



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Tuesday, September 5, 2017

3:30 PM

Conference Room

Work Session

Call to Order

Council President Wayne Trawick called the September 5, 2017 Work Session to order at 3:31 p.m.

Roll Call

All Council Members were present with the exception of Councilmember Vera Quaites who was out due to illness. Also present: City Administrator Mike Thompson, City Clerk Katy Taylor, Sandra Pate, Kate Embry, Joey Darby, Sue Steigerwald, Chad Christian, Randy Kurtts, Thurston Bullock, David Wilson, Miranda Bell, Chuck Lay, Miriam Boutwell, LaDonna Hinesley, Darrell Russell, Meg Hellmich, Jeff Rouzie, Heyward Hosch, Tom DeBell, Donna Watts, Francis Holk-Jones, Chad Watkins, Brian Stewart, press representatives Parks Rogers and Jessica Vaughn (Gulf Coast Media).

Discussion Items

17-0493

PRESENTATION OF NEW FLOOD MAPS

Attachments: [CITY OF FOLEY PRELIMINARY NEW FLOOD HAZARD AREAS.pdf](#)

Chief Building Inspector Chuck Lay reported to the Council that FEMA has released preliminary flood maps that will become mandatory in the next year. Mr. Lay presented a PowerPoint of the proposed changes. Mr. Lay reported that the presentation is available to anyone and that he will be required to host several community meetings presenting the new flood maps, these community meetings can be individual or within large groups. Mr. Lay reported that anyone wanting to appeal the new flood maps would first come to him, the appeal has to be made within 90 days and the documentation is due within six months. Mr. Lay reported that by reference of the new flood maps the City has not added any preserve area but has almost doubled the flood area, this could cause the City to drop classes based on CRS reviews. Mr. Lay reported that his goal is to hopefully increase the City's class rating by adding additional preservation areas before the maps are released as mandatory and adopted. Mr. Lay reported that the updated maps are occurring all over the area not just in Foley and that he will be coming back to Council with an updated ordinance in the future. Miriam Boutwell reported to the Council that Chuck Lay is

currently serving as the region 4 Director of Alabama Association of Flood Plan Managers. There was no further discussion on this item.

17-0495

Discuss adding two wayfinding signs on E. Pride Boulevard to direct visitors to businesses on Juniper Street.

Attachments: [E. PRIDE BLVD. \(2\)](#)

[Wayfinding Sign Location 8-17-17 E. PRIDE BLVD \(3\)](#)

Marketing Director LaDonna Hinesley reported to the Council that the current Ordinance regarding way finding signs in the City only sites 16 signs, however; the Ordinance also includes others as needed. Mrs. Hinesley reported that based on this ordinance the Welcome Center would be purchasing an additional two way finding signs for the businesses on Juniper Street. There was no further discussion on this item.

17-0496

Discuss Park-ing Day in downtown Foley on Sept. 15.

Chad Watkins reported to the Council that Park-ing Day is a 10 year old International event that promotes greenspace and parks in the area. Mr. Watkins reported that the South Baldwin Chamber would be participating this year and will be closing off one and half parking spaces in front of the Chamber of Commerce to create a small pocket park in the spaces for the day. Mr. Watkins reported that they would be receiving plantings, art and other items to contribute to the park. There was no further discussion on this item.

17-0497

Tourism Organization of the Year Award for 2017

Attachments: [LeeOrgoftheYear copy \(4\)](#)

Marketing Director LaDonna Hinesley reported to the Council that during the Alabama Governor's Conference on Tourism the City of Foley received the Tourism Organization of the Year Award. Mrs. Hinesley reported that this award was received because the City has taken great steps towards marketing the Sports Tourism Department, sports fields, and new event center. Mrs. Hinesley reported that other organizations in the area received awards and that during the month of November the Alabama Welcome Center Retreat will be held in Foley. There was no further discussion on this item.

17-0498

Discuss St. Jude Walk Participation

Senior Regional Development Representative Brian Stewart with St. Jude's Hospital reported to the Council that there are 63 St. Jude Walks across the country each year and one of those is the Mobile/Baldwin County Walk event that is held at the USS Alabama. Mr. Stewart reported that the Mobile/Baldwin County walk will be held on September 23, 2017. Mr. Stewart presented a video on the history of St. Jude Hospital to the Council. Mr. Stewart reported to the Council that Easton Carraway, son of Foley Firefighter Cody Carraway, and his family was currently on the road to return to Foley cancer free. Mr. Stewart reported that there is a laptop set up in the City Hall lobby this afternoon to allow individuals to sign up for the September 23, 2017 walk. There was no further discussion on this item.

