



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final City Council

Thursday, November 20, 2014

5:30 PM

Council Chambers

Council Meeting

Public Hearing

[14-0824](#)

Public Hearing to consider proposed zoning ordinance amendment

Attachments: [Letter](#)
 [SOB Zoning ORD.](#)

President Pro-tem Ralph Hellmich opened the public hearing at 5:30 p.m. to consider a zoning ordinance amendment. This public hearing was advertised in the Foley Onlooker to be held during the regular scheduled Council meeting of November 17, 2014. A Special Called Council meeting was held on November 13, 2014 to reschedule the November 17, 2014 Council meeting to November 20, 2014 due to scheduling conflicts with certain Council Members; therefore, this public hearing will be held during the regular scheduled Council meeting of December 1, 2014.

President Pro-tem Hellmich asked if there were any comments from the public. Hearing none the closed the public hearing.

Call to Order

Council President Pro-tem Hellmich called the meeting to order at 5:32 p.m.

Roll Call

All Council Members were present with the exception of President Trawick due to being out of town. Also present: City Administrator Mike Thompson, City Clerk Vickey Southern, Steve Smith,

Present: 4 - Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell and Council Member Charles Ebert III

Absent: 1 - President Wayne Trawick

Pledge of Allegiance

Additions/Removals

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to approve carrying over file id 14-0804 Zoning Amendments. The motion carried by an unanimous vote.

Approval of Minutes

[14-0847](#) 11-03-2014 Work Session Minutes

Attachments: [11-03-2014 Draft WS Minutes.pdf](#)

The Minutes was unanimously approved on motion by Councilman Blackwell and seconded by Councilwoman Quaite.

[14-0840](#) Council Meeting Minutes of November 3, 2014.

Attachments: [11-03-2014 Draft Council Meeting Minutes](#)

The Minutes of November 3, 2014 were unanimously approved on motion by Councilman Blackwell and seconded by Councilman Ebert.

Audit the Accounts

[14-0845](#) Audit the accounts of October 2014.

The Auditing of Accounts was approved for payment on motion by Councilwoman Quaite and seconded by Councilman Ebert.

Reports

[14-0848](#) October 2014 Sales Tax, Rental Tax and Lodging Tax Report

Attachments: [Sales, Rental & Lodging Tax Report](#)

City Administrator Mike Thompson reported the revenues came in over and above from last year. It is a good start for the new fiscal year. The reports are attached to the Minutes in their entirety.

[14-0843](#) CDD October 2014 Report

Attachments: [October 2014 CDD Report.pdf](#)
[OCTOBER,2014RESIDENTIAL.pdf](#)
[OCTOBER,2014COMMERCIAL.pdf](#)
[OCTOBER2013RESIDENTIAL.pdf](#)
[OCTOBER2013COMMERCIAL.pdf](#)

City Planner Miriam Boutwell gave the Community Development Department's report, which is attached in its entirety. Construction has started on the new Shoe Station. Ms. Boutwell noted that there are two places in the report that shows Erosion and Sediment Control Permits (E&S Control Permits). The first section under Environmental/Code Enforcement Division and the second is under the Building/Inspection Division. The permits under the Building/Inspection Division are tied to Single Family Residential permits and the Environmental/Code Enforcement Division is tied to commercial permits.

[14-0852](#)

Fire Department Monthly Report October 2014

Attachments: [Council October 14 11-14](#)

Fire Chief Joey Darby reported of the 107 incidents the Department had one structure fire that started below the electrical box. They had to wait for Riviera Utilities to cut the power. There were no injuries to the residents; however, they lost three pets. The owners had a rental apartment on the same property so once they were able to get utilities hooked up to the apartment they had a place to stay after being temporarily displaced. The home was built in 1955 and did not have many electrical upgrades. There was an old fuse panel and a number of items that could have started the fire. It was cited as undetermined.

They had an RV fire at Blue Grass RV Park. The RVer's had just arrived that day and the motor home caught fire that night. There had been a lot of significant damage with no lives lost.

The report is attached to the minutes in their entirety.

[14-0841](#)

October 2014 Monthly Report PD

Attachments: [20141107093447598](#)

Deputy Chief Randy Bishop reported the Chief could not attend tonight's meeting as he was having dinner with his son before being deployed to Africa. Deputy Bishop gave a synopsis of the report, which is attached to the Minutes in their entirety. He noted that they had an increase in female prisoners and they only have the capacity for six. They will also be holding an expo at Beulah Heights Park this Saturday.

Ordinances, Resolutions, and Other Business

[14-0804](#)

Proposed Zoning Ordinance Amendments

Attachments: [RECOMM LETTER ZONING ORD AMEND.pdf](#)
[SOB Ordinance Amendment \(2\).pdf](#)

This item was carried over due to having to re-advertise because of the re-scheduling of the meeting from November 17, 2014, which is when the Public Hearing was advertised.

This Ordinance was carried over to the City Council meeting of December 1, 2014 on motion by Councilman Ebert and seconded by Councilman Blackwell. See Additions/Removals above.

Enactment No: 14-1028-ORD

[14-0820](#)

A Resolution reappointing Leroy "Lee" C. Parks to the Senior Citizens Board.

Attachments: [Senior Citizen Board](#)
 [Pam Harris Email](#)

This Resolution passed unanimously on motion by Councilwoman Quaite and was seconded Councilman Blackwell.

Enactment No: 14-0489-RES

[14-0821](#)

A Resolution appointing Billie Nardell to the Senior Citizens Board to fill the vacancy of John Rininger who moved out of state in July 2014.

