



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, May 15, 2017

4:00 PM

Council Chambers

Work Session

Call to Order

Council President Wayne Trawick called the May 15, 2017 Work Session to order at 4:01 p.m.

Roll Call

All Council members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Sandra Pate, Kate Embry, Leslie Gahagan, Darrell Russell, John Gleaton, Chad Christian, Rachel Keith, Randy Kurtts, Meg Hellmich, Joey Darby, Jeff Rouzie, Sue Steigerwald, Gloria Boatwright, Donna Watts, Francis Holk Jones, and press representatives Jessica Vaughn (Onlooker) and Parks Rogers (Gulf Coast Media).

Discussion Items

[17-0292](#)

Amendment to Tax Abatement Agreement By City of Foley, Alabama and Park at Owa, LLC and Shops at Owa at Owa, LLC.

City Attorney Heyward Hosch reported to the Council, via conference call, that this Abatement Agreement is similar to one from August of 2016. The August 2016 document was written so that subsidiaries of Foley Holdings, LLC would be included in the abatement agreement as well. Subsidiaries include business entities in which Foley Holdings owns more than 50% of the control of the voting interest. Included in the agreement, the City may require subsidiaries to sign on to the abatement by co-signature or an amendment where the subsidiary joins. When signing by amendment, this allows the City to have control of when and who joins in to the agreement and allows for the subsidiaries to be bound by the agreement and sign in to the agreement in writing. The first example of these subsidiaries was Foley Hotel One and Two. More subsidiaries have now been created, Park at OWA and Shops at OWA. Mr. Hosch reported that this is just an administrative item that doesn't change anything required by the City or the original agreement. Mr. Hosch added that the City has the option to bring individual subsidiaries to the Council as they come about or have the Mayor authorized to sign the agreements without bringing them before the Council each time. There was a consensus to add this item to the May 15, 2017 Council Meeting agenda.

Enactment No: 17-1142-RES

[17-0284](#)

Resolution to Approve the Placement of Signage

Attachments: [OWA-Pylon-8.1.3](#)

Gloria Boatwright from Foley Holdings, LLC reported to the Council that they are proposing a pylon sign with the City. This sign would be located in the median between Southern Chevrolet and the former Ryans Steakhouse on Pride Drive. They are proposing a 45 foot tall sign with an electronic board component will be directional to the Event Center, Sports Tourism Facilities, and OWA property. This sign will pull traffic and direct them towards the facilities from Highway 59. There was a consensus to add this item to the May 15, 2017 Council Meeting Agenda.

Enactment No: 17-1143-RES

Reports

[17-0286](#)

Randy Kurtts to update Council on pedestrian bridge repair, tower repair, and gateway sign projects.

Randy Kurtts reported to the Council that Verdin will be arriving the last week of May or first week of June to make the necessary repairs on the clock tower. The City will provide a man lift to make repairs to the bells at this time as well. Mr. Kurtts reported that the pedestrian bridge replacement lights have been received and are being stored until the contractor, Morrette, can be scheduled to complete the work. When the lights are replaced, the damaged lights will be sent to the supplier to receive the affidavit to make the insurance claim. If it is not insurance covered damage, then the lights will still be covered under the manufacture warranty. Mr. Kurtts reported that the replacement wire panels for the bridge will be shipped next week. Due to safety concerns the installation date has not been set. The panels are made of two parts and attach from the outside of the bridge which could cause traffic concerns over Highway 59. Mr. Kurtts reported the application for ALDOT permitting for the new gateway signs located at Highway 59 and County Road 10 was sent on May 15. The application for the permit at Highway 98 east and west was sent the following week. Mr. Kurtts added that they have received 52 new engraved bricks that will be installed next week.

[17-0283](#)

April 2017 Bid Activity

Attachments: [April 2017 Bid Awards.pdf](#)

There was no further discussion on this item.

Discuss Council Agenda of May 15, 2017

17 0237 Resolution authorizing employees to enter upon the property at pin number 2308 for the purpose of abating the public nuisance.

Council President Wayne Trawick reported to the Council that this item would be referred to as Pin Number 2308 on Keller Road. There was no further discussion on this item, it remained on the agenda.

17 0263 A Resolution Approving a Performance Contract with Coastal Alabama Farmers' and Fishermen's Market, Inc.