17-0500

PRESENTATION OF PROPOSED 2018 LEGISLATIVE

ANNEXATION

Attachments: [2018 Legislative Annexation.pdf](#)

Miriam Boutwell reported to the Council that earlier in the year an annexation committee was formed to prepare for the upcoming Legislative Act Annexation. The committee has reviewed areas that are currently not within the City limits but are surrounded by areas that create "islands" within the City limits. The committee has identified approximately 90 parcels that would be beneficial in filling in the blank areas of the City limits. Mrs. Boutwell provided a spreadsheet of the parcels that are being considered. Mrs. Boutwell reported the next steps are that letters would be sent to owners and a meeting with State Representative Steve McMillian will be set up. City Administrator Mike Thompson reported to the Council that the parcels located on James Road may be of concern due to the northern section that is currently paved, in bad shape, and not draining well. Mr. Thompson reported that the Engineering Department feels this section would be costly to fix and that the City would like to try to work with the County prior to annexation. Mr. Thompson reported that the City Engineering Department would be reaching out to the County on this possible project. There was no further discussion on this item.

Reports

17-0518

Randy Kurtts to Update Council on Pedestrian Bridge Repair, Tower Repair, and Gateway Sign Projects

Randy Kurtts reported to the Council that the Pedestrian Bridge repair should be completed the 2nd or 3rd week of September but have not been confirmed. Mr. Kurtts reported that the Gateway Sign applications are with ALDOT, two are in the final stage and the third should be in the final stage this week. Mr. Kurtts reported that the eight bells for the clock tower should be repaired the 2nd or 3rd week of September but the exact date has not been confirmed. There was no further discussion on this item.

Discuss Council Meeting Agenda of September 5, 2017

17 0471 A RESOLUTION AUTHORIZING A SPECIAL ECONOMIC DEVELOPMENT GRANT AGREEMENT BY THE CITY OF FOLEY, ALABAMA AND WOLF BAY LODGE, INC.

City Attorney Heyward Hosch reported to the Council that the current Wolf Bay Lodge, Inc. agreements have come to an end and that this resolution is to continue the agreement. Wolf Bay Lodge, Inc. has chosen to accept the 1 cent fee for the term of 15 years and will be split 50/50 between Wolf Bay Lodge, Inc. and the City. This agreement will be subject to validation. There was no further discussion on this item, it remained on the agenda.

17 0479 REQUEST TO USE HERITAGE PARK AND HAVE FEES WAIVED FOR CHOOSE LIFE INC ON NOVEMBER 11, 2017

There was a consensus to carry this item over to the September 18, 2017

Council Meeting agenda due to there not being any one to confirm if there were conflicts with the park on November 11, 2017.

17 0486 Set Public Hearing to consider Planning Commission's recommendation for Initial Zoning of B 1A (Extended Business District) for 3.6 +/- Acres Being Annexed into the Corporate Limits.

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

17 0487 Set Public Hearing to consider Planning Commission's recommendation for Initial Zoning of PUD (Planned Unit Development) for 1.10 +/- Acres Being Annexed into the Corporate Limits owned by BJ's Residential Properties, LLC.

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

17 0488 Request to purchase a One way Interface from Municipal Software Group to Southern Software RMS Criminal Papers

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

17 0492 A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 1810 ARCADIA DRIVE

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

17 0494 CR 20 Sidewalk Repairs Change Order No. 1

Randy Kurtts reported to the Council that this is the only change order for this project. Mr. Kurtts reported that during the planning of this project there was more damaged areas than originally anticipated. Mr. Kurtts reported that concrete and dowels were the over budgeted costs. There was no further discussion on this item, it remained on the agenda.

17 0499 Accept unbudgeted donations from several sources

Fire Chief Joey Darby reported to the Council that the Fire Department has received many donations this year from individuals, organizations, and foundations. Each of these donations were given with requests to purchase equipment that will improve the jobs with the donation. The Firefighters have requested to purchase a new nozzle that they have tested and feel they will benefit from. Chief Darby reported that this resolution will accept the unbudgeted funds and allow the Department to purchase this nozzle. There was no further discussion on this item, it remained on the agenda.

