December 17, 2019
Regular Council Meeting
12191 Magnolia Springs Hwy.
Magnolia Springs, Alabama 36555
5:00 P.M.

1. Call to Order:
   Mayor, Kim Koniar, called meeting to order at 5:00 p.m.

2. Roll Call:
   Present: Mayor, Kim Koniar; Councilmember, Andrew Monaghan;
   Councilmember, Steve Mobley; Councilmember, Marley Gardner;
   Councilmember, Nick Shields; and Mayor Pro Tempore, Ben Dykema (Arrived, 5:04 p.m.)
   Also, present: Town Attorney, Brad Hicks and Town Clerk/Treasurer, Jenny Opal White

3. Invocation and Pledge:
   Councilmember, Nick Shields, lead invocation and pledge.

4. Certificate of Appreciation – Former, Mayor Bob Holk:
   Mayor, Kim Koniar, presented, former, Mayor Bob Holk with Certificate of Appreciation.

5. Presentations:
   Matthew R. Taylor, CPA, Grant, Sanders & Taylor, P.C. presented the FY 2018-2019 Financial
   Audit to Mayor and Council. Mayor Kim Koniar informed Council the FY 2018-2019 Financial
   Audit will be placed on website for review.
   Eagle Scout, Noah Engel, Troop 87 presented plaque to the Mayor and Council to be placed at
   Town Hall. Noah thanked the Mayor and Council.

6. Approval of Minutes, November 2019:
   ▪ Council Workshop, November 12, 2019
   ▪ Regular Council Meeting, November 19, 2019
   Mayor, Kim Koniar, asked, Town Council to review minutes for approval, additions or
   corrections. Councilmember, Ben Dykema, motion to approve the November 2019 minutes
   as submitted. Second, by Councilmember, Nick Shields. All in favor. Motion carried.

7. Approval of Financials and Expenditures, November 2019:
   Mayor, Kim Koniar, reported on Income Statement and Balance Sheet balances as of
   November 30, 2019.
   ▪ General Fund - $252,789.35
   ▪ Tiered Money Market – $133,778.31
   ▪ CD #344255 - $54,949.31
   ▪ CD #355610 - $204,843.37
   ▪ 4 and 5 Cents Gas Tax - $15,285.20
   ▪ 7 Cents Gas Tax - $8,617.45
   ▪ Capital Improvement Fund - $15,260.83
   ▪ Total Checking/Savings - $685,523.82
   ▪ General Fund Income - $43,335.51
   ▪ Special Revenue Income - $307.78
   Motion by Councilmember, Steve Mobley, to approve financials and expenditures
   for November 2019 as submitted. Second, by Councilmember, Nick Shields. All in favor. Motion carried.

8. Public Comment:
   Mayor, Kim Koniar, called, Helen Soule, President, Magnolia Springs Community Association,
   forward for Public Comment. Helen, requested, crosswalk between Jesse’s and Community
   Hall with sidewalk to the Episcopal Church. Councilmember, Ben Dykema, noted, Town can
   grant permission on Town Right of Way. We will require an estimate of costs.
   Councilmember, Dykema, asked, if Magnolia Springs Community Association
   are sharing costs in request. Councilmember, Nick Shields, requested a proposal. Mayor, Kim
   Koniar, thanked, Helen Soule.
Wendy V. Hillis, inquired, on dog attack in community. Mayor, Kim Koniar, reported, Town is aware of dog attack reported. This is a civil claim. Deputy, Greg Smith, informed, State Leash Law overrides jurisdiction. Deputy Smith, reported, plaintiff, to summons for damages. Deputy Smith, commented, to call the Sheriff’s Department if you see a dog loose. Councilmember, Andrew Monaghan, commented, there are different rules for dogs that bite people, second time they are put down.

9. Proclamation:
Human Trafficking Awareness Month – January 2020

10. Resolution:
Resolution 2019-19 – Authorize Mayor to Enter Contractual Agreement with United Way of Baldwin County
Mayor, Kim Koniar, discussed, Resolution 2019-19 authorizing the Mayor to enter contractual agreement with United Way of Baldwin County. Motion by Councilmember, Marley Gardner to approve and adopt Resolution 2019-19 to authorize Mayor to enter contractual agreement with United Way of Baldwin County. Second, by Councilmember, Nick Shields. All in favor. Motion carried.

