



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final City Council

Monday, January 6, 2014

5:30 PM

Council Chambers

Council Meeting

Public Hearing

[14-0001](#)

Public Hearing To Consider Planning Commission's Recommendation of PDD (Planned Development District) For The Blue Collar Country.

Council President Wayne Trawick opened the public hearing to consider Planning Commission's recommendation of PDD (Planned Development District) for the Blue Collar Country. President Trawick asked for comments from the public. Hearing no comments, he closed the public hearing.

Presentation

[14-0009](#)

Baldwin County EMC Presentation By Aubrey Fuller

Aubrey Fuller from Baldwin EMC along with EMC Vice President of Operations Jody Taylor presented Mayor Koniar and the City of Foley with a check in the amount of \$402,035.28 for their business license fee. The check reflects 3% of revenue collected within the corporate limits of the City of Foley and 1.5% of revenue collected in the police jurisdiction with an additional 312 members and an amount increase of over \$26,000 from last year.

Call to Order

Council President Trawick called the meeting to order at 5:33 p.m.

Roll Call

All Council members were present. Also present: Mayor John Koniar, City Clerk Vickey Southern, Katy Taylor, Steve Smith, David Wilson, Joey Darby, Butch Stokes, Jeff Rouzie, Tim Knight, Rio Barlow, Wyndee Townley, Aubrey Fuller, Melanie Schnieder, Tom DeBell, Jody Taylor, Richard Peterson, Mark Acreman, press representative Cathy Higgins (Onlooker), press representative Marc Anderson (Baldwin Register).

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

[14-0006](#) January 18, 2014 Mark S. Barlow Day Proclamation

Attachments: [01-06-13 Proclamation](#)

Mayor Koniar presented a proclamation to Rio Barlow and Tim Knight declaring January 18, 2014 as Mark S. Barlow Day. Tim Knight accepted the proclamation on behalf of Mark Barlow who was unable to attend due to a work schedule conflict. The proclamation is attached as back up to the minutes.

Additions/Removals

A motion was made by Council Member Ralph Hellmich to add item 14-0003 to the agenda. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Approval of Minutes

[14-0012](#) Work Session Minutes of December 16, 2013

Attachments: [Council Work Session 12-16-2013.pdf](#)

A motion was made by Council Member Charles Ebert III to approve the Work Session Minutes of December 16, 2013. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

[14-0016](#) Council Meeting Minutes of December 16, 2013.

Attachments: [12-16-13 Council Meeting Minutes](#)

A motion was made by Council Member Ralph Hellmich to approve the Council Meeting Minutes of December 16, 2013. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Ordinances, Resolutions and Other Business

[14-0002](#) (First Reading) Ordinance Approving The Initial Zoning And Re-Zoning Of PDD (Planned Development District) For Blue Collar Country.

A motion was made by Council Member Ralph Hellmich to approve the first reading of an ordinance approving the initial zoning and re-zoning of PDD

(Planned Development District) for Blue Collar Country. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

[14-0004](#)

Transfer of Funds Request

Attachments: [car.printer.request](#)

A motion was made by Council Member Charles Ebert III to approve the transfer of \$14,000.00 from the Corrections Fund account and Court Capital account to Court IT Equipment account with a savings of \$1,000.00 to replace all printers in the police vehicle fleet for the E-Cite equipment. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0000-RES

[14-0005](#)

Residential Sanitation Write Offs as Uncollectible in the amount of \$64.00

Attachments: [1-06-14 Sanitation Write Off](#)

A motion was made by Council Member Rick Blackwell to approve certain residential sanitation accounts in the collective amount of \$64.00 be written off the books of the City for fiscal year 2013-2014. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0001-RES

[14-0007](#)

CITY OF FOLEY ADDRESSING ORDINANCE

A motion was made by Council Member Ralph Hellmich to approve the second reading of the City of Foley Addressing Ordinance. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-1000-ORD

[14-0008](#)

Rescheduling January 20, 2014, May 5, 2014, May 19, 2014 and September 1, 2014 Council Meeting to Accommodate Martin Luther King Jr. Day, the ALM Conference, the ICSC Conference and Labor Day.

A motion was made by Council Member Ralph Hellmich to reschedule the Work Sessions and Council Meetings of Monday, January 20, 2014 to Tuesday, January 21, 2014 to accommodate for the Martin Luther King Jr. Day Holiday; Monday, May 5, 2014 to Tuesday May 6, 2014 to accommodate for the ALM Conference; Monday, May 19, 2014 to Friday, May 16, 2014 to accommodate for the ICSC Conference and Monday, September 1, 2014 to Tuesday, September 2, 2014 to accommodate for the Labor Day Holiday. Work Session will begin at 4:00 p.m and Council meeting will be begin at 5:30 p.m. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0002-RES

[14-0010](#)

Bid Recommendation for 2014 Tahoe 2WD Police Package PPV or

Equivalent for the Police Department

Attachments: [Capital Chevrolet's Bid](#)
[BID RESULTS - PD Sport Utility Vehicles](#)

