



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, March 20, 2017

4:00 PM

Conference Room

Work Session

Call to Order

Council President Pro-tempore Ralph Hellmich called the March 20, 2016 Work Session to order at 4:00 p.m.

Roll Call

All Council members were present with the exception of Council President Wayne Trawick due to being out of town. Also present, Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Kate Embry, Miriam Boutwell, Darrell Russell, LaDonna Hinesley, Leslie Gahagan, Jeff Rouzie, Meg Hellmich, Chad Christian, Taylor Davis, Sue Steigerwald, John Gleaton, David Vosloh, Francis Holk-Jones, and press representative Allison Woodham (Onlooker).

Discussion Items

17-0165 Discuss use of Max Griffin Park on April 1, 2017 for fundraiser fish fry for Firefighter Cody Carraway

Fire Department Chief Joey Darby reported to the Council that Firefighter Cody Carraway's 15 month old son, Easton, has been diagnosed with stage 4 cancer. Easton is currently being treated at St. Jude Hospital in Memphis, Tennessee. Chief Darby reported that the Fire Department would be hosting a fish fry fundraiser on April 1, 2017 to assist Carraway and his family during this time. At this time, the off duty personnel will serve fish out of the Fire Station, a band has volunteered to play, and with good weather there will be a kid's area set up in the east area of the park. Chief Darby reported that the Fire Department has set up a Regions Bank account for Easton Carraway and that there may be more events in the future. Due to the Max Griffin Park not having to be reserved this item did not have to be moved to the agenda. There was no further discussion on this item.

Discuss Council Meeting Agenda of March 20, 2017

17-0050 AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY COTTON BAYOU DEVELOPMENT , LLC.

There was no discussion for this item and it remained on the agenda.

**17-0080 AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND
BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF
FOLEY OWNED BY COTTON BAYOU DEVELOPMENT , LLC.**

Council President Pro-tempore Ralph Hellmich reported to the Council that for this item the rules would need to be suspended so that this ordinance and Ordinance 17-0050 would be adopted at the same time. There was no discussion for this item and it remained on the agenda.

17-0107 REZONING HIGHER GROUND III, LLC PROPERTY FROM PUD TO TH1

There was no discussion for this item and it remained on the agenda.

**17-0108 PRE-ZONING PROPERTY OWNED BY COTTON BAYOU
DEVELOPMENT, LLC to R1D**

There was no discussion for this item and it remained on the agenda.

17-0112 REZONE PROPERTY OWNED BY HENRY BURGE TO PDD

There was no discussion for this item and it remained on the agenda.

17-0119 An Ordinance Approving the Sale of Property Owned by Riviera Utilities.

There was no discussion for this item and it remained on the agenda.

17-0168 (Second Reading) Amendment to Ordinance No. 1018-07 (Business License Ordinance) Creating a License Fee Schedule for Places of Amusement/Entertainment

Revenue Officer Meg Hellmich reported to the Council that currently these types of business licenses fall under a services category and this will now give a separate fee schedule category for these types of businesses. There was no discussion for this item and it remained on the agenda.

17-0132 Pine St. and US 98 Valley Gutter Project US 98 PINE ST.

City Engineer Chad Christian reported to the Council that this project was budgeted under the Capital Projects Plan for approximately \$22,000 but the scope of the project has been changed and it is now being estimated at \$35,000. City Administrator Mike Thompson reported that this project includes the alley way and the south east corner. Mr. Christian reported that the Public Works Department has already completed one project in this area on the north east corner to help with the water flow to not destroy the landscaping and currently there is not a project planned for the north west corner. Mr. Christian also reported that after this project John Graham would create a plan for all four corners and this project would not create additional water in the area but will take care of the standing water. There was no further discussion for this item and it remained on the agenda.

**17-0143 Authorizing Transfer of Funds in the Marketing Department for
Funding an Internship Position**

City Administrator Mike Thompson reported that this resolution would create an 8-10 week internship in the Marketing Department. No additional funds would be necessary but a transfer of funds from the department accounts "travel and training" and "public relations" would be needed to cover the position. Marketing Director LaDonna Hinesley reported that, when hired, this intern would assist with social media and website writing. There was no further discussion for this item and it remained on the agenda.

17-0144 Approval for Liberty Church to hold the National Day of Prayer on Thursday, May 4, 2017 at Heritage Park.

There was no discussion for this item and it remained on the agenda.

17-0146 Durby Lane Street Light

City Engineer Chad Christian reported that Randy Kurtts has met with the HOA President and is in agreement that a street light is needed. The HOA has agreed to pay the difference in the decorative street lighting. Mr. Christian reported that the Public Works Department has placed a new hazard board in this area as well. There was no further discussion for this item and it remained on the agenda.

17-0147 Vacation of a portion of Midtown Village Blvd. and Station Drive.

Council President Pro-tempore Ralph Hellmich turned the Work Session meeting over to Councilman Charlie Ebert. City Administrator Mike Thompson reported to the Council that these roads are part of the OWA development roadway layout these roads have been moved and this resolution will vacate the footprints of the roadway. Upon completion of new roadways the Council will then accept the new footprints. There was no further discussion for this item and it remained on the agenda. Councilman Charlie Ebert turned the Work Session meeting back over to Council President Pro-tempore Ralph Hellmich.

