



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, March 6, 2017

4:00 PM

Conference Room

Work Session

Call to Order

Council President Wayne Trawick called the March 6, 2017 Work Session to order at 4:00 p.m.

Roll Call

All Council members were present with the exception of Council member Charlie Ebert and Council member Rick Blackwell, who were both absent due to being out of town. Also present, Mayor John Konia, City Administrator Mike Thompson, Assistant City Administrator Sandra Pate, City Clerk Katy Taylor, Kate Embry, Thurston Bullock, Jessica Middleton, Tom DeBell, Joey Darby, Meg Hellmich, John Jackson, Sue Steigerwald, Randy Kurtts, John Lawrence, Ron Sherbak, Andrew Newton, Peter Taylor, Hal Langenbahn, Caleb Bibby, Don Staley, Charles Weber, Chad Christian, and press representative Allison Woodham (Onlooker).

Discussion Items

[17-0034](#)

A Resolution to appoint Bill Swanson to the Foley Building Authority, Foley Library and the Foley Public Parks and Recreation Authority.

Attachments: [Authority Boards](#)

Council President Wayne Trawick reported that Councilman Ebert gave a recommendation for Mr. Bill Swanson. Council President Trawick also requests the Building Authority board to be looked at if it is still necessary for the City. This item was placed on the Council Meeting agenda as an addition.

Enactment No: 17-1061-RES

[17-0136](#)

Discuss CR 20 Access Management

City Engineer Chad Christian reported that at the last Planning Commission meeting there was a large concern due to the access of areas on Mifflin Road between Hwy 59 and the Beach Express. Christian reported that he has reached out to a traffic consultant for a proposal of what it would cost to do an access management plan, this plan would be similar to the plan that governs the beach express. This process would include workshops with staff, presentations, an assessment of existing conditions, and any traffic studies that have been done previously to come up with a draft. The Engineering

Department would bring the draft to Council and then complete the process by converting the draft proposal to Ordinance form. Councilmember Ralph Hellmich questioned if the new access management plan would be enforceable since the parcels and roads are already in place. Mr. Christian reported that it would be enforceable when you are able to show all property owners how their property would be enhanced. This plan would look at every property and give every owner fair access and make the traffic flow more sensible. City Administrator Mike Thompson reported that this item is not currently in the budget. Mr. Thompson also questioned the approximate cost and time frame. Mr. Christian reported that the budget would be between \$20,000 - \$30,000, he currently has a solid proposal from the company, and that he believed the consulting company could start work almost immediately. Council President Trawick reported that he feels this item needs to be addressed quickly, however; he would like for everyone to be comfortable before moving forward and absent Councilmembers to be present before moving forward.

17-0140

Discuss Request for new ERP System

Information Systems Manager Jessica Middleton reported to the Council that Enterprise Resource Planning (ERP) is the system that essentially runs the City. The current request is for Business Licensing and Land Management. This current request would include Engineering, Environmental and Revenue licensing City Departments. Ms. Middleton reported that the current system for the Revenue Department was purchased in 1999.

Council President Wayne Trawick requested clarification on the budget. Ms. Middleton reported that there are two parts to this purchase; first, \$35,000 annual licensing fee and \$55,000 implementation, which neither would be necessary to bid. City Administrator Mike Thompson reported that this is one phase of the multi-phase plan, this request doesn't include Accounting or Human Resource Departments, these Departments will upgrade in the next Fiscal Year budget. Mr. Thompson also reported that Accounting and Human Resource Departments may choose to not move to the new software and can opt to upgrade their current system. Mr. Thompson reported that decision would be made during the year and has not been established yet.

Discuss Council Meeting Agenda of March 6, 2017

17-0072 Dog Park Maintenance

Randy Kurtts reported to the Council that the Dog Park has been opened just over a year and some maintenance issues have come up. Mr. Kurtts reported that the repair work are minor such as pour extra concrete around pavers, repair on water stations, and add concrete at the water station. Mike Thompson reported that Schneider Electric has donated two benches with solar panels to charge phones, tablets etc. that will be delivered this week. Mr. Kurtts reported that there's been feedback from the public, which requests bag dispensers and restroom facilities. Mike Thompson reported that a citizen is wanting to start a "Friends of Foley Dog Park", a non-profit organization to go towards fundraising efforts for the Dog Park as well as have an active role in feedback for the park. This organization would be modeled similar to the Friends of the Library organization. This item remained on the agenda.

