



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Tuesday, January 19, 2016

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 with the exception of Council Member Vera Quaites who was absent due to a family medical matter. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Vickey Southern, Katy Taylor, Darryl Clevenger, Chad Brewer, Chad Christian, LaDonna Hinesley, Miriam Boutwell, Jeff Rouzie, Sal Muccio, Bill Swanson, Phillip Hinesley, press representative Parks Rogers (Gulf Coast Media) and press representative Allison Woodham (Onlooker).

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

Pledge of Allegiance

Additions/Removals

There were no additions, removals or carry over items.

Approval of the Minutes

[16-0006](#)

Work Session Meeting Minutes of January 4, 2016

Attachments: [01-04-2016 Work Session Minutes](#)

A motion was made by Council Member Charles Ebert, III to approve the Work Session Minutes of January 4, 2016. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

[16-0007](#)

Council Meeting Minutes of January 4, 2016

Attachments: [01-04-2016 Council Meeting Minutes](#)

A motion was made by Council Member Ralph Hellmich to approve the Council Meeting minutes of January 4, 2016. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Audit of the Accounts

[16-0015](#) Audit the Accounts of December, 2015.

A motion was made by Council Member Ralph Hellmich to audit the accounts of December, 2015. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Reports

[16-0031](#) December 2015 Sales, Lodging and Rental Tax Reports

Attachments: [Tax Reports.pdf](#)

City Administrator Mike Thompson reported the lodging and rental taxes are strong year-to-date. Sales tax was light for the month of November 2015 and those numbers need to be added to December's sales tax to view the totals for the Christmas season sales tax.

[16-0024](#) December 2015 Bid Activity

Attachments: [December 2015 Bid Awards.pdf](#)

The December 2015 Bid Activity Report is attached as backup to the minutes.

[16-0023](#) Marketing Department Quarterly Report - Oct. 1, 2015 to Dec. 31, 2015.

Marketing Director LaDonna Hinesley gave a synopsis of the Marketing Department Quarterly Report, which is attached as backup to the minutes.

[16-0014](#) December 2015 CDD Report

Attachments: [December CDD for Council.pdf](#)

City Planner Miriam Boutwell gave a synopsis of the December 2015 CDD Report, which is attached as backup to the minutes.

[16-0025](#) Fire Department Monthly Report December 2015

Attachments: [Council December 15 1-16](#)

Assistant Fire Chief Chad Brewer gave a synopsis of the December 2015 Fire Department Report, which is attached as backup to the minutes. He also reported there were two structure fires. There was a mobile home fire on Poser Road that was self-initiated and a small fire at the Billiard's Club, which was extinguished by the sprinkler system. Councilman Ebert, III asked if the fire at the Billiard's Club was in the kitchen area. Assistant Fire Chief Brewer reported it was caused by an exhaust fan in the storage room.

[16-0026](#)

December Month End Report 2015

Attachments: [Dec. Month End 2015](#)

No one was in attendance to present the December 2015 Police Department Report, which is attached as backup to the minutes.

Ordinances, Resolutions and Other Business

[15-0701](#)

Establishing The Salary Of The Mayor And Councilmembers

Attachments: [1188-12 ORD Establishing Salaries.pdf](#)

A motion was made by Council Member Ralph Hellmich to approve the first reading of an ordinance to set the Mayor and Council salaries. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 16-2002-ORD

[15-0751](#)

Ordinance to Rescind Ordinance No. 1009-07

A motion was made by Council Member Charles Ebert, III to adopt an ordinance to rescind Ordinance No. 1009-07 Regarding Tree and Natural Feature Preservation and Restoration. The requirements under this ordinance were replaced by Ordinance No. 15-1003 Regarding the Environmental Permits and Ordinance No. 15-1004 Regarding Preservation of Heritage Trees. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 16-2001-ORD

[16-0004](#)

Resolution to transfer funds to correct a budgeting formula error which caused a shortage of salary funds in the Railroad Museum budget. This is a housekeeping item to transfer funds to correct the error.

A motion was made by Council Member Rick Blackwell to approve the transfer of funds from the General Government Depart account to the Railroad Museum account to correct a budgeting formula error which caused a shortage of salary funds in the Railroad Museum budget. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 16-1006-RES

[16-0008](#)

Resolution to transfer funds in the General Government Department from the Election Expense account to the Employee Continuing Education account.

