM

Mayor Criswell called the meeting to order.  
Pastor Al Moore gave the Invocation.  
Pledge of Allegiance

Proclamation- Kevin Allen- Site Manager & President with Lenzing Fibers since July 4, 1981.  
Councilwoman Tonya Moss read Kevin Allen's Bio. Councilwoman Leanne Greene read the Proclamation. Kevin Allen thanked Mayor Criswell and the council.

Upon the call of roll, the following were found to be present  
Councilwoman Greene  
Councilman Martin  
Councilman Walker  
Councilwoman Moss  
Councilman Hadaway  
Mayor Criswell  
City Attorney –Mr. Danny Mims  
City Clerk-Carolyn Sue Cain

Councilwoman Moss made a motion to accept the minutes of 08/09/2018 meeting.  
Councilman Walker seconded, all favored, none opposed, motion carried.

#### **CITIZENS ADDRESSING THE COUNCIL**

Mr. Charles Maples, citizen, states there is a drainage grate on Bentley Rd., that has been out of commission for four months and a traffic barrel for three months. Mr. Charles Maples would like to know if there is anything that he can do to help. Mayor Criswell states that it will be the first of September before Wayne Miller with the Public Works department can complete the job, we still have materials coming in.

Mr. Charles Maples would like to know if there is a solution on the Mobile Home Park. Mayor Criswell states that we have a solution. Mayor Criswell states they have submitted drawings on manufactured homes. Mayor Criswell states they're putting in new water, all of it will go on sewer so they will be doing away with 80 septic tanks.

Rhonda Lowe, VFW-7320 Saraland, states the VFW- 7320 in Saraland will be having a Family Day for Creola, Satsuma, Saraland and Chickasaw's 1<sup>st</sup> responders, police department and every member of the council on September 7<sup>th</sup>, 2018 from 11am until 5pm. Mrs. Lowe states there will things for the kids.

Mr. Buddy Lowe, citizen, would like to know about the property that is for sale behind his residence. Mayor Criswell states Chopper Stagner has come before the Zoning board and did some preliminary discussion about building six houses on Hardy Drive.

## **RESOLUTIONS, ORDINANCES AND OTHER BUSINESS**

Mayor Criswell states we are restructuring the court. There were 558 cases last court meeting. The council is looking into updating the court with new software to handle cases. The council took Mrs. Christie and Mrs. Linda Hoiles together as court. Mrs. Christie also helped the City Clerk part time.

Mayor Criswell states that Laura Rawlins was hired as the contact for the Public Works department. Mrs. Rawlins helps the City Clerk with typing up the minutes and other things that we do in the council. Mayor Criswell would like to create a position for Assistant City Clerk. Under the Personnel Board, Mrs. Rawlins is listed as Office Assistant. Mayor Criswell would like to change her title to Assistant City Clerk. Mayor Criswell needs approval by the council for Mayor Criswell to go to the Personnel Board to have the position established for the city. Mayor Criswell would like for a recommendation from the council.

Councilwoman Moss made a motion for Mayor Criswell to go before the Personnel Board to ask for the opening of Assistant City Clerk.

Councilwoman Greene second, all favored, none opposed, motion carried.

Mayor Criswell states the city has a request for a business license for Lil Bourbon Sports Bar. Mayor Criswell directs the comments to the city attorney.

Danny Mims, city attorney, states he doesn't think it's quite ready to be acted on this evening. Mr. Mims states that he needs additional information from the police department and the Planning and Zoning officer. Mr. Mims states the council need the identities of other owners and employees in the business. The city attorney, Danny Mims, recommends to Mayor Criswell for the council and city to do its due diligence and for the applicant to be able to get the information that is needed. That the council consider tabling this for thirty days and that we do a notice of a Public Hearing to proceed the council approximately thirty days from August 23, 2018 and allow the public to have time to comment.

Councilman Walker made a motion to ask for the thirty days

Councilwoman Moss second, all favored, none opposed, motion carried.

Mayor Criswell ask Councilwoman Greene to give us an update on Municode and what Municode is. Councilwoman Greene states that Municode takes our ordinances and organizes them. The city

attorney, Danny Mims states if anyone ask what the tax is on such an such, Mr. Mims must start with the first ordinance that was ever created by the City of Creola and go to the end to determine whether that ordinance has been amended. They are only organized by ordinance number not by the topic. Municode will condense all these ordinances, take the amendments to the ordinances, reclassify and rename them and put them in a manor where we can actually look in a index and say what is the specific tax. The ordinances will be posted on the internet through Municode website.

Councilwoman Greene states the ordinances will be on the City of Creola website that they're creating now. Councilwoman Greene states that it will be another 4 ½ months out.