17-0090 Resurfacing Ph. VI FY17 Project

City Engineer Chad Christian presented that this item is to clean up a prior resolution to appropriate the money for projects already approved and also to memorialize a payment. Mr. Christian also reported that this project will finalize approximately \$140,000 under budget.

Council President Trawick asked if the City is still on track to bid for the Fern Ave. extension. Mr. Christian reported that it looks more likely to happen in May. This item remained on the agenda.

17-0113 Police Department Vehicles Deemed Surplus

Thurston Bullock reported that the Police Department wants to declare these two vehicles as surplus as they have been replaced by new vehicles. This item remained on the agenda.

17-0114 Amending the Pay Classification Plan to Convert the Budgeted Position of Engineering Aide (G-15) to Construction Projects Manager (G-18) and transferring inter-departmental funds in the FY17 Engineering Departmental Budget in support of this action.

Human Resources Director Sandra Pate reported to the Council that this position has been sent to Archer to be analyzed. Ms. Pate reported that there are no funds being requested just transferring funds within the budget. There was no further discussion for this item and it remained on the agenda.

17-0116 A resolution setting a public hearing to consider Planning Commission's recommendation to rezone property owned by Higher Ground III, LLC from PUD (Planned Unit Development) to TH-1 (Townhouses).

Councilman Ralph Hellmich reported that this property is located on Hickory Street and it is currently zoned as PUD that is actually for an RV park. Council Member Hellmich reported that by this area going to TH-1 the density will be lowered and more consistent with this area. There was no further discussion for this item and it remained on the agenda.

17-0117 A resolution setting a public hearing to consider Planning Commission's recommendation to pre-zone property owned by Cotton Bayou Development, LLC to R-1D (Single Family).

Councilman Ralph Hellmich reported that this property will be limited to five units per acre rather than standard seven units. There was no further discussion for this item and it remained on the agenda.

17-0118 A resolution setting a public hearing to consider Planning Commission's recommendation for rezoning property owned by Henry Burge from B-1A (Extended Business District), B-3 (Local Business District) and A-O (Agricultural Open Space) to PDD (Planned Development District).

Councilman Ralph Hellmich reported that this property is narrow and deep that is on the south side of Collinwood and the Dodge Dealership. This zoning has more restrictions on setbacks and buffers for zoning. Councilman Hellmich also reported that currently there's some drainage issues they are working through to improve. There was no further discussion for this item and it remained on the agenda.

17-0120 Approval for the Gulf Coast Gospel Jubilee to be held Saturday, October 7, 2017 at Heritage Park

There was no discussion for this item and it remained on the agenda.

17-0122 A resolution waiving Horse Arena fees for Jennifer Claire Moore Foundation Annual Rodeo

There was no discussion for this item and it remained on the agenda.

17-0123 Re-allocation of Funds to Continue Library Intern Program

Library Director John Jackson reported that the Library would like to move \$3,000 within the budget to continue the Summer Internship program. There was no further discussion for this item and it remained on the agenda.

17-0124 A Resolution to reappoint Janay Dawson to the Foley Historic Commission.

There was no discussion for this item and it remained on the agenda.

17-0125 A Resolution to reappoint Randy Arp to the Foley Historic Commission.

There was no discussion for this item and it remained on the agenda.

17-0126 A resolution to moving alternate member Terry Young to a regular member of the Board of Adjustments and Appeals

Miriam Boutwell reported that this would create a vacancy on the Board of Adjustments and Appeals as well as a vacancy on the Planning Commission. There was no further discussion for this item and it remained on the agenda.

17-0127 Approval of ABC license application for Anne Smith, applicant, operating under the trade name Birdsell's Trading Post for a 070-Retail Table Wine (Off Premises Only) ABC License located at 1919 S. McKenzie Street Foley, Alabama.

Thurston Bullock reported that the Police Department recommends moving forward. Joey Darby Fire Chief reported that the Fire Department recommends moving forward. There was no further discussion for this item and it remained on the agenda.

17-0128 A Resolution to reappoint Joe Manjone, David Vosloh, Debra Brown and Clark Stewart to the Sports Commission Advisory Board.