Attachments: [Transfer Funds Request.pdf](#)

A motion was made by Council Member Charles Ebert, III to authorize a transfer of funds in the amount of \$4,500 from the election expense account to the employee continuing education account. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 16-1007-RES

[16-0009](#)

Change Order No. 1 for Dog Park Steel Shade Structures

Attachments: [E-J Bldrs. C.O. #1 Dog Park](#)

A motion was made by Council Member Rick Blackwell to approve E-J Builders Change Order No.1 for additional construction in regards to the steel shade structures at the Dog Park in the amount of \$2,260.00. No additional funds are needed. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 16-1008 RES

[16-0010](#)

Accept Donation of Christmas Displays

Attachments: [Display Inventory List](#)
 [Live Oak Letter](#)
 [Display Information](#)
 [Photos](#)
 [Christmas Display Value](#)

A motion was made by Council Member Ralph Hellmich to accept the donation of Christmas displays donated by Live Oak Village subdivision, which are valued at approximately \$2,500. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 16-1009-RES

[16-0012](#)

Request Waiver of Fees to use Beulah Heights Park (Emmanuel's Place)

Attachments: [Emmanuel's Place Request](#)

A motion was made by Council Member Ralph Hellmich to grant permission of the use of Beulah Heights Park requested by Emmanuel's Place for their fundraiser on March 26, 2016 from 8:00 am until 5:00 pm. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 16-1010-RES

[16-0013](#)

Resolution to transfer funds from the Municipal Complex Part-Time Salaries Account to the Senior Center Part-Time Salaries Account to Support movement of a Part-Time Position.

Attachments: [Senior Center Part-Time Support Position.pdf](#)

A motion was made by Council Member Charles Ebert, III to authorize the transfer of funds in the amount of \$22,951.76 from Account #01-616-1015 to Account #01-618-1015 and transfer of funds in the amount of \$1,758.10 from account #01-616-1030 to account #01-618-1030 and transfer of funds in the amount of \$82.63 from account #01-616-1160 to account #01-618-1160. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 16-1011-RES

[16-0018](#)

Watershed Protection Property Appraisal

Attachments: [Advanced Appraisal Proposal](#)

A motion was made by Council Member Ralph Hellmich to approve Advanced Appraisals' proposal in the amount of \$2,775.00 for the watershed protection appraisal. Should this watershed protection project proceed, the cost will be moved to the Capital Projects Fund, Bon Secour Water Quality project. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 16-1012-RES

[16-0019](#)

Memorialize Kent's Landscaping Work at Dog Park

Attachments: [Kent's Landscaping Invoice](#)

A motion was made by Council Member Rick Blackwell to memorialize Kent's Landscaping's invoice for work at the Dog Park in regards to the parking area planters irrigation. No additional funds are required. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 16-1013-RES

[16-0020](#)

Change Order No. 1 for the TIGER Phase 3 Pedestrian Bridge Project

Attachments: [Morette C.O. #1 Ped. Bridge](#)

A motion was made by Council Member Ralph Hellmich to approve amending Account No. 31-665-7300 by an increase of \$3,485.65 to Morette Company's contract price for the additional right of way bond for the TIGER Phase 3 Pedestrian Bridge project. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 16-1014-RES

[16-0022](#)

Accept Memorandum of Agreement (MOA) with Baldwin County Commission for the Establishment of Emergency Management Support

Facility (EMSF)

Attachments: [2016 Baldwin County EMSF MOA - Adobe Acrobat.pdf](#)

A motion was made by Council Member Ralph Hellmich to accept and enter into an agreement with the Baldwin County Commission, by and through the BCEMA for the establishment of Emergency Management Support Facility (EMSF) in the City of Foley and to accept and enter into an agreement with the Baldwin County Commission, by and through the BCEMA for the Right-Of-Entry and Hold Harmless agreement to be used for the Foley Soccer Complex. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 16-1015-RES

Mayor's Comments

Mayor Koniar had no comments.

Mr. Thompson reported although Council was not voting, the proposed sale of Wolf Bay Lodge was going to be voted on by the Public Facilities Cooperative District Board and based upon the vote, this item will be brought before Council for a formal vote. There was a consensus that all Council Members present were in agreement with the sale.

Visitor's Comments

No comments to report.

Adjourn

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

The meeting adjourned at 5:53 p.m.