

September 27, 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 following publication and posting pursuant to Alabama law.
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; Assistant Town Clerk, Margy Ruhe-Spencer.
3. Invocation and Pledge:
 Mayor Pro Tempore Nick Shields led the invocation and pledge.
4. Approval of Council Minutes, August 2022:
 Mayor Kim Koniar asked for approval of minutes for Council Workshop, August 9, 2022, and Regular Council Meeting, August 23, 2022, and Town Meeting, August 25, 2022. Councilmember Andrew Monaghan made motion to approve minutes as presented. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.
5. Approval of Financials and Expenditures, August 2022:
 Mayor Kim Koniar asked for approval of the August Financials and Expenditures. Councilmember Bob Turner made motion to approve August Financials and Expenditures. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.
6. Proclamation:
 - Fire Prevention Week, October 9-15, 2022 – Mayor Kim Koniar read the Fire Prevention Week Proclamation. Mayor Pro Tempore Nick Shields made motion to approve the Fire Prevention Week Proclamation. Mayor Koniar noted that the fire department installs smoke alarms and batteries for residents in the community. Second, by Councilmember Bob Turner. All in favor. Motion carried.
7. Public Hearing – 14322 Live Oak Avenue Nuisance Abatement:
 - Open Public Hearing – Mayor Kim Koniar opened the public hearing at 5:08 p.m. Judy Duffy, neighbor to the east of 14322 Live Oak Avenue, discussed the hardship of selling her home due to the neglect of the property. Ms. Duffy noted that the issues at the residence has been ongoing for the past few years. Councilmember Andrew Monaghan demanded Jerry Swann, resident, to clean up the property, cease conducting business within Town limits without a license, and to cease conducting business in a residentially zoned district.
 - Close Public Hearing – Mayor Kim Koniar closed the public hearing at 5:16 p.m.
8. Public Comment:
 - Buster Slay – Mr. Slay, on behalf of St. Paul’s Episcopal Chapel, discussed the 9th Annual Speckled Trout Invitational Fishing Tournament and asked Town Council to consider being a sponsor of the event.
9. Resolutions:
 - Resolution No. 2022-27 – Authorizing Mayor to Enter into a Contract with the Sheriff of Baldwin County, Alabama, for Law Enforcement Services – Mayor Kim Koniar asked Council to watch the video from the County Commission Workshop regarding Sheriff Mack and the Town of Magnolia Springs regarding law enforcement services. Mayor Koniar requested council to refrain from voting on the Resolution until after she and Councilmember Andrew Monaghan meet with Sheriff Mack.

- Resolution No. 2022-28 – 14322 Live Oak Avenue Nuisance Abatement – Mayor and Council discussed giving Jerry Swann, resident, 14 days to remove the junked vehicles. Mayor Koniar noted that the approved date would need to be changed to September 27, 2022. Councilmember Steve Mobley made motion to approve Resolution No. 2022-28 with changes to the approved date and adding 14 days to resolution for the vehicles to be removed. Second, by Councilmember Andrew Monaghan. All in favor. Motion carried.
- Resolution No. 2022-29 – Agreement with AVENU Insights & Analytics, LLC on Business License Discovery/Recovery Administration – Councilmember Steve Mobley made motion to approve Resolution No. 2022-29. Second, by Councilmember Bob Turner. All in favor. Motion carried.
- Resolution No. 2022-30 – Adopt Fiscal Year (FY) 2022-2023 General Fund Budget – Mayor Kim Koniar noted that a small change to the budget has been made since the Council Workshop. Additional funds were added to the line item for the assistant town clerk for a raise. Mayor Pro Tempore Nick Shields addressed concerns with the tree committee’s budget. Mayor Koniar noted that the budget can be amended throughout the year, as needed. Councilmember Andrew Monaghan made motion to approve Resolution No. 2022-30. Second by, Councilmember Bob Turner. All in favor. Motion carried.
- Resolution No. 2022-31 – 2023 Severe Weather Preparedness Tax Holiday, February 24-26, 2023 – Councilmember Steve Mobley made motion to approve Resolution No. 2022-31. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.

10. Ordinances:

- Ordinance No. 2022-03 – Ordinance to Adopt Sanitary Sewer Installation – Councilmember Bob Turner noted that the ordinance is still under consideration and Richard Peterson, Town Engineer, has been out of town for the past few weeks and has not completed rewriting the new draft. Gerry McManus, with Baldwin County Sewer Service, commented on the Council’s concerns. Mr. McManus noted that sewer south of the Magnolia River would go to the Fort Morgan treatment plant and sewer north of the Magnolia River would go to the Fairhope and Spanish Fort treatment plants. Mr. McManus noted that the treatment plants are not at capacity and other treatment plants are under construction to alleviate near capacity concerns. Mr. McManus stated that the lift stations are monitored 24/7 by two separate agencies and on-call personnel are notified immediately. Mr. McManus noted that he has no plans to increase the monthly sewer rates for customers.

11. State of Alabama Alcoholic Beverage Control Board – Alcohol License Application:

- Dollar General Store 21895 – 14709 US Highway 98, Magnolia Springs, AL 36555 – Councilmember Bob Turner made motion to approve Dollar General’s Alcohol License Application. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.

