



Meeting Minutes - Final City Council

Tuesday, September 2, 2014

4:00 PM

Council Chambers

Work Session

Call to Order

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

Roll Call

All Council Members were present with the exception of Council Member Vera Quaites, who was absent due to an illness. Also present: Mayor John Koniar, Mike Thompson, Sandra Pate, Vickey Southern, Katy Taylor, Joey Darby, David Wilson, Sue Steigerwald, Miranda Bell, LaDonna Hinesley, Dana Overton, Donna Watts, Suzanne Kellams, Taylor Davis, Leslie Gahagan, Steve Smith, Kent Cockson, Todd Tredanier, Stephen Delaiturn, Jeff Rouzie, Chris Heger, Chad Christian, David Vosloh, Rachel Keith, David White, Don Staley, Scott Beaman, Cliff Roberts, press representative Cathy Higgins (Onlooker) and press representative Marc Anderson (AL.com / Press Register).

Present: 4 - President Wayne Trawick, Council Member Ralph Hellmich, Council Member Rick Blackwell and Council Member Charles Ebert III

Absent: 1 - Council Member Vera Quaites

Discussion Items

[14-0593](#)

Graham Creek Interpretive Center/First Responders Safe Room Grant

Attachments: [Proposal for Securing FEMA HMGP Funds for First Responders Safe Room](#)
[Agreement for Professional Services with Lehe Planning](#)

City Engineer Chad Christian reported they are still waiting for the funding amounts from Alabama EMA to be announced and it would be premature to discuss this item at this time. President Trawick asked Mr. Christian if he would like to bring this item back before Council once the announcement from Alabama EMA is made. Mr. Christian reported that doing so would be best. Carried over until such time funds are announced.

[14-0609](#)

Discuss the approval of a vendor's permit

Attachments: [Agenda Request Questionnaire](#)
[Foley Downtown Overlay District \(1\)](#)

City Clerk Vickey Southern reported this item is for Tommy's Dogs and asked Todd Tredanier to address the Council with his plans. Mr. Tredanier reported his plans to place a hot dog cart in the downtown area or in front of Home Depot. He reported that he has spoken to the Health Department and his cart meets their requirements. Council member Charles Ebert III asked if the Council needed to determine the location as to which the hot dog cart will be placed. Council Member Rick Blackwell asked if Mr. Tredanier only had one cart. Mr. Tredanier reported he only has one cart right now but has plans to bring more at a later date if Council allows him to do so. City Administrator Mike Thompson asked if he plans to keep the cart at the same place or if his plans include moving the cart from one place to another. Mr. Tredanier reported his plans are to keep each cart at the same place. Mr. Thompson asked if this cart is to be placed in front of Home Depot. Mr. Tredanier reported that he spoke with Home Depot and they would like the cart there due to Lowes having many restaurants in front of them and Home Depot currently only has Hardee's. He also reported that he would place the cart in Foley's Historical Downtown area if the Council believes that area to be best. Mr. Thompson asked if City Planner Miriam Boutwell has seen this request. Ms. Boutwell was not present at the Work Session meeting. Mrs. Southern asked Mr. Tredanier if he had spoken with anyone from Community Development and he reported he had spoken with several people from Community Development and they suggested he bring his request before the Council. Mr. Thompson reported if he puts the cart on a private business owned property, that was one thing but if you wanted to place the cart on City owned property for instance, in the park in the City's Historic District, that would mean the City is permitting a vendor in the park, which is a different set of circumstances that the Council would have to think through and get input from the City Planner Miriam Boutwell on how to handle vendors on public property, which is vastly different from private property, such as Home Depot. Councilman Hellmich reported that the City recently changed the downtown overlay district. It allows food trucks subject to zoning conditions and that this needs to be discussed with Ms. Boutwell. Mr. Thompson reported he would be happy to coordinate a meeting with him and Ms. Boutwell to discuss what steps need to be taken moving forward before bringing this item back before Council. There was a consensus to carry this item over to a later date.