Councilwoman Greene states she chose and purchased a page within the contract for \$50.00 and we hope to see something in the next two weeks on our website.

Mayor Criswell states that on October 4, 2018 there will be a Municipal Leadership Institute meeting in Prattville, Alabama. This is a training session for any member of the council or mayor that would like to attend. The cost is \$175.00 for a six-hour workshop.

Councilwoman Greene makes a motion for any council member that would like to attend and to be reimbursed.

Councilwoman Moss second, all favored, none opposed, motion carried.

Mayor Criswell states that our tobacco ordinance is 1978 and we are updating it to current ordinance. The tax is based off 1978 and not today, we are running behind on it. The city attorney, Danny Mims has rewritten that tobacco ordinance and we have a new tobacco ordinance 2018-15. Mr. Mims matched the tobacco tax (tobacco, cigarettes, cigars) with Saraland and Citronelle. The tax inside the city is 4-cents and for police jurisdiction is 2-cents.

Councilwoman Greene states the council asked the city attorney, Danny Mims, at the last meeting to revise the ordinance.

Councilwoman Greene makes a motion to introduce the tobacco ordinance tonight, August 23, 2018. Vote on the ordinance next meeting.

Councilwoman Moss second, all favored, none opposed, motion carried.

Mayor Criswell states the city does not have a Vicious Dog Ordinance. The city has a leash law. Don Turberville states the city has a seventy-five-pound pit-bull that has killed its second smaller dog. The first dog was killed, and the second dog was torn to pieces. Don Turberville states if this kind of dog attacks a child the child will be dead.

Mayor Criswell states the council looked at Mobile County Vicious Dog Ordinance and Mayor Criswell would like to ask the city attorney, Danny Mims to take and review Mobile County ordinance and construct an ordinance for the council to vote on, to get it in place before we lose a child.

Councilman Hadaway makes a motion to have Danny Mims to look over and create an ordinance for the city.

Councilman Walker second, all favored, none opposed, motion carried.

Mayor Criswell states Major Holt is getting everything running in our parks, we have a pavilion and SAIL center, fields where we allow people to hold family reunions. Mayor Criswell states we have a lot of people from outside our community using the pavilion. Mayor Criswell states the problem we're having is the Public Works department have to spend several hours on Monday

morning. The Public Work department collected 2 ½ bags of debris, both restrooms were backed up and we had the septic tank pumped two weeks prior. The bathroom toilets were stopped up with water bottles. The SAIL center has a refundable deposit of \$250.00.

Mayor Criswell recommends the council to charge a rental fee of \$50.00 for the pavilion and a refundable deposit of \$100.00 if clean. Once they are through with their meeting, contact the police department, they will check everything out, make sure everything is clean. The police department will lock the restroom doors and lock the gate.

Councilwoman Moss makes a motion for a \$50.00 rental fee and \$100.00 refundable deposit, the only way to get it back is to call the police, the police check the property and if the property is clean they will refund the deposit.

Councilman Walker second, all favored, none opposed, motion carried.

Mayor Criswell states at Crenshaw Park there is a camera. Mayor Criswell states last night, August 22, 2018 a vehicle rammed the barricade trying to knock down the camera that was on the poll. The Public Work department spent several hours pouring concrete around the post, so they can't tear it down. There are cameras on the restroom, the other park, City hall, SAIL center and the soccer fields.

Mayor Criswell states the city had a gas production which was disguised as a distribution tax, the city does not receive tax money here in the city per say from a local business, it goes to RDS (Revenue Discovery Systems) and they deposit the funds in the General Fund account. They don't give the city of who is paying. The distribution tax which was really proposed as a production tax and the reason the city passed a 3% production tax was that in the gas plants here in Creola and some of the butane tanks that are in the city do not pay taxes. The city 3% production tax on Hilcorp that is pumping millions of cubic feet petroleum, gas in the pipelines that is leaving the city, leaving our area and when are not getting a penny on it. The purpose of the tax was to attempt to recover some of those dollars.

Mayor Criswell recommends doing a rewrite of the requirement and changing it from distribution to a production tax. Mayor Criswell for the council to redirect Danny Mims to rewrite that ordinance. At this time, we have notified RDS not to collect that tax from the local businesses.

Councilwoman Moss makes a motion.

Councilman Walker second, all favored, none opposed, motion carried.

Mayor Criswell states the SAIL center gives the opportunity each year for Mr. Terry Foster to teach a hunting class. The class is for the young guys. They usually don't bill Mr. Foster for that, it is a service to the community for a guy to bring his son, daughter or wife if she is a hunter and participate for them to obtain their hunting license they must go through this class. Anyone that was born after 1978 must attend the class to obtain a hunting license. Mr. Foster comes each year to teach a hunting training class on October 20, 2018.

