



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final City Council

Monday, November 19, 2012

5:30 PM

Council Chambers

Call to Order / Roll Call

Present: 5 - Council Member Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell and Mayor John Koniar

Others present: City Administrator Mike Thompson, Donna Poole, Miriam Boutwell, Joey Darby, David Wilson, Steven Smith, Butch Stokes, Ricky Gordon, Cody Horton, Matt Parker, Warren Harbison, David Thompson, Chandra Wright, Alec Barrett, Elva Barrett, Cathy Higgins, Angie Walker, Randy Corlew, Randy Davis, Skip Davis and Troy Barrett.

Present: 4 - President Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich and Council Member Rick Blackwell

Absent: 1 - Council Member Charles Ebert III

Public Hearings

[12-0090](#)

Accepting Cost for Weed Abatement for 426 W. Peachtree Avenue and Authorizing a Copy be Sent to the Baldwin County Tax Collector

Attachments: [Resolution - Ordering Weed Abatement.pdf](#)
[Chamber Door Abatement Cost Posting 426 W. Peachtree Avenue 10-2012.docx](#)
[Resolution Accepting Costs for Weed Lien 426 W Peachtree and Authorizing Copy to be Sent to Tax Collector.docx](#)

President Wayne Trawick opened the public hearing at 5:35 p.m. to consider the costs for a weed abatement at 426 W. Peachtree Avenue and authorizing the City Clerk to send a copy of the costs in the amount of \$287.26 to the Baldwin County Tax Collector. Hearing no comments the Council President closed the public hearing.

Enactment No: 13-0065-RES

[12-0128](#)

SETTING A PUBLIC HEARING TO DECLARE WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 761 S. McKENZIE STREET

Attachments: [761 S McKenzie St Weed Abatement 10-01-12.pdf](#)
[Public Hearing Notice.docx](#)

Council President opened the public hearing to declare weeds a nuisance and violating the City's weed abatement ordinance at 761 S. McKenzie Street. Hearing no comments the President reported the weeds have been abated and no further action will be required and closed the public hearing.

[13-0241](#)

Resolution Accepting Costs for Weed Abatement at 2651 S. Juniper St. and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [Chamber Door Abatement Cost Posting Victoria Place SD 10-2012.docx](#)
[Resolution Accepting Costs for Weed Lien 2651 S Juniper and Authorizing Copy to be Sent to Tax Collector.docx](#)

President Wayne Trawick opened the public hearing to consider the costs for a weed abatement at 2651 S. Juniper Street a/k/a Victoria Place and authorizing the City Clerk to send a copy of the costs in the amount of \$5,689.52 to the Baldwin County Tax Collector's office. Hearing no comments President Trawick closed the public hearing.

Enactment No: 13-0066-RES

Call to Order / Roll Call

Present: 5 - Council Member Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell and Mayor John Koniar

Present: 4 - President Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich and Council Member Rick Blackwell

Absent: 1 - Council Member Charles Ebert III

Pledge of Allegiance

Swearing in Ceremony

City Administrator Mike Thompson introduced the Honorable Mary Murchison who will be swearing in the Assistant Municipal Judge and the City Engineer.

[13-0302](#)

Oath of Office - Assistant Municipal Judge

At this time the City Administrator called Ms. Chandra Wright to be sworn in by Judge Murchison.

[13-0329](#)

Oath of Office - City Engineer

Attachments: [Oath of Office Butch Stokes 2012.pdf](#)

City Administrator Mike Thompson called Mr. Wendell "Butch" Stokes to be sworn in by Judge Murchison.

