

February 27, 2024  
 Regular Council Meeting  
 12191 Magnolia Springs Hwy.  
 Magnolia Springs, Alabama 36555

1. Call to Order:

Mayor Ross Houser called the meeting to order at 5:00 pm following publication and posting pursuant to Alabama law.

2. Roll Call:

Mayor Ross Houser; Mayor Pro Tempore Nick Shields;  
 Councilmember Andrew Monaghan;  
 Councilmember Harold Sherman; Councilmember Bob Turner.  
 Absent: Councilmember Steve Mobley.  
 Also, present: Town Clerk Hannah Driskell; Town Attorney Brad Hicks.

3. Invocation and Pledge:

Mayor Pro Tempore Nick Shields led the invocation and pledge.

4. Executive Session:

Town Attorney, Brad Hicks, recommends to the Town Council to adopt a motion for the Council to convene in executive session to discuss with the Town 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. Town Attorney, Brad Hicks, stated that is an attorney licensed to practice law in the State of Alabama and the exception is applicable to the planned discussion. Councilmember Andrew Monaghan made the motion for the Council to convene in executive session. Second, by Mayor Pro Tempore Nick Shields.

Roll Call Vote:

Mayor Ross Houser, yea  
 Mayor Pro Tempore Nick Shields, yea  
 Councilmember Andrew Monaghan, yea  
 Councilmember Steve Mobley, not present  
 Councilmember Harold Sherman, yea  
 Councilmember Bob Turner, yea  
 5 yea, 0 nay, 1 absent. Motion carried.

Councilmember Ross Houser stated that the Council will reconvene. The executive session began at 5:02 p.m.

Council reconvened the Council Workshop at 5:25 p.m.

5. Approval of Council Minutes, January 2024:

Mayor Ross Houser asked for approval of minutes for Council Workshop, January 9, 2024, and Regular Council Meeting, January 23, 2024. Mayor Pro Tempore Nick Shields made a motion to approve the Council Workshop and Regular Council Meeting minutes. Second, by Councilmember Bob Turner. All in favor. Motion carried.

6. Approval of Financials and Expenditures, December 2023 & January 2024:

Mayor Ross Houser asked for approval of the December 2023 and January 2024 Financials & Expenditures. Councilmember Andrew Monaghan made a motion to approve the December 2023 and January 2024 Financials & Expenditures. Second, by Councilmember Bob Turner. All in favor. Motion carried.

7. Public Hearing, 14861 Cotton Stocking Lane Nuisance Abatement:

Mayor Ross Houser opened the public hearing at 5:27 p.m.  
 No public hearing comments.  
 Mayor Ross Houser closed the public hearing at 5:28 p.m.

8. Public Comment:

- Mary Ann Underwood – Ms. Underwood, resident of County Road 49, stated that she is disappointed that the Town is considering closing the library.

- Kenneth Challener – Mr. Challener, property owner of Gates Avenue, inquired about Town rights-of-way. Mr. Challener stated that he owns property and pays taxes on the property to the roadway and has an easement for utilities. Mr. Challener inquired on what legal grounds the Town has to maintain the land between the road and his fence along Gates Avenue. Councilmember Andrew Monaghan noted that Mr. Challener’s property line should meet the Town right-of-way and the Town owns and controls the right-of-way. Councilmember Monaghan noted that if there is concern over the location of the right-of-way that a survey should be obtained. Mayor Ross Houser noted that he will consult the Town Attorney, Brad Hicks.
- Alida Given – Ms. Given, resident of Oak Street, discussed the potential closing of the library. Ms. Given discussed the importance of the library to the Magnolia Springs community in the past. Ms. Given urged the Council to not close the library. She notes that the library is a community gathering place in addition to the library services. Ms. Given noted that the library operated with volunteers in the past and could operate with volunteers again with a library director working nineteen (19) hours per week.
- Kale Miller-Cameron – Ms. Cameron, resident of Cedar Street, discussed drainage issues on the corner of her property that meets the intersection of Old Marlow Road and Gates Avenue. Ms. Cameron stated that the culvert that runs under the road is silted in, and the south end of the culvert is overgrown, causing drainage concerns. Ms. Cameron urged the Council to address the drainage issues at the intersection. Ms. Cameron discussed the asphalt on Cedar Street where it meets Old Marlow Road, is crumbling. Ms. Cameron urged Council to address and fix the roadway. Mayor Ross Houser noted that Public Works Director, Steve Mobley, is not present to comment further. Mayor Houser noted that multiple issues need to be addressed in that area.
- Quentin Johnson – Mr. Johnson, resident of Cedar Street, noted that the library was a magnet for children and young adults in the past. Mr. Johnson noted that he is unaware of any other organization or event that children or young adults could gravitate to in Magnolia Springs.