17-0154 Permission to use the Foley Kids Park for an Easter Egg Hunt.

There was no discussion for this item and it remained on the agenda.

17-0155 A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT CODY LANE

Environmental Manager Leslie Gahagan reported that this and Carmel Circle are located in the Bella Vista subdivision and have sat vacant for many years and are highly over grown. There was no further discussion for this item and it remained on the agenda.

17-0156 A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 8173 CARMEL CIRCLE

There was no further discussion for this item and it remained on the agenda.

17-0157 A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 218 MCKENZIE

ST S

Environmental Manager Leslie Gahagan reported that this is an old gas station. There was no further discussion for this item and it remained on the agenda.

17-0158 Resolution of Support for the Bon Secour River, Oyster Bay and Skunk Bayou Watershed Management Plan

Environmental Manager Leslie Gahagan reported that after 2 years, the management plan has been completed and she has a master copy. After the resolution of support is complete the projects included in the Watershed Management Plan will be looked at for funding from NFWF (National Fish and Wildlife Federation) Restore funds. President Pro-tempore reported that this project cost approximately \$315,000 that was funded by NFWF funds. Ms. Gahagan reported that this summer she will come back to Council to begin work on the Wolf Bay Watershed Management Plan, this will complete Management Plans for all Foley Watersheds. There was no further discussion for this item and it remained on the agenda.

17-0159 HABITAT FOR HUMANITY WAIVE FEES REQUEST

Community Development Director Miriam Boutwell reported that Habitat for Humanity is currently doing an Aaronville community revitalization project that includes the entire community and this resolution would waive the minimum fees. Ms. Boutwell reported that Habitat for Humanity will be building a new home on Juniper Street and that will come to the Council after she receives more clarification. There was no further discussion for this item and it remained on the agenda.

17-0161 A Resolution to reappoint Virgil Christensen Jr. to the Museum Archive Advisory Board.

There was no discussion for this item and it remained on the agenda.

17-0163 Residential Sanitation Write Offs as Uncollectible in the Amount of \$138.90

There was no discussion for this item and it remained on the agenda.

17-0169 Amending the Pay Classification Plan to Convert the Budgeted and Vacant Position of Administrative Assistant I / Grants Organizer (G-10) to a Grants & Special Agreements Administrator (G-14) position.

City Administrator Mike Thompson reported that this resolution will move the position from Administration Department to Finance Department. The new position will track grants as well as add to the Finance Department by tracking agreements, such as user fees. Due to the Grants Organizer position being vacant for some time additional funds are not needed. There was no further discussion for this item and it remained on the agenda.

17-0171 CR 20 Access Management CR 20 Access Mgt. Prof. Svcs.

City Engineer Chad Christian reported that the Engineering Department recommends contracting with Skipper Consulting Services to complete the

Access Management Plan. Mr. Christian reported that this plan would include traffic counts, looking at proposed projects, zoning, meeting with staff and then presenting an Access Management Plan to Council. Council President Pro-tempore reported that the Planning Commission is supportive of getting this study complete so that the City can have a plan for this area before the area is developed fully and property owners would be able to have guidance. Mr. Christian reported that a refund from the County for the County Road 12 project was not budgeted but a portion will go towards funding this project. There was no further discussion for this item and it remained on the agenda.

17-0172 Request to apply for AL Historical Commission CLG Grant

Miriam Boutwell reported that this funding will go towards signage for the National Register buildings in the Historic District. This is a \$5,000 grant with a \$2,000 in-kind match. Ms. Boutwell reported that the Historic Commission will have some options on details such as mounting on the buildings or on pedestals. There was no further discussion for this item and it remained on the agenda.

17-0162 Consider 020- Restaurant Retail Liquor ABC License Transfer from Peng Garden Inc to Peng Garden JC, Inc, applicant, operating under the trade name of Peng Garden located at 1404 S McKenzie Street Foley, AL.
Chief of Police David Wilson reported that the Police Department recommends moving forward. Fired Department Chief Joey Darby reported that the Fire Department recommends moving forward. There was no further discussion for this item and it remained on the agenda.

Mayor's Comments

Mayor John Koniar reported that the Council had good visit to Washington D.C. recently and were able to meet with Senator Shelby's staff, Representative Bradley Byrne and his staff, and Senator Strange and his staff. He also reported that Representative Byrne will hold a Town Hall Meeting in Foley during the month of April.

Council President Pro-tempore Ralph Hellmich requested an update on the damage to the clock tower in Heritage Park. City Administrator Mike Thompson reported that there was approximately \$30,000 worth of damage to the clock tower, pedestrian bridge, and the Depot. Mr. Thompson reported that these damages were covered by insurance, with a \$1,000 deductible, and staff is working through insurance now.

Visitor Comments

Mr. David Vosloh wanted to publicly thank Chief of Police David Wilson for helping to resolve Citizen complaints outside of the Police Department over the weekend.

Chief of Police David Wilson reported over the weekend he was able to spend the weekend with his children at the City Soccer Fields during the Snap Soccer Tournament. He reported that listening to the comments from visitors and

participating he was very proud to be part of the City and that the City soccer fields are something to be proud of.

Council President Pro-tempore reported that there has been a lot of movement in the area of the new Event Center and that the City should be taking over Pride Dr. within 7-10 days.

Adjournment

Hearing no further comments, the Work Session adjourned at 4:56 p.m.