

City of Margaret
September 17, 2024

6:05 P.M.

In attendance: Councilman James Chapman, Councilman Darius Crump,
Councilman Matthew Tortorice, Councilman Jonathan Ray, and
Mayor Pro-Tem Daryl McIntyre

Absent: Mayor - Vacant

Prayer: Mr. Barker

Pledge of Alliance

Adoption of Agenda

Councilman Matthew Tortorice moved to amend the agenda to add the following items: Stop signs in Brookhaven, and Stop signs in Sterling Place. Mayor Pro-Tem wanted to rearrange the order of the new business. Councilman Darius Crump seconded the Motion. The Motion passed unanimously.

Discussion:

Councilman James Chapman moved to approve the preliminary plat for Eddleman Home, so they can develop the lots with the understanding that this is at Eddleman Homes's expense and risk. Mayor Pro-Tem Daryl McIntyre seconded the Motion. The Motion passed unanimously.

Eddleman Homes stated that the city is responsible for stop signs in the subdivision. The City should have a contract stating that Eddleman Homes would maintain their streets.

Councilman Tortorice would like a work session to work on the budget.

Harvey McWhorter would like the city to accept the following roads:

<i>Street</i>	<i>Completion Date</i>
<i>Andrew Lane</i>	<i>8/2022</i>
<i>Pine Cove Circle</i>	<i>2/20/2024</i>

<i>Sanie Circle</i>	<i>2/20/2024</i>
<i>Ridge Circle</i>	<i>2/20/2024</i>
<i>Ridge Loop</i>	<i>2/20/2024</i>
<i>Stone Cove Dr (cul-de-sac)</i>	<i>4/20/2023</i>
<i>West Middlebrook Crossing</i>	<i>12/21/2023</i>
<i>Havenridge Court</i>	<i>12/21/2023</i>
<i>Brookhaven Lane</i>	<i>7/09/2024</i>
<i>Sanie Cove</i>	<i>7/9/2024</i>

Councilman Matthew Tortorice moved to accept Andrew Lane and Stone Cove Dr (cul-de-sac) because they have been in place for one year. Councilman James Chapman seconded the Motion. The Motion passed unanimously.

City Engineer Keith Hager informed the Council that he has been able to map all the city's water and that water usage is down. Hager sees no major crisis for existing homes.

Councilman Matthew Tortorice continues to express his concern about not allowing the recording of the meetings.

City Attorney Erskine Funderburg called for a point of order.

Regulations for taping and live-streaming were discussed:

- 1). No employee, officer, or agent of the city will be able to record a meeting other than in the designated press areas along with other members of the press.*
- 2). The City of Margaret through designated personnel, shall use its best efforts to install and maintain a recording device or devices within the council chambers of city hall and will make every effort to livestream regularly scheduled council meeting through the city website via Facebook or other council approved social streaming service provider. This shall be the designated official video/audio recording and will be made available to all of the public in its entirety.*
- 3). Representatives of recognized press as defined by Alabama law, will be able to video/audio record any and all council meetings and public work sessions, only within designated areas inside the council chambers. Such designated area shall be designated, marked and known as the "Press Area" for purposes of video/audio recording.*
- 4). Citizens of the state of Alabama shall have the right to video/audio record public meetings and work sessions only from their seated position location in*

such a manner as not to block or disrupt other members of the public attending and observing the meeting. If such recording causes a disruption of the meeting the recording shall be relocated to the rear of the room so as not to block any other person from attending and observing the meeting.

5) Under no circumstance shall the press or any person attending the meeting attempt to make a recording in such a manner that causes disruption of the meeting, prevents or obstructs the conduct of the meeting, or in any way prevents the legitimate purpose and business for which the meeting is convened from occurring. The officers, agents and employees of the city of Margaret and members of the public and press in attendance shall conduct themselves in all public meetings within Margaret, in a manner that recognizes the authority of the organization convened and the authority of the chairperson conducting the meeting.

Councilman Matthew Tortorice informed the Council that the rules and regulation on taping or live-streaming are absurd and violates the law Alabama Code Section 36-25A-6 which states:

A meeting of a governmental body, except while in executive session, may be openly recorded by any person in attendance by means of a tape recorder or any other means of sonic, photographic, or video reproduction provided the recording does not disrupt the conduct of the meeting. The governmental body may adopt reasonable rules for the implementation of this section.

City Attorney Erskine Funderburg informed the Council that the district attorney approved these rules and regulations, and he is in favor of them.

Councilman Matthew Tortorice moved to table the rules and regulations permanently. Councilman Jonathan Ray seconded the Motion. The motion was not passed due to two yeses and three noes.

Mayor Pro-Tem Daryl McIntyre asked for a Motion to accept the rules and regulations. No Motion was made.

Councilman Matthew Tortorice moved to accept the state law as it is regarding taping and live-streaming Council meetings. Councilman Jonathan Ray seconded the Motion. The Motion is not passed due to two yeses and three noes.

Councilman Darius Crump moved to approve the rules and regulations of the recording and live-streaming as written. Councilman James Chapman seconded the Motion. The Motion passed with majority three yeses and two noes.

Councilman James Chapman moved to approve the minutes for 8-20-2024

as written. Councilman Darius Crump seconded the Motion. The Motion is passed with three yeases, one no and one abstaining.

Councilman James Chapman moved to approve the minutes for 9-3-2024 with corrections by city clerk. Councilman Darius Crump seconded the Motion. The Motion passed with three yeases and two noes.

Councilman James Chapman moved to approve the minutes for 9-10-2024 as written. Councilman Darius Crump seconded the Motion. The Motion passed with three yeases, one no, and one abstaining.

Assistant Fire Chief Brandon Frazier presented the Council quotes on new fire trucks.

Councilman Jonathan Ray would like Assistant Chief Frazier to look into getting commercial/custom cabs and payment options for the next meeting.

Mayor Pro-Tem Daryl McIntyre moved to table the fire truck discussion and payment options until the next meeting. Councilman James Chapman seconded the Motion. The Motion passed unanimously.

The Council will look into getting bushes cut rather than putting up more stop signs in Brookhaven.

The vacancy of the mayor seat was talked about.

Councilman James Chapman moved to appoint Mayor Pro-Tem Daryl McIntyre as Mayor for the rest of the term. Councilman Darius Crump seconded the Motion. The Motion passed with four yeases and one no.

Councilman Jonathan Ray moved to fill the vacancy in Council District 3 by taking letters of interest until October 15, 2024. Councilman Matthew Tortorice seconded the Motion. The Motion passed unanimously.

Councilman Matthew Tortorice moved to accept a variance from 930 Magnolia Crest Lane on the recommendation of Mr. Barker and because it satisfies the 1000 sq/ft requirement. Councilman Darius Crump seconded the Motion. The Motion passed unanimously.

Mayor Daryl McIntyre informed IBuild that he would get with the city engineer concerning their will-service letter for water and sewer.

Councilman James Chapman moved to suspend the rules and go into executive to discuss Chief David Parrish's appointment as the water operator. Councilman Darius Crump seconded the Motion. The Motion passed unanimously.

Councilman James Chapman moved to go into Executive Session to discuss making David Parrish Water Operator effective 9-5-2024 and at what benefits. Executive Session 7:18 PM reconvene at 7:41 PM.

David Parrish was appointed the water operator with current benefits and an effective date of 9-5-2024.

The meeting adjourned at 7:45 PM.

Daryl McIntyre, Mayor

Attest:

Teja McIntyre, City Clerk