#### 9. Resolutions:

- Resolution No. 2024-02 – 14861 Cotton Stocking Lane Nuisance Abatement – Councilmember Bob Turner made motion to approve Resolution No. 2024-02. Second, by Councilmember Harold Sherman. All in favor. Motion carried.
- Resolution No. 2024-03 – Authorizing the Mayor to Enter into an Agreement with Safe Span, LLC for Inspection Service of the In-Service Bridge (BIN 016355), Magnolia Springs Highway Over Magnolia River, Magnolia Springs, Alabama – Mayor Ross Houser noted that the price of the bridge inspection has increased since the last inspection two years ago. The cost of the bridge inspection is \$3,600. Councilmember Harold Sherman made a motion to approve Resolution No. 2024-03. Seconded by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.
- Resolution No. 2024-04 – Authorizing the Mayor to Enter into Agreement with Mobile Baykeeper to Conduct Bacteriological Testing – Mayor Ross Houser noted that the Council approves the agreement with Mobile Baykeeper to conduct bacteriological testing of the Magnolia River every year. The price has not changed since last year, costing \$4,000. Mayor Houser noted that it is a benefit to the community to conduct the testing of the water. Councilmember Bob Turner made a motion to approve Resolution No. 2024-04. Seconded by Councilmember Harold Sherman. All in favor. Motion carried.

#### 10. Discussion:

- Sidewalk Update – Mayor Ross Houser discussed a new sidewalk location proposal. The purpose of the sidewalks is to get people to the post office, fire station, and gas station. The new proposal for the sidewalk location will end in front of the Magnolia Springs Volunteer Fire Department, go around the Magnolia Springs Old School Park, and north along Magnolia Avenue, ending at the Post Office. Mayor Houser noted that the Comprehensive Plan showed a sidewalk around the park. Mayor Houser was unable to address questions about adding sidewalks to Oak Street, Village Green, US Highway 98, and other areas within the Town. Councilmember Bob Turner noted that the sidewalk grant appealed to the Council due to the benefit of sidewalks to the community. Mayor Houser noted that the proposed sidewalk map changed due to the drainage and roadway concerns at Gates Avenue and Old Marlow Road that need to be addressed separately from the grant.
- Library Update – Mayor Ross Houser noted that the Magnolia Springs Library Board has come to the Council with the recommendation to close the library. Mayor Houser stated that he intends to meet with the Library Board to discuss their recommendation further before the Regular Council Meeting. Councilmember Harold Sherman discussed changes within the State of Alabama’s library services and the Baldwin County library system which is pausing research and the development of future library services in Magnolia Springs. Councilmember Harold Sherman noted that the current Magnolia Springs Public Library Board is in favor of reorganizing the Magnolia Springs Public Library where it is a separate 501(c)3 board from the Town, would be supported by donations from private individuals, businesses, and other government entities. A new, restructured library could have an application process for board

- members, volunteers, and hire a library director that is not under the constraints of being a municipal employee. After questions raised by attendees, Jan Pruitt, Magnolia Springs Public Board member, read the recommendation that the Board made to the Town Council at the previous Council Workshop.
- Nominate Voting Delegate for the Alabama League of Municipalities – Mayor Ross Houser noted that the Alabama League of Municipalities holds a business meeting each year during their annual conference in May. Only the representatives that the Council elects can vote during the business meeting. Councilmember Bob Turner expressed interest in attending the meeting on behalf of the Town. Councilmember Harold Sherman made motion to approve Councilmember Bob Turner as the Town’s voting delegate for the Alabama League of Municipalities. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.

11. Council, Legal Counsel and Staff Comments:

Town Clerk Hannah Driskell announced the Arbor Day celebration at the Magnolia Springs Volunteer Fire Department on Saturday, March 2, 2024, starting at 9 am. Councilmember Harold Sherman volunteered to attend to read the Arbor Day proclamation. The Bookmobile will be at the Magnolia Springs Old School Park on Tuesday, March 5 from 12:30 – 1:30 p.m. The Planning Commission will meet on Tuesday, March 5 at 4:00 p.m. The Historic Preservation Commission will meet on Thursday, March 7 at 4:00 p.m.

Councilmember Harold Sherman discussed a meeting with Volkert regarding the drainage study. Volkert provided a list of priority areas for drainage issues. Volkert is in the process of developing designs for the urgent areas that need to be addressed. Councilmember Harold Sherman noted that the Town has funds budgeted to begin addressing some of the problem areas. Councilmember Sherman noted that the Town would have to advertise for bids for companies to perform the maintenance on the culverts and ditches, as the Town does not have the equipment and manpower to perform maintenance.

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

No other business that might come before the meeting.

13. Adjourn:

Mayor Ross Houser asked for a motion to adjourn the meeting. Councilmember Bob Turner made a motion to adjourn. Second, by Mayor Pro Tempore Nick Shields. All in favor. The meeting adjourned at 6:07 pm.


Approved this 26th day of March 2024.




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Ross Houser, Mayor

ATTEST:




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Hannah Driskell, Town Clerk

