



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft City Council

Friday, May 16, 2014

5:30 PM

Council Chambers

Council Meeting

Call to Order

Council President Wayne Trawick called the meeting to order at 5:30 p.m.

Roll Call

Council Members present were President Wayne Trawick, Council Member Vera Quaite, Council Member Ralph Hellmich and Council Member Rick Blackwell. Council Member Charles Ebert III was absent due to being out of town. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Vicky Southern, Katy Taylor, Steve Smith, Joey Darby, Randy Bishop, Butch Stokes, Dianne Stokes, Taylor Davis, Leslie Gahagan, Jeff Rouzie, Sal Muccio and press representative Cathy Higgins (Onlooker).

Present: 4 - President Wayne Trawick, Council Member Vera Quaite, Council Member Ralph Hellmich and Council Member Rick Blackwell

Absent: 1 - Council Member Charles Ebert III

Pledge of Allegiance

Additions/Removals

A motion was made by Council Member Ralph Hellmich to add items 14-0334, 14-0353, 14-0354, 14-0355, 14-0356, 14-0359, 14-0360, 14-0361, 14-0362, and 14-0363 to the agenda and to carry over items 14-0347 and 14-0348 to the June 2, 2014 Council meeting. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Approval of Minutes

14-0339

Minutes of May 6, 2014 Special Called Meeting (Audit Reading)

Attachments: [05-06-2014 Special Called Meeting Minutes.pdf](#)

A motion was made by Council Member Vera Quaite to approve the Special Called Meeting Minutes of May 6, 2014. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

14-0351 Approval of Work Session Minutes of May 6, 2014

Attachments: [05-06-2014 Work Session Minutes](#)

A motion was made by Council Member Ralph Hellmich to approve the Work Session Minutes of May 6, 2014. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

14-0327 Approval Of Council Meeting Minutes Of May 6, 2014.

Attachments: [5-6-14 Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell to approve the Council Meeting Minutes of May 6, 2014. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Audit of the Accounts

14-0336 Audit the accounts of April, 2014.

A motion was made by Council Member Ralph Hellmich to approve the accounts for payment. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Reports

14-0342 Community Development Department April 2014 Report

Attachments: [April EOM for Council.pdf](#)

Leslie Gahagan gave a synopsis of the April 2014 Community Development Report, which is attached as back up to the minutes.

14-0340 April 2014 Foley PD Monthly

Attachments: [20140509111515273](#)

Deputy Chief Randy Bishop gave a synopsis of the April 2014 Foley Police Department Report, which is attached as back up to the minutes. Council Member Vera Quaites asked Deputy Chief Randy Bishop if the GED enrollment number includes the participants who attend the GED classes at the Ginwright Center in Aaronville. Chief Bishop reported that the number reflects only those who are in jail and not the Ginwright Center participants. Council Member Vera

Quaites then asked if the inmates who are enrolled in GED classes, continue the classes after being released from jail. Deputy Chief Bishop reported that the inmates are encouraged to continue the classes after they are released from jail.

14-0355

Fire Department Monthly Report April 2014

Attachments: [Council April 14 5-2014](#)

Fire Chief Joey Darby gave a synopsis of the April 2014 Fire Department Report, which is attached as back up to the minutes. He reported that April was a very busy month. There were three (3) structure fires that occurred within a few days of each other. There was a single family residence fire on Frith Road in Bon Secour that displaced the family. There was a fire at a vacant house on Weeks Road, which was initially dispatched as Foley Fire Department's district; however, it was actually in the Magnolia Springs district. Foley assisted Magnolia Springs Fire Department in extinguishing the fire. Foley Fire Department assisted Summerdale Fire Department with a mobile home fire on County Road 38. The mobile home was on fire for sometime before it was reported and it was a total loss. The residences were out of town when the fire occurred. Chief Darby reported that he did not see anything suspicious in any of the fires. There was also a fourth fire dispatched to Elberta that occurred during the April 29, 2014 flood. The Fire Department notified Elberta that they could not respond at that time because they could not get to the location of the fire. During the flood event on April 29, 2014, the Department was dispatched to fifty (50) incidents due to the flooding within just a few hours. Most of the incidents were water rescues. The Department's water rescue boat was deployed in several places. Nineteen (19) civilians were rescued by boat with a total of fifty (50) civilians being rescued. Chief Darby reported that his staff did an excellent job during the flood event. Magnolia Springs Fire Department assisted during the flood event the whole night and Chief Darby reported that he could not thank Magnolia Springs enough for their help. Oyster Bay Fire Department also assisted until they were dispatched back to the Oyster Bay and Bon Secour areas. There were no injuries to the personnel during the flood event and the Department only had very minor equipment damage. Council Member Ralph Hellmich reported he had heard a lot of good comments about the rescues on April 29th.

