



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final City Council

Monday, July 20, 2015

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. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Vicky Southern, Katy Taylor, Steve Smith, Miriam Boutwell, LaDonna Hinesley, Chad Christian, David Thompson, David White, Otis Miller, Joey Darby, Jeff Rouzie, Tabyanne Swanson, Bill Swanson, Kevin McCarbby, Delbra Clemon, Gregg Knight, Sharon Knight and Raymond Pettibone.

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

Pledge of Allegiance

Mayor's Presentation

[15-0436](#)

Dr. Carl W. Gettig Proclamation

Attachments: [Dr. Gettig Proclamation](#)

Mayor Koniar read aloud a proclamation commending Dr. Carl W. Gettig for his many years of services for the City of Foley.

Additions/Removals

A motion was made by Council Member Ralph Hellmich to add item 15-0448 to the agenda. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Approval of the Minutes

[15-0428](#)

07-06-2015 Work Session Minutes

Attachments: [07-06-2015 Work Session Minutes.pdf](#)

A motion was made by Council Member Ralph Hellmich to approve the Work Session Minutes of July 6, 2015. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

[15-0429](#)

07-06-2015 Council Meeting Minutes

Attachments: [07-06-2015 Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell to approve the Council Meeting Minutes of July 6, 2015. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Audit the Accounts

[15-0449](#)

Audit the accounts of June, 2015.

A motion was made by Council Member Ralph Hellmich to audit the accounts of June, 2015. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Reports

[15-0446](#)

June 2015 Sales, Lodging and Rental Tax Reports

Attachments: [20150714102354118.pdf](#)

City Administrator Mike Thompson reported that May taxes collected in June were good. Lodging Tax did very well being over 15% year to date compared to last year. Rental Tax is just treading water and he would like to see the rental tax move up. The rental taxes are taxes charged for equipment that is rented for use in the City of Foley. As developments continue to grow, this number is expected to increase.

[15-0440](#)

Marketing Quarterly Report - April, May and June 2015
See attachments.

Attachments: [Marketing Dept. Report - April, May and June 2015](#)
 [Welcome Center stats 2015 through June](#)

Marketing Director LaDonna Hinesley gave a synopsis of the Marketing Quarterly Report for April, May and June, 2015, which is attached as backup to the minutes.

[15-0431](#)

June CDD Report

Attachments: [June EOM for Council.pdf](#)

City Planner Miriam Boutwell gave a synopsis of the June CDD Report, which is attached as backup to the minutes.

[15-0438](#)

Project Update - Engineering presents a status report for all active and recently completed construction projects.

Attachments: [Project Status Report](#)

City Engineer Chad Christian reported he would happy to answer any questions about the project updates. The Project Status Report is attached as back up to the minutes.

Mr. Thompson asked Mr. Christian to give a report on the repaving project and the Tiger Grant project. Mr. Christian reported that Phase V of the repaving project is complete. They are waiting on the final invoice to see where the numbers come in. He also reported that the ALDOT permit for the pedestrian bridge will be the biggest issue for the Tiger Grant project. He believes they can expedite it forward because the consultant has former state employees that are familiar with the process and have connections with people in the Bridge Bureau. Volkert has given them a preview of the bridge's towers and foundation. As soon as the cut sheets from the bridge manufacturer are received, they will be sent to ALDOT for review by the Bridge Bureau. The hope is that the same person who had the advanced look will be looking at the total permit.

Councilman Hellmich reported that Tiger Phase I had equipment issues on side cuts, which appears to be resolved and that Phase is finishing up. Mr. Christian reported they have to do striping once the weather permits, they will then see the savings. They know it will be under budget but they do not know how much of a savings there will be at this point. There were issues on Pine Street, they had to go back and block the gutters in and that will cut into the savings but it will be more than enough to leverage into Phase II and to hopefully add one or two of the alternates.

[15-0445](#)

Fire Department Monthly Report June 2015

Attachments: [Council June 15 7-15](#)

Fire Chief Joey Darby gave a synopsis of the Monthly Fire Department Report for June, 2015, which is attached as backup to the minutes. He also reported there were five structure fires. There was a fire on East Azalea Avenue that resulted from the improper use of a candle. There was a fire on Keller Road, which was an electrical fire in the attic. There was a mattress fire in a bedroom on Silcox Lane, which is still under investigation. There was an electrical fire in a wall on Angie Drive, which was extinguished quickly. No residents were displaced as a result of these fires. The Department was called for assistance with a fire on the Baldwin Beach Express by the Summerdale Fire Department but was disregarded due to the fire being under control.

[15-0432](#)

June 2015 FPD Monthly Report

Attachments: [20150710092343107](#)

Police Captain David White gave a synopsis of the June, 2015 Foley Police Department Report, which is attached as backup to the minutes.

Ordinances, Resolutions and Other Business

[15-0382](#)

A Resolution to reappoint Erick Crosby to the Construction Board of Adjustment and Appeals.

