



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, June 20, 2016

5:30 PM

Council Chambers

Council Meeting

Public Hearing

[16-0335](#)

Public Hearing declaring weeds to be a nuisance and ordering its abatement at the vacant lots in Heather Terrace subdivision.

PROPERTY HAS BEEN ABATED BY PROPERTY OWNER. NO FURTHER ACTION REQUIRED.

Council President Wayne Trawick opened the public hearing at 5:30 p.m. to declare weeds to be a nuisance and ordering its abatement at the vacant lots in Heather Terrace subdivision. He reported the lots have been abated by the owner and no further action is required. He asked for comments from the public. Hearing no comments, he closed the public hearing.

Call to Order

President Trawick called the meeting to order at 5:31 p.m.

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Vickey Southern, Katy Taylor, Darryl Clevenger, Chad Christian, Jeff Rouzie, David Wilson, Joey Darby, Miriam Boutwell, Richard Lollar and Bill Swanson.

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

Additions/Removals

There were no additions, removals or carry overs.

Approval of the Minutes

[16-0329](#) Work Session Minutes of June 6, 2016

Attachments: [06-06-2016 Work Session Minutes](#)

A motion was made by Council Member Ralph Hellmich to approve the Work Session Minutes of June 6, 2016. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

[16-0330](#) Council Meeting Minutes of June 6, 2016.

Attachments: [06-06-2016 Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III to approve the council Meeting Minutes of June 6, 2016. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Audit the Accounts

[16-0340](#) Audit the Accounts of May, 2016.

A motion was made by Council Member Ralph Hellmich to audit the accounts of May, 2016. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Reports

[16-0353](#) May 2016 Sales, Lodging and Rental Tax Reports

Attachments: [20160615125754864](#)

City Administrator Mike Thompson reported the sales tax, lodging tax and rental tax are all above last year's numbers. Lodging tax was up 36% in April and 2.6% in May because of spring break being early this year. The two months combined has the lodging tax up 20%. The rental tax is up but below budget.

[16-0333](#) **MAY 2016 CDD REPORT**

Attachments: [May 2016 CDD Report for Council.pdf](#)

City Planner Miriam Boutwell gave a synopsis of the May 2016 CDD Report, which is attached as back up to the minutes.

[16-0327](#) May 2016 Monthly Report Foley PD

Attachments: [20160606131750089](#)

Police Chief David Wilson gave a synopsis of the May 2016 Police Department Report, which is attached as back up to the minutes.

[16-0339](#)

Fire Department Monthly Report May 2016

Attachments: [Council May 16 6-16](#)

Fire Chief Joey Darby gave a synopsis of the May 2016 Fire Department Report, which is attached as back up to the minutes. He also reported there was fire back porch fire on Waterford Drive that was contained to the exterior of the home. The residents were not displaced. The Department was called for assistance by the Elberta Fire Department to assist with a large house fire on Breman Road. There was a fire porch fire on Brink Willis Road that cause smoke damage to the home but the residents were not displaced. There was a fire at the old Delphi plant on Highway 98. The fire was contained to one area. There was a large house fire on Daughtery Road in Summerdale. The house was fully engulfed and was a total loss but there were no injuries with any of the fires. A skidder caught fire on Foley Beach Express do to overheating.

Ordinances, Resolutions and Other Business

[16-0281](#)

ABC License: 010- Lounge Retail Liquor-Class I for Richard Wayne Lollar, applicant operating under the trade name Sting Rays located at 8097 HWY 59 S; Suite F. Foley, AL. 36535.

Attachments: [ABC License App.](#) [Sting Rays](#)
 [Sting Rays Map](#)

Police Chief David Wilson and Fire Chief Joey Darby recommended moving for with the ABC License.

A motion was made by Council Member Ralph Hellmich to approve the ABC License for Sting Rays. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

[16-0326](#)

A RESOLUTION SETTING A PUBLIC HEARING
DECLARING WEEDS TO BE A PUBLIC NUISANCE
AND ORDERING ITS ABATEMENT AT 1817 CANDLESTICK COURT EAST

Attachments: [1817 Candlestick Ct E.Weed Abatement](#)

A motion was made by Council Member Ralph Hellmich to set a public hearing declaring weeds to be a public nuisance and ordering its abatement at 1817 Candlestick Court East. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 16-1141-RES

[16-0332](#)

Change Order No. 1 for TIGER Phase II

Attachments: [TIGER II Change Order](#)

A motion was made by Council Member Ralph Hellmich to approve the Change Order No. 1 for TIGER Phase II. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 16-1142-RES

[16-0334](#)

Amending the Pay Classification Plan for Position Changes in Municipal Court requiring no budget adjustment.

Attachments: [Archer Eval - Magistrate I.pdf](#)

A motion was made by Council Member Rick Blackwell to amend the Pay Classification Plan for position changes in Municipal Court requiring no budget adjustment. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 16-1143-RES

[16-0337](#)

A Resolution to reappoint Chad Watkins to the Revitalization and Beautification Board.

Attachments: [Beautification Brd Members](#)

A motion was made by Council Member Charles Ebert, III to reappoint Chad Watkins to the Revitalization and Beautification Board. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 16-1144-RES

[16-0338](#)

Amending Pay Classification Plan for Position Changes in the Street Department requiring no budget adjustment.

Attachments: [Archer Eval - Crewleader.pdf](#)

A motion was made by Council Member Ralph Hellmich to amend the Pay Classification Plan for position changes in the Street Department requiring no budget adjustment. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 16-1145-RES

[16-0341](#)

Memorializes an agreement with Federal Bureau Of Investigation Mobile Safe Streets Task Force (MSSTF) and Foley Police Department.

