



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, September 18, 2017

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

All Council members were present. Al present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Chuck Southerlin, Chad Christian, Joey Darby, Sue Steigerwald, Rachel Keith and press representative Jessica Vaughn (Onlooker).

Present: 6 - President Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell, Council Member Charles Ebert III and Mayor J Koniar

Pledge of Allegiance

Mayor's Presentations

[17-0550](#)

Government Finance Officer's Association Awards

Attachments: [GFOA News Release](#)

Mayor Koniar presented the GFOA award to Finance Director Sue Steigerwald and the Council. Ms. Steigerwald reported once the City receives the award, it will be put on display in the lobby.

Departmental Reports

[17-0534](#)

Departmental Reports

Attachments: [Tax Reports](#)
[August 2017 CDD Report](#)
[Fire Dept. Report](#)
[PD August 2017 Report](#)

A motion was made by Council Member Ralph Hellmich to approve the reports as submitted. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Audit of the Accounts

[17-0535](#) Audit the accounts of August, 2017

A motion was made by Council Member Rick Blackwell to approve the audit of the accounts of August 2017. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Approval of the Minutes

[17-0505](#) Work Session Minutes of September 5, 2017.

Attachments: [09-05-17 Work Session Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, that this Minutes be approved. The motion carried. by an unanimous vote.

[17-0506](#) Council Meeting Minutes of September 5, 2017

Attachments: [09-05-2018 Council Meeting Minutes](#)

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

Additions/Removals

Ordinances

[17-0508](#) AN ORDINANCE TO REGULATE TRANSPORTATION NETWORK COMPANIES (TNC'S) IN THE CITY OF FOLEY AND TO AMEND ORDINANCE NO. 1018-07

A motion was made by Council Member Vera Quaites, seconded by Council Member Ralph Hellmich, that this Ordinance be adopted. The motion carried by an unanimous vote.

Enactment No: 17-2040-ORD

[17-0526](#)

(Second Reading) An Ordinance Rescinding Ordinance 17-2006 Declaring Certain Property Not Presently Needed For Municipal Purposes And Authorizing The Donation Of The Same.

Attachments: [17-2006 ORD](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, to approve the first reading of this ordinance. The motion carried by an unanimous vote.

Resolutions and Other Business

[17-0479](#)

REQUEST TO USE HERITAGE PARK AND HAVE FEES WAIVED FOR CHOOSE LIFE INC ON NOVEMBER 11, 2017

Attachments: [20170817081303453](#)

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

Enactment No: 17-1238-RES

[17-0515](#)

A Resolution to Reappoint Ellen Dean, Sara Rouzie, and Patricia Davis to the Foley Revitalization and Beautification Board.

Attachments: [Beautification Brd. Members](#)

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

Enactment No: 17-1239-RES

[17-0516](#)

A Resolution to Reappoint Bob Schreiber to the Riviera Utilities Board.

Attachments: [Riviera Utilities Brd. Members](#)

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: 17-1240-RES

[17-0523](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 19882 BRINKS WILLIS RD

Attachments: [19882 Brinks Willis Rd Weed Abatement](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be removed. The motion carried by an unanimous vote.

[17-0527](#)

Police Department Roof Project

Attachments: [Roof Project Sept 2017](#)
 [TREMCO-WTI Material Proposal](#)

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

Enactment No: 17-1241-RES

[17-0524](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 1157 S MCKENZIE ST

Attachments: [1157 S McKenzie St Weed Abatement](#)

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

Enactment No: 17-1242-RES

[17-0525](#)

Agreement - Municipal Intercept Services ("MIS") Debt Recovery Program-ADOR

Attachments: [Act #2014-321](#)
 [MOU-MIS](#)

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

Enactment No: 17-1243-RES

[17-0533](#)

Authorizing Certain Accounts to be Written off as Uncollectable

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

Enactment No: 17-1244-RES

[17-0538](#)

Resurfacing Phase VII FY17-18 Project

Attachments: [Sawgrass Proposal](#)
 [Street Plan Council](#)

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

Enactment No: 17-1245-RES

[17-0544](#)

Authorizing Certain Accounts to be Written off as Uncollectable

Attachments: [2016-17 Write off Memo](#)

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

Enactment No: 17-1246-RES

[17-0546](#)

Consider a resolution to waive permit fees to the minimum for Redeemed Baptist Church

Attachments: [Redeemed Baptist Church Request](#)

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

Enactment No: 17-1247-RES

[17-0547](#)

RESOLUTION ADOPTING MODIFIED PERSONNEL SYSTEM POLICY

Attachments: [PSP 2017 Update DRAFT September 2017 - MARKED UP VERSION](#)
 [PSP 2017 Update DRAFT September 2017](#)

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

Enactment No: 17-1248-RES

[17-0548](#)

Resolution Authorizing Certain Benefit Options to RSA Retiring Medicare Eligible Employees who are not vested with the City.

