

February 22, 2022  
 Regular Council Meeting  
 12191 Magnolia Springs Hwy.  
 Magnolia Springs, Alabama 36555

1. Call to Order:  
 Mayor Kim Koniar called 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 Bob Turner.  
 Absent: Councilmember Ross Houser.  
 Also, present: Town Clerk Hannah Driskell.
3. Invocation and Pledge:  
 Mayor Pro Tempore Nick Shields led the invocation and pledge.
4. Proclamation:
  - Arbor Day Proclamation, February 26, 2022 – Mayor Kim Koniar read the Arbor Day proclamation to proclaim Saturday, February 26, 2022, as Arbor Day within the Town of Magnolia Springs. Mayor Koniar noted that Arbor Day will be held at the Magnolia Springs Fire Department Saturday, February 26, 2022, at 9 am.
5. Approval of Council Minutes, January 2022:  
 Mayor Kim Koniar asked for approval of minutes for Council Workshop, January 11, 2022, and Regular Council Meeting, January 25, 2022. Councilmember Steve Mobley made motion to approve minutes as presented with the change of Mayor Pro Tempore Nick Shields calling the meeting to order on the January 25, 2022 minutes. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.
6. Approval of Financials and Expenditures, January 2022:  
 Mayor Kim Koniar asked for a motion to approve the January 2022 Financials and Expenditures. Councilmember Bob Turner made motion to approve December Financials and Expenditures. Second, by Councilmember Steve Mobley. All in favor. Motion carried.
7. Public Comment:  
 No public comment.
8. Resolutions:
  - Resolution No. 2022-02 – Agreement with Avenu Insights & Analytics, LLC on Administering and Collecting Local Sales Tax – Mayor Kim Koniar stated that Avenu is who collects the sales tax on behalf of the Town. The agreement would be to continue their services. Councilmember Bob Turner made motion to approve Resolution No. 2022-02. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.
  - Resolution No. 2022-03 – Agreement with Avenu Insights & Analytics, LLC for Collection of Sales/Use Tax – Councilmember Andrew Monaghan made motion to approve Resolution No. 2022-03. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.
  - Resolution No. 2022-04 – Donating Funds to the Magnolia Springs Volunteer Fire Department – Mayor Kim Koniar stated that the \$10,000 donation was included in the 2021-2022 budget. Councilmember Andrew Monaghan made motion to approve Resolution No. 2022-04. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.
  - Resolution No. 2022-05 – Authorizing Mayor to Enter into Agreement with Safe Span, LLC for Bridge Inspection – Mayor Kim Koniar stated that Safe Span would need to have the bridge inspection this year even though the bridge was inspected last year due to the State of Alabama requiring all bridges to be inspected at the same time statewide. Councilmember Steve Mobley made motion to approve Resolution No. 2022-05. Second, by Councilmember Bob Turner. All in favor. Motion carried.
  - Resolution No. 2022-06 – Establishing Library Board and Its Members – Mayor Kim Koniar stated that all the terms are expired. Mayor Koniar stated that this Resolution would have the new members finish out the remaining terms and new appointments would occur in July. Councilmember Steve Mobley made motion to approve Resolution No. 2022-06 with changes to terms language. Second, by Councilmember Bob Turner. All in favor. Motion carried.



9. Ordinances:

- Ordinance No. 2022-01 – Fee Schedule for Planning & Zoning Functions – Mayor Kim Koniar stated that Ordinance No. 2022-01 was discussed at the previous Council Workshop.

Councilmember Andrew Monaghan made motion to suspend the rules. Second, by Councilmember Bob Turner.

Roll Call Vote to Suspend the Rules:

Mayor Kim Koniar, yea  
Mayor Pro Tempore Nick Shields, yea  
Councilmember Andrew Monaghan, yea  
Councilmember Steve Mobley, yea  
Councilmember Ross Houser, not present  
Councilmember Bob Turner, yea

Roll Call Vote for Ordinance No. 2022-01

Mayor Kim Koniar, yea  
Mayor Pro Tempore Nick Shields, yea  
Councilmember Andrew Monaghan, yea  
Councilmember Steve Mobley, yea  
Councilmember Ross Houser, not present  
Councilmember Bob Turner, yea  
5 yea, 0 nay, 1 not present

Ordinance No. 2022-01 passed.

