



Meeting Minutes - Draft
City Council

Monday, August 18, 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. Others present: Mayor John Koniar, Mike Thompson, Vickey Southern, Sandra Pate, Katy Taylor, Thurston Bullock, Steve Smith, David Wilson, Dan Hellmich, Sue Steigerwald, Randy Bishop, Suzanne Kellams, Leslie Gahagan, Taylor Davis, Pam Harris, Chad Christian, Jeff Rouzie, Rachel Keith, David Vosloh, Joey Darby, David Thompson, press representative Marc Anderson (Press Register/AL.com) and press representative Cathy Higgins (Onlooker).

Discussion Items

14-0575

Reducing the City's Corporate Limits

Attachments: [Petition Requesting Deannexation](#)
[Styron Deed](#)
[Deannexation Map](#)
[Landowner Letter of Legislative Act](#)
[Annexation Welcome Letter](#)
[Code of Alabama Re De-annexation](#)

Council Member Charles Ebert reported that he is concerned over de-annexing property when the City is trying to get the Highway 98 and Highway 59 corridor more continuous. This could cause more situations like the fireworks stand that the City is still dealing with. President Trawick reported that Councilman Ebert had a valid point and that the City is trying to close the gaps of the City's corporate limits. City Clerk Vickey Southern reported that the owner of this property has two separate parcels and the owner wants to keep one of the parcels in the City limits and de-annex the other parcel. The owner was notified by certified mail for the public hearing and the City received no response. The owner received a welcome letter from the City before July 1, 2014 and it was much later that the owner requested the de-annexation. This property is known as, "Kelsey's Bar". Councilman Hellmich reported that most likely, the reasoning is because they are now collecting a two cent sales tax as opposed to a 1 cent sales tax. City Administrator Mike Thompson reported that the

owners were notified throughout the annexation by Legislative Act process from beginning to end and the City never received any requests to opt out of the process. Mr. Thompson recommended to deny the request for de-annexation of the property because there was no mistake on the City's or the Legislature's behalf. He reported that the decision belongs to the Council to decide to de-annex the property or not but there was no mistake in the process and the owners were notified multiple times throughout the process. Council Member Vera Quaites reported that she understood the reasoning for the de-annexation request was because of a financial burden due to the taxes and she asked if that was correct. President Trawick reported that he does not see how that is the case because they have to collect the tax regardless and that tax goes to the State. Mr. Thompson reported that he believes the financial burden they are claiming is not on sales tax but on the property taxes because it is five mills on property tax, which Foley is the twelfth lowest of thirteen cities in Baldwin County for property taxes. There was a consensus to move this item to the Council agenda and to proceed.

Enactment No: 14-0352-RES

14-0608

Reducing the City's Corporate Limits

Attachments: [Petition for Deannexation](#)

City Administrator Mike Thompson reported that the owner of this property was notified by certified mail of the annexation by Legislative Act and the owner did request to opt out of the process. When the Legislative Delegation voted on the Legislative Act, they inadvertently did not include the less and except and this also happened to the parcel next to this property. The owner did not want his property annexed in the corporate limits of the City and had opted out from the beginning. There was a consensus to move this item to the Council agenda and to proceed.

Enactment No: 14-0355-RES

14-0588

Approval of Sanitation Budget Increase

Attachments: [Letter](#)

Dan Hellmich reported that the costs of the commercial waste removal is roughly \$27,000 over what is budgeted but the revenue will increase to off set the budget increase. There was a consensus to proceed.

Enactment No: 14-0339-RES

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 that the Alabama EMA has a 90 day window to announce what the flooding disaster funding would be. Until such time it is announced, it would be premature to discuss this item. There was a consensus to carry this item over to a later date.

14-0601

Discussion item: update Council on closing of Visitor Center North

Marketing Director LaDonna Hinesley reported that this will be the last week that the Welcome Center North will be open and she wants to answer any questions that Council may have. She reported that the North Welcome Center was at its current location for three years and three months thanks to Mrs. Snook and Council. During that time, over 24,000 people have been greeted at this building, which is a beautiful building with marble floors and high ceiling with a beautiful chandelier. The Marketing Department will be moving into the Downtown Welcome Center until a more suitable building is obtained. In the meantime, since there is no adequate parking at the Downtown Welcome Center for visitors, the Welcome Center will have kiosks at the Tanger Outlet Mall and at the Coastal Alabama Farmers and Fishermens Market to give out information to visitors of Foley. The VisitFoley.org website will also be updated. Councilman Hellmich reported that the parking limitations at the Downtown Welcome Center is understandable and hopefully another location will be available in the near future.

14-0612

Discuss electrical work for Project Sky Guardian

Attachments: [14-0242 RES](#)

City Administrator Mike Thompson reported that Project Sky Guardian was previously approved by Council. The electrical contractor that was identified is now out of business and to avoid stalling the project, Mr. Thompson asked IT Director Jessica Middleton to move forward with another electrical contractor. The other electrical contractor verbally stated they would honor the first contractor's quote but a written agreement has not yet been received. This item will be brought back to Council at the next Council meeting.

Discuss Council Meeting Agenda for August 18, 2014

President Trawick reported there are a few add on items to add to the Council agenda:

14-0614 Fire Department Report

14-0616 Approval Request By The South Baldwin Chamber of Commerce For Variance To Allow Food Truck Vendors In The Downtown Foley's Historic District - President Trawick reported this item is for the Alabama Festival of Flavor.

14-0617 Approving the Mayor and staff to negotiate with a consulting company to operate the Hot Air Balloon Festival - President Trawick reported that the South Baldwin Chamber of Commerce facilitated the Hot Air Balloon Festival for the past ten years and it now receives national recognition and the City wants to continue the Festival.

