

May 10, 2022
Council Workshop
12191 Magnolia Springs Hwy.
Magnolia Springs, Alabama 36555

1. Call to Order:

Mayor Kim Koniar called the meeting to order at 5:00 pm.

2. Roll Call:

Mayor Kim Koniar; Mayor Pro Tempore Nick Shields;
Councilmember Andrew Monaghan; Councilmember Steve Mobley;
Councilmember Ross Houser; Councilmember Bob Turner.
Also, present: Town Clerk Hannah Driskell and Town Attorney Lauren Collinsworth.

3. Invocation and Pledge:

Mayor Pro Tempore Nick Shields led invocation and pledge.

4. Council Minutes – March 2022:

Mayor Kim Koniar asked Council to review the minutes from the Council Workshop, March 8, 2022, Special Council Meeting, March 8, 2022, Town Meeting, March 18, 2022, Regular Council Meeting, March 22, 2022, Council Workshop, April 12, 2022, Special Council Meeting, April 12, 2022, and Regular Council Meeting, April 26, 2022. Mayor Koniar asked for changes to be submitted to the Clerk's Office.

5. Deputy Derek Boone – Monthly Report:

Deputy Derek Boone noted that he has been promoted and will be reassigned. Deputy Boone thanked the Town Council and the community for making his assignment in Magnolia Springs a great place to work. Deputy Boone gave his April monthly report.

Arrests: 2

Reports: 3

Traffic Stops: 34

UTC: 12

Written Warnings: 28

Verbal Warnings: 2

Deputy Boone attended 3 days of firearms training, mandatory backup/off duty firearms training, completed mandatory NCIC recertification, and assisted with a search for a runaway.

Deputy Boone introduced his replacement, Deputy Eric Smith. Deputy Smith introduced himself to the Town Council. Deputy Smith will begin the assignment in Magnolia Springs on May 23.

6. Alan Killen, P.E., Presentation, Sidewalk Grant:

Alan Killen with Civil Southeast, LLC engineering proposed applying for an ALDOT TAP grant for a sidewalk that would run down Gates Avenue to Old Marlow Road. The project is an 80/20 grant match with the project being approximately an \$80,000 match for the Town over the course of 3 fiscal years. Mr. Killen noted that the engineering fees were included in the estimated cost.

7. Shari Woody, FEMA Coordinator, Hurricane Sally Update:

Shari Woody was not present to give a Hurricane Sally update. Shari Woody, Mayor Koniar, and Town Clerk Hannah Driskell met with the PMDG from FEMA and closed out the projects with the FEMA representative. The Town has received three checks for Hurricane Sally reimbursement to date. Alabama EMA is backlogged with the new Federal reimbursement rate of 90%, with an unknown date of receiving any more reimbursement funds. The Arboretum is in the appeal process, but it could take quite some time to get a determination.

8. Public Comment:

Steve Fuller – Mr. Fuller is working on a document to present to the Town Council to alleviate the issues with vehicles parking at the south end of Rock Street. Mr. Fuller will bring the completed document to the Town Council at a later meeting for the Council to review.

Craig Johnson – Mr. Johnson is acting on behalf of a property owner who wants to develop a subdivision on land north of Highway 98 to the West of Lipscomb Road. The property owner would like to annex the property into the Town of Magnolia Springs and work with the Town of Magnolia Springs on the development. Mr. Johnson stated that he wanted to present the potential subdivision to the Town for the Council to become aware of what the developer wishes to do.

Kelsey Koberg – Ms. Koberg inquired on how citizens could become aware of activities and be involved in decision-making processes. Mayor Kim Koniar noted that those who want to be involved and keep informed of what is happening within the Town to come to Council meetings.

Todd Puckett – Mr. Puckett noted that he is concerned that someone is going to accidentally drive into the river at the south end of Jessamine Street because there are not adequate reflective markers for people to see at night.

9. Resolutions:

- Resolution No. 2022-15 – Authorizing Expenditure to Gulf Concrete Services, LLC for Sidewalk Installation at the Magnolia Springs Arboretum – Mayor Kim Koniar noted that four bids had been collected to install concrete at the Arboretum. Mayor Koniar stated that she would like to award the contract to Gulf Concrete Services, LLC due to previous experience with the company. Councilmember Bob Turner inquired about the damages to the Arboretum and FEMA reimbursement. Mayor Koniar noted that further discussion regarding the damages would need to be during Executive Session.
- Resolution No. 2022-16 – Authorizing Expenditure to MS Properties and Management for Gates Avenue Lot Stump Removal and Leveling – Mayor Kim Koniar stated that the lot on Gates Avenue needs to be kept maintained in the event of a storm the Town would be eligible for reimbursement. The Council will vote to approve at the next Regular Council Meeting.