There was no discussion for this item and it remained on the agenda.

17-0133 Approval of Application to NASA Library Grant

Library Director John Jackson reported that the Library would like to apply for the NASA Library grant that requires no matching funds. This grant provides

materials that would be additions to the homeschool program at the Library. There was no further discussion for this item and it remained on the agenda.

17-0134 Consider 040- Retail Beer (On or Off Premises) and 060- Retail Table Wine (On or Off Premises) ABC License for GatewayMRC, LLC, applicant, operating under the trade name of Gateway Market and Grille located at 22394 Mifflin Road; County Road 20 Building 3 Suites 306 and 307, Foley, AL.

Thurston Bullock reported that the Police Department recommends moving forward. Joey Darby Fire Chief reported that the Fire Department recommends moving forward. There was no further discussion for this item and it remained on the agenda.

17-0135 A RESOLUTION APPROVING USE OF CABOOSE CLUB DONATIONS

Sue Steigerwald reported that this is funds the Caboose Club is donating to use towards a new engine for the Museum totaling \$1,200. There was no further discussion for this item and it remained on the agenda.

17-0137 Request to Apply for FY2018 ADCNR Comp Plan Grant

Miriam Boutwell reported to the Council that the City is being encouraged by ADCNR to apply for next year's grant with an in kind match to supplement the current Comp Plan Grant. Next year's Comp Plan Grant will begin on October 1. Ms. Boutwell reported that they are currently waiting on further information from the contractor. There was no further discussion for this item and it remained on the agenda.

Council President Trawick questioned if the current GIS employee is continuing to update the City GIS layers and maintain new files as the City continues to grow and annex. Ms. Boutwell reported that the City is maintaining that project, Leslie Gahagan's Department has a summer intern from Pensacola that helped her maintain this project with an update last year. Ms. Boutwell also reported that in the past it had been discussed to have a GIS layer provided as part of all contracts and it needs to be discussed further.

Mayor's Comments

The Mayor reported that a citizen has contacted him about possibly placing pet stations along the Rose Trail. Randy Kurtts reported that he was going to check into having the Public Works Department to try to build a few of these for the trail.

Council President Trawick reported that during the most recent sports tournaments Moe's BBQ reported running out of food because they didn't have warning of the tournaments. President Trawick questioned when the City Marketing Department is sending out information of these events and what information they are sending. Marketing Director LaDonna Hinesley reported that the Welcome Center sends the list of events provided by Sports Tourism and Recreation departments to the local area restaurants and businesses monthly. Don Staley Executive Director of Sports Tourism reported the Sports Tourism Department sends out the "Play Book" to local area businesses to follow up on their events and remind them of when they occur in the area.

Visitor Comments

Mr. Ron Sherbak, a resident of Iberville Square subdivision, reported that he was at the November Council Meeting for the Public Hearing of the weed abatement in the subdivision and that since then he has had meetings with City staff and DR Horton has sent workers in to clear the detention pond. Mr. Sherbak reported that this pond is still not functioning as it should, will not drain, and silt material is running off of the building areas. Iberville Square residents are looking for help from the City to get Adams and DR Horton to clean up the property before it is handed over to the POA. Mike Thompson reported that the POA is willing to take over this pond but they are wanting it to be functional and in good shape before doing so and at this time there's approximately \$20,000 to \$30,000 worth of work to get it into original shape. Mr. Sherbak reported that at the advice of Leslie Gahagan the subdivision contacted Greenco to get an estimate of work which came back to be \$22,000. Mr. Thompson reported that he has been in contact with the City Attorney and that the City is limited on what we can do in these storm water situations. The two hurdles include that it has to be a public health and safety issue for a material portion of citizens and, secondly, a realistic expectation that the City will recoup the funds spent. Mr. Thompson also added that in discussions with Leslie Gahagan he had mentioned the possibility of withholding business license, if it were possible, until these builders did what was right for the subdivisions. Councilman Ralph Hellmich reported that he feels the City should try anything possible and maybe check into the Revenue Department withholding business licenses if possible. Councilman Hellmich also added that the subdivision does have legal recourse options with their contracts with the builders.

Adjournment

Hearing no further comments, the Work Session adjourned at 5:21 p.m.