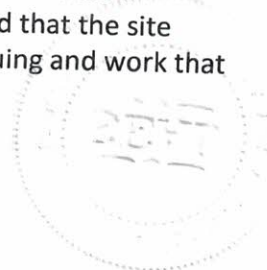


February 23, 2021  
 Regular Council Meeting  
 12191 Magnolia Springs Hwy.  
 Magnolia Springs, Alabama 36555  
 5:00 P.M.

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 Ross Houser, Councilmember Bob Turner, and Mayor Pro Tempore, Nick Shields.  
Also, present: Town Attorney, Brad Hicks and Town Clerk, Mike Jinks.
3. Invocation and Pledge:  
 Councilmember, Nick Shields, lead invocation and pledge.
4. Approval of Council Minutes, January 2021:  
 Mayor Kim Koniar asked for approval of minutes for Special Council Meeting, January 5, 2021, Council Workshop, January 12, 2021 and Regular Council Meeting, January 26, 2021. Councilmember Steve Mobley made motion to approve the January 2021 minutes as submitted. Second, by Councilmember Bob Turner. All in favor. Motion carried.
5. Approval of Financials and Expenditures, January 2021:  
 Mayor Kim Koniar stated that the Income Statement and Balance Sheet balances we not included and will be presented at the next Regular Council Meeting.
6. Application for Permission to Use Magnolia Springs School Property:
  - Magnolia Springs Baptist Church, Easter Sunday Morning Community Church Service, Sunday, April 4, 2021, 7 a.m. – 4 p.m. – Mayor Kim Koniar stated that the Magnolia Springs Baptist Church has submitted an application to use the Magnolia Springs School Property on Easter Sunday to conduct an Easter Sunday Church Service. Mayor Koniar stated that the Church would like the fees and security to be waived. Councilmember Ross Houser made motion to approve the Magnolia Springs Baptist Church using the Magnolia Springs School Property for an Easter Sunday Morning Community Church Service, Sunday, April 4, 2021, 7 a.m. to 4 p.m. and waiving the fees and security requirement. Second, by Councilmember Bob Turner. All in favor. Motion carried.
7. Public Comment:  
 No public comment.
8. Discussion:
  - BCSS Franchise Agreement – Councilmember Andrew Monaghan reported he has read the draft and that it still does not meet all the criteria that he would like. Councilmember Monaghan asked the Council allow Attorney Brad Hicks to redraft the agreement with the items that the Town wants in the agreement.
  - No Thru Trucks – Mayor Koniar reported that the “No Thru Trucks” signs went up on Magnolia Springs Highway on Monday, along with the 30MPH signs. Attorney Brad Hicks stated that without an ordinance restricting no thru trucks, it was not enforceable. Mr. Hicks added that with an ordinance, it was enforceable, and the District Court would handle cases. Town Council discussed the safety of the bridge. Mr. Hicks recommended that Council pass a Temporary Ordinance or Resolution for the “No Thru Trucks”.
  - Hurricane Sally – Shari Woody, the Town’s FEMA Coordinator, reported that the site inspection reports are in and are waiting on estimates on work continuing and work that still needs to be done.
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- Mosquito Control – Councilmember Bob Turner reported that he has researched the different chemicals that were harmful to other insects, animals, and humans. Councilmember Turner suggested using funds that were set aside for mosquito spraying to be used for mosquito mitigation, such as discs for standing water. Councilmember Bob Turner made motion to discontinue mosquito spraying within Town limits. Second, by Councilmember Andrew Monaghan. All in favor. Motion carried.
- Right-of-Way Discussion – Mayor Kim Koniar stated that there are issues regarding the parking and construction on the Town’s right-of-way. Town Attorney Brad Hicks stated that the right-of-way is determined by a survey and type of right-of-way.

9. Committee Reports:

- Public Works – Councilmember Steve Mobley reported that he is working with Shari Woody on the FEMA grant. Councilmember Mobley reported that Magnolia Landing has been reopened for public use. Councilmember Mobley stated the need for a part-time maintenance employee. Mayor Koniar requested the position be advertised. Councilmember Mobley stated that if stamped concrete were used to replace the pavers at the Arboretum, the Town would need to dispose of the pavers. Shari Woody will inquire about selling the pavers and if FEMA would require the Arboretum to be ADA compliant with repairs.
- Trees & Streetscape – Mayor Pro Tempore Nick Shields reported that he met with Gary’s Tree Service and marked trees that are leaning at Magnolia Landing and the Town’s lot on Gates Avenue. Shari Woody will inquire about the need for monitors to oversee the removal of the trees. Mayor Pro Tempore Nick Shields stated he will contact Riviera about the pine tree that is leaning over power lines on Oak Street.

10. Council, Legal Counsel and Staff Comments:

Mayor Koniar requested the Council to go into Executive Session.  
Town Attorney, Brad Hicks, asked for motion to go into Executive Session to discuss the general reputation and character, physical condition, professional competence or mental health of individuals, personnel, or pending litigation.  
Councilmember Andrew Monaghan made motion for Council to enter Executive Session. Second, by Councilmember Steve Mobley.  
All in favor. Motion carried.  
Town Attorney Brad Hicks 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.  
The Council voted unanimously to go into executive session.

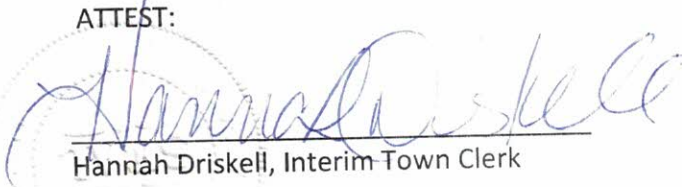
12. Adjourn:

Mayor Kim Koniar stated the Regular Council Meeting was adjourned for the Council to go into Executive Session and would not reconvene. Meeting adjourned at 6:28 p.m.

Approved this 23<sup>rd</sup> day of March 2021.

  
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Kim Koniar, Mayor

ATTEST:

  
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Hannah Driskell, Interim Town Clerk