14-0362

Sales Tax, Lodging Tax, and Rental Tax Reports

Attachments: [REVENUE REPORT April 2014.pdf](#)

City Administrator Mike Thompson reported that the sales tax has continued the trend of out performing last year's numbers and that it was a good month for lodging tax, which was up 98% from last year. Rental tax is down but is still up 3% from last year.

Ordinances, Resolutions and Other Business

14-0295

ORDINANCE APPROVING THE INITIAL ZONING OF U.S. HIGHWAY 98 WEST

Attachments: [U.S. Hwy 98 W.](#)

A motion was made by Council Member Ralph Hellmich to approve the initial zoning of U.S. Highway 98 West. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-1015-ORD

14-0296

ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY Glenlakes Realty Co./Lakeview Realty.

Attachments: [Glen Lakes](#)
[Glen Lakes Request For Rezoning](#)
[140428-GL-LOTING CONCEPT1-rev1](#)

A motion was made by Council Member Rick Blackwell to approve amending Ordinance No. 387-87 and rezoning property owned by Glenlakes Realty Co. / Lakeview Realty. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-1016-ORD

14-0324

Budget Transfer Request

A motion was made by Council Member Rick Blackwell to approve the transfer of \$6,000 into the Overtime Account to cover expenses for regular overtime operating costs and \$4,000 into the Uniforms Account to cover the remaining fiscal year operating expenses from the Personal Gear and Safety Account. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0183-RES

14-0333

Vehicle Surplus Request

Attachments: [2014.Surplus.Patrol.Veh](#)

A motion was made by Council Member Ralph Hellmich to declare the vehicles listed on the attached list as surplus and to authorize their disposal by the best means possible. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0184-RES

14-0335

A resolution to reappoint Mike Werneth to the Riviera Utilities Board.

Attachments: [Mike Werneth](#)

A motion was made by Council Member Ralph Hellmich to reappoint Mike Werneth to the Utilities Board of the City of Foley. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0185-RES

14-0338 Accept Bid For Solar Screen System

Attachments: [Budget Blinds Bid - Solar Screen System.pdf](#)
 [Bid Results - Solar Shade System.pdf](#)

A motion was made by Council Member Rick Blackwell to accept the lowest responsible bid submitted by Budget Blinds in the amount of \$37,965.00 for a solar screen system for the Coastal Alabama Farmers and Fishermens Market and to appropriate the funds into the USDA/Equipment for FFM Account. This expenditure is reimbursable through the USDA RBEG grant. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0186-RES

14-0341 Approve going to bid for one full sized crew cab truck for CDD

Attachments: [2014 TRUCK specs.pdf](#)

A motion was made by Council Member Rick Blackwell to approve going to bid for one (1) full size crew cab truck that is budgeted in the amount of \$23,000 for the Community Development Department. The motion was seconded by Council Member Vera Quaite and carried by an unanimous vote.

Enactment No: 14-0187-RES

14-0343 Repair Culvert at Clubhouse Drive

Attachments: [Proposal - Culvert at Clubhouse](#)

A motion was made by Council Member Vera Quaite to approve Sawgrass, LLC.'s proposal in the amount of \$29,500.00 for engineering services related to the culvert repairs at Clubhouse Drive. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0188-RES

14-0344 Repair Ditch Area at E. Section Ave.

Attachments: [0344-Proposals - E. Section Repair](#)

Council President Wayne Trawick turned the meeting over to Vice President Ralph Hellmich.

A motion was made by Council Member Rick Blackwell to approve Volkert, Inc.'s proposal in the amount of \$100,500.00 to provide engineering services related to the repairs of the slope paved ditch located on East Section Avenue. The motion was seconded by Council Member Vera Quaite and carried by the following vote: Council Member Vera Quaite, aye; Council Member Ralph Hellmich, aye; Council President Wayne Trawick, abstained and Council Member Rick Blackwell, aye. Of those Council Members present, the vote passed by a majority vote.