17 0501 A resolution Adopting Fiscal Year 2018 Budgets

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

17 0507 CE&I Services for Fern Avenue Extension

Council President Wayne Trawick turned the Work Session Meeting over to Councilmember Ralph Hellmich. City Engineer Chad Christian reported to the

Council that this resolution will forward Volkert's estimate for the project to ALDOT for their review. This estimate is based on 260 days for construction and will be reimbursed at 80% with a 20% match, just as the construction is. Mr. Christian reported that the project should still begin in November. There was no further discussion on this item, it remained on the agenda. Councilmember Ralph Hellmich turned the Work Session meeting back over the Council President Wayne Trawick.

17 0510 A RESOLUTION AUTHORIZING A SPECIAL ECONOMIC DEVELOPMENT GRANT AGREEMENT BY THE CITY OF FOLEY, ALABAMA AND COROC/ RIVIERA L.L.C.

City Attorney Heyward Hosch reported to the Council that this agreement is between the City and Tanger. The Public Facilities Cooperative District has approved a 1% fee for Tanger beginning when the current agreement expires on November 11, 2017. This new agreement will continue until 2032 and will have a 75/25 percent split between the City and Tanger. Mr. Hosch reported to the Council that this agreement is for tenant improvement and advertising that have been in place since 2009. This agreement will be subject to validation. There was no further discussion on this item, it remained on the agenda.

17 0512 A RESOLUTION AUTHORIZING A SPECIAL ECONOMIC DEVELOPMENT GRANT AGREEMENT BY THE CITY OF FOLEY, ALABAMA AND WOLF BAY LODGE, INC.

This item was a duplicate of Resolution 17-0471, there was a consensus to remove this item from the agenda.

17 0513 Police Department Budget Increase

Police Chief David Wilson reported to the Council that the Police Department needs to purchase additional jail keys. This resolution will allocate the funds to purchase the additional keys. There was no further discussion on this item, it remained on the agenda.

17 0520 Resolution to transfer and allocate funding in the Fire Department to cover budget shortages in personnel accounts primarily due to backfilling labor throughout the year as a result of work comp injuries and other personnel related incidents.

Fire Chief Joey Darby reported to the Council that the Fire Department has had a rough year in injuries and illnesses this year. Chief Darby reported that the personnel account will come to about 4.3% over. Chief Darby reported that the Workman's Comp budget has come out to approximately \$13,000 over budget. This request is to transfer funds from miscellaneous accounts to the Personnel Account and approve the remaining balance. There was no further discussion on this item, it remained on the agenda.

17 0522 A Resolution to Amend City Budgets

City Administrator Mike Thompson reported to the Council that this resolution is done each year to finish up the fiscal year and close the accounts. Miranda Bell reported to the Council that there was an increase in the amount of \$27,000. There was no further discussion on this item, it remained on the

agenda.

The following items were additions to the September 05, 2017 Council Meeting Agenda.

17-0528 Consider 020- Restaurant Retail Liquor OWA Burgers LLC applicant, operating under the trade name of Wahlburgers located at 104 A South Boulevard Foley, AL.

Chief of Police David Wilson recommended to the Council to move forward. Fire Chief Joey Darby recommended to the Council to move forward. There was no further discussion on this item, it remained on the agenda.

17-0529 A RESOLUTION AUTHORIZING A PROJECT USER FEE AGREEMENT BY THE CITY OF FOLEY, ALABAMA AND THE CITY OF FOLEY PUBLIC FACILITIES COOPERATIVE DISTRICT

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

17-0531 RESCINDING RESOLUTION NO. 3851-09 AND ADOPTING RESOLUTION DECLARING EMERGENCY POWERS TO THE MAYOR OR COUNCIL PRESIDENT DURING TIMES OF, OR ANTICIPATED TIMES OF, HURRICANE OR EMERGENCY WEATHER CONDITIONS

City Administrator Mike Thompson reported to the Council that this item allows the Mayor to declare a local state of emergency for weather events in the area. There was no further discussion on this item, it remained on the agenda.

Mayor's Comments

The Mayor was not present for comments.

Visitor Comments

Fire Chief Joey Darby reported to the Council that within 36 hours the community collected supplies for Hurricane Harvey victims in Texas. The Police and Fire Departments sent several trucks to deliver the supplies on Sunday morning.

City Administrator Mike Thompson reported to the Council that this weekend the Event Center will have a first event at the same time as a soccer event at the sports fields.

Adjournment

Hearing no further comments, the Work Session adjourned at 5:03 p.m.