Attachments: [Senior Citizen Board](#)
 [Pam Harris Email](#)

Councilman Blackwell made a motion to appoint Ms. Billie Nardell. Councilman Ebert seconded the motion and the vote passed unanimously.

Enactment No: 14-0490-RES

[14-0822](#)

A Resolution reappointing Charles Eubanks and Earl Buchanan to the Fire Code of Appeals Board.

Attachments: [Fire Code of Appeals Brd.](#)
 [Chief Darby Email](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaite, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0491-RES

[14-0823](#)

WAIVING FEES FOR HERITAGE PARK PAVILION FOR THE ANNUAL ART IN THE PARK

Attachments: [2015 Art in the Park.pdf](#)

A motion was made by Councilwoman Quaite, seconded by Councilman Blackwell, that this Resolution be adopted. The motion carried by the following vote:

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

Abstain: 1 - Council Member Ebert III

Enactment No: 14-0492-RES

[14-0825](#)

Enter an overtime funds agreement with Mobile County and SARHSO for \$10,000 for Hot Spot Impaired Driving Enforcement

Attachments: [Hot Spot Impaired Driving Enforcement Agreement.docx](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0493-RES

[14-0827](#)

A resolution to approve the use of Foley Horse Arena for a USA Lawnmower Racing on August 21-23, 2015.

Attachments: [Lawnmower Racing](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0494-RES

[14-0829](#)

Enter an overtime funds agreement with Mobile County and SARHSO for \$10,000 for 2015 Selective Traffic Enforcement Program (STEP)

Attachments: [2015 Selective Traffic Enforcement Program -STEP-signed](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0495-RES

[14-0831](#)

Approval to purchase vehicle from NJPA for Sports Tourism Complex

Attachments: [NJPA](#)
 [Truck Specs](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0496-RES

[14-0832](#)

Amending the Pay Classification Plan for a job title and pay grade change to the Library Technician/Computer Operator position.

Attachments: [Maintenance Letter Foley Library Lab Manager 11-6-14](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0497-RES

[14-0833](#)

Approves Application For FY2014 Assistance To Firefighters Grant (AFG)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0498-RES

[14-0836](#)

Discuss Survey of Pine Street and West Laurel Avenue

Attachments: [Pine & Laurel Drainage Improvements](#)
[Marshall Smith Surveying - Pine & Laurel Survey \(2\)](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, approving staff work with ALDOT on this project. The motion carried by an unanimous vote.

Enactment No: 14-0499-RES

[14-0837](#)

Acceptance of Engineering Dept. Truck Bid

Attachments: [Engineering Dept. Truck Bid Results](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0500-RES

[14-0838](#)

Street Light Install in Alley North of West Verbena at Cedar Street

Attachments: [Street Light Install W. Verbena Alley at Cedar St.](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0501-RES

[14-0839](#)

Dog Park Change Order No. 1

Attachments: [Change Order #1 - Dog Park](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0502-RES

[14-0842](#)

Approving OptumHealth Contract Renewal for 2015 Calendar Year

Attachments: [Reinsurance Quotes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0503-RES

[14-0844](#)

Request to Begin Wolf Creek Park Phase II Project

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote. It was noted that this action completes the County's requirements in agreeing to give the City the property for a City park. The City has paid for all the improvements.

Enactment No: 14-0504-RES

[14-0846](#)

Asphalt Repair at Little Rock Road and CR 65 Intersection

Attachments: [Asphalt Repair at Little Rock & CR 65 Intersection](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote. This action will only repair the intersection. The repaving of Little Rock Road is scheduled in the repaving project in 2016.

Enactment No: 14-0505-RES

[14-0849](#)

Approves purchase of two 60" rotary mowers for the Foley Sports Complex.

Attachments: [Mower Quote November 2014](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0506-RES

[14-0855](#)

A RESOLUTION APPROVING
DISCLOSURE CONTROLS AND
PROCEDURES AND CERTAIN
RELATED MATTERS

Attachments: [Heyward Hosch Minutes for 11-20-2014.pdf](#)
 [New SEC Regulations Affects Municipal Public Debt -
vsouthern@cityoffoley.org - Cityoffoley.pdf](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote. Administrator Thompson reported Heyward Hosch, one of the City's attorney's, is working with other companies to come into compliance. This action will allow the City's recent bond issue and others in the future to comply with the SEC's requirements.

Enactment No: 14-0507-RES

[14-0857](#)

Consider approval for the use of the Foley Soccer Field parking area by Foley Police Department and Calvary Church.

Attachments: [20141113140802140](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote. This is the annual food giveaway that will be held in the parking lot at the Soccer Park. People can drive through without stopping

and last year it was very successful. They will be there until all the food is given out.

Enactment No: 14-0508-RES

Mayor's Comments

There were no comments to report.

Visitor's Comments

President Pro-tem Hellmich reported the Foley Lions play the Prattville Lions on Friday night. He wished Foley High School well.

Mrs. Annie Smith, Foley, Alabama - Mrs. Smith commended Foley Police Department on their activities. She also expressed her concerns regarding the bridge that went out on South Pecan Street in the April flooding. The road is very narrow, doesn't have railings on either side when you cross over, and is very bumpy and rocky. She enquired as to when it would be replaced because she understood that the City was waiting on a grant before it could be repaired. President Pro-tem Hellmich reported there is a FEMA related project but the funds are in the budget. FEMA will reimburse the City once the project is completed. City Engineer Chad Christian reported the plans are under review and that she should see some movement before the end of the year. The Council put additional funds into the project so that the bridge would be a better structure instead of replacing it to its condition prior to the April flood event.

There was a discussion regarding putting up the temporary orange netting or water barricades and to see if that portion of road could be graded. Chad Christian will follow up.

Adjourn