

MINUTES
CITY OF FOLEY, ALABAMA
407 E. LAUREL AVENUE
COUNCIL CHAMBERS
CITY COUNCIL MEETING OF OCTOBER 1, 2012
5:30 P.M.

PUBLIC HEARINGS:

Mayor Koniar called the public hearing to order at 5:31 p.m. declaring the growth of weeds, grass and other vegetative growth a public nuisance and ordering its abatement at 1157 S. McKenzie Street. The Mayor reported the weeds on the property have been abated and no further action is required.

Mayor Koniar opened the public hearing declaring the growth of weeds, grass and other vegetative growth a public nuisance and ordering its abatement at 528 Verbena Loop. Hearing no comments Mayor Koniar closed the public hearing.

Mayor Koniar opened the public hearing declaring the growth of weeds, grass and other vegetative growth a public nuisance and ordering its abatement at 1911 S. Cedar Street. The Mayor reported the weeds on the property have been abated and no further action is required.

Mayor Koniar opened the public hearing declaring the growth of weeds, grass and other vegetative growth a public nuisance and ordering its abatement at 7th Avenue Vacant Lot. Hearing no comments Mayor Koniar closed the public hearing.

Mayor Koniar opened the public hearing to consider Planning Commission's recommendation for the proposed changes to the city of Foley Zoning Ordinance. Hearing no comments Mayor Koniar closed the public hearing.

COUNCIL MEETING:

Mayor Koniar called the Council meeting to order at 5:35 p.m. Council members present: Wayne Trawick, Ralph Hellmich, Rick Blackwell and Charles J. Ebert, III. Absent: Councilwoman Quaïtes was absent due to a conflict at work. Others present: City Administrator Mike Thompson, City Clerk Vickey Southern, Joey Darby, David Wilson, Steve Smith, Butch Stokes, Alec Barnett, Elva Barnett, Cheryl Morrow, Sal Moccio, Lindsay Schumacher, Frances Holk-Jones, and Shane Tucker.

SPECIAL GUESTS

Foley High School and State Farm representatives: National Teen Driver Safety Week Mayor Koniar presented Frances Holk-Jones and Shane Tucker with proclamations declaring October 14 – 20, 2012 as National Teen Driver Safety Week. Alabama ranks #2 in the nation for teen fatalities caused by motor vehicle accidents and through this endeavor will help parents and teens reduce the high-risk situations for novice drivers and others all year long.

Mrs. Holk-Jones thanked the City Council for the proclamation as well as the Police and Fire Chiefs who are working with them on this project. Mr. Tucker also thanked the City for their support.

APPROVAL OF THE MINUTES

Councilman Hellmich made a motion to approve the Council meeting Minutes of September 17, 2012. Councilman Trawick seconded the motion and the vote passed unanimously.

NEW BUSINESS

Fire Chief Joey Darby recommended the Council move forward with a 140-Special Events Retail license for South Baldwin Chamber of Commerce, applicant, under the trade name of Alabama Festival of Flavor, for their location at Foley Heritage Park; 700 ft. west of Hwy. 59, Foley, Alabama. Chief Darby also approved the temporary road closure of a portion of Violet Avenue between Hwy. 59 and Chicago Street on October 20, 2012 beginning at 6:00 a.m. until 11:00 p.m. Police Chief David Wilson also

recommended they move forward for the 140 – Special Events Retail License and the temporary road closure.

Councilman Blackwell made a motion to move forward with the 140- Special Events Retail License and temporary road closure. Councilman Hellmich seconded the motion and the vote passed unanimously.

Chief Darby reported the Department completed fire and life safety inspections at 8380 Highway 59 South and recommended Council to move forward with the 010- Lounge Retail Liquor – Class I license for Wolfpack Entertainments, Inc., applicant, under the trade name of Broncos, for their location at 8380 Hwy. 59 S, Foley, Alabama. Chief Wilson made a recommendation to move forward with this item as well.

Councilman Hellmich made a motion to approve the 010- Lounge Retail Liquor – Class I license for Wolfpack. Councilman Ebert seconded the motion and the vote passed unanimously.

ORDINANCES, RESOLUTIONS AND OTHER BUSINESS

The second reading of an ordinance to consider Planning Commission's recommendation for the initial zoning of B-1A (Extended Business District) for .70± acres located on the northeast corner of Foley Beach Express and US Hwy 98 for applicant John A. Springsteen passed unanimously on motion by Councilman Trawick and was seconded by Councilman Ebert.