11. Right-of-Way Permit #25 – CenturyLink – Intersection Magnolia Springs Hwy. & Camelia St.:
Mayor, Kim Koniar, asked, Chairman, Steve Mobley, Public Works & Safety Committee to discuss the Right-of-Way Permit #25 for CenturyLink at the intersection of Magnolia Springs Hwy. & Camelia St. Chairman Mobley, reported, no issues. Magnolia Springs Public Library to receive free internet. Motion by Mayor Pro Tempore, Ben Dykema to approve Right-of-Way Permit #25 for CenturyLink at the intersection of Magnolia Springs Hwy. & Camelia St. Second, by Councilmember Andrew Monaghan. All in favor. Motion carried.

12. Discussion:
Potential Property for Municipal Town Complex
Mayor, Kim Koniar, opened discussion on potential property for Municipal Town Complex. Mayor Koniar, suggested, four (4) options; continue current lease options, build on School Property, purchase property across from Town Hall, or purchase Jon Studebaker complex. Mayor Pro Tempore, Ben Dykema, commented, we don’t have to make decision at this time. Councilmember, Nick Shields, commented, on consensus from prior Town Meeting in June 2019 was to leave property green. Councilmember, Marley Gardner, recommended, utilizing Survey Monkey for Town Survey. Councilmember, Nick Shields, referenced past Census of 723 residents. Councilmember, Andrew Monaghan, recommended, reviewing Comprehensive Plan. Mayor Koniar, asked Council and citizens if interested to serve on the Ad Hoc Committee to move forward with Municipal Town Complex and review survey options. Mayor Koniar will Chair committee. Councilmember, Andrew Monaghan and Councilmember, Marley Gardner will serve as committee members. Public Access – Kayak Launch/Public Dock – No formal discussion.

13. Council, Legal Counsel and Staff Comments:
Town Clerk/Treasurer, Jenny Opal White gave Town Clerk Report.
Land Use Certificates 2019 – Total 60
Business Licenses 2019 – 467
Town Hall will be closed for Christmas Holiday on December 25th and 26th.
Hadley and Kristian Weaver gave the Mayor and Council, “Williams Sonoma Christmas Bark”.
Town Clerk/Treasurer, Jenny Opal White requested a motion to extend Town Clerk Assistant hours from eight (8) hours to (19) hours a week as required due to Town Clerk Office workload. Motion by Councilmember, Nick Shields to extend Town Clerk Assistant hours from
eight (8) hours to (19) hours a week as required due to current Town Clerk Office workload. Second, by Councilmember Andrew Monaghan. Mayor Pro Tempore, Ben Dykema, voted Nay. Councilmember, Andrew Monaghan, motion to rescind. Councilmember, Andrew Monaghan, motion to withdraw rescind. Motion passed – four (4) to two (2). Town Clerk/Treasurer, Jenny Opal White, discussed, option of going electronic with iPads on Council packages. Council will review.

14. Any Other Business That Might Come Before the Meeting
   Town Attorney, Brad Hicks, recommended motion to go into Executive Session to discuss pending legal litigation. Town Attorney, Brad Hicks, asked for motion to go into Executive Session. Councilmember, Nick Shields, so moved. Councilmember, Marley Gardner, second. Town Attorney, Brad Hicks, asked, Town Clerk/Treasurer, Jenny Opal White for roll call. Mayor, Kim Koniar, Yea Councilmember, Andrew Monaghan, Yea Councilmember, Steve Mobley, Yea Councilmember, Marley Gardner, Yea Councilmember, Nick Shields, Yea Councilmember, Ben Dykema, Yea
   Town Attorney, Brad Hicks, referenced license to practice as an attorney in the State of Alabama. Alabama Code § 36-25A-7(3) referenced to discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action or to meet or confer with a mediator or arbitrator with respect to any litigation or decision concerning matters within the jurisdiction of the governmental body involving another party, group, or body. Mayor, Kim Koniar, addressed, the Council would go into Executive Session and would not reconvene after meeting.

15. Adjourn
   Councilmember, Nick Shields, motion to adjourn meeting. Second, by Councilmember, Marley Gardner. All in favor. Motion passed.

Approved this 28th day of January 2020

Kim Koniar, Mayor

ATTEST:

Jenny Opal White, Town Clerk/Treasurer