



## Meeting Minutes - Draft City Council

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Monday, June 15, 2015

4:00 PM

Conference Room

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### Work Session

#### Call to Order

Council President Wayne Trawick called the meeting to order at 4:00 p.m.

#### Roll Call

President Trawick declared all Council members present. Absent: Mayor Koniar is at the Paris Air Show soliciting businesses to come to Foley. Mike Thompson is on vacation. Others present: Vickey Southern, Sandra Pate, Katy Taylor, Leslie Gahagan, Steven W. Smith, Taylor Davis, John Jackson, Jay Dickson (Volkert), Kate Embry, Kevin McCarthy (Fire Ant Grill), David Thompson, John Graham, Joe Bouzan, Randy Kurtts, Chad Christian, Joey Darby, Sue Steigerwald, Jeff Rouzie, and Jay Sowers (Foley Onlooker).

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

#### Discussion Items

##### [15-0360](#)

Discuss health care services survey and services of Small Business Development Center.

**Attachments:** [Foley City Council Agenda Request](#)

Ms. Yolanda "Yo" Johnson, Business Counselor, with the University of Alabama providing services closer to home through the Alabama Small Business Development Center Network. The brochure, entitled "Gowing Your Small Business in Alabama", outlines services available to all small businesses throughout the state. She asked the Council to be an advocate for small businesses in our area. They do surveys and research. Currently the Small Business Development Center in conjunction with the University of Alabama Economic Development Center are doing a health care survey. She showed them a copy of the printed out survey and stated the ditigal version is on the City of Foley's website. She wanted to make sure Council was aware of the survey and the importance of it. This one way to give our personal opinion on the health care services we have and the ones we need and want. The Foley Library also has copies of the survey. They are reaching out to Gulf Shores, Loxley, Summerdale, Robertsedale, and any of the municipalities south of I-10 and east of Hwy. 181. She will be going to the libraries as well as the Chambers. The survey is not only for the City employees but area citizens as well. Anyone can take the survey online and a link to the survey is located on

the City's website. The results will be available for individual businesses who are interested in this type of business in South Baldwin County and to assist in the development of new services. She thanked the Council for having her and letting her get the word out about the survey.

## **Discuss Council Meeting Agenda of June 15, 2015**

**15-0388 May 2015 Sales, Lodging and Rental Tax Reports - President Trawick** reported Sales tax was up 1.39% for the current month and up 7.23% year to date. The budget shows a decrease by 3.93% for the current month and that is because the City had to reimburse a merchant who miscalculated the sales tax by \$11,000.

**15-0352 A resolution to rescind resolution 15-2180 - A resolution to move the gate on Pecan Street located at the property of John Foley - President Trawick** reported the City found out that the road is in the County and Mr. Foley will need to take his request to the Baldwin County Commission. He spoke with Commissioners Gruber and Dorsey and if he goes to the County there should not be an issue with the gate. Chief Wilson reported they have some measures in place. This item remained on the Council meeting agenda.

**15-0353 Acceptance of the Alabama Historical Commission Historic Preservation Fund Grant For FY 2016 - Kate Embry** reported this is the same grant they apply for each year for the purposes of training the Commission members. It is \$2,000 with a \$500 match. This item remained on the Council meeting agenda.

**15-0361 Reduce speed limit along a portion of Wolf Bay Drive - Taylor Davis** reported that the speed limit along the bike and pedestrian path from the 90 degree curve to Bay Forest Drive is posted at 45 mph and due to the increased use of the bike and pedestrian path a concerned citizen requested the speed limit be reduced to 35 mph, which is the same as the posted speed limit going into Graham Creek at Pinewood Drive where there is a sight issue due to a hill. The rest of Wolf Bay Drive, as well as the last portion of CR12 as it extends toward the bay is posted at 35 mph. The Police Department agreed with the City Engineer that the speed limit being reduced would be beneficial to them with their patrols. This item remained on the Council meeting agenda.