The second reading of an Ordinance to consider Planning Commission's recommendation for the initial zoning of B-1A (Extended Business District) for 5± acres located on the northeast corner of Foley Beach Express and US Hwy 98 for applicant Betty S. Walker passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Blackwell.

The first reading of an ordinance to consider Planning Commission's recommendation for the proposed changes to the City of Foley's Zoning Ordinance passed unanimously on motion by Councilman Hellmich and seconded by Councilman Trawick.

A resolution declaring the growth of weeds, grass and other vegetative growth a public nuisance and ordering its abatement at 405 S. Poplar Street passed unanimously on motion by Councilman Blackwell and seconded by Councilman Ebert.

A resolution declaring the growth of weeds, grass and other vegetative growth a public nuisance and ordering its abatement at 528 Verbena Loop and 7th Avenue Vacant Lot passed unanimously on motion by Councilman Ebert and seconded by Councilman Trawick.

A resolution setting a public hearing to declare weeds to be a public nuisance and ordering its abatement at 761 S. McKenzie Street, Tax Parcel ID #05-05-54-08-33-2-000-007.004 passed unanimously on motion by Councilman Trawick and seconded by Councilman Hellmich.

A resolution approving three Consent Agenda items passed unanimously on motion by Councilman Hellmich and seconded by Councilman Blackwell.

A resolution reappointing Sheila Hodges to the Board of Adjustments and Appeals; Dave Rauch and Phillip Hinesley to Planning Commission; Charlie Fisher and Bob Graham to the Senior Citizens Board; Frank Henning to Fire Code of Appeals and Clyde Abrams to the Building Authority, Library Authority, Public Park and Recreation Authority and Redevelopment Authority passed unanimously on motion by Councilman Hellmich and seconded by Councilman Ebert.

Mayor Koniar reported that he appreciates their volunteerism and service to the City of Foley.

Councilman Trawick made a motion to approve Abiding Love Fellowship's request to use Max Griffin Park Saturday, October 6th for a Children's (ages 6 – 12) Church Outreach from 10:00 a.m. until noon. Councilman Blackwell seconded the motion and the vote passed unanimously.

A resolution waiving fees for Heritage Park and Pavilion for Action Game and Movie and Foley Book Exchange's request to hold a "Zombie Run" fundraiser, for St. Jude's Children's Hospital, in Heritage Park November 3, 2012 from noon until 5:00 p.m. passed unanimously on motion by Councilman Hellmich and seconded by Councilman Trawick. It was noted that all the proceeds go to St. Jude's.

A resolution waiving Civic Center fees for Mobile Symphony Youth Orchestra's concert on Monday, December 10, 2012 at 7:00 p.m. passed unanimously on motion by Councilman Ebert and seconded by Councilman Blackwell.

Councilman Ebert reported that David Vosloh told him that he thought it would be great for them to play at Foley Civic Center. He expressed his thanks to David for suggesting this wonderful opportunity as this will be the first time they will play in Baldwin County.

A resolution approving Family Promise of Baldwin County's request to use Civic Center at no charge for their annual fundraiser "5th Annual Chocolate Affair" on Thursday, December 6, 2012 passed unanimously on motion by Councilman Hellmich and seconded by Councilman Blackwell.

Councilman Trawick made a motion to approve St. Margaret Catholic Church's request to hold a "Rosary Rally" (or prayer vigil) on October 12, 2012 at Noon in Max Griffin Park. Councilman Hellmich seconded the motion and the vote passed unanimously.

A resolution accepting ADCNR State Lands grant for Wolf Creek Park improvements passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Blackwell.

Councilman Hellmich county worked with city in our agreement to improve step toward getting this open to the public

A resolution approving South Baldwin Chamber of Commerce's "Business After Hours" event to be hosted by Alabama Credit Union and Volkert, Inc. and to close one block of West Verbena Avenue from the West side of Hwy. 59 to the East side of South Alston Street passed by a majority vote on motion by Councilman Ebert and was seconded by Councilman Hellmich. Councilman Trawick abstained.

A resolution amending GCNP Operating Budget FY13 passed unanimously on motion by Councilman Trawick and was seconded by Councilman Hellmich.

A resolution approving ATRIP Funding participation in the amount of \$263,672 with Baldwin County's participation of \$195,000 for the CR20 improvement between Hwy. 59 and South Hickory Street passed unanimously on motion by Councilman Blackwell and seconded by Councilman Hellmich.

