



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, December 7, 2015

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. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Vickey Southern, Katy Taylor, Steve Smith, Chad Christian, Thurston Bullock, Joey Darby, David Wilson, Jeff Rouzie, Bill Swanson, James Adams and Nick Klarman.

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

A motion was made by Council Member Ralph Hellmich to add item 15-0720 to the agenda. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Approval of the Minutes

[15-0710](#)

Work Session Minutes of November 16, 2015.

Attachments: [11-16-15 Work Session Minutes](#)

A motion was made by Council Member Ralph Hellmich to approve the Work Session Minutes of November 16, 2015. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

[15-0698](#)

Council Meeting Minutes of November 16, 2015.

Attachments: [11-16-2015 Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell to approve the Council Meeting Minutes of November 16, 2015. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Ordinances, Resolutions and Other Business

[15-0674](#)

Consider approving HPM Amendment #5 relating to Cultural & Entertainment Center

Attachments: [HPM Contract Amendment #5 11-02-2015 3502_001.pdf](#)

A motion was made by Council Member Charles Ebert, III to approve the mayor to execute Amendment #5 of HPM's Master Services Agreement as outlined in the Amendment #5, which is attached as back up to the minutes; to approve the creation of an Account for the Cultural and Entertainment Center and to appropriate \$902,400 for this action. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 15-2366-RES

[15-0691](#)

Request approval to purchase new vehicle for City Hall.

Attachments: [NATL AUTO FLEET GROUP_201511120820
2016 EXPLORER.pdf](#)

A motion was made by Council Member Ralph Hellmich to approve going to bid for a new vehicle in an amount not greater than the budgeted amount of \$30,000 for City Hall; to approve purchasing a new vehicle off the state bid list in the event no local dealer's bid is within 5% of the state bid list price and to approve the existing 2006 Dodge Caravan (Asset# 2001; Vin# 1D4GP25E66B749895) to be transferred to the IT Department. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 15-2367-RES

[15-0694](#)

Resolution Amending Pay Classification Plan for Changes to Position Structure in Sports Tourism Department With Neutral Effect To Budget

Attachments: [Sports Tourism Restructure.pdf](#)

A motion was made by Council Member Rick Blackwell to authorize the approval to amend to the City's Pay Classification Plan removing certain positions from the City's Pay Classification Plan as illustrated in Section 1 on the attached document and adding certain other positions to the City's Pay Classification Plan as illustrated in Section 2 on the attached document and to authorize re-titling Job Code 1010 in the City's Pay Classification Plan from "Executive Director-Multi-Use Community Sports Facility" to "Executive Director of Sports Tourism" with the Job Code and all other aspects of the position remaining the same. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 15-2368-RES

[15-0696](#)

Adjust Local Bid Preference as contained in Act 2015-293

A motion was made by Council Member Ralph Hellmich to accept the new guidelines established in Act 2015-293 and allow these guidelines to be utilized when appropriate, on a case by case basis; to define the local preference area to be within the police jurisdiction of the City of Foley and to incorporate this resolution into and as a part of the City's Purchasing Policy. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 15-2369-RES

[15-0697](#)

Cedar Street Pipe Replacement

Attachments: [Cedar St. Pipe Replacement - Pre-Project Checklist](#)

A motion was made by Council Member Ralph Hellmich to appropriate funds in the amount of \$75,000.00 and to approve the solicitation of bids for the Cedar Street pipe replacement. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2370-RES

[15-0699](#)

Request to Dispose of 5 Ford Crown Victoria police vehicles

Attachments: [Disposal of Crown Vics](#)