Discuss Council Meeting Agenda for September 2, 2014

14-0600 Approving the South Baldwin Chamber of Commerce's Alabama Festival of Flavor - Donna Watts reported that they had requested a temporary street closure for this event, one being Hwy 98 at Hwy 59. She reported that they had planned to get hot air balloons to be placed at various locations in the downtown area for a glow event in the evening to promote Foley and attract people to the festival, and she understood the magnitude of work and police and fire personnel it would take to close Hwy 98. She further reported that if the Police and Fire Departments did not feel comfortable with closing Hwy 98, other adjacent streets where there are no residential areas or power lines would work as well and they would rescind the request to close Hwy 98. The other streets to be used are the same streets that were used for this festival in the past with the exception of this year the festival will stay south of Hwy 98 to the north of Verbena Street. A corn toss tournament was added to the festival this year as well as a big screen t.v. game day tent for the football games. There has been interest from chefs and food trucks to provide food. There was a consensus not to close Hwy 98. Fire Chief Joey Darby reported that there are

multiple three-phase power banks in the alley ways of the downtown area with the only gap being on Hwy 98 and he cautioned the Council from a safety standpoint where the hot air balloons are concerned. This item remained on the Council agenda.

14-0624 Approve One-Time Grant from BC911 Board for Radio System Improvements - Fire Chief Joey Darby reported that a few years ago, Council approved grant money for the Police Department to build out a Kenwood NexEdge digital system. At the time, Bay Minette and a few fire departments in the north end of the county had a similar system. Today, this system has developed throughout the county. The City of Daphne's Police and Fire Departments are on this system as well as the City of Robertsdale's Police Department. The vast majority of volunteer fire departments north of I-10 are now on the NexEdge System. The Foley Fire Department has been seeking to migrate to this system since we have the infrastructure. The system has become a viable county wide system. The Fire Department's jurisdiction is larger than the Police Department's jurisdiction. If both departments were to migrate over to this system today, there is potential to have a coverage gap in the west and south-west sections of the jurisdiction, which could be a problem. The City of Fairhope demonstrated the system and the equipment was installed in Magnolia Springs. The use of the equipment directly enhances the western area. They approached the 911 Board to assist with purchasing the site at Magnolia Springs. The board has approved the expenditure of up to \$78,000, which will cover the cost of the equipment and upgrades to make the system robust for the entire county. Baldwin County 911 Director Chris Heger reported that they were pleased to be able to help. She reported that the board members were open minded to the request. All the members of the board voted unanimously to award the grant with the exception of Police Chief David Wilson, who abstained from the vote. Chief Darby reported there are two systems being used in the county, a Motorola system and NexEdge system. These systems have been permanently patched together, which makes both the systems more viable long term. Ms. Heger reported there is also a microwave connection to a master site in Hunstville, Alabama that can serve as a backup in the event that Baldwin County's site goes down. This item remained on the Council agenda.

14-0625 A resolution to accept Sandi Caudill's resignation from the Planning Commission and to consider appointing someone to fill the vacancy - President Trawick reported this vacancy is to be appointed by the Mayor. He asked the Mayor if he was ready to announce the appointment. Mayor Koniar reported that he was not ready to make the appointment at this time. President Trawick reported that this resolution will be to accept the resignation only and the Mayor will make his appointment at a later date. This item remained on the Council agenda.

14-0626 Trucks Entering Roadway Sign Request for Doc McDuffie Road and FBE - Assistant City Engineer Taylor Davis reported they have received a request from the concrete plant on Doc McDuffie Road to place these signs. This item remained on the Council agenda.

14-0627 Placement of truck traffic routing signs on W. Fern Ave. and Airport Drive - City Engineer Chad Christian reported that the Council has an aerial photo of the area for the best placement of the signs to direct truck traffic to UTC via Underwood Road to keep trucks off of Fern Avenue. Mr. Thompson

asked if ALDOT would approve placing a sign on Highway 59 at Underwood Road to direct the trucks. Mr. Christian reported that ALDOT would treat those signs as an advertisement and recommended this approach in conjunction with UTC placing laminated signs at their receiving docks and PDF documents they can print out and handout to the truck drivers. This item remained on the Council agenda.