Councilman Hellmich reported this is tentative based upon the County's participation. City Administrator Mike Thompson reported the deadline is October 5th and they expect to hear something between Thanksgiving and the New Year.

A resolution approving transfer of \$11,896 from the Five Plex Covered Entrance account to the Park/Field/Pool Maintenance for fencing repairs to Mel Roberts Park passed unanimously on motion by Councilman Trawick and seconded by Councilman Hellmich.

Councilman Hellmich reported the fencing around the tennis courts need to be redone and the City is in the process of getting two new courts so the City will have six courts when all the work is completed.

A resolution supporting the passage of a temporary one-cent sales tax to maintain educational programs and services in the Baldwin County Public Schools passed unanimously on motion by Councilman Hellmich and seconded by Councilman Blackwell.

Mayor Koniar reported this is not a new tax but an existing tax that will expire soon. This would be a continuation of the current tax on a temporary basis.

A resolution renewing Retail Strategies Agreement for a one year period (October 1, 2012 through September 30, 2013) passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Ebert.

A resolution approving a Gulf Tourism and Seafood Promotional Fund application to assist with construction of the proposed farmers market passed unanimously on motion by Councilman Trawick and seconded by Councilman Hellmich.

Councilman Hellmich reported staff have been working over a year and pushing the “buy local” slogan. They have contacted the farmers in this location and they hope to move forward with this. Mayor Koniar reported this is a \$500,000 with no matching funds required.

A resolution accepting the Alabama Public Library Service (APLS) FY2013 LSTA Collection Development Project Grant in the amount of \$6,562 passed unanimously on motion by Councilman Trawick and seconded by Councilman Blackwell.

A resolution accepting a Community Development Block Grant (CDGB Project No. LR-Commercial Miscellaneous-PF-12-007) passed unanimously on motion by Councilman Hellmich and seconded by Councilman Trawick.

A resolution adopting and implementing a policy regarding Standards of Conduct, Procurement Methods, a Plan for Minimizing Displacement, and a Section 504 Transition Plan for CDBG grant passed unanimously on motion by Councilman Ebert and seconded by Councilman Hellmich.

A resolution approving Fair Housing as required by CDBG grant passed unanimously on motion by Councilman Hellmich and seconded by Councilman Ebert.

A resolution authorizing advertising for administrative services for CDBG Grant passed unanimously on motion by Councilman Ebert and seconded by Councilman Blackwell.

Councilman Hellmich reported to sum up the modern upscale project, this is a multimillion dollar grant using the latest technology so there won't be any invasive action such as digging up the streets. Riviera Utilities will be paying for the advertising costs.

A resolution increasing the Centennial Committee to 13 members passed unanimously on motion by Councilman Ebert and seconded by Councilman Hellmich.

A resolution appropriating up to \$2,500 for Public Relations for Centennial Committee use passed unanimously on motion by Councilman Ebert and seconded by Councilman Trawick.

A resolution waiving fees Heritage Park and Pavilion for Foley Lion's Club and the Trailblazers' annual fundraiser “Le Tour de Foley” October 12, 2012 from 3:00 p.m. until and October 13, 2012 until 3:00 p.m. and authorizing putting up a tent on a corner of Heritage Park passed by a majority vote on motion by Councilman Hellmich and seconded by Councilman Trawick Councilman Blackwell abstained. .

A resolution approving a request to go to bid on one truck for the Community Development Department passed unanimously on motion by Councilman Hellmich and seconded by Councilman Ebert.

It was noted that this vehicle will replace an older vehicle that will be used by the Horticulturist.

A resolution memorializing amendments to the September 17, 2012 Consent Agenda passed by a majority vote on motion by Councilman Trawick and seconded by Councilman Hellmich. Councilman Ebert abstained.

A resolution approving Sapphire sponsorship for the Coastal Chorale in the amount of \$500 passed by a majority vote on motion by Councilman Blackwell and seconded by Councilman Hellmich. Councilman Ebert abstained.

VISITOR COMMENTS

Cheryl Morrow, Foley Indoor Flea Market – Ms. Morrow stated she attended Work Session and was granted a permit to demonstrate and wanted to know how she would get the permit. Mayor Koniar asked her to see Vickey Southern in the morning.

Councilman Hellmich reported the kick off for the City’s Centennial will be held this Thursday and it is off to a good start. Councilman Ebert reported donations are starting to come in.

ADJOURN

Hearing no further comments the meeting adjourned at 5:57 p.m.

John E. Koniar, Mayor

ATTEST:

Victoria Southern, CMC
City Clerk