Attachments: [E. Crosby- Const. BAA List](#)
[Crosby Email](#)

A motion was made by Council Member Charles Ebert III to reappoint Erick Crosby to the Construction Board of Appeals. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2238-RES

[15-0430](#)

TIGER Phase 2 Bid Award

A motion was made by Council Member Ralph Hellmich to approve awarding the lowest base bid in the amount of \$1,437,340.50 for the TIGER Phase 2 project to Ammons & Blackmon Construction and to amend Account No. 31-665-7200 to increase the budget by \$83,002.84. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 15-2239-RES

[15-0433](#)

Accept EPA Appropriations Grant with Amendments

Attachments: [Stormwater Facilities Assessment within the City of Foley Workplan.7.2015](#)

A motion was made by Council Member Rick Blackwell to accept the EPA Special Appropriations Grant with the modifications required by EPA to include allocating an additional \$3450 to small tools under Account No. 01-615-5015, decreasing part time salaries by \$175.31 under Account No. 01-615-1015, and no changes to the revenue of \$4107.68 under Account No. 01-4923. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 15-2240-RES

[15-0434](#)

Request to Apply for FY2015 Recreational Trails Program Grant

Attachments: [RTP PRE APPLICATION](#)
[RTP Program Summary](#)

A motion was made by Council Member Charles Ebert III to approve the pre-application for the FY2015 Recreational Trails Program Grant for the

improvements to the Graham Creek Preserve Mountain Bike Trail System for a project value of \$42,000 with grant funds requested as \$35,000 and \$7000 in kind volunteer and staff labor. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 15-2241-RES

[15-0435](#)

Residential Sanitation Write Offs as Uncollectible in the Amount of \$177.26

Attachments: [Sanitation Write Off](#)

A motion was made by Council Member Rick Blackwell to write off certain residential sanitation accounts as uncollectible in the amount of \$177.26. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 15-2242-RES

[15-0442](#)

REQUEST TO USE THE MAX GRIFFIN PARK

Attachments: [City Hope Church](#)

A motion was made by Council Member Vera Quaites to grant the use of Max Griffin Park and Kid's Park requested by the City Hope Church for their Community event on July 24, 2015 from 1 p.m. to 3 p.m. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 15-2243-RES

[15-0443](#)

Aaronville Pool Park Improvements

Attachments: [Pre Project Check List](#)

A motion was made by Council Member Rick Blackwell to appropriate up to \$75,000 for replastering Aaronville Pool and upgrading the siding on the Aaronville bathroom building. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 15-2244-RES

[15-0444](#)

Mel Roberts Park Well

Attachments: [Pre Project Checklist _Well](#)

A motion was made by Council Member Ralph Hellmich to appropriate up to \$10,000 for installing a new well at Mel Roberts Park. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2245-RES

[15-0447](#)

A Resolution Amending Resolution 15-2205

Attachments: [15-2203](#)

A motion was made by Council Member Ralph Hellmich to amend Resolution 15-2205. The motion was seconded by Council Member Rick Blackwell and carried by the following roll call vote: Council Member Quaites, aye; Council Member Hellmich, aye; President Trawick, aye, Council Member Blackwell, aye and Council Member Ebert III, nay. The vote passed by a majority vote.

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

Nay: 1 - Council Member Ebert III

Enactment No: 15-2246-RES

[15-0448](#)

Graham Creek Drainage Repairs Bid Award

Attachments: [20150720144502586](#)

A motion was made by Council Member Ralph Hellmich to approve awarding the lowest bid in the amount of \$172,799.53 for the Graham Creek Drainage Repairs project to Blade Construction. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2247-RES

Mayor's Comments

Mayor Koniar reported that he wanted to reiterate his comments from the Work Session that the City is still working on the downtown revitalization.

Visitor's Comments

A new resident of Foley, Bill Swanson asked what CDD means. Councilman Hellmich reported that CDD is the City's Community Development Department. Mr. Swanson asked what Tiger is. Mr. Thompson reported that Tiger is a federal grant program that the City went after to have alternative transportation, which is Transportation Investment Generating Economic Recovery. The City is using the funds for bike trails, sidewalks and pedestrian paths. The City of Foley was the smallest city to be awarded the grant. The City's staff worked hard to get the grant.

Gregg Knight, 809 E. Azalea Avenue addressed the Council with a concern on behalf of the USPS. He reported the mail carrier has driven a rut in the area between his mailbox and the street and it needs to be repaired. Councilman Hellmich reported that Mr. Knight can contact the City's Public Works Department and they will bring a load of dirt to fix the rut.

Raymond Pettibone, an Aaronville resident, addressed the Council with a request of a walkway/bridge from the church located at 323 W. Michigan Ave. to cross the ditch in order to easily access the new sidewalks across the street on Michigan Avenue. Councilman Hellmich reported the City has been looking at constructing a pedestrian path there. Police Captain David White reported that he believed that the Police Chief is currently working with the Public Works Department to have a temporary solution in place. City Engineer Chad Christian reported his Department is currently working on a design proposal to

bring to Council soon.

Delbra Clemon addressed the Council with a concern in the same area of the church. She reported that since the street in front of the church has been repaired, she is concerned that rain water will now flood the church parking lot. She reported the repairs have made the parking lot like a bowl and water will not have a place to run off.

Executive Session

President Trawick reported there was a need to go into an Executive Session.

City Administrator Mike Thompson reported the Executive Session is to discuss what the City is willing to offer or accept when purchasing, selling, exchanging or leasing real property. There are three topics to be discussed that are informational items only and there is no need for Council to vote. The Executive Session will take approximately 30 minutes. Councilman Hellmich made a motion to go into Executive Session and Councilman Blackwell seconded the motion. Mr. Thompson took the following roll call vote: Council Member Quaites, aye; Council Member Hellmich, aye; President Trawick, aye; Council Member Blackwell, aye and Council Member Ebert III, aye. The vote was unanimous to go into Executive Session. The Council meeting recessed at 6:12 p.m.

Reconvened

President Trawick called the meeting to order at 7:19 p.m. All Council Members were present. Also present: City Administrator Mike Thompson and Jeff Rouzie. At this point President Trawick announced there was no further business to conduct.

Adjourn

Hearing no further comments, Council Member Ralph Hellmich made a motion to adjourn the meeting. The motion was seconded by Council Member Charles Ebert III. The vote passed unanimously and the meeting adjourned at 7:20 p.m.