A motion was made by Council Member Ralph Hellmich to approve the disposal of the following Ford Crown Victorias: 2000 Ford Crown Victoria VIN#: 2FAFP71W51X138238 City Tag#: 33159MU; Vehicle #: 08-35 2001 Ford Crown Victoria VIN#: 2FAFP71W51X138238 City Tag#: 36046MU; Vehicle #: 08-42 2002 Ford Crown Victoria VIN#: 2FAFP71W52X130965 City Tag#: UNK Vehicle #: 08-33; 2003 Ford Crown Victoria VIN#: 2FAFP71W13X189528 City Tag#: 40108MU; Vehicle #: 08-23 2007 Ford Crown Victoria VIN#: 2FAFP71W17X152159 City Tag#: 47837MU; Vehicle #: 08-307. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 15-2371-RES

[15-0700](#)

Move Revenue Funds from General Fund to the Jail Corrections Fund

A motion was made by Council Member Charles Ebert, III to approve commissions generated by the inmate phone service and future services to be retained for use by the Foley Jail Operations; to transfer the FY16 budget of \$5,200 from Revenue Account No. 01-4821 to Transfer Account No. 01-680-0194 to the Jail Corrections Fund (Fund 17); to establish a new Jail Correction Fund Revenue account 17-4821 and Transfer Account 17-5900 and to re-class monies received year-to-date in the General Fund for FY16 to the Jail Corrections Fund (Fund 17). The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2372-RES

[15-0702](#)

Establishing The Use Of Electronic Vote Counting Devices

Attachments: [ESTABLISHING THE USE OF ELECTRONIC COUNTING MACHINES 2008.pdf](#)

A motion was made by Council Member Ralph Hellmich to rescind Resolution No. 3393-08; to approve the use of the DS 200 Electronic Vote Counting System (machines) and AutoMARK Voter Assist Terminal (machine) electronic voting devices, a system which complies with Section 17-7-21 of the Code of Alabama and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all election results and to authorize the Mayor of the City of Foley to file a copy of this resolution with the Secretary of State as provided in Section 17-7-21 of the Code of Alabama 1975. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2373-RES

[15-0703](#)

Authorize City Engineer to execute ALDOT Revised Forms for Pedestrian Bridge

Attachments: [Form MB-05](#)
 [Form MB-06A](#)

Council President Trawick turned the meeting over to Council President Pro-tem Hellmich.

A motion was made by Council Member Ebert, III to approve the City Engineer to prepare, execute, and submit Form MB-06A to ALDOT for the TIGER Phase III Pedestrian Bridge grant project and to approve the Mayor to sign a Power of Attorney for the Morette Company to execute and submit Form MB-05 to ALDOT for the TIGER Phase III Pedestrian Bridge grant project. The motion was seconded by Council Member Quaites and carried by the following vote: Council Member Quaites, aye; Council Member Hellmich, aye; Council President Trawick, abstained; Council Member Blackwell, aye and Council member Ebert, III, aye. The vote passed by a majority vote.

Council President Pro-temp Hellmich turned the meeting back over to President Trawick.

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

Abstain: 1 - President Trawick

Enactment No: 15-2374-RES

[15-0705](#)

Request to go to bid for replacement ERP System.

A motion was made by Council Member Ralph Hellmich to approve going to bid on a replacement ERP (Enterprise Resource Planning) system as budgeted in the amount of \$75,000. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 15-2375-RES

[15-0706](#)

Accept Donation from Frances Holk Insurance Co., Inc. for Fire Prevention

Attachments: [20151130113832908](#)

A motion was made by Council Member Ralph Hellmich to accept the generous donation of \$1000 from Frances Holk-Jones through State Farm and Frances Holk Insurance Co., Inc., which is intended to support the fire prevention program, specifically in purchasing smoke alarms. The motion was seconded by Council Member Vera Quaite and carried by an unanimous vote.

