



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final City Council

Monday, November 5, 2012

2:30 PM

Council Chambers

Organizational Meeting

Call to Order by City Clerk

Present: 6 - Council Member Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell, Council Member Charles Ebert III and Mayor John Koniar

City Clerk Vickey Southern called the Organizational meeting to order at 2:30 p.m. Mayor-elect John Koniar, Council members-elect Wayne Trawick, Vera Quaites, Ralph Hellmich, Rick Blackwell and Charles Ebert, III were present. Others present: Judge Mary Murchison, City Administrator Mike Thompson, Sandra Pate, Sue Steigerwald, Miriam Boutwell, David Wilson, Joey Darby, Randy Bishop, Steve Smith, Al Lugo, Thurston BULLock, Steve Horn, LaDonna Hindesley, Adrian Longcrier, Linda Koniar, Celia Trawick, Kristin Roberson, Justin Blackwell, Jo Hellmich, Bunny Munoz, Shannon Longcrier, Mickey McConnell, Kaleb Blackwell and press representatives Cathy Higgins and Mark Anderson.

Swearing in Ceremony

City Clerk Vickey Southern thanked the Mayor and Council for faithfully serving the City during their previous term of office. She introduced the Honorable Judge Mary Murchison, who will be swearing in the City's new Mayor and Council.

[13-0270](#)

Oath of Office administered to Mayor-elect John Koniar

At this time the City Clerk called Mayor-elect John Koniar to be sworn in by Judge Murchison.

[13-0271](#)

Oath of office administered to Council member-elect Wayne Trawick

Attachments: [Oath of Office W Trawick 11-05-12.docx](#)

City Clerk Vickey Southern called for the Council members-elect Wayne Trawick, Vera Quaites, Ralph Hellmich, Rick Blackwell and Charles Ebert, III to come forward to be sworn in. Judge Murchison swore in the new Council members in mass.

After the swearing in ceremony was completed Judge Murchison introduced the City's newest Defense Attorney Randall Caldwell, Jr. He was born at South Baldwin Regional Medical Center in Foley, graduated from Foley High School in 1996. He graduated from Auburn University in 2001 with a Bachelor of Chemical Engineering degree and went on to the University of Alabama's School of Law where he graduated in the Spring of 2004. Mr. Caldwell practiced law with Citrin & McGothren from 2004-2005 and became a partner in 2005. He left in 2006 to go into private practice, Caldwell Law Firm. The Mayor and Council welcomed Mr. Caldwell.

[13-0272](#) Oath of Office administered to Vera Quaite

[13-0273](#) Oath of Office administered to Ralph Hellmich

[13-0274](#) Oath of Office Administered to Rick Blackwell

[13-0275](#) Oath of Office administered to Charles Ebert, III

Organizational Business

[13-0277](#) ELECTION OF COUNCIL PRESIDENT

City Clerk Vickey Southern explained in cities with a population over 12,000, which do not have a president elected by the voters, the first order of business in the organizational meeting is to elect a Council President to preside over the Council meetings and conduct city business. The President's term of office shall run November 5, 2012 through November 2016. If the Mayor is unable to fulfill the duties of the office due to illness or some other good reason, the Council President shall act as Mayor Pro Tempore with the power and authority of the Mayor during such time. In the event of a vacancy from any cause, in the office of the Mayor, the Council President shall succeed to the office of the Mayor for the unexpired term. During the Mayor's absence the Mayor Pro-Tempore cannot receive the Mayor's salary even though he is acting as such and he will continue to receive his salary as President. The Clerk called for nominations.

A motion was made by Council Member Hellmich, seconded by Council Member Blackwell, that Wayne Trawick be elected Council President. When asked for discussion and hearing no further comments the motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaite, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1004

[13-0278](#)**ELECTION OF COUNCIL PRESIDENT PRO TEMPORE**

President Trawick stated it was an honor to serve as the first Council President and that it would be a seamless transition.

President Trawick asked for nominations for Council President Pro Tempore. A motion was made by Council Member Blackwell, seconded by Council Member Ebert, III, that Ralph Hellmich be nominated for President Pro-tempore. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1005

[13-0279](#)**ESTABLISHING ORDER AND RULES OF PROCEDURE FOR FOUR YEAR TERM BEGINNING NOVEMBER 5, 2012**

A motion was made by Councilman Hellmich to suspend the rules and Councilman Ebert seconded the motion. City Administrator Mike Thompson took the following roll call vote: President Trawick, aye; Council member Quaites, aye; Council member Hellmich, aye; Council member Blackwell, aye; and Council member Ebert, aye. Of those present there was unanimous consent to suspend the rules.