Approval of the Minutes

[13-0311](#) Work Session Minutes of November 5, 2012

Attachments: [Work Session Minutes 11-05-12](#)

A motion was made by Council Member Hellmich, seconded by Council Member Blackwell, that this Minutes be approved. The motion carried by an unanimous vote.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

[13-0201](#) Council Meeting Minutes of October 15, 2012

Attachments: [10-15-12 Council Meeting mINUTES.pdf](#)

A motion was made by Council Member Blackwell, seconded by Council Member Quaites, that this Minutes be approved. The motion carried by an unanimous vote.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

[13-0326](#) Organizational Meeting Minutes of November 5, 2012

Attachments: [Organizational Meeting Minutes.pdf](#)

A motion was made by Council Member Hellmich, seconded by Council Member Quaites, that this Minutes be approved. The motion carried by an unanimous vote.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

[13-0327](#) Council Meeting Minutes of November 5, 2012

Attachments: [November 5 2012 Council Meeting Minutes.pdf](#)

Minutes are amended to show Councilman Hellmich and Councilwoman Quaites voted "Aye" on Item 13-0260.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Departmental Reports

[13-0315](#)

Attachments: [October 2012 CDD Report.pdf](#)
[FY 2011 12 Annual Report.pdf](#)

This Report was presented

[13-0317](#)

Attachments: [Council October 12 11-2012](#)

This Report was presented

[13-0332](#)

Attachments: [20121114161427170.pdf](#)

This Report was presented

[13-0319](#)

Attachments: [201211131318.pdf](#)

This Report was presented

Audit Accounts

[13-0318](#)

Approve October 2012 Accounts

This Agenda Item was approved

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich
and Council Member Blackwell

Ordinances, Resolutions, Proclamations & Other Business

[12-0090](#)

Accepting Cost for Weed Abatement for 426 W. Peachtree Avenue
and Authorizing a Copy be Sent to the Baldwin County Tax Collector

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[Chamber Door Abatement Cost Posting 426 W. Peachtree Avenue 10-2012.docx](#)
[Resolution Accepting Costs for Weed Lien 426 W Peachtree and Authorizing Copy to be Sent to Tax Collector.docx](#)

A motion was made by Council Member Blackwell, seconded by Council Member Hellmich, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0065-RES

[13-0241](#)

Resolution Accepting Costs for Weed Abatement at 2651 S. Juniper St. and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [Chamber Door Abatement Cost Posting Victoria Place SD 10-2012.docx](#)
[Resolution Accepting Costs for Weed Lien 2651 S Juniper and Authorizing Copy to be Sent to Tax Collector.docx](#)

A motion was made by Council Member Quaites, seconded by Council Member Hellmich, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0066-RES

13-0307

Public Hearing to Consider Accepting Costs for Weed Abatement at 9590 County Road 65

Attachments: [Posted Public Hearing Notice.pdf](#)

A motion was made by Council Member Hellmich, seconded by Council Member Blackwell, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0067-RES

[13-0328](#)

Residential Sanitation Write Offs as Uncollectible

Attachments: [Residential Sanitation Write-offs.pdf](#)

A motion was made by Council Member Blackwell, seconded by Council Member Quaites, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0068-RES

[13-0325](#)

Consider proclamation declaring November as National American Indian Heritage Month

Attachments: [proclamation template 2012.pdf](#)

A motion was made by Council Member Hellmich, seconded by Council Member Quaites, that this Proclamation be approved. The motion carried. President Trawick as Mayor Koniar to step forward and read the proclamation.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

[13-0313](#)

Purchase one gator for the Street Department and one gator for the Sanitation Department

Attachments: [Foley Implement Gator Quote](#)
 [NJPA](#)

A motion was made by Council Member Hellmich, seconded by Council Member Quaites, that this Resolution be adopted. The motion carried by the following vote:

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0069-RES

[13-0310](#)

Application for Airport Improvement Funding Assistance

Attachments: [Pre-Application for Federal Assistance](#)

A motion was made by Council Member Hellmich, seconded by Council Member Blackwell, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0070-RES

[13-0314](#)

Request approval to go to bid on Custom Fire Pumper

A motion was made by Council Member Hellmich, seconded by Council Member Blackwell, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0071-RES

[13-0316](#)

Request to amend FY13 budget to transfer FD communications system upgrades from capital purchase to line items