**15-0362 Appropriate funds to pay remainder of Safe Routes To School Construction Cost - Chad Christian** reported he received an invoice in the amount of \$29,402.75 from ALDOT for a contract executed in July 2, 2010. The invoice was to cover ineligible costs and was due to a change in design construction plans. This was a project that the previous engineer had handled and ALDOT was just now getting the invoice sent out. This item remained on the Council meeting agenda.

**15-0364 Acceptance of Dog Park Construction Bids - Randy Kurtts** reported the bids were opened on May 7, 2015 and he recommended the appropriation of \$98,337 as the project total with contingencies. The amount under the Capital Project Plan is \$124,537. The appropriation is not the total amount for the project and they did not want to present this until they had all the items covered. The additional items are covered under File ID 15-0387. This item remained on the Council meeting agenda.

15-0387 Dog Park Completion Items - Randy reported additional funds in the amount of \$97,368.50 were needed to purchase materials to complete the dog park project. They rebid some of the items from the previous bid and did some value engineering to get a better price. He requested the shade structures, and materials to purchase all the things the different departments where City staff will do the work. There will be water fountains for dogs and humans. In value engineering this portion of the project he took out the 5' decomposed granite walkway around the dog park, changed the fence and took out the water feature. Randy mentioned that one of the civic organizations might be interested in donating toward the water feature but at this time is not sure how much money might be donated. The total of the project including the additional funds will be \$221,905.50. This item remained on the Council meeting agenda.

15-0365 Accept Award from The Dollar General Literacy Foundation - John Jackson reported The Dollar General Literacy Foundation is donating \$3,000 to go towards the Summer Reading Program. This item remained on the Council meeting agenda. Mrs. Southern reported this year the Summer Reading Program has exceeded the capacity of the Civic Center. The first event was filled to capacity and the staff had to turn people away. The Library staff is doing a great job!

15-0367 A resolution to rescind Resolution 15-2166 and 15-2194 to adopt one resolution authorizing the sale of 1.37 more or less of land to Craine Creek Farms - Vickey reported Council adopted two different resolutions and each one had different contingencies so a new resolution was needed to restate and clarify all of the contingencies. This item remained on the Council meeting agenda.

15-0370 Street light request for 316 W. Peachtree Avenue - Taylor Davis reported they had a request for a street light that could be installed on an existing Riviera pole. This item remained on the Council meeting agenda.

President Trawick asked for an update on the street lights on S. Pine Street from Pride Drive to CR 20. Chad assigned the project to Randy Kurttis and he will work on this project in parallel with the CR20. Randy reported they looked at putting the street lights on the poles, which are located on the east side of Pine Street and decided not to put them there because the sidewalk will be on the west side. He is to get a cost and bring it back to Chad. He would like to put the lights in prior to putting in the sidewalk so that all the underground work can be done. Councilman Hellmich asked if he was looking at direct burial type pedestal lights and Randy reported yes but he put the kind of lights in the dog park where you put the sonotube down and bolt the lamp posts on so you have a good solid base versus the ones that just sit on top of the concrete that tends to lean after a while. The pole is a little bit cheaper than the burial, which is flared out and sits on top of the concrete. Sandra has brought it to his attention that some of the downtown lights are out of plumb. If they want to spend a little more now to put the concrete foundation in and not have the lamp posts wobble he recommended Council moving in that direction. If the Council wants the nice lamp poles then he would have either Riviera or EMC to run their program to tell him how many would be needed and then he can price it. If the City goes down Pine and chooses to put the sidewalk in on the east side of the road EMC has that line and Riviera has the line on the west side of the road. Randy will need to see if the City can put the lamp posts on the west side. Randy will price it both ways with wooden poles

and the pedestal lights. Councilman Ebert requested a multi-use walkway so that runners and bikers can use it and requested a price on asphalt. Councilman Blackwell reported the asphalt has grass growing through a portion of the Trailblazers Trail and it does not look good. The grant includes the pedestrian path but not the lights. Randy will look at lamp posts, who has the utilities and where, and asphalt surface versus concrete surface. He will bring this information back to Council.

