June 12, 2018
Council Workshop
12191 Magnolia Springs Hwy.
Magnolia Springs, Alabama 36555
5:00 P.M.

1. Call to Order:
   Mayor, Bob Holk, called the meeting to order at 5:00 p.m.

2. Roll Call:
   Present: Mayor, Bob Holk; Councilmember, Dotty Johnson; Councilmember, Steve Mobley; Councilmember, Nick Shields, and Councilmember Ben Dykema
   Absent: Councilmember, Marley Gardner
   Also present: Town Attorney, Brad Hicks and Town Clerk, Jenny Opal White

3. Invocation and Pledge: Mayor, Bob Holk gave invocation and led pledge.

4. Discussion of May 2018 Minutes:
   Mayor Bob Holk, asked, Council to review the Workshop Meeting minutes of May 8, 2018 and Regular Council Meeting minutes of May 22, 2018.
   Councilmember Nick Shields, commented, that Mayor Pro Tempore, Ben Dykema, did a good job serving as Mayor Pro Tempore in the absence of Mayor, Bob Holk, at the Regular Council Meeting on May 22, 2018.
   Mayor Bob Holk, asked, Council to contact Town Clerk, Jenny Opal White for changes or corrections prior to next meeting.

5. Discussion of Financials and Expenditures: May 2018
   Mayor, Bob Holk, reported, balances as of May 31, 2018.
   - General Fund - $95,810.09
   - Income - $31,521.29
   - Expenses - $24,243.63
   - Tiered Money Market – $480,511.48
   - Capital Improvement Fund - $14,247.15
   - CD - $54,641.23
   - Special Revenue 4, 5, & 7¢ Gas Tax – Income $332.25
   - Balance $32,881.13

   Mayor, Bob Holk, asked, Town Clerk, Jenny Opal White, to review the Sales & Use Tax for May 2018. Town Clerk, Jenny Opal White, commented, she would follow-up and report at the Regular Council Meeting on June 26, 2018. Mayor, Bob Holk, asked, for additional comments. There were no further comments.

   Mayor, Bob Holk, asked, Deputy, Greg Smith, to give monthly report.
   Deputy, Greg Smith, reported ninety (90) traffic stops, forty-two (42) citations, and thirty-three (33) written warnings, and fifteen (15) verbal warnings. There were no arrests off traffic stops. There was one (1) on view arrest for false name on traffic stop. Assisted Robertsdale Police Department with recovering stolen vehicle.
   Councilmember, Nick Shields, commented, citations have decreased.
   Deputy, Greg Smith, commented, he was on vacation for a week.
   Mayor, Bob Holk, thanked, Deputy, Greg Smith, for report.

7. Public Comment:
   Todd Puckett, 112 River Route, commented, he was a concerned resident on chocolate color of water. What effort can be done? Mayor, Bob Holk, replied, Mobile Baykeeper will discuss later on in tonight’s agenda.

8. Discussion:

   Resolution 2018- Appoint a Representative to Abate Nuisances
   Mayor, Bob Holk, asked, Council to review Resolution 2018— to appoint Representative, Steve Mobley, to abate nuisances within the Town of Magnolia Springs and revoke prior Resolution 2007-14. Mayor, Bob Holk, commented Council would vote on resolution
at the Regular Council Meeting on June 26, 2018.

Councilmember Nick Shields, asked, Town Attorney, Brad Hicks about protective measures. Town Attorney, Brad Hicks, commented, Contact Sheriff’s Department and Town Clerk. Town Attorney, Brad Hicks, commented his office received back a certified green card on the nuisance letter forwarded reference the Villa property.

Mayor, Bob Holk, inquired, on requirement to post official letter of nuisance. Town Attorney, Brad Hicks, noted, the Public Hearing posting is the last opportunity.

Weeks Bay Watershed Coordinator Commitment
Mayor, Bob Holk, discussed municipality commitments received from Robertsdale and Loxley. Weeks Bay is awaiting contributions from other municipalities.

Councilmember, Nick Shields, inquired on Loxley population.

Mayor, Bob Holk, commented Loxley tax base is four times our size.

Mayor, Bob Holk, asked, Town Clerk, Jenny Opal White, to contact Larry Morris with Weeks Bay on contribution submitted by Baldwin County. Mayor, Bob Holk, commented, Council would further discuss at the July 10th Council Workshop.