A motion was made by Council Member Hellmich, seconded by Council

Member Blackwell, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0072-RES

[13-0321](#)

Memorialize A&M Portables Invoice

Attachments: [A&M Portables Invoice](#)

A motion was made by Council Member Hellmich, seconded by Council Member Blackwell, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0073-RES

[13-0322](#)

Ashford Park Street Lights

A motion was made by Council Member Hellmich, seconded by Council Member Blackwell, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0074-RES

[13-0323](#)

Memorialize Ryland's Invoice

Attachments: [Ryland's Invoice](#)

A motion was made by Council Member Hellmich, seconded by Council Member Quaites, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0075-RES

[13-0306](#)

Purchase of One (1) Half-Ton, 4x2 Extended Cab Truck for the Engineering Department

A motion was made by Council Member Hellmich, seconded by Council Member Quaites, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0076-RES

[13-0324](#)

Resolution Approving City's Reinsurance Provider for 2013

Attachments: [Memo - Reinsurance Recommendation for 2013](#)

A motion was made by Council Member Blackwell, seconded by Council Member Quaites, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0077-RES

[13-0312](#)

Amending FY13 Budget in the amount of \$2,500 for Additional Plant Storage Area

A motion was made by Council Member Blackwell, seconded by Council Member Hellmich, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0078-RES

[13-0156](#)

Accept bid for CDD truck

Attachments: [Moyer Ford Price Sheet](#)

A motion was made by Council Member Hellmich, seconded by Council Member Blackwell, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0079-RES

[13-0331](#)

Department of Commerce EDA Grant application

A motion was made by Council Member Hellmich, seconded by Council Member Quaites, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0080-RES

Mayor's Comments

Mayor Koniar wanted to clarify that Jeff Rouzie will be the staff representative and David Rauch will be the Mayor's representative for the Planning Commission. The Mayor's Association met on Nov. 14, 2012 and the Council was given a list of roads the Association is looking at. Mayor Koniar wants some input from the Council as to which are of the most important. Representative Steve McMillan attended the meeting also and assured Mayor Koniar that the weed abatement process was being looked to help with the costs that are not recoverable.

Visitor's Comments

Judge Murchison introduced Angie Walker and Warren Harbison, new Defense Attorneys for Municipal Court and commended them for their hard work.

Troy Barrett, Riviera Furniture, stated he had received a certified letter from the Foley Fire Department regarding an annual alarm and sprinkler inspection. Mr. Barrett stated he had an inspection done one year ago and paid \$750. He questioned why he would need another inspection. Chief Darby stated that it is a requirement with the International Fire Codes. He will follow up with Mr. Barrett and provide him with companys that do the annual inspections.

Executive Session

At 6:25 pm. President Trawick asked for a motion to go into Executive Session to discuss property purchase. Councilman Hellmich made a motion to go into Executive Session and Councilman Blackwell seconded the motion. City Administrator Mike Thompson took the following roll call: Councilman Trawick, aye; Councilwoman Quaites, aye; Councilman Hellmich, aye and Councilman Blackwell, aye. The vote to recess to go into Executive Session passed. Mayor Koniar was invited to attend. President Trawick reported the Council will reconvene in approximately 20 to 30 minutes.

President Trawick reconvened the meeting at 6:45 pm.

Present: 4 - President Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich and Council Member Rick Blackwell

Absent: 1 - Council Member Charles Ebert III

13-0335

Resolution Authorizing the Purchase of Certain Real Property

A motion was made by Council Member Hellmich, seconded by Council Member Blackwell, that this Resolution be adopted. The motion carried by the following vote:

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0081-RES

13-0336

Resolution Authorizing the Purchase of Cetain Real Property

A motion was made by Council Member Quaites, seconded by Council Member Hellmich, that this Resolution be adopted. The motion carried.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Enactment No: 13-0082-RES

Adjourn

A motion was made by Council Member Ralph Helmich, seconded by Council Member Rick Blackwell, that this meeting be adjourned. The motion carried and the meeting adjourned at 6:50 p.m.