Attachments: [MSSTF MOU](#)

A motion was made by Council Member Ralph Hellmich to memorialize an agreement with Federal Bureau of Investigation Mobile Safe Streets Task Force (MSSTF) and Foley Police Department. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 16-1146-RES

[16-0342](#)

Acceptance of Foley Municipal Airport Minimum Standards for

Commercial Aeronautical Activities

Attachments: [Minimum Standards for Commercial Aeronautical Activities.pdf](#)

A motion was made by Council Member Rick Blackwell to accept the "Foley Municipal Airport Minimum Standards for Commercial Aeronautical Activities" dated June 20, 2016. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 16-1147-RES

[16-0343](#)

Amending Pay Classification Plan for Position Change in Environmental Department requiring no budget adjustment.

Attachments: [Archer Eval - Environmental Assist.pdf](#)

A motion was made by Council Member Ralph Hellmich to amend the Pay Classification Plan for position change in the Environmental Department requiring no budget adjustment. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 16-1148-RES

[16-0347](#)

Approves Recreation to purchase a zero turn mower for field maintenance.

Attachments: [Zero Turn Mower](#)

A motion was made by Council Member Rick Blackwell to approve the purchase of a zero turn mower for \$9,254 as budgeted. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 16-1149-RES

[16-0348](#)

Approves Recreation to purchase a Gator for field maintenance.

Attachments: [Gator](#)

A motion was made by Council Member Ralph Hellmich to reallocate \$6,000 from account 1-622-3500 and \$1,942 from account 1-622-3100 to account 1-622-7010 and to approve the purchase of a John Deere Gator for \$7,942. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 16-1150-RES

[16-0349](#)

A resolution to amend resolution 16-0248 Acceptance of Baldwin County Emergency Communications District (E-911) Grant Award

A motion was made by Council Member Charles Ebert, III to amend resolution #16-0248 due to not appropriating funds for expenditures; to increase account 12-665-7348 BC E-911/Nexedge Radio System by \$14,506 and 12-665-7129 Fiber System Expansion by \$7,994; decrease account 01-609-5030 Communication Equipment by \$2,500 for a total increase of \$22,500 and to increase the transfer accounts 12-5900 by \$2,500 and 01-680-0165 by \$2,500. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous

vote.

Enactment No: 16-1151-RES

[16-0350](#)

Request to Accept a Capital Project Quote and Transfer Departmental Budget Dollars to Another Category to Replace Outside Stairs at the Community Development Department Building

Attachments: [Request to Replace Outside Stairs.pdf](#)

A motion was made by Council Member Ralph Hellmich to accept a capital project quote and to transfer departmental budget dollars to another category to replace the outside stairs at the Community Development Department building. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 16-1152-RES

[16-0351](#)

A Resolution to appoint Gary Hellmich to the Construction Board of Adjustments and Appeals.

Attachments: [CBAA Members](#)

A motion was made by Council Member Blackwell to appoint Gary Hellmich to the Construction Board of Adjustments and Appeals. The motion was seconded by Council Member Ebert, III and carried by the following vote: Council Member Vera Quaites, aye; Council Member Ralph Hellmich, abstained; Council President Wayne Trawick, aye; Council Member Rick Blackwell, aye and Council member Charles Ebert, III, aye. The vote passed by a majority vote.

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

Abstain: 1 - Council Member Hellmich

Enactment No: 16-1153-RES

[16-0352](#)

A Resolution to appoint George James as an alternate member to the Board of Adjustments and Appeals.

A motion was made by Council Member Ralph Hellmich to appoint George James as an alternate member to the Board of Adjustments and Appeals. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 16-1154-RES

[16-0354](#)

A Resolution Authorizing the CDBG Grant Application

Attachments: [Cost Estimate](#)
 [Certifications](#)
 [Disclosure Report](#)
 [Letter](#)

A motion was made by Council Member Ralph Hellmich to authorize the CDBG Grant Application. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 16-1155-RES

16-0355

Request to transfer funds between categories and approve change order #2 for Graham Creek Interpretive Center

Attachments: [Baldwin EMC.Transformer Quote for Graham Creek \(1\)](#)
[Budget Increase and Transfer Request Forms \(1\)](#)
[Change Order No. 002](#)

A motion was made by Council Member Charles Ebert, III to approve change order #2 for the contract with Youngblood Barrett Construction in the amount of \$6467.69; to approve the transfer of budget funds from the General Fund Environmental Utilities account to the Capital Projects Fund Interpretive Center account and the necessary budget activity for the related interfund Transfer Accounts, in the amount of \$6467.69. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 16-1156-RES

Mayor's Comments

No comments to report.

Visitor's Comments

No comments to report.

Executive Session

President Trawick reported there is a need for an Executive Session.

City Administrator Mike Thompson reported the Executive Session is to discuss preliminary negotiations involving matters of trade or commerce in which the City of Foley is in competition with private individuals or entities or other governmental bodies in Alabama. He also reported the Executive Session will last approximately 15-20 minutes and there is no need for Council to return for a vote.

A motion was made by Council Ralph Hellmich to go into Executive Session. The motion was seconded by Council Member Charles Ebert, III.

City Administrator Mike Thompson took the following roll call vote: Council Member Vera 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 was recessed at 6:02 p.m.

Reconvened

President Trawick called the meeting to order at 6:17 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

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

The meeting adjourned at 6:18 p.m.