

October 26, 2021
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 Ross Houser; Councilmember Bob Turner.
Also, present: Town Clerk Hannah Driskell.
3. Invocation and Pledge:
Mayor Pro Tempore Nick Shields led the invocation and pledge.
4. Open Public Hearing, Final Notice to Abate Nuisance, 14322 Live Oak Avenue:
Mayor Kim Koniar opened the public hearing for the Final Notice to Abate Nuisance at 14322 Live Oak Avenue at 5:01 p.m.
Councilmember Steve Mobley, acting as the Nuisance Officer, discussed the condition of the nuisance property at 14322 Live Oak Avenue. Councilmember Mobley discussed the presence of numerous junked, inoperable vehicles without current license plates located on the property. Councilmember Mobley noted that three (3) letters starting in July 2021 have been sent to the property owner advising them to remove the vehicles from the property. Councilmember Mobley stated that nothing has been done to improve the condition of the property.
No other persons in attendance have requested to speak during the public hearing.
5. Close Public Hearing, Final Notice to Abate Nuisance, 14322 Live Oak Avenue:
Mayor Kim Koniar closed the public hearing for the Final Notice to Abate Nuisance at 14322 Live Oak Avenue at 5:02 p.m.
6. Final Notice to Abate Nuisance, 14322 Live Oak Avenue, Discussion & Determination:
Mayor Kim Koniar discussed hiring a tow company to remove the vehicles and where to place them after removal. Town Attorney, Brad Hicks, discussed having the costs of the abatement assessed to the property owner which would follow another public hearing. Mr. Hicks stated that since the property owner did not appear at the public hearing, a letter would need to be sent to the owner via certified mail. Ten (10) days after the letter has been sent, the Town could begin the removal of the vehicles. Town Attorney Brad Hicks recommended that Resolution 2021-16, allowing the Town of Magnolia Springs to remove a public nuisance located at 14322 Live Oak Avenue, be passed. Councilmember Andrew Monaghan made motion to approve Resolution 2021-16. Second, by Councilmember Bob Turner. All in favor. Motion carried.
7. Approval of Council Minutes, September 2021:
Mayor Kim Koniar asked for approval of minutes for Council Workshop, September 14, 2021, Regular Council Meeting, September 28, 2021. Mayor Pro Tempore Nick Shields made motion to approve all minutes as presented. Second, by Councilmember Steve Mobley. All in favor. Motion carried.
8. Approval of Financials and Expenditures, September 2021:
Mayor Kim Koniar asked for a motion to approve the September Financials and Expenditures. Councilmember Andrew Monaghan made motion to approve September Financials and Expenditures. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.

9. Public Comment:

Helen Soule & Deborah Marriott – Helen Soule discussed the Magnolia Springs Community Association’s upcoming potluck. The November potluck will be honoring first responders. Deborah Marriott discussed the Christmas events planned through the Magnolia Springs Community Association. Ms. Marriott discussed the plan to put luminaries down Oak Street, Woodland Drive and Pecan Grove Street. The Community Association is accepting donations to be able to provide every property owner along those streets to have luminaries in front of their homes. The Community Association will also be selling “A Redbird Christmas” books autographed by Fannie Flagg to raise money for the Community Association.

10. Resolutions:

- Resolution No. 2021-15 – Authorizing the Mayor to Enter into an Intergovernmental Service Agreement with the Baldwin County Commission to Use the County’s Voting Machines and Services of the County Voting Machine Custodian for Municipal Elections - Town Clerk Hannah Driskell stated Baldwin County sent the agreement for the voting machines for municipal elections. Ms. Driskell stated that the Town renews this agreement with the County every three (3) years. Councilmember Steve Mobley made motion to approve Resolution No. 2021-15. Second, by Mayor Pro Tempore Nick Shields. All in favor. Motion carried.

11. Discussion:

- Nuisances: Mayor Kim Koniar stated that the Planning Commission has sent out a few letters to residents in the planning jurisdiction over Subdivision Regulations violations. Mayor Koniar noted that there is a property on Old Marlow Road where the property owner is deceased with unknown heirs. Town Attorney Brad Hicks stated that he is researching how to determine the property owner.
- The Miracle League of Coastal Alabama: Mayor Kim Koniar discussed the presentation the Miracle League of Coastal Alabama gave at the previous Council Workshop. Mayor Koniar asked the Council to discuss the amount the Town would be willing to donate.

12. Council, Legal Counsel and Staff Comments:

Mayor Kim Koniar requested Town Clerk Hannah Driskell to research an ordinance regarding unsightly condition of resident’s yards. Mayor Koniar noted that there are properties within the Town that have weeds and shrubbery in their yards that are unsightly and need to be maintained. Councilmember Bob Turner discussed his research regarding materials to replace the pavers in the arboretum. Councilmember Turner stated that Flexi-Pave is a porous material that is ADA compliant that would cost slightly less than concrete to replace the entire walkway at the arboretum. Town Clerk Hannah Driskell stated that she will be attending the Municipal Clerk’s Annual Conference November 3-5 in Orange Beach and will be out of the office for those days. Town Clerk Hannah Driskell introduced Margy Ruhe-Spencer as the Assistant Town Clerk. Town Clerk Hannah Driskell reported that the Magnolia Springs Firefighter Festival was a success. Next year’s date will be announced the first of the year.

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

No other business that might come before the meeting.

14. Adjourn/Executive Session:

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.

Mayor Kim Koniar stated that the Regular Council Meeting is adjourned and will not reconvene.

Meeting ended at 5:53 p.m.

Approved this 23rd day of November 2021.



Kim Koniar, Mayor

ATTEST:



Hannah Driskell, Town Clerk