A motion was made by Council Member Hellmich, seconded by Council Member Blackwell, that the Ordinance establishing order and rules of procedure for the four year term beginning November 5, 2012 be adopted. The motion carried by the following vote:

It was noted that there were some changes in the proposed ordinance: Section 6 (7) Resolutions, ordinances, orders and other business shall be changed to "Resolutions, ordinances, proclamations and other business" noting that the word "orders" had been changed to "proclamations". Section 10 replace the word 'shall' with the word "may".

Councilman Hellmich amended his previous motion to include the ordinance with the amendments as presented. Council Member Blackwell seconded the motion. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1006

[13-0280](#)**APPOINTMENT OF COUNCIL REPRESENTATIVES TO VARIOUS CITY BOARDS**

A motion was made by Councilman Hellmich to suspend the rules and Councilwoman Quaites seconded the motion. City Administrator Mike Thompson took the following roll call vote: President Trawick, aye; Council member Quaites, aye; Council member Hellmich, aye; Council member Blackwell, aye; and Council member Ebert, aye. Of those present there was unanimous consent to suspend the rules.

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

Aye: 5 - Council Member Trawick, Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-0065

[13-0281](#)

MAYOR'S ANNOUNCEMENT OF DESIGNEE ON THE PLANNING COMMISSION

The Mayor appoints Planning Commission members. At this time he had no announcements regarding the appointment of his designee on the Planning Commission.

[13-0282](#)

APPOINTMENT OF COUNCIL REPRESENTATIVE ON THE PLANNING COMMISSION

A motion was made by Council Member Ebert, III, seconded by Council Member Quaites, that Ralph Hellmich be appointed to the Planning Commission and that this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1007

[13-0283](#)

Appointment of Municipal Judge

A motion was made by Council Member Hellmich, seconded by Council Member Ebert, III, that Mary Murchison should be appointed as Municipal Judge and this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1008

[13-0300](#)

Appointment of Asst. Municipal Judge

A motion was made by Council Member Hellmich, seconded by Council Member Quaites, that Chandra Wright be appointed as Assistant Municipal Judge and that this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1009

[13-0284](#)

Appointment of City Clerk

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

Member Quaite, that Vickey Southern be appointed as City Clerk and that this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaite, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1010

[13-0286](#)

Appointment of City Treasurer

A motion was made by Council Member Quaite, seconded by Council Member Ebert, III, that Sue Steigerwald be appointed City Treasurer and that this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaite, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1011

[13-0288](#)

Appointment of Fire Chief

A motion was made by Council Member Blackwell, seconded by Council Member Ebert, III, that Joey Darby be appointed Fire Chief and that this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaite, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1012

[13-0298](#)

Appointment of Police Chief

A motion was made by Council Member Hellmich, seconded by Council Member Blackwell, that David Wilson be appointed as Police Chief and that this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaite, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1013

[13-0290](#)

Appointment of City Administrator

A motion was made by Council Member Ebert, III, seconded by Council Member Quaite, that Mike Thompson be appointed as City Administrator and that this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaite, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1014

[13-0291](#)

Appointment of Assistant City Administrator/HR Director

A motion was made by Council Member Hellmich, seconded by Council Member Quaite, that Sandra Pate be appointed Assistant City Administrator/HR Director and that this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1015

[13-0292](#)

Appointment of City Planner

A motion was made by Council Member Hellmich, seconded by Council Member Ebert, III, that Miriam Boutwell be appointed City Planner and that this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1016

[13-0293](#)

Appointment of City Engineer

A motion was made by Council Member Quaites, seconded by Council Member Ebert, III, that Wendell "Butch" Stokes be appointed City Engineer and that this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Council Member Trawick, Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 13-1017

[13-0299](#)

Designation of Depositories for City Funds

Attachments: [Qualified Public Depositories 11-05-12.pdf](#)

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 - Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - Council Member Trawick

Enactment No: 13-0066

Swearing In Officers

President Trawick asked that Mary Murchison step forward to be sworn in by Mayor Koniar. After taking her office of office Ms. Murchison thanked the Council for the appointment and the honor of being able to continue to serve the City.

President Trawick asked that the following people step forward to be sworn in "enmass": Vickey Southern, Sue Steigerwald, Joey Darby, and Mike Thompson. After they took their oaths of office President Trawick asked Sandra Pate, Miriam Boutwell and David Wilson to step forward to take their

oaths of office.

- [13-0297](#) Oath of Office - Municipal Judge
- [13-0302](#) Oath of Office - Assistant Municipal Judge
- [13-0285](#) Oath of Office - City Clerk
- [13-0287](#) Oath of Office - City Treasurer
- [13-0289](#) Oath of Office - Fire Chief
- [13-0294](#) Oath of Office - City Administrator
- [13-0296](#) Oath of Office - Assistant City Administrator/HR Director
- [13-0295](#) Oath of Office - City Planner
- [13-0298](#) Appointment of Police Chief

Enactment No: 13-1013

Adjourn

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this meeting be adjourned. The motion carried by an unanimous vote. The meeting adjourned at 3:15 p.m.