Mobile Baykeeper Sponsorship Program (Swim Where It’s Monitored - SWIM)
Mayor, Bob Holk, noted, a concern of sediment on the Magnolia River was brought to Mobile Baykeeper attention a couple of weeks ago by concerned citizens in our Town. Mobile Baykeeper is here tonight to discuss the Mobile Baykeeper Sponsorship Program (Swim Where It’s Monitored - SWIM). Mayor, Bob Holk, introduced, Cade Kistler, Program Director of Mobile Baykeeper. Cade discussed the sample taken a few weeks ago was above average. Cade noted they can customize a program for us. They will sample once a week from June 21st to September 27th. Additionally, there will be regular monthly testing from October - March. We will test for bacteria and publicly report results so that citizens can make informed decisions on when and where to swim, fish, and play. Cade, asked, for questions.

Councilmember, Nick Shields, asked how sites are chosen. Cade, commented, recreational target sites. Mayor, Bob Holk, asked, if we could do our own testing. Cade, reported, there is a six hour turnaround on getting samples to lab. Cade, thanked, Mayor and Council for letting him speak tonight on program. Mayor, Bob Holk, commented, the program would be on agenda at the Regular Council Meeting on June 26th for Council to approve by motion.

Magnolia Springs 4th of July Parade & Celebration
Mayor, Bob Holk, discussed, the upcoming Magnolia Springs 4th of July Parade & Celebration. He noted the Magnolia Springs Volunteer Fire Department will have a Bounce House and activities for the children. Council will have a role in cutting watermelons.

Councilmember, Dotty Johnson, commented, we need sharp knives for cutting of the watermelons. Mayor, Bob Holk, commented, in the past the Town has contributed a donation of $250.00 to the Magnolia Springs Community Association in support of the event. Mayor, Bob Holk, noted, item will be on agenda at Regular Council Meeting on June 26, 2018 for motion by Council.

Mosquito Control Services, LLC - Monthly Mosquito Activity/Abatement Report
Mayor, Bob Holk, discussed, the Mosquito Control Services, LLC monthly Mosquito Activity/Abatement Report. Mayor, Bob Holk, reported, lots of yellow flies. We haven’t had a problem with mosquitoes yet.

Councilmember, Nick Shields, commented, we want have much longer with the yellow flies. They breed and die off. Councilmember, Nick Shields, noted, it was nice to have Mosquito Control Services, LLC in town.

Rock Street Signage
Mayor, Bob Holk, asked, Councilmember, Ben Dykema to address Rock Street signage.

Councilmember, Ben Dykema, asked, the following questions to Town Attorney, Brad Hicks.

1. Can we tell citizens after overflow of parking to go to school property or Magnolia Landing?
   Town Attorney, Brad Hicks, commented, yes, additional parking allowed.

2. Can we make commercial vehicles park at Magnolia Landing?
   Town Attorney, Brad Hicks, commented, no parking with trailers.

3. Hours of use are sunset to sunset on Rock Street?
   Town Attorney, Brad Hicks, You don’t want to turn street into park. Revisit.

4. Resident Stickers?
   Mayor, Bob Holk, you can limit parking hours.

   Town Attorney, Brad Hicks, commented, yes, to zoned parking. Amend, Parking Ordinance
with stickers.

5. Code Enforcement Officer with no municipal court system?
   **Town Attorney, Brad Hicks**, commented, yes, ticket, letter/bill, private towing, don't pay ticket-sue. Signage would reflect tow.
   **Deputy Greg Smith**, commented on traffic hazard. Vehicle abandonment on private property.
   **Town Attorney, Brad Hicks**, impounding.
   **Councilmember, Ben Dykema**, blocked driveways.
   **Mayor, Bob Holk**, asked, **Mr. Steve Fuller**, to speak as his public comment submitted was approved prior to meeting to be addressed under **Rock Street** signage.
   **Mr. Steve Fuller** presented the final judgment on CV-2010-900931.00 with findings of facts, conclusions of law, and remedies. The **Town** cannot create or develop a "river access point" or otherwise construct any improvements from **Rock Street or that part of Rock Landing south of Rock Street**, onto or over the waters of the **Magnolia River**; therefore, ORDERED, ADJUDGED, and DECREED as follows:
   a) the **Town** owns no riparian rights in and to the shore of the **Magnolia River at Rock Street** or that part of **Rock Landing south of Rock Street**, but rather those riparian rights are owned by **Fuller and Turner** as the owners of the attingent lots, who own the ultimate fee therein to the center of public way;
   b) the Town shall not develop, dredge, or construct any pier, bulkhead, boat house, boat launch, or other improvement on or over the waters of the **Magnolia River from Rock Street** or that part of **Rock Landing south of Rock Street**;
   c) the **Town** shall continue to make **Rock Street and that part of Rock Landing south of Rock Street** available for public use for pedestrian or vehicular traffic, which use shall include the right to walk into the waters of the **Magnolia River** and launch therefrom only those boats, kayaks, or floats which can be physically carried by pedestrian means; the public shall also have the right to continue to swim, fish, picnic, and sunbathe.
   d) the **Town** is vested with the authority to regulate parking and traffic along **Rock Street**, provided that the **Town** shall not make any use of **Rock Street** which diverts it in any manner from the uses and trusts to which it was originally dedicated or otherwise render **Rock Street** less commodious;
   e) any other claim or demand for relief is hereby denied. Costs of this proceeding are taxed against the **Town**, for which let execution issue.
   Done this 9th day of September, 2013
   /s/Jody W. Bishop Circuit Judge
   **Mr. Steve Fuller**, commented, we have moved forward and put behind. They are concerned with regulating the parking and requirements.
   **Mayor, Bob Holk**, thanked, **Mr. Steve Fuller** for presenting. He noted we can not create an access point. We are in line with regulating parking.