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

Enactment No: 17-1249-RES

[17-0551](#)

Allocation of funds for Tennis Court Project Phase 1

Attachments: [Capital Project Tennis Courts](#)

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

Enactment No: 17-1250-RES

[17-0553](#)

Accepting Annexations by Legislative Act 2017-448

Attachments: [ACT 2017-448](#)

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

Enactment No: 17-1251-RES

[17-0554](#)

A resolution approving deed corrections

Attachments: [CSX Letter](#)

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

Enactment No: 17-1252-RES

[17-0559](#)

A resolution approving additional electric installation at the Foley Sports Complex

Attachments: [Requests for the City of Foley - additional power \(2\)](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by the following vote: Council Member Vera Quaites, aye; Council Member Ralph Hellmich, abstained; Council President Wayne Trawick, aye; Council Member Rick Blackwell, aye and Council Member Charles Ebert, III, aye. The vote passed by a majority vote.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - Council Member Hellmich

Enactment No: 17-1253-RES

[17-0560](#)

Request For Funding For Continuing Legal Education

Attachments: [Municipal Court Letter](#)

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

Enactment No: 17-1254-RES

[17-0563](#)

Myrtle Avenue Valley Gutter Repair

Attachments: [R&S Proposal](#)
[Pre-Project Checklist - Myrtle Ave. Valley Gutter](#)

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

Enactment No: 17-1255-RES

[17-0552](#)

A resolution authorizing the Mayor to sign documents for the stormwater drainage easement for SE Holdings, Inc.

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

Enactment No: 17-1256-RES

[17-0564](#)

A resolution appointing Ira Bates to the Foley Housing Authority Board

Attachments: [Housing Authority Board Members List](#)

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

Enactment No: 17-1257-RES

[17-0545](#)

Consider 020- Restaurant Retail Liquor for C D Development Group LLC applicant, operating under the trade name of Sassy Bass Crazy Donuts located at 101 J South Boulevard Foley, AL.

Attachments: [Sassy Bass Crazy Donuts ABC license Application](#)

The Foley Police Department and Foley Fire Department made a recommendation to move forward with the ABC License.

A motion was made by Council Member Blackwell, seconded by Council Member Ebert, III, that this Agenda Item be approved. The motion carried by the following vote: Council Member Vera Quaites, aye; Council Member Ralph Hellmich, abstained; Council President Wayne Trawick, aye; Council Member Rick Blackwell, aye and Council Member Charles Ebert, III, aye. The vote passed by a majority vote.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - Council Member Hellmich

Mayor's Comments

Mayor John Koniar reported he and Mike Thompson met with developers for the Housing Authority, who are hoping to get grant funds to build new housing units in Aaronville.

Visitor Comments

There were no comments to report.

Executive Session

City Administrator Mike Thompson reported there is a need to go into Executive Session to discuss two items. One item is to discuss preliminary negotiations involving matters of trade or commerce in which the governmental body is in competition with private individuals or entities or

other governmental bodies in Alabama or in other states or foreign nations or to discuss matters or information of the character defined or described in the Alabama Trade Secrets Act. The other item is to discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property.

Mr. Thompson reported the Executive Session will last approximately 30 minutes and Council will not reconvene to take a vote.

Council Member Ralph Hellmich made a motion to go into Executive Session. The motion was seconded by Council Member Rick Blackwell and carried by the following roll call vote: Council member Vera Quaites, aye; Council Member Ralph Hellmich, aye; Council President Wayne Trawick, aye; Council Member Rick Blackwell, aye and Council Member Charles Ebert, III, aye. The vote passed by an unanimous vote.

The Council Meeting recessed at 5:52 p.m.

The Council Meeting reconvened at 6:25 p.m.

All Council members were present. Also present: City Administrator Mike Thompson.

There was no further business to discuss.

Adjournment

A motion was made by Council Member Ralph Hellmich to adjourn the meeting. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

The meeting adjourned at 6:25 p.m.