City Administrator Mike Thompson reported to the Council that due to the Coastal Alabama Farmers' and Fishermen's Market being a separate non-profit organization this resolution would allow the City an opportunity to use the facility in times when there is not events with CAFFM. The City would in turn be able to help with small maintenance and repairs in the facility. There was no further discussion on this item, it remained on the agenda.

17 0266 Resolution to Support the AL Bicentennial Commission & Form a Community Celebration Committee to Promote Events

Marketing Director LaDonna Hinesley reported to the Council that the Library is looking to host traveling events during the State's celebration and to support the State during this Bicentennial Celebration. There was no further discussion on this item, it remained on the agenda.

17 0268 Request for an intern for Municipal Court

Human Resources Director Sandra Pate reported to the Council that this is a transfer of funds for the City Hall's current intern to go to Municipal Court to help with a project over the summer. There was no further discussion on this item, it remained on the agenda.

17 0269 James Road Paving Between CR 12 South and Brinks Willis Road

City Engineer Chad Christian reported to the Council that the County Commission will be adding this project to budget discussions and that the City will cover a 300 foot portion. Mr. Christian reported that this should not exceed \$10k. There was no further discussion on this item, it remained on the agenda.

17 0270 Request to use Beulah Heights Park for May Day

Chief of Police David Wilson reported that the Police Department has been involved in the planning of this event and the event requested by resolution 17-0271 and recommends moving forward. There was no further discussion on this item, it remained on the agenda.

17 0271 Request to use Aaronville Park for May Day

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

17 0272 A Resolution to reappoint Justin Shanks to the Foley Historical Commission.

Council Member Charlie Ebert reported to the Council that Mr. Justin Shanks is a great asset to this board as well as the Community. There was no further discussion on this item, it remained on the agenda.

17 0273 Waive the fees of the Interpretive Center for Precinct 33 Polling Place

Environmental Manager Leslie Gahagan reported that currently the polling place is at the Mifflin Community Center and it has been requested to move the

polling place to the Interpretive Center. There was no further discussion on this item, it remained on the agenda.

17 0279 Resolution Approving City of Foley Safety Policies and Procedures Manual

Human Resources Director Sandra Pate reported to the Council that due to the new Regions Insurance Risk Managers and Consultants they have assisted the City with updating the Safety Manual. This change will provide an 8% discount on the overall Workers Compensation bill. There was no further discussion on this item, it remained on the agenda.

17 0288 Resolution Authorizing a Lease Agreement with the Public Cultural and Entertainment Facilities Cooperative District

City Administrator Mike Thompson reported to the Council that this agreement will be for the Event Center lease agreement between the Cooperative District and the City so that the Event Center will be covered under the City's Insurance. There was no further discussion on this item, it remained on the agenda.

17 0291 WAIVING FEES FOR GRAHAM CREEK INTERPRETIVE CENTER

Environmental Manager Leslie Gahagan reported to the Council that Madelyn McCormick's family will be going through her second battle of Cancer and her family will be hosting a bbq event at the Interpretive Center. There was no further discussion on this item, it remained on the agenda.

17 0293 ABC License: 160 Special Retail More Than 30 Days for YMC Enterprise, LLC, applicant operating under the trade name Towne Place Suites By Marriott located at 1070 North OWA BLVD, 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 0294 ABC License: 160 Special Retail More Than 30 Days for Park At Owa, LLC, applicant operating under the trade name Park At Owa located at 1501 SOUTH OWA BLVD, 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.

Mayor's Comments

Mayor John Koniar reported to the Council that the Art in the Park was also a success this year and commended the City Departments for all of their work.

Councilman Charlie Ebert reported that three Foley Police Officers Daniel Hudson, Jarrett Holcomb, and Brandon Mothershed won the "Three Man, Three Gun" division at the Baldwin County Memorial Scholarship Fundraiser Shoot.

Visitor's Comments

Donna Watts of the South Baldwin Chamber of Commerce and the Governmental Affairs Committee reported to the Council that the committee was attending to observe and to hopefully create more dialogue between the committee and the City. Ms. Watts also reported that the Annual Balloon Festival was also successful and that she wanted to thank all the City Departments that helped to put the event on.

Adjournment

Hearing no further comments, the Work Session adjourned at 5:04 p.m.