Enactment No: 15-2376-RES

[15-0707](#)

Approving OptumHealth Contract Renewal as the City's reinsurance provider for the 2016 Calendar Year

Attachments: [Stop Loss Proposal Reinsurance Quotes 2016.pdf](#)
 [Optum Proposal 2016.pdf](#)
 [Self Insured Savings Reports 2015 & 2014.pdf](#)
 [Paid Claims Report 2009-2015.pdf](#)

A motion was made by Council Member Charles Ebert, III to accept the OptumHealth Renewal Quote to administer the Blue Cross Blue Shield of Alabama health insurance as a self-insured plan with reinsurance for claims over \$50,000 being provided by OptumHealth with no changes to the health plan other than those federally mandated by the Patient Protection and Affordable Care Act (Healthcare Reform). No budget adjustment is needed or being requested for this action. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2377-RES

[15-0708](#)

A Resolution to reappoint Donald Barnett to the Foley Housing Authority Board.

Attachments: [Housing Authority Board List](#)
 [Housing Authority Email](#)

A motion was made by Council Member Vera Quaite to reappoint Donald Barnett to the Foley Housing Authority Board. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 15-2378-RES

[15-0709](#)

EMI Request to display five 30x80" banners for their "Chili for Charity" event

Attachments: [EMI Banner Request Letter](#)

A motion was made by Council Member Ralph Hellmich to approve the placement of five 30"x80" banners advertising the annual fundraiser of "Chili for Charity" located on poles throughout the City beginning January 27, 2016 through February 28, 2016. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2379-RES

[15-0711](#)

Request to transfer funds for the Baldwin Pops

A motion was made by Council Member Ralph Hellmich to approve the Marketing Department to transfer \$1000 from Account No. 01-625-8110 public relations into Account 01-620-3210 Contracts for Public Services to increase the performance contract for the Baldwin Pops. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 15-2380-RES

[15-0713](#)

Consider resolution approving purchase of Police Department vehicles

A motion was made by Council Member Ralph Hellmich to approve changing the Capital Purchase 01-608-7010 title "Tahoes" to "Tahoes and Interceptor or like vehicle". There is no change in the budgeted amount; to approve the purchase of four new Tahoes off the Alabama State Bid List; to approve going to bid for one Interceptor or like vehicle in an amount no greater than \$171,000, which was approved in the FY16 budget under Capital Purchase Account 01-608-7010 "Tahoes" and to approve the purchase of equipment in an amount no greater than \$96,000, which was approved in the FY16 budget under Capital Purchase Account 01-608-7010 "Equipment for vehicles". Purchase orders will be submitted to various vendors for the purchases. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 15-2381 RES

[15-0714](#)

Approve the purchase of one vehicle as a replacement PD vehicle

A motion was made by Council Member Rick Blackwell to approve going to bid on a replacement vehicle in an the amount not to exceed \$26,500 and will be purchased with the funds received from the insurance company; to appropriate \$29,566.13 to Account 01-5142-Insurance Settlement Income and Expense \$30,578.37 to 01-608-7010-PD Capital Purchases and to approve the purchase and installation of vehicle equipment in an amount not to exceed \$4,375. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 15-2382-RES

[15-0720](#)

Authorizing the Mayor to request an opinion from the Attorney General

A motion was made by Council Member Ralph Hellmich to authorize and permit the Mayor to request an opinion from the Attorney General of Alabama concerning the eligibility of a person to be appointed as a member of the Planning Commission as this advice is necessary in order for the Mayor to perform his duties of appointing members of the Planning Commission. The Mayor may ask any and all questions he has regarding this subject to the Attorney General. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 15-2383-RES

Mayor's Comments

Mayor Koniar reported he would like for the staff to write a thank you note to

Richard Peterson for volunteering throughout the years putting the Christmas parade together.

Visitor's Comments

Foley resident Bill Swanson complemented the City for the beautiful Christmas decorations. Councilman Hellmich reported the City's Beautification Board worked very hard on the Christmas decorations this year. Mayor Koniar reported the Beautification Board will be recognized at the next council meeting.

Councilman Hellmich reminded everyone of the Baldwin Pops free concert in the Civic Center and to bring a toy donation for the Toys For Tots program.

City Administrator Mike Thompson reported he and Mayor Koniar attended the validation hearing and it went very well. The Judge approved the validation for the Event Center Bond.

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 5:49 p.m.