Mayor Criswell recommended the council to allow Mr. Terry Foster to teach the hunting class at the SAIL center on October 20, 2018.

Councilman Hadaway made a motion to allow Mr. Terry Foster to teach the hunting training class on October 20, 2018.

Councilman Martin second, all favored, none opposed, motion carried.

## **PLANNING AND ZONING COMMITTEE**

Mayor Criswell states on Tuesday, August 21, 2018 there was a meeting. Councilwoman Greene states they had Deer Creek Storage they are purchasing about eight and three quarters acres of one hundred and twenty-nine acres plot, they will have to subdivide the property. They had a public hearing and had the meeting, but Deer Creek Storage was not prepared with everything that was needed. They didn't have their drawings, so they will come back and set up a special meeting on September 4, 2018 if they have all their drawings and notes that was recommended from Nicole with SARPC. Also, Jason Leonard the surveyor will come back with them.

Councilwoman Greene states that what must be done as a board, is to hear it, they must jump the subdividing hurdle and that must be okayed by the planning board. And then most likely they will recommend it the Zoning board of adjustments even though the Building Inspector can say that they have the right to have that business there, but they want the Board of Adjustments to hear it.

Councilwoman Greene states they will set that meeting with them for five (5) days and have a public hearing as well. They will get with David Boucher. Councilwoman states that nothing was passed but we are looking forward to subdividing that property.

Mayor Criswell states that Deer Creek Storage is to store RV's and boats. Councilwoman Greene stated there will be no office or bathrooms on that property, just parking. Councilwoman Greene states it will be dated or will have a date and will get with the fire and police department with the codes.

## **ZONING BOARD OF ADJUSTMENTS**

Nothing to report.

## **PARKS AND RECREATION**

Major Holt states the first registration on Saturday, August 18, 2018 and seventy-two kids registered, and registration will be the next three Saturdays. The games will start at the end of September. Major Holt thinks there will be between 250-300 kids this year.

## **UTILITIES AND SENIOR CITIZENS**

Councilwoman Moss asked Cara, the grant writer, to give an update on the SAIL center. Cara states the application is complete and it requires Danny Mims signature.

Cara states that she didn't receive the RC&D information, she called and spoke with the person and they can provide \$15,000.00. The \$15,000.00 is not federal money it's local money they can give out for certain projects. Cara would like to discuss with the council if they wanted to do it with the acquisition on this property, SAIL center. Councilwoman Moss spoke with Julie McKee regarding the circle drive. Councilwoman Moss reported that Julie McKee stated that the matching funds could be the property, if the city had to do the twenty percent they could use the property because the city owns it, so we wouldn't be using money out.

Councilwoman Greene states that Danny Mims recommended that when the city starts receiving funds that the city will have to open a separate account.

Mayor Criswell states Cara is the grant writer for the city. If the city is limited on revenue that comes in the city, the best way to obtain revenue during the year is to go after grants. Mayor Criswell states the city has grants out on sidewalks, van for the SAIL center, trees and the remodeling in the front of the SAIL center. The grant for the sidewalk is \$450,000.00.

**FINANCE**

Councilwoman Greene gave the financial report, giving a copy to the Council. (Details of report listed below), making a motion to accept financial report as read, seconded by Councilwoman Moss, all favored, none opposed, motion carried.

General Fund	\$ 88,481.11
4-cent Gas Tax Acct. (including 5 cent)	43,656.18
7-cent Special Gas Tax Acct.	14,419.56
Special Court Fund	31,520.23
Court Fund	38,810.56
Court Bond Account	12,947.51
S.A.I.L. Center Account	2,460.81
Police Department	9,780.62
Fire Department	<u>1,018.41</u>
Total: (in bank)	\$ 243,094.99

Revenues totaled \$53,667.07 for 8/1/2018 -8/22/2018.  
 withdrawals totaled \$29,722.23 for 8/1/2018 -8/22/2018  
 Total Bills out \$65,870.59

Councilwoman Greene makes a motion to pass as read.  
 Councilwoman Moss second, all favored, none opposed, motion carried.

**POLICE AND FIRE**

**POLICE**

Don Turberville states two new officers out of the academy doing a great job. The recruits have left for the academy. Don Turberville states on October 20, 2018, Officer Durfee will go back to the academy for re-certification for two weeks.

Mayor Criswell states that we are building our police department back. John White assisted with the paperwork.