15-0374 Request to apply for remaining appropriation grant funds - Leslie Gahagan reported the EPA said that we have \$4,000 remaining on a 2003 appropriation. Riviera Utilities used the initial money in 2006, 2007, and 2008 for a study and this was remaining. She would like to finish the stormwater outfall assessment, which fits in with the grant, and hire some temporary labor to go in and look at all the stormwater outfalls and fill in the gaps from the annexations as well as anything else that we've built since then. They did this in 2009 and this would update the assessment, and check everything since the last flood. We had 515 on the list and we probably have close to 750 outfalls. Leslie reported this will be mandated in the next Census that we have to have this done so we can use EPA funds to complete the assessment. Volkert's road study included GPS points for stormwater outfall. Their information should not be too out of date and can be used to update the information. President Trawick requested that this be captured at the time of collecting data on the subdivisions and annexations to be included in Sue's GASB report. This item remained on the Council meeting agenda.

13-0376 Permission to appropriate funds for lighting and fencing for new soccer fields construction - David Thompson reported this is the next step in the construction of the two soccer fields. The grass has been sprigged and they are ready for the lighting and fencing for the new soccer fields before the fall season begins. He requested the appropriation of \$355,000 that is in the Capital Project Plan and would like to allocate the entire funds to be used for the lighting and whatever is left over they will use for fencing to help control the west side and maybe access to the field as well. Councilman Ebert reported that when they started construction of the fields originally we talked about just setting the conduit and everything in place but not the lighting those fields. David reported that we always planned on lighting the fields the second year. This is because in the fall it gets dark early and they don't play any Saturday games because of football Friday. Councilman Ebert wanted to know what had changed because early on they had talked about not lighting the fields yet. David reported they had always intended to light the fields and that it was just a matter of time to phase it out. He has talked with Donna at the Chamber and it will enhance the balloon festival. The lights will run on both of the tree lines and it supplies them with playing ability. Council Blackwell asked if it was in the FY15 budget. David reported that it is in the Capital Projects Plan. Councilman Ebert was in favor of the lighting but didn't think that it was supposed to be installed yet. This item remained on the Council meeting agenda.

15-0377 - Repair, Upgrade and re-cover the oldest greenhouse at the Horticulture Complex - John Graham reported the greenhouse was built in 1991 but no one will say for sure because a lot of it was in-house. It has to be re-covered after the last storm took care of the cover and there is rotten wood that needs to be replaced with aluminum. The aluminum ends are ok. There was a question about whether or not the greenhouse would interfere with the

extension of Fern Avenue. The right of way for Fern Avenue extension was obtained from the landowners located on the south side of Fern Avenue. Councilman Ebert reported that the landowner north of the greenhouse was interested in selling his land to the City. John reported that he was looking at that because it contains 2.5 acres and if they expanded he would like Council to consider purchasing the property. Councilman Ebert noted that George Wilson is Jimmy Jurkiewicz's uncle and had heard that he was interested in selling the property. This item remained on the Council meeting agenda.

15-0380 Resolution amending the Pay Classification Plan to Convert Sanitation Worker I's to Equipment Operator I's for the Creation of a Sidewalk Crew - Sandra Pate reported since the implementation of the automated sanitation trucks there is a need to convert the Sanitation Worker I's to Equipment Operator I's to create a sidewalk crew to do the maintenance of the sidewalks and keep them in good condition. It will be a pay grade increase by one grade but they don't know the exact amount on it yet. She is asking to do the conversion on the position and then post those internally and when they know which employees will be promoted they will do the calculations and come back to Council with a resolution to amend the budget. She anticipates the impact of the budget will be approximately \$3,000. This item remained on the Council meeting agenda.

15-0381 Resolution amending the Pay Classification Plan to re-title the existing Field Maintenance Worker II position to a Field Maintenance Worker I position at the existing Grade 7 rate, and, to add a new Field Maintenance Worker II position at a Grade 9 at an annual salary of \$31,667 plus benefits. No budget funds are necessary to fund the position for the remainder of the Fiscal Year. - Sandra reported by taking this action this will give David Thompson one extra person to maintain the complex. The position will be advertised outside. David has funds in the account for the remainder of this year. This item remained on the Council meeting agenda.