10. Presentation:

- Andy James – Volkert Engineering – Drainage Master Plan Proposal – Andy James with Volkert Engineering discussed updating the drainage master plan. Mr. James stated that all the ditches and pipes in Town limits would be surveyed and entered into a computer model to assess conditions of the ditches and pipes. Volkert would provide recommendations of the sites that need to be replaced or repaired from worst condition to least condition. Volkert would discuss with the Town the different options with how the projects are broken down by streets, basins, and funding. Volkert will invoice the Town as they go until completion of the study. Shari Woody, FEMA Coordinator, discussed the potential grant options that the Town could apply for to fund the drainage projects. Mayor Koniar noted that the Town will prepare a Resolution to accept the proposal at the next Regular Council Meeting.

11. Application for Permission to Use Magnolia Springs School Property:

- Magnolia Springs Volunteer Fire Department, Magnolia Springs Firefighter Festival, October 22, 2022 – Mayor Kim Koniar stated that the Magnolia Springs Volunteer Fire Department asked for fees to be waived for their Magnolia Springs Firefighter Festival. Councilmember Andrew Monaghan made motion to approve Application for Permission to Use Magnolia Springs School Property for the Magnolia Springs Volunteer Fire Department with fees waived. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.

12. Discussion:

- BCSS Franchise Agreement – Councilmember Andrew Monaghan discussed that he, Ross Houser, Richard Peterson, and Tommy Rachel met and reviewed a franchise agreement document. Councilmember Monaghan stated that the Town Attorney will need to review and make changes as needed. Councilmember Bob Turner stated that he will be meeting with BCSS to ask questions regarding sewer services. Councilmember Turner stated that septic tanks that are working properly should not be putting waste into the river, according to the Baldwin County Health Department. Councilmember Turner stated that Tommy Rachel is lining up speakers to come to a Town meeting to discuss septic and sewer within the next couple of weeks. Mayor Kim Koniar requested to reserve the Community Hall if it is available on Friday, March 18, 2022, at 4:30 pm.
- Ordinance Amendment Regarding Fences – Mayor Kim Koniar stated that she had asked the Planning Commission to revise the Zoning Ordinance for side setbacks on property lines. Mayor Koniar asked to send the ordinance back to the Planning Commission to revisit and provide additional clarification on setbacks for the street side of corner lots.
- Arboretum – Mayor Kim Koniar stated that fixing the pavers would fall under the bid law due to the price to repair. Shari Woody noted that FEMA did not recommend replacing with pavers and preferred concrete. Councilmember Bob Turner will get updated estimates for concrete and Flexi-Pave.

- League of Municipalities Voting Delegates – Mayor Kim Koniar discussed the League of Municipalities Annual Business Meeting where voting would take place. Mayor Koniar stated that the Council could determine who would be the voting delegates at the next Regular Council Meeting.
- Magnolia Springs Public Library – Mayor Kim Koniar discussed increasing the number of hours for the librarian which would increase her pay and would need to begin paying into RSA. Mayor Koniar is concerned about finding funding in the budget for additional hours for the librarian. Mayor Koniar noted that an option is to have the Friends of the Magnolia Springs Public Library could supplement the librarian’s pay.

13. Council, Legal Counsel and Staff Comments:

Shari Woody, FEMA Coordinator, discussed that Alabama Emergency Management Agency sent 75% of the 75% of funds allocated for the debris removal from Hurricane Sally and the funds have been received by the Town. Mrs. Woody stated that the additional work has been completed as requested by AEMA with the Bay Street drainage project to be completed within the coming weeks. Mayor Kim Koniar discussed hiring a code enforcement officer to enforce ordinances and stop work that is being performed without proper permitting. Mayor Kim Koniar stated that a property owner within the Town has begun work without obtaining a permit that is on the Magnolia River. Mayor Koniar stated that a Stop Work Order will need to be sent immediately. Mayor Pro Tempore Nick Shields noted that Gary’s Tree Service will be completing the tree removal of the Town’s lot on Gates Avenue this week.

14. Any Other Business That Might Come Before the Meeting:

No other business that might come before the meeting.

15. Adjourn:

Mayor Kim Koniar asked for motion to adjourn. Councilmember Bob Turner made motion to adjourn. Second, by Councilmember Andrew Monaghan. All in favor. Meeting adjourned at 7:28 pm.

Approved this 22nd day of March 2022.



Kim Koniar, Mayor

ATTEST:

  
Hannah Driskell, Town Clerk

