



Meeting Minutes - Final City Council

Monday, August 17, 2015

5:30 PM

Council Chambers

Council Meeting

Public Hearing

[15-0479](#)

Public Hearing To Declare Weeds To Be A Public Nuisance And Order Its Abatement at 604 W. Marigold Avenue. **Property has been abated by owner.**

Council President Wayne Trawick opened the public hearing at 5:30 p.m. to declare weeds to be a nuisance and order its abatement at 604 W. Marigold Avenue. President Trawick reported the property has been abated by the owner and no further action was required. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[15-0480](#)

Public Hearing To Declare Weeds To Be A Public Nuisance And Order Its Abatement at S. Hickory Street East of Crown Walk.

President Wayne Trawick opened the public hearing at 5:31 p.m. to declare weeds to be a nuisance and order its abatement at S. Hickory Street East of Crown Walk. He asked for comments from the public. Hearing no comments, he closed the public hearing.

Call to Order

President Trawick called the meeting to order at 5:32 p.m.

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Vickey Southern, Katy Taylor, Steve Smith, Chad Christian, Ellis Williams, David Wilson, Miriam Boutwell, Bill Swanson, David White, John Jackson, Joey Darby and Gregg Knight.

Present: 5 - President Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell and Council Member Charles Ebert III

Pledge of Allegiance

Additions/Removals

There were no additions or removals.

Approval of the Minutes

[15-0476](#) 08-03-2015 Work Session Minutes

Attachments: [08-03-2015 Work Session Minutes.pdf](#)

A motion was made by Council Member Rick Blackwell to approve the Work Session Minutes of August 3, 2015. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

[15-0469](#) Council Meeting Minutes of August 3, 2015.

Attachments: [08-03-2015 Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III to approve the Council Meeting Minutes of August 3, 2015. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Audit the Accounts

[15-0494](#) Audit the accounts of July, 2015.

A motion was made by Council Member Vera Quaites to audit the accounts of July, 2015. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Reports

[15-0498](#) July 2015 Sales, Lodging and Rental Tax Reports

Attachments: [20150811151547237.pdf](#)

City Administrator Mike Thompson reported the sales tax is up 6.31% year-to-date and 1.3% above budget. The lodging tax continues to be very strong with 15.3% increase year-to-date over last year. The rental tax is .3% above last year's year-to date, which is a little under budget.

[15-0482](#) CDD July 2015 EOM Report

Attachments: [CDD July 2015 EOM Report.pdf](#)

City Planner Miriam Boutwell gave a synopsis of the July, 2015 CDD Report, which is attached as back up to the minutes.

[15-0497](#) Fire Department Monthly Report July 2015

Attachments: [Council July 15 8-15](#)

Fire Chief Joey Darby gave a synopsis of the July, 2015 Fire Department Report, which is attached as back up to the minutes. He also reported there were two structure fires, one which was a fire in a shed on South Cedar Street. The cause of this fire is undetermined at this time. There was also a mobile home fire on Pettibone Lane that was intentionally set as a result of a domestic issue. This fire caused very little damage and the residents were not displaced.

[15-0486](#)

July 2015 Monthly Report Foley PD

Attachments: [20150810102214774](#)

Police Chief David Wilson introduced Officer Ellis Williams, who gave a synopsis of a portion of the July 2015 Police Department Report. Chief Wilson gave a synopsis of the remainder of the Report. Council Member Vera Quaite asked Officer Williams what is meant by "on view arrests". Officer Williams reported that it is when the officer actually sees the crime while it is occurring.

Ordinances, Resolutions and Other Business

[15-0450](#)

An Ordinance Prohibiting the Possession, Use or Attempted Use of Shoplifting Devices

Attachments: [07552_Theft Detection Shielding_Ordinance.pdf](#)

A motion was made by Council Member Ralph Hellmich to adopt an Ordinance prohibiting the possession, use or attempted use of shoplifting devices. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 15-1019-ORD

[15-0463](#)

Watershed Update and Request for Support of Mobile Bay National Estuary Program

A motion was made by Council Member Ralph Hellmich to approve the request of support in FY16 by the Mobile Bay National Estuary Program in the amount of \$7,500.00 to be included in the FY16 budget. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 15-2262-RES

[15-0468](#)

A Resolution to reappoint Phillip Hinesley and Homer Singleton to the Graham Creek Nature Preserve Advisory Board.

Attachments: [GCNP Member List](#)

A motion was made by Council Member Rick Blackwell to reappoint Phillip Hinesley and Homer Singleton to the Graham Creek Nature Preserve Advisory Board and to appoint Council Member Vera Quaite as Council Representative to the Graham Creek Nature Preserve Advisory Board beginning October 1, 2015 and ending on November 7, 2016. The motion was seconded by Council Member Vera Quaite and carried by an unanimous vote.

Enactment No: 15-2263-RES

[15-0477](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT COMMON AREA BETWEEN PARISH LAKES AND IBERVILLE SQUARE

Attachments: [20150805234520991](#)

A motion was made by Council Member Ralph Hellmich to set a public hearing for September 21, 2015 to declare weeds to be a public nuisance and to order its abatement at the common area between Parish Lakes and Iberville Square. The motion was seconded by Council Member Vera Quaite and carried by an unanimous vote.