Aye: 3 - Council Member Quaite, Council Member Hellmich and Council Member Blackwell

Abstain: 1 - President Trawick

Enactment No: 14-0189-RES

14-0345

Culvert Repairs on Pecan Street

Attachments: [0345 -Proposals - Pecan St. Repair](#)

A motion was made by Council Member Vera Quaites to approve Volkert, Inc.'s proposal in the amount of \$412,500.00 to provide engineering services related to the culvert repairs located on Pecan Street. The motion was seconded by Council Member Rick Blackwell and carried by the following vote: Council Member Ralph Hellmich, aye; Council President Wayne Trawick, abstained and Council Member Rick Blackwell, aye. Of those Council Members present, the vote passed by a majority vote.

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

Aye: 3 - Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Abstain: 1 - President Trawick

Enactment No: 14-0190-RES

14-0346

A RESOLUTION ACCEPTING KIOSKS FROM THE TANGER OUTLET CENTER IN FOLEY

Attachments: [Inside Large Kiosk](#)
[Inside small kiosk](#)

A motion was made by Council Member Rick Blackwell to approve the acceptance of four (4) kiosks (2 large and 2 small) from the Tanger Outlet Center as a donation. The small kiosks are valued at \$8,000 each and the large kiosks are valued at \$10,000 for a total value of \$36,000. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0191-RES

14-0347

FBE Culvert Wing Wall Repair

A motion was made by Council Member Ralph Hellmich to carry over this item to the Council meeting of June 2, 2014. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

14-0348

Sinkhole Repair on W. Peachtree Ave.

A motion was made by Council Member Ralph Hellmich to carry over this item to the Council meeting of June 2, 2014. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

14-0350

Residential Sanitation Write Offs as Uncollectible In The Amount Of \$35.13.

Attachments: [Sanitation Write Offs](#)

A motion was made by Council Member Ralph Hellmich to write off certain residential sanitation accounts as uncollectible in the amount of \$35.13. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0192-RES

14-0352

Resolution Authorizing Transfer of Funds in the Amount of \$8,000 to Support Hiring a Part-Time, Temporary Employee for Human Resources for the Remainder of the Fiscal Year

A motion was made by Council Member Vera Quaites to authorize transferring a total of \$8,000.00 from account #01-620-1205 into the various personnel accounts to fund a part time, temporary employee not to exceed 29 hours per week for the remainder of this fiscal year. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0193-RES

14-0334

A resolution to reappoint Juanita Houston to the Housing Authority Board.

Attachments: [Housing Authority Brd.](#)
 [Juanita Houston Email](#)

A motion was made by Council Member Rick Blackwell to reappoint Juanita Houston to the Housing Authority Board. The motion was seconded by Council Member Ralph Hellmich and carried by the following vote: Council Member Vera Quaites, abstained; Council Member Ralph Hellmich, aye; Council President Wayne Trawick, aye and Council Member Rick Blackwell, aye. Of those Council Members present, the vote passed by a majority vote.

Aye: 3 - President Trawick, Council Member Hellmich and Council Member Blackwell

Abstain: 1 - Council Member Quaites

Enactment No: 14-0194-RES

14-0354

A RESOLUTION APPROVING FINANCING DOCUMENTS BY THE CITY OF FOLEY, ALABAMA AND THE CITY OF FOLEY PUBLIC FACILITIES COOPERATIVE DISTRICT

Attachments: [City Resolutions \(Wrapper\)](#)

A motion was made by Council Member Ralph Hellmich to approve the financing documents by the City of Foley and the City of Foley Public Facilities Cooperative District. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0195-RES

14-0356

W. Section Drainage

Attachments: [Proposal - W. Section Drainage](#)

A motion was made by Council Member Ralph Hellmich to approve HMR, LLC's proposal in the amount of \$19,000.00 to provide engineering services related to the repairs to the West Section Avenue cross drain. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0196-RES

14-0359

Consider 140- Special Events Retail License for South Baldwin Chamber of Commerce, applicant, under the trade name of 2014 Gulf Coast Hot Air Balloon Festival, for their location at Foley Sports Complex, 18507 U.S. HWY 98 Foley, Alabama. The festival will be held June 13-15, 2014 and will serve alcoholic beverages in a non-corralled designated area.