9. Committee-Commission Reports:
   (a) **Finance Committee**: **Mayor, Bob Holk**, commented, the committee did not meet.
      **Councilmember, Dotty Johnson**, asked, **Town Clerk, Jenny Opal White**, to prepare the **Budget to Actual** at next Work Shop on July 10, 2018.
   (b) **Public Works/Safety**: **Mayor, Bob Holk**, commented, **Volker, Inc.** is surveying elevations.
      He noted there will be a public meeting to notify property owners on solution on drainage. We should be receiving a bill from Volkert Inc. for 30% of project completed.
   (c) **Public Lands/Beautification**: **Councilmember, Ben Dykema**, commented, **Walter Mixon**, suggested, a small sign pointing to Hwy 98 from Pecan Grove. **Councilmember, Ben Dykema**, suggested, making a larger sign.
   (d) **Tree & Streetscape**: **Councilmember, Nick Shields**, commented, the Garden Club had planted 100 new plants. Gary’s Tree Service did not use heavy equipment on Springs Project. The crew climbed and cut identified trees, limbs, etc. They took down fifteen (15) trees, and dropped them with accuracy. **Councilmember, Nick Shields, and Chief Driskell**, have toured main and side roads to identify overhead tree hazards that pose a problem for emergency responses or risks to trees and large vehicles commuting on our streets.
      **Mayor, Bob Holk**, asked, for estimate, and 11 ft. clearance. We'll address at July 10th Work Shop.
   (e) **Public Relations**: **Councilmember, Dotty Johnson**, commended, **Town Clerk, Jenny Opal White** on the MailChimp Program. **Councilmember, Dotty Johnson**, noted, she was
added as an admin on program.

10. **Council, Legal Counsel and Staff Comments**
Town Attorney, Brad Hicks, commented, he had received an email from Attorney, Laura Coker on the Leahan mixed use property. He will follow-up.
Town Clerk, Jenny Opal White, commented on the following:
Baldwin County Solid Waste will have a special pickup of debris on June 28th and June 29th. Magnolia Springs Library, "Summer Reading Kickoff" is scheduled on Saturday, June 9th, with meeting dates on June 16th, 23rd, and 30th concluding with an awards ceremony.
Board of Adjustments Hearing scheduled on June 13, 2018 at 5:00 p.m. reference the Ingram and Purvis properties.
Planning Commission Meeting scheduled on June 14, 2018 at 4:00 p.m.
Baldwin County Heritage Museum sent thank you letter to the Mayor and Council on contribution of donation.

11. **Any Other Business That Might Come Before the Meeting**
Mayor, Bob Holk, request motion to go into Executive Session reference commercial property.
Councilmember, Dotty Johnson, So Moved.
Town Attorney, Brad Hicks, addressed, no declaration.
Mayor Bob Holk, asked, Town Clerk, Jenny Opal White to record roll call vote.
Town Clerk, Jenny Opal White, recorded roll call vote.
Mayor, Bob Holk, "Yeah"
Councilmember, Dotty Johnson, "Yeah"
Councilmember, Steve Mobley, "Yeah"
Councilmember, Marley Gardner, Absent
Councilmember, Nick Shields, "Yeah"
Councilmember, Ben Dykema, "Yeah"
Mayor, Bob Holk, addressed, the Council would not reconvene after Executive Session.

12. **Public Comment**
Tom Puckett, 112 River Route, asked, for consideration of River Management Committee.

13. **Adjourn**
Motion by Councilmember, Dotty Johnson, to adjourn meeting. Second, Councilmember, Steve Mobley. All in favor. Motion carried.
Meeting adjourned at 6:30 p.m.

Approved this 24th day of July, 2018

Bob Holk, Mayor

ATTEST:

Jenny Opal White, Town Clerk