12. Discussion:

- Street Paving Projects – Councilmember Steve Mobley noted that he received an estimate from R&S Paving for \$28,000.00. Councilmember Mobley will continue to reach out to companies for estimates before bidding the project out. Mayor Kim Koniar requested Councilmember Mobley to reach out to an asphalt company to redo the older speed humps in Town due to them wearing down. Mayor Kim Koniar asked Councilmember Bob Turner for Asphalt Services to return the 3M tape that was given to them to restripe the Magnolia River bridge last year.
- Arboretum Sidewalk Issues – Councilmember Bob Turner discussed several issues with the Arboretum’s sidewalk. Councilmember Turner and Councilmember Steve Mobley met David Green and his employees regarding issues with the sidewalk installation. Councilmember Turner stated that dirt was left unattended at the edge of the concrete, sprinklers were damaged, cracked sections, and there were initials and date written into the concrete. Councilmember Turner noted that the dirt will be spread out and rocks removed, the sprinklers will be replaced, the cracked section will be replaced, and the initials and date will be removed. Councilmember Turner noted that he was unable to find the original irrigation plans to show GreenCo, Inc where to replace the pipes. Councilmember Turner noted that local residents were concerned about the gas lines that feed their residence being damaged. Riviera Utilities verified the gas lines were not damaged and the lines will be located. No further work will be done until the lines are located. Councilmember Turner noted that all the repairs will be completed within the next two days and a final inspection will occur after that. Mayor Kim Koniar discussed her disappointment in the installation of the sidewalk. Mayor Koniar stated she spoke with a concrete engineer regarding the sidewalk installation. Mayor Koniar is concerned with the lack of expansion joints and future cracks. Mayor Koniar noted that the Arboretum will not reopen until the projects are completed and after the Garden Club can enter and begin their rehabilitation.

- Ordinance No. 2022-05 – Amending Business License Ordinance 2020-05 – Town Clerk, Hannah Driskell discussed the amendment to the business license ordinance to increase the issuance fee to \$14 and amend the caterer’s section for mobile food units to use a different fee schedule.

13. Council, Legal Counsel and Staff Comments:

Town Clerk, Hannah Driskell, gave the Clerk’s office report. 460 Business License had been issued in 2022. 47 Land Use Certificates were approved in 2022, with 8 in September and 2 pending.

Town Clerk, Hannah Driskell, noted that there have been 98 responses to the Magnolia Springs Public Lands survey. The top priority is children’s play equipment, second being gardens and flowers for the Old School Property. The top park name for the Old School Property is Old School Park, second being Frances Cleverdon Park.

Town Clerk, Hannah Driskell, reminded Council that the Magnolia Springs Volunteer Fire Department’s Magnolia Springs Firefighter Festival will be held on October 22, 2022, from 10 am to 5pm.

Town Clerk, Hannah Driskell, noted that Lil J’s Southern Cooking Food Truck was successful, and they will be returning on September 30, 2022, from 4:30 pm to 7 pm.

Town Clerk, Hannah Driskell, noted that an annexation petition has been submitted off Van Wezel Lane. The annexation petition has been sent to the Town Attorney for assistance.

Town Clerk, Hannah Driskell, reminded citizens that Golf Cart permits will expire on Friday, September 30, 2022, and to renew before that date.

Town Clerk, Hannah Driskell, noted that the Planning Commission Meeting will be held Tuesday, October 4, 2022, at 4:00 pm.

Mayor Kim Koniar stated that she spoke with a County Commissioner and was advised that Baldwin County did not receive the grant money to dredge the Magnolia River. They did get a partial grant to convert the burrow pits along the river east of the head of the Magnolia River.

Mayor Kim Koniar noted that the Town has a good chance of receiving the sidewalk improvement grant from the State of Alabama.

Councilmember Bob Turner noted that the Holmes Tract of land, consisting of 800 acres, was bought by South Alabama Land Trust and it will not be developed. The Holmes Tract is located south of the Magnolia River near Bemis Bay.

Mayor Kim Koniar noted that the Ad Hoc Committee will meet after the survey has closed and will be scheduling a meeting date soon.

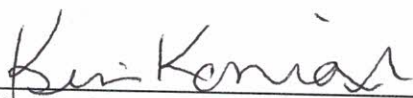
14. Any Other Business That Might Come Before the Meeting:

No other business that might come before the meeting.

15. Adjourn:

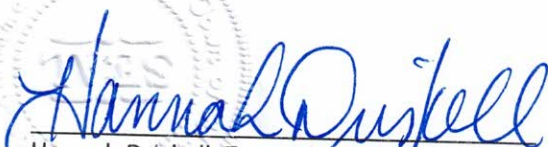
Mayor Kim Koniar asked for motion to adjourn. Councilmember Andrew Monaghan made motion to adjourn. Second, by Councilmember Bob Turner. All in favor. Meeting adjourned at 6:23 pm.

Approved this 25th day of October 2022.



Kim Koniar, Mayor

ATTEST:



Hannah Driskell, Town Clerk