A motion was made by Council Member Ralph Hellmich to accept Capital Chevrolet's bid in the amount of \$138,668.80 for five (5) 2014 Tahoe 2WD vehicles for the Foley Police Department and to approve paying \$10,668.80 from restricted cash held in the Drug Asset Forfeiture Account which has a current balance of \$11,482 and increasing the budget for the difference in the budgeted amount and actual cost of the vehicles. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0003-RES

[14-0013](#)

A Resolution Approving the Purchase of a Boom Mower for the Street Department

Attachments: [HGACBuy_quote_for_boom_mower.pdf](#)

A motion was made by Council Member Ralph Hellmich to appropriate \$6,969.88 for the purchase of a boom mower in the amount of \$111,959.88 from Kubota Tractor Corporation off HGAC Buy and to approve the request to go to bid for a boom mower if the afore mentioned mower is no longer available on HGAC Buy. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-0004-RES

[14-0014](#)

Foley Public Library request City partnership for Geocaching Poker Run

Attachments: [Library Geocache.pdf](#)

A motion was made by Council Member Rick Blackwell to approve holding a City event with the Library for a Geocaching Poker Run on Saturday, February 15, 2014 beginning at the Library at 10:00 a.m. and to approve the creation of a Geocaching Poker Run account and the transfer of \$500.00 into that account and to approve the expenditure of \$500.00 for supplies in conjunction with the Geocaching Poker Run. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0005-RES

[14-0015](#)

Lighting at South Hickory and CR 20

A motion was made by Council Member Ralph Hellmich to approve Option 1 to include an additional light at an annual rate of \$146.40. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-0006-RES

[14-0017](#)

Resolution Appropriating Funds and Accepting Proposal From E-J Builders for Drainage Improvements at Foley Beach Express Industrial Park

Attachments: [HCP_PUMPS.pdf](#)

A motion was made by Council Member Ralph Hellmich to accept the proposal from E-J Builders for drainage improvements at Foley Beach Express Industrial Park and to appropriate funds in the amount of \$6,877.00 in support of this action. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0007-RES

[14-0018](#)

A Resolution Setting A Public Hearing For The Initial Zoning Of Property Located At 22688 US Hwy 98.

Attachments: [01-06-13 Roberts Initial Zoning](#)

A motion was made by Council Member Ralph Hellmich to set a public hearing for the initial zoning of property located at 22688 U.S. Hwy 98 to consider Planning Commission's recommendation of B3 (Local Business District) zoning. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0008-RES

[14-0003](#)

Select architect for the pedestrian bridge design

Attachments: [Bridge_SCHEMATICS.pdf](#)

A motion was made by Council Member Hellmich to select McCollough Architecture, Inc. to design the pedestrian bridge over Hwy 59. The motion was seconded by Council Member Blackwell and carried by the following vote: Councilman Hellmich, aye, Council Member Quaites, aye; President Trawick, abstained; Councilman Blackwell, aye and Councilman Ebert, aye. The vote passed by a majority vote.

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

Abstain: 1 - President Trawick

Enactment No: 14-0009-RES

Mayor's Comments

Mayor Koniar reiterated that the Police Department has been working with Baldwin EMC and Riviera Utilities to replace street lights that are out.

Visitor's Comments

There were no visitor comments.

Executive Session

Council President Trawick announced the need to go into executive session to discuss the terms and price the City is willing to offer to purchase real property

and to discuss the City's desire and plans to lease real property. The real property discussion exception allows for the City to discuss in an executive session the consideration that it would be willing to offer to purchase real property and discuss certain price it is willing to offer certain real property for sale. Under this exception, only those people representing the City's interests can attend the meeting (not the party the City would be dealing with).

Council President Trawick reported the Executive Session will take approximately 20-30 minutes and that Council will then reconvene to vote on the two items.

A motion was made by Councilman Hellmich to go into executive session. The motion was seconded by Councilman Blackwell.

City Clerk Vickey Southern took the following Roll Call vote: Councilman Ralph Hellmich, aye; Council member Vera Quaites, aye; Council President Wayne Trawick, aye; Councilman Rick Blackwell, aye and Councilman Charles Ebert III, aye. The vote passed unanimously to go into executive session.

The Council meeting recessed at 5:50 P.M. to go into executive session.

The Council meeting reconvened at 6:23 p.m.

All Council members were present. Also present: Mayor John Koniar, City Clerk Vickey Southern, Katy Taylor, Steve Smith and Jeff Rouzie.

Aye: 5 - President Trawick, Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

14-0026

A Resolution Authorizing The Mayor To Effect Proposed Purchase Price For Certain Real Property.

A motion was made by Council Member Hellmich to authorize the Mayor to effect the purchase price for certain real property. The motion was seconded by Council Member Blackwell and carried by the following vote: Councilman Hellmich, aye; Council Member Quaites, aye; President Trawick, aye; Councilman Blackwell, aye and Councilman Ebert, abstained. The vote passed by a majority vote.

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

Abstain: 1 - Council Member Ebert III

Enactment No: 14-0010-RES

14-0027

A Resolution Authorizing The Mayor To Enter Into A Lease Agreement With Gulf Coast Produce Of Alabama , LLC.

A motion was made by Council Member Ralph Hellmich to authorize the Mayor to enter into a lease agreement with Gulf Coast Produce of Alabama, LLC. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0011-RES

Adjourn

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

The Council meeting adjourned at 6:26 p.m.