Council Agenda:

14-0605 Graham Creek Natural Preserve Informational Meeting Minutes - President Trawick reported these minutes are not complete at this time and will

be carried over the Council meeting of September 2, 2014.

14-0610 July 2014 Sales, Lodging and Rental Tax Reports - City Administrator Mike Thompson reported that the revenue collection this past month is the single highest monthly collection the City has ever had. The City is currently 5.7% above last year's numbers. The lodging tax is very good. The rental tax is up and down depending upon the projects going on but the year-to-date number is up over last year's number.

14-0540 Accept Bid For Produce Processing and Handling Line - Suzanne Kellams reported that this is for the USDA grant for aggregation equipment for the Farmers Market. They identified the need for this equipment versus the solar screens. Only one bid was received from South Georgia Equipment. This item remained on the Council agenda.

14-0572 Transferring IT Funds and Approving Purchases - City Administrator Mike Thompson reported that IT is around \$50,000 to \$60,000 below their budget for this fiscal year. Mr. Thompson asked IT Director Jessica Middleton to use this fiscal year's budget funds for projects that were planned for next fiscal year. This will allow for IT's fiscal year budget to be reduced for next year. This item remained on the Council agenda.

14-0576 A Resolution Establishing the Jail Corrections Fund - Finance Manager Sue Steigerwald reported that there is currently a corrections fund that is generated from an amount taxed on to each court case. The division of this money is to be 60% for the court and 40% for the jail. It is difficult to track the 60% - 40% revenue and the 60% - 40% expense. Establishing this fund would be much easier for the Police Department and the Municipal Court to adhere to their budget. This item remained on the Council agenda.

14-0577 A Resolution Appointing Members to the Graham Creek Nature Preserve Advisory Board - President Trawick asked the Council and Mayor if they were prepared to appoint members to the advisory board. Mayor Koniar reported that due to medical reasons, he has been unable to speak with anyone. There was a consensus to carry this item over to the Council meeting of September 2, 2014.

14-0585 Equipment Purchase for Ford F-150 Trucks - Deputy Police Chief Randy Bishop reported that due to the fact the Police Department was unable to get the 2014 Tahoes because of the high demand and late production start, there is a possibility that the Tahoes they want to purchase this year will not be available by the end of the fiscal year so it has been decided to purchase the Tahoes during the next fiscal year and use the budget funds from this fiscal year to purchase the needed equipment for four purchased Ford F-150 trucks. This item remained on the Council agenda.

14-0592 Accept Volkert Supplement Agreement No. 13 to Conduct an Airport Drainage Study at the Foley Municipal Airport - President Trawick turned the meeting over to President Pro-tem Hellmich. Rachel Keith reported that there has been drainage issues at the airport and because the infrastructure is so old, Volkert was asked to inspect it to see if there are any issues that need to be repaired now before they become bigger problems. President Pro-tem Hellmich turned the meeting back over to President Trawick. This item

remained on the Council agenda.

14-0594 Max Griffin Plumbing Upgrades - David Thompson reported that there are a couple of issues with the multi-port valves at the pool. There are six sand filters that are used in the plumbing system and any time any of those valves go bad, the pool has to be shut down. A new valve system is being installed to where if one goes bad, it can be shut off and repairs can be made to it without affecting the overall operation of the pool. Councilman Blackwell asked for the status on the Aaronville pool. Mr. Thompson reported that the Aaronville pool is now full of water and they are waiting to see if the water holds. He reported that the repairs look great and it looks like a brand new pool. This item remained on the Council agenda.

14-0595 Permission to accept low quote for new archery park for Graham Creek Nature Preserve - David Thompson reported that they have received a couple of quotes for the archery park. The materials and labor have been divided out. He recommended to accept the lowest quote for the labor in the amount of \$7,000 to build sixteen targets, 4 youth and 12 adult targets along with a tower to shoot from. The targets will be donated from the state and they will request an additional \$4,300 to purchase the supplies that will be tax exempt. This is below what was estimated in the Capital Budget. Councilman Ebert III asked how safety will be handled at the archery park. Mr. Thompson reported that it will be similar to other archery parks installed across the state and there will be signage for instructions. He reported the shooters will be shooting into an open field that has nothing behind it. The archery park will not be opened on days that other events are taking place. This item remained on the Council agenda.

14-0596 Application for Airport Improvements Projects for the Foley Municipal Airport - Rachel Keith reported that they have made application to the FAA to fund two projects, the drainage study and the obstruction study. A grant offer has been received and the FAA will fund 90% of both projects with a City match of 10% for each. Permission to accept the grant is needed. Councilman Ebert III asked what the obstruction study is for. Mrs. Keith reported that it is for the trees to south and north ends of the airport. This item remained on the Council agenda.

14-0602 Approving the transfer of funds to purchase rugs for City Hall - Pam Harris reported that there were remaining funds in the Municipal Complex Capital Purchase account and she is requesting to transfer those funds into the Small Tools account to purchase additional rugs for City Hall. Longer runway rugs are needed at the entrances to the building. Larger rugs are needed in the lobby in front of the doors and by drinking fountains and near the restrooms. Some of the rugs are leased and some will be purchased. This item remained on the Council agenda.

14-0606 Consider the approval of the transfer of funds to the Public Facilities Cooperative District - Sue Steigerwald reported that she was on vacation when this item came about and that there is a need to revise the resolution. There was a consensus to carry this item over to the Council meeting of September 2, 2014.

Mayor's Comments

Mayor Koniar had no comments.

Visitor's Comments

None to report.

Adjourn

Hearing no further comments, the meeting adjourned at 5:09 p.m.