**FIRE**

Fire Chief Jeff Reeves states Engine 2 is out of service. Fire Chief states the truck came from Ohio, the radiator is leaking on the bottom and that probably comes from the rock salt throughout the

years. Fire Chief Reeves has gotten the numbers of the radiator, the cost of the radiator can range from \$300.00 to \$1000.00 plus the thermostat.

Fire Chief Reeves ask the council for a range of \$1000.00 to do the work and repair.  
Councilman Hadaway motions the council for the fire department to have the range of the \$1000.00 for maintenance purposes.  
Councilman Walker seconds, all favored, none opposed, motion carried.

## **STREETS/PUBLIC WORKS**

Mayor Criswell states Wayne Miller with the Public Works department works 6am until 3pm. Mr. Miller has been working with the county to cut Hwy 43 and cut some of Dead Lake Road. The grader operator, Elijah, graded all Duecy, Lyle, Bell and Brown. Mr. Miller is cutting a lot of grass.

Mayor Criswell states if there is a need for a work order give Laura Rawlins with the Public Works Department a call and give her the information so that we can react to it.

## **BUILDING INSPECTOR**

Mr. Donn Moss states there are a few new houses going up and he spoke with Mr. Foster about cutting the property between the SAIL center and the church. Mr. Moss has put out several notices on houses to either clean up or the fire department will burn them for training. A trailer that have been vacant for a while on Lister Dairy Road has a dumpster in the yard, Mr. Moss has spoken with Mr. Ellison said that he will try to go down and work on it or either demo it because it's not worth saving. Mr. Moss states there are several houses on Lyons that will need to be demo also on Carroll Lane. Mr. Moss finds out who the owner is of that property and sends a certified letter.

Mayor Criswell states the city is working hard on a Nuisance & Blight, we have an ordinance now and we are trying to clean the city up. Mayor Criswell states the last meeting that he had with the ones working on the trailer parks, they were evicting the people out of North Bentley. They went to the courthouse and found out that trailer doesn't exist. They have fought this battle for seven months.

Mayor Criswell states we are working on the ditches, trying to open them up because we are drowning in water. Mayor Criswell states that we are working with Camp 3 with Mobile County on large drainage ditch that goes through the city, if we can get to a point with some dry weather Camp 3 is willing to put a couple of bulldozers in it. For six or seven months we've had releases signed so that we can clear that ditch through and release some water out of the city. It has been twenty years since the last general cleanup was done.

## **MAYOR'S DISCUSSION**

Mayor Criswell states that we have DR Horton working with one of the local developers Paul Utter and the Kentucky owners. Mayor Criswell states they have met with Engineering Design out of

Birmingham that is doing the design work and their intent is to build three hundred houses here in Creola.

Mayor Criswell states that he spoke with Vince Calametti, ALDOT Southwest Region Engineer, about the bridge construction. They will have a reconstruction of the Bayway. They will be turning the Bayway into four lanes, four lanes going East and four lanes going West, the center will have a commuter train track going different directions. Mayor Criswell states that Mr. Calametti said the we will have growth in our area. The project will last from eight to nine years.

Mr. Lowe, citizen, asked where the DR Horton homes would be located. Mayor Criswell states it will be the old dirt pit on Jackson Road. Mayor Criswell states there will be a strip mall on Hwy 43 and Radcliff Road. One of the new businesses will be the RV & Boat storage.

Mayor Criswell states the city purchased a Ford Escape for the SAIL center under the State Bid contract in the amount of \$20,214.50 for Dane to deliver meals. Dana delivers eighty meals to the elderly and the shut-ins of the community and feeds seventeen out of the SAIL center. The meals on wheels could approach 100 meals within a year. On Monday, August 27, 2018 the Ford Escape will be picked up.

#### **OTHER ANNOUNCEMENTS**

Mayor Criswell would like to mention the community lost a couple people. Mayor Criswell asked that you remember the Howell family with the loss of Bill Howell and Karo Walker. Karo's wake will be Saturday, August 25, 2018 at 1pm until 3pm at Radney Funeral Home in Saraland and the funeral will be at 3pm. The Interment will follow at Forest Lawn Memorial Gardens.

Councilman Martin states that St. Andrews Chapel will be having a yard sale on Saturday, September 15, 2018 from 7am until 3pm. Ellen Lesley, pastor of St. Andrews Chapel for twenty years. St. Andrews offer scholarships and they have six students that will receive \$1,000.00 each.

#### **ADJOURNMENT**

MOTION BY: Councilwoman Moss  
SECONDED BY: Councilman Walker  
Meeting adjourned @ 7:20 p.m.  
Respectfully submitted,

Carolyn Sue Cain  
City Clerk

c.m. 08.23.18