14-0633 Creating the Friends of the Dog Park - Suzanne Kellams reported this newly created advisory board is set up similar to the Revitalization and Beautification Board with seven members consisting of a vet, a dog groomer or dog trainer. A citizen has volunteered to be the Chair Person of the board and she has met with interested potential members. This board will begin its regular meetings in September. This item remained on the Council agenda.

14-0634 Establishing an Annual Fire Fighter of the Year Award - Fire Chief Joey Darby reported that David Vosloh, who along with his wife, has established a Police Officer of the Year award and Teacher of the Year award through the Vosloh Charitable Foundation, would like to establish a Fire Fighter of the Year award as well. This award is a net amount of \$1000 with the City absorbing the taxes. This item remained on the Council agenda.

14-0635 New Parking Stalls on East Side of Pine Street from Jessamine Ave. South to Alley North of US 98 - Taylor Davis reported these are on the east side of Pine from Jessamine Avenue south to the alley approximately 100' north of Hwy 98. There have been some parking issues in this area and it would help with school traffic and the local restaurant. They received three quotes and the lowest quote was submitted by R&S Paving and Grading in the amount of \$17,500. There are approximately 10-12 spots that will include a handicapped spot. Councilman Ebert reported he asked them to look into this as it would benefit the school at graduation and ball games. The restaurant owner expressed concerns to Councilman Ebert about the drainage at the intersection. He also spoke to one of the property owners on the corner and he was ok with it but he does not reside at that location. He did ask would the City also consider adding some painting strips on Jessamine so that the residents' drive ways won't get blocked. Public Works could add this stripping for "No Parking". It is just the southern edge of Jessamine in front of those houses. This item remained on the Council meeting agenda.

14-0636 Extending Resolution #14-0465, The Police Department SRO, For One Additional Year - Chief Wilson reported they have been trying to get a grant to continue this program but have been unsuccessful. He requested that this program be extended for another year since it has been so successful. They will continue to try to obtain a grant for funding this program. This item remained on the Council meeting agenda.

14-0638 A resolution to adopt fiscal year 2015 budget - President Trawick reported the staff worked hard on this budget. Councilman Ebert asked if it contained the facade grant that was in last fiscal year's budget. Mr. Thompson reported that it did. He felt that it was a very good budget. Revenues are forecasted to go up \$1.4 million from this year to next year. The bulk of that is associated with sales tax revenue that we didn't have this year as there are a lot of businesses that are building or are planning to build. Expenses are up \$1.3 million from last year. There are four major components that caused that jump in expenses. They are as follows: (1) there are approximately \$200,000 in

new positions; (2) approximately \$250,000 in pay increases for merit raises; (3) approximately \$300,000 in sports marketing efforts; and (4) then approximately \$200,000 in expenses as there is an offset for the City continuing the Balloon Festival. Revenues and expenses are netting out about \$2.4 million and if you add to that \$2.4 million the transfers in and back out all of the debt then you come to a balanced budget. The budget includes debts the City would incur next year for the City's efforts in sports tourism. The City has not initiated those bonds yet but the budget is structured to cover those bonds, if and when the City decides to sell them. In capital equipment the budget shows approximately \$1.2 million and on par for what we did this year.

Regarding head count there is approximately three positions, which consist of two full-time permanent and one part-time permanent plus various other labor requests, i.e. overtime, internships, additional temporary labor hours. There are 277 positions proposed in the budget and we are currently at 274. In 2008, we had 293 and we are still well below that number. In 2008, we had 21% fewer citizens that we took care of so not only are we below the headcount in 2008 but the constituents pool has grown by 21% during that time and it says a lot in terms of our efficiencies. He pointed out the high water mark for sales as a percent of expenses in FY10 was approximately 46.6%. Our expenses went to salaries and we are down about 41.6% and that is five years running where we have seen that ratio drop. He spoke about this to the Council individually and some asked what is the good number. Sandra did some research on salaries and that average for local government is approximately 41%. We have ourselves at what the norm is to be. The merit raises are based on 0% to 5% depending on staff performance and it is the same we did this year.

The Council will approve the holidays and we have ten fixed holidays. Last year you started doing the gap days. This coming year there will be 3.5 gap days and in 2016 there will only be a half gap day. Some years you have more Fridays and Mondays.