10. Ordinances:

- Ordinance No. 2022-02 – Ordinance Prohibiting Trucks, Tractor-Trailers, Loaded Dump Trucks, and Cement Trucks on Certain Public Streets – Mayor Kim Koniar stated that some of the language has been changed and asked the Council to review. Council discussed editing some of the language to clarify delivery vehicles. Councilmember Andrew Monaghan questioned if the fees in the proposed ordinance were determined by state statute. Town Attorney, Lauren Collinsworth, will research.

11. Request to Use School Property:

- Magnolia Springs Baptist Church, Easter Sunday Community Service, April 9, 2023, 7am-9am – Mayor Kim Koniar stated that the Magnolia Springs Baptist Church would like to use the School Property for an Easter Sunday morning service. The Town typically waives the fees for the church.
- Katie Dumas, Child's Birthday Party, August 20, 2022, 8am-2pm – Mayor Kim Koniar stated that Katie Dumas would like to use the School Property for a child's birthday party. Town Clerk, Hannah Driskell, noted that one of the requirements for the permit is that the applicant takes responsibility for liability.

12. Discussion:

- BCSS Franchise Agreement – Councilmember Bob Turner discussed the Sewer Specifications Ordinance and protecting the oak trees between Jessamine Street and Bay Street on Oak Street. Councilmember Turner noted that the 200' sewer buffer zone that surrounds the Magnolia River would not allow sewer mains or pumping stations in the zone, only service lines. Councilmember Bob Turner asked Council to review both the franchise agreement ordinance with Baldwin County Sewer Service and the sanitary sewer ordinance to discuss at the next Regular Council Meeting.

13. Committee/Commission Reports:

- Ad Hoc Committee, Kim Koniar, Chairman – Mayor Kim Koniar, Chairman, stated that the Ad Hoc Committee has not met.
- Finance & Audit Committee, Kim Koniar, Chairman – Mayor Kim Koniar, Chairman, stated that the Finance & Audit Committee has not met.
- Public Works, Lands & Safety Committee, Steve Mobley, Chairman – Councilmember Steve Mobley stated the Public Works, Lands & Safety Committee has not met. Councilmember Mobley stated that the Bay Street drainage work has been completed. The temporary easement letters have been given to the property owners along Bay Street to clean out the ditch, without any being returned, delaying the project.
- Tree & Streetscape Committee, Nick Shields, Chairman – Mayor Pro Tempore Nick Shields stated that the Tree & Streetscape Committee did not meet. Mayor Pro Tempore Nick Shields noted that they have reviewed tree removal applications for long leaf pines within the Town due to a pine beetle infestation.

14. Council, Legal Counsel and Staff Comments:

Town Clerk Hannah Driskell stated that the Clerk's Office has processed 443 business licenses and 19 Land Use Permits so far in 2022. 2 Land Use Permits were processed in May with 1 pending approval. The Magnolia Springs Public Library Board will meet Wednesday, May 11 at noon at Town Hall.

15. Executive Session:

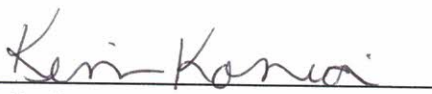
Town Attorney Lauren Collinsworth referenced license to practice as an attorney in the State of Alabama. Alabama Code 36-25A-7(3) referenced for Council to discuss with the Town attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but pursues a proposed course of action or to meet or confer with a mediator or arbitrator with respect to any litigation 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 governmental body involving another party, group or body.

Councilmember Andrew Monaghan made motion to go into Executive Session. Second, by Councilmember Bob Turner. All in favor. Motion carried.

16. Adjourn:


Mayor Kim Koniar asked for motion to adjourn, noting that the meeting will not reconvene. Councilmember Bob Turner made motion to adjourn. Second, by Mayor Pro Tempore Nick Shields. Meeting adjourned at 6:07 pm.

Approved this 24th day of May 2022.



Kim Koniar, Mayor

ATTEST:



Hannah Driskell, Town Clerk