Enactment No: 15-2264-RES

[15-0478](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT MEADOW RUN DETENTION AREA

Attachments: [20150805234441670](#)

A motion was made by Council Member Rick Blackwell to set a public hearing to declare weeds to be a public nuisance and to order its abatement at Meadow Run Detention Area. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 15-2265

[15-0481](#)

Resolution authorizing employees to enter upon the property at South Hickory Street East of Crown Walk for the purpose of abating the public nuisance.

Attachments: [S. Hickory E. of Crown Walk](#)

A motion was made by Council Member Ralph Hellmich to authorize employees to enter upon the property at South Hickory Street East of Crown Walk for the purpose of abating the public nuisance. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2266

[15-0484](#)

Temporary Closure of a portion of N. Pine Street during football games

A motion was made by Council Member Ralph Hellmich to approve a temporary closure of a portion of N. Pine Street between West Violet Avenue and West Rose Avenue during football games due to heavy foot traffic before and after Foley High School Football Games. This closure will start at approximately 4:00 p.m. and end approximately 30 minutes after the game. Barricades will be placed on the north and south ends of the closure and a police officer will be present at all times during the closure. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

[15-0485](#)

Riviera Boulevard Roundabout Signage

Attachments: [Riviera Blvd Roundabout](#)

A motion was made by Council Member Ralph Hellmich to approve installing roundabout circulation signs and directional arrows at the Riviera Boulevard roundabout. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 15-2267-RES

15-0487

Acceptance and Use of Friends of the Foley Public Library Donation

A motion was made by Council Member Ralph Hellmich to accept the generous donation of \$3,000.00 from the Friends of the Foley Public Library and to approve the use of the donated funds as a means of purchasing materials and services for use during the Library's 2nd Annual Halloween Extravaganza, which will be held Saturday, October 24 from 6:00 - 9:00 p.m. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2268-RES

15-0488

Request approval to go to bid on a custom fire pumper for FFD.

A motion was made by Council Member Charles Ebert, III to approve going to bid on a custom fire pumper for the Foley Fire Department. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2269-RES

15-0489

Transfer of funds to upgrade in-car connectivity

A motion was made by Council Member Ralph Hellmich to transfer \$33,780 from 01-608-7010 budgeted for MDIS to 01-608-5010 and to approve the purchase of CradlePoint Routers, Antennas, and licensing for patrol car connectivity. The purchase will be made through CDW-G under the National IPA Technology Solutions Contract 130733. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2270-RES

15-0490

FAA Funding Assistance for Airport Drainage Improvement Project

President Trawick turned the meeting over to President Pro-tem Hellmich.

A motion was made by Council Member Quaites that all previous actions, communications, and applications made or taken by City of Foley agents, officers, officials, and employees seeking funding assistance from the FAA for drainage improvements for the City of Foley Municipal Airport are hereby ratified, accepted, approved, and affirmed; that the City of Foley is hereby authorized to make an application to and to enter into an agreement with the FAA for airport improvement funding assistance for the drainage improvement project; that either the Mayor or the Airport Manager of the City of Foley are hereby each authorized, directed, and empowered to apply for and to enter into an airport improvement funding agreement with the FAA, including all

understandings and assurances contained therein, and to each act in connection with the application and agreement and to provide such additional information as may be requested; that the City of Foley's attorney has reviewed the FAA application, offer, and acceptance documents and determined that the City of Foley has the legal authority and power to enter into the airport funding agreement with the FAA; that the City of Foley hereby affirms that the local matching share of the money required to complete the drainage improvement project has been or is hereby officially approved, placed in the budget, and is available for expenditure upon execution of the FAA funding agreement and the commencement of this project. The motion was seconded by Council Member Ebert, III and carried by the following vote: Council Member Vera Quaites, aye; Council Member Ralph Hellmich, aye; President Wayne Trawick, abstained; Council Member Rick Blackwell, aye and Council Member Charles Ebert, III, aye. The vote passed by a majority vote.

President Pro-tem Hellmich turned the meeting back over to President Trawick.

Aye: 4 - Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - President Trawick

Enactment No: 15-2271-RES

[15-0495](#)

A Resolution to memorialize submission of a grant application for the Deepwater Horizon Gulf Tourism and Seafood Promotional Fund

Attachments: [201508050942](#)

A motion was made by Council Member Rick Blackwell to memorialize the submission of a grant application and budget proposal to the Gulf Tourism and Seafood Promotional Fund for \$37,720 for tourism promotion of the City and to approve using the grant funds for print, broadcast, cable, and printed materials to promote the City. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 15-2272-RES

[15-0496](#)

Residential Sanitation Write Offs as Uncollectible in the Amount of \$99.93

Attachments: [Sanitation Write Offs](#)

A motion was made by Council Member Charles Ebert, III to write off certain residential sanitation accounts as uncollectible in the amount of \$99.93. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 15-2273-RES

[15-0499](#)

Approval for Alabama Festival of Flavor advertisement banner placement

A motion was made by Council Member Ralph Hellmich to approve the placement of an Alabama Festival of Flavor banner in the public right of way in front of the South Baldwin Chamber of Commerce building for the purpose of advertising the festival prior to the event on October 3, 2015. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2274-RES

Mayor's Comments

There were no comments to report.

Visitor's Comments

There were no comments to report.

Adjourn

A motion was made by Council Member Ralph Hellmich to adjourn the meeting. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

The meeting adjourned at 6.00 p.m.