There are approximately \$28 million in Capital Projects to include transportation infrastructure and that is because we have a lot of big projects and we are getting that \$28 million in assets by spending only approximately \$7.4 million. There are ATRIP grants for Juniper Street and Pride Drive; Fern Avenue Extension, CR20 via the County, the Tiger grant and Tap grant. The rest of the capital projects include but are not limited to \$750,000 street repaving to catch up since we didn't do the annual \$500,000 last year; \$100,000 Wolf Creek Park Improvements to meet the City's responsibilities with the Baldwin County Commission; new Fire Station at Glen Lakes; complete two Soccer Fields on Hwy. 98; overflow parking; Dog Park project; \$550,000 streetscape project work; drainage improvements; \$300,000 Pine and Fern Drainage repairs; the Interpretive Center; one block on the Rose Trail; Philomene Homes Road and extension to Wolf Bay Drive and a second five plex project. The directorial team did a lot of work in this budget like they do each year.

Within General Government HR Department does a lot of work in putting the salaries and benefits together for the budget and of course, Sue's Finance Department that collects all that data and combines it into the budget. It is a lot of time. Directors start usually in May with headcounts and then in June looks at Capital projects. The Splash Pad is in 2016. The adopted budget will be placed on the website. This item remained on the Council meeting agenda.

14-0644 Memorial Sign in memory of Cpl. Mike Stockwell - Chief Wilson reported that almost this time last year they responded to a terrible scene at CR12 and Foley Beach Express. Unfortunately a person hit Cpl. Mike Stockwell with the Orange Beach Police Department and he died during that accident. Orange Beach PD has approached him to memorialize the anniversary of his death and has purchased a memorial sign. It reads "At this site on September 17, 2013 Cpl. Michael D. Stockwell gave his life in service to the community." We have coordinated with our City Department Heads that we needed to and everyone was much in agreement to this. We are asking the Council approve the placement of the sign at the scene where he died. It will also be in time for Orange Beach PD to do a memorial on that day. Lt. Roberts and Cpl. Beaman are present. Lt. Roberts thanked Council for taking this into consideration. Chief Wilson has been great in working with them. Lt. Roberts was Cpl. Stockwell's supervisor at the time of his death and Cpl. Beaman was his partner. It has been a very difficult year. A memorial sign is very common throughout the United States to have a plaque at the site of death, especially for an officer killed an automobile wreck. It is done Nationwide and we originally volunteered to put the sign up but thought it might be better if the City of Foley would put the sign up so they wouldn't have to move it again after it was put up. Lt. Roberts and Cpl. Beaman have paid for the sign out of their pockets and will be happy to donate the post to put the sign up. They don't want to put the City of Foley out. There was a consensus that the City of Foley would be happy to donate the post and put up the memorial sign. This item remained on the Council meeting agenda.

Council Trawick reported that there is an issue with John Foley's land and the City agreed not to disturb his crops but the geotechnical service is wanting to get out there. They understood that the farmer would have time to get the crops out before they started geotechnical borings. They are trying to gain access and will this delay Fern Avenue extension if they hold off a couple of weeks. They understand the farmer will have the crop out by then.

Chad Christian reported that a few weeks would not but they are talking the end of October and it could introduce some delays into the project. He spoke with the geotech firm last week and they are proposing to place stakes where they want to do the borings and have a meeting with the farmer before they touch his property. If he can't be made happy then they will have to keep their word and deal with the delay. If they arrange for them to move the stakes out of the way and make him comfortable with the time frames they can design the cross section so that they can submit the plans to ALDOT. Anything more than a few weeks would introduce delays to the project. It could potentially delay letting of the bid for the project. They will place the stakes by Thursday and then set up a meeting.

Add On

14-0646 Consider Ad for WBWW Youth Fishing Rodeo - Memorialize a full page black and white ad for the Wolf Bay Watershed Watch Jr. Fishing Tournament was added to the Council meeting agenda.

Mayor's Comments

The Mayor had no comments.

Visitor's Comments

There were no visitor's comments to report.

Adjourn

Hearing no further comments the meeting adjourned at 5:26 p.m.