Attachments: [2014 GULF COAST HOT AIR BALLOON FESTIVAL \(1\)](#)

Fire Chief Joey Darby and Deputy Police Chief Randy Bishop recommended moving forward with the ABC License.

A motion was made by Council Member Ralph Hellmich to approve the 140- Special Events Retail License for the South Baldwin Chamber of Commerce, Inc. for the 2014 Gulf Coast Hot Air Balloon Festival that will be held on June 13-15, 2014. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

14-0360

Approve Gulf Shores FFA To Hold A Car Wash Fund Raiser At The Coastal Alabama Farmers And Fishermens Market

Attachments: [14-0180 RES](#)

A motion was made by Council Member Rick Blackwell to rescind Resolution 14-0180 approving Gulf Shores FFA to hold a car wash fund raiser at the Coastal Alabama Farmers and Fishermens Market on May 10, 2014 due to the event being canceled for inclement weather and to approve Gulf Shores FFA to hold a car wash fund raiser at the Coastal Alabama Farmers and Fishermens Market on May 17, 2014. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0197-RES

14-0361

Memorialize TTL, Inc's Invoice in the Amount of \$950 and Appropriate Funds

Attachments: [TTL Invoice.pdf](#)

A motion was made by Council Member Ralph Hellmich to memorialize TTL, Inc.'s invoice in the amount of \$950.00 and to appropriate the funds in support of this action. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0198-RES

14-0363

Transfer funds to PFCD for Sprinkler System heads in coolers at Peavey

Attachments: [Mechanical Fire Protection Inc. Quote for Peavey Building Coolers Sprinkler heads.pdf](#)

A motion was made by Council Member Ralph Hellmich to appropriate \$30,470.73 for the purpose of modifying the existing fire sprinkler system to cover new freezers and coolers in the Peavey building, which is part of the New Market Tax Credit transaction and to approve the transfer from the General Fund Account to the City of Foley Public Facilities Cooperative District transfer account. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0199-RES

14-0353

Consider financial support for Keith Smith's Foley Football Book

Attachments: [Keith Smith Letter.pdf](#)
 [Keith Smith Email](#)

A motion was made by Council Member Ralph Hellmich to find that it is a good and useful purpose of public funds to help in the publication of a book about Foley High School football teams and to approve the expenditure in the amount of \$2,500 from Public Relations/Community Development contingent upon the creation of a Performance Contract to ensure completion of the project as part of Foley's Centennial Celebration. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0200-RES

Mayor's Comments

Mayor Koniar recognized City Engineer Butch Stokes who is retiring. Mayor Koniar expressed his gratitude towards Mr. Stokes and thanked him for his hard work and dedication to the City of Foley. Council President Wayne Trawick thanked Mr. Stokes for all he has done for the City and for his hard work. Council Member Vera Quaites thanked Mr. Stokes for his many years of service and reported that he has been nothing but kind. City Administrator Mike Thompson reported that Mr. Stokes is not only an outstanding engineer but he is also fun to work with and that is important from the staff's perspective. There have been hectic times running the City and Mr. Stokes is always calm during stressful situations. Council Member Ralph Hellmich reported that usually, when people need to speak with the Engineering Department that it is not under the best circumstances and that Mr. Stokes has a unique ability to effectively speak and listen to people and work through the issues. City Clerk Vickey Southern thanked Mr. Stokes for helping her over the years by explaining complex engineering issues when she did not understand them. Council Member Rick Blackwell thanked Mr. Stokes for his years of service.

Visitor's Comments

There were no visitor comments.

14-0349

Drainage Repairs at Pine St. and Fern Ave.

Attachments: [HMR Proposal - N. Pine & W. Fern Drg.](#)

Assistant City Clerk Katy Taylor asked President Trawick if item 14-0349 Drainage Repairs at Pine Street and Fern Avenue had been addressed. The item was on the Work Session agenda and should have been added to the Council Meeting agenda. President Trawick agreed that the item should have been added to the Council Meeting agenda but was inadvertently over looked.

Council Member Ralph Hellmich made a motion to add item 14-0349 to the agenda. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

A motion was made by Council Member Ralph Hellmich to approve Hutchinson, Moore & Rauch, LLC.'s proposal in the amount of \$46,000 for engineering services related to drainage improvements of North Pine Street and West Fern Avenue. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0201-RES

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 6:10 p.m.