15-0386 Consider renewing ground lease agreement for overflow parking - President Trawick reported this is the lease with George Wallace for the use of his property located on the east side of Heritage Park. The property is used for overflow parking during large events in exchange for the City keeping the grass mowed. This item remained on the Council meeting agenda.

**ADDITIONAL ITEM:**

**Additions and Removals:**

Remove File ID 15-0389 TIGER 2 - Chad reported the Council has sixty days from June 2nd to make their decision on TIGER 2. He recommended dropping alternates 2 and 3 and remove this item from the agenda until he, Mike and the Finance Department can take a further look at the budget status depending on what the Council would like to keep or drop. There was a consensus to remove this item from the Council meeting agenda.

Add file ID 15-0393 TIGER 3 - Pedestrian Bridge City Engineer Chad Christian reported they actually had the contractor extend his bid so they could value engineer it and it is only good until tomorrow June 16th. He recommended the Council award the bid tonight. If the Council chooses not to award the bid tonight then they will need to start over with the bids. Chad had it value engineered by 9.17% and removed the sign and tree removal. John Graham will take care of the tree removal and will save \$10,355. The bridge will have

the same look and they saved \$153,000. The budgeted amount was \$1,122,836.00. The lowest bid with the 9.17% value engineering was in the amount of \$1,515,478.15. The contractor got another electrical bid, which was \$55,000 less, and they took the binder layer out of the existing parking overlay and just thickened the wearing layer so that they still get the same look but saved approximately \$153,000. There was consensus to add this item to the Council meeting agenda.

#### **MOBILE FOOD VENDOR**

Jeff Rouzie introduced Kevin McCarthy who owns the Fire Ant Grill food truck and took a lot of time and expense to build it. He was thinking about the downtown area and will have to take a look at very strongly at Planning Commission because it is a way to create instant night time restaurants and festivals. It has gotten very popular. Mr. McCarthy stated he was open at the Farmer's Market on Saturday's and last Saturday was his second Saturday at the market. His food is made with fresh ingredients. He was awarded a 5 stars from Yelp review and Google called him and told him they have gotten a lot of searches for Fire Ant Grill. He owns a custom made 30'x8.5'x8.5' trailer restaurant grade kitchen that contains one 1,000 gallon grease trap. The Health Department required him to have a commissary containing a separate septic tank and a 1,000 gallon grease trap. Bill Kelly told Kevin that he has set a standard for the State for the food truck/commissary. He made a "low country grill cheese" sandwich that contains Gulf shrimp, Alabama Conecuh sausage, local silver queen corn, five cheeses and fresh bread. He uses fresh ingredients and gets his bread freshly made in Pensacola from a company that uses only fresh ingredients and no preservatives. He has become friends with the ladies at the Copper Tea Kettle and requested the Council consider letting him set up his food truck on Chicago Street on the weekdays. Some days the Copper Kettle Tea Bar has to turn away business because the place of business is very tiny. He requests renting a 50 amp power plug east of the Clock Tower that he could use. He thanked the Council for their time and consideration. He further stated that he did a lot of research on food trucks and found that the grilled cheese trucks were more likely to turn into a brick and mortar business. Mr. McCarthy expressed an interest, if his food truck was successful, in purchasing an empty building downtown and opening a Gastro Pub. Councilman Ralph Hellmich asked him to work with Jeff Rouzie and Miriam Boutwell to get zoning worked out to make sure that he does it correctly before Council takes his request into consideration. Councilman Ebert reported this concept has proven successful in downtown Pensacola.

#### **UPDATE ON ALABAMA CREDIT UNION**

Councilman Ebert asked Jeff for an update on Alabama Credit Union. Jeff reported they are waiting on their sale of the "Mobile Banking Unit" at their present location. They had one bank interested. Jeff is to follow up with them.

### **Mayor's Comments**

The Mayor was absent.

### **Visitor's Comments**

There were no visitor comments.

## **Adjourn**

Hearing no further comments the meeting adjourned at 5:08 p.m.