407 E. Laurel Avenue
Foley, AL 36535

City of Foley, AL

Meeting Minutes - Final

City Council

Monday, December 7, 2015 **4:00 PM** **Conference Room**

Work Session

Call to Order

Council President Trawick called the meeting at 4:00 p.m.

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, Sandra Pate, Katy Taylor, Vickey Southern, Jeff Rouzie, David Wilson, Joey Darby, Thurston Bullock, Jessica Middleton, Steve Smith, Benny Bliss, Nick Klarman, James Adams, Taylor Davis, Don Staley, Otis Miller, Frances Holk Jones, Chad Christian, Rachel Keith, LaDonna Hinesley, Sue Steigerwald press representative Allison Woodham (Onlooker) and press representative Parks Rogers (Gulf Coast Media).

Present: 5 - President Wayne Trawick,Council Member Vera Quaites,Council Member Ralph Hellmich,Council Member Rick Blackwell and Council Member Charles Ebert III

Presentation

15-0704 Presentation by Mr. Benny Bliss Regarding business plan on leasing the old CVB building after the first of the year

Benny Bliss from Bliss Development Group, LLC. reported he is from Josephine Alabama and he is interested in relocating his business to Foley. Mr. Bliss handed out a few items his company makes such as Magnetic Bliss ceiling hooks and wooden block replicas of Birmingham Alabama land marks and Sanford University for Council to review. He reported he would like to see all the empty store fronts in the City of Foley filled with businesses. Foley is the third business friendly in the state of Alabama and he is interested in the location that is currently occupied by The Soap Cottage, which is the ideal business location. Mr. Bliss reported he owned one of the most unique gift shops in the Birmingham Alabama area for over fifteen (15) years called the Little Gatlinburg. He reported the wooden replicas are made solely by him and he is the only person who can sell them. They are designed to fit over a door or window facing of homes and offices and he believes he could sell wooden replicas of Foley land marks in the City of Foley. Foley has many historical buildings and the Centennial Clock Tower and the upcoming Pedestrian Bridge are examples of items he could sell. He reported he would also like to work with the schools to make replicas of the area schools and the schools could

sell them for fundraisers. He reported he heavily promotes his business and in doing so, he would be promoting the City of Foley if his business is located here. He reported the name of business will be Southern Bliss in Foley and every time Southern Bliss is mentioned, the City of Foley will be mentioned as well. He reported he has several artisans that are interested in putting their products in his gift shop. He reported he is in the process of bringing the Magnetic Bliss ceiling hooks to the mass market. He currently has a team in Arkansas pitching this product to Walmart. The Magnetic Bliss are magnetic hooks designed to fit on the grids of acoustical ceiling tiles. It was designed for class rooms. They are being sold on EBay, Amazon and his website. He reported he wants to distribute Magnetic Bliss from Foley and it will be known as a product from Foley. He reported he wants to work with Foley High School to start a young entrepreneur program to teach students how to start a business and students can help him with marketing and promoting his products and they can also earn a wage, a grade and depending on the profits, he will establish a scholarship program.

Councilman Hellmich asked why Mr. Bliss is interested in the occupied store location he mentioned when there are empty locations. Mr. Bliss reported that this particular location is move-in ready, the rent amount is fair and it is the perfect size to get established. He will be buying business licenses, paying taxes and creating jobs.

Mr. Bliss thanked Council for their time.

Discussion Items

15-0701 Discuss Establishing The Salary Of The Mayor And Councilmembers

City Clerk Vickey Southern reported the deadline for Council to make changes to the salaries of Mayor and Council is February 23, 2016. City Administrator Mike Thompson gave council salary surveys of surrounding cities and reported before the 2016 election, the current Council must set the salaries for the elected Council members, Council President and the Mayor. Mr. Thompson reported Council does not have to make a decision now but the deadline is February 23, 2016. President Trawick reported this item will be on the January 20, 2016 Council agenda to be voted on.

Discuss the Council Agenda of December 7, 2015

15-0674 Consider approving HPM Amendment #5 relating to Cultural & Entertainment Center - Mr. Thompson reported this item was carried over the last Council meeting. Council asked to carry it over in order to update a Public Athletic and Sports Facilities Cooperative District Board member who was unable to attend the last Board meeting. Mr. Thompson reported staff met with the Broad member and went over all the questions he had. Hoar Program Management and the architect was present at the meeting. The Board member did have a few more questions after their meeting and Mr. Thompson asked Hoar Program Management to reach out to him to answer his questions. James Adams from Hoar Program Management reported this Board member was a little confused about the contract and they reminded him that in 2015, the City Council approved the Master Services agreement, which is a blanket contract to be used in cases where Hoar Program Management is needed

throughout the project. Mr. Adams reported he emailed all the information to him on Thursday.
Mr. Thompson reported this item was presented to the Public Athletic and Sports Facilities Cooperative District Board it was approved by the Board. There was a consensus for this item to remain on the Council agenda.

15-0691 Request approval to purchase new vehicle for City Hall. - Mr. Thompson reported this is the proposed replacement vehicle for the mail courier. The current vehicle will be transferred to the IT Department. Mrs. Southern reported she would like to purchase the vehicle off the state bid list if possible. She reported during the last Work Session meeting, Councilman Ebert, III believed a Ford Explorer would better meet the needs of City Hall and be a safer vehicle. A Ford Explorer is listed on the state bid list for approximately $24,000. Councilman Hellmich reported that the listed Ford Explorer is a much better vehicle at a lower price than the Ford Escape that was originally requested. Councilman Ebert, III reported that he was under the impression that this vehicle was going to be bidded out. Mr. Thompson reported the vehicle can be purchased directly from the state bid list but he is not sure if local dealerships compete on the state bid list. The state reaches out to dealerships across the state to get a state bid price on vehicles so the state does a competitive bid, that is how the City can purchase directly off the state bid list. The City can also bid the vehicle out as well and there is a new law, which is on the Council agenda for Council to accept that increases the local margin percentage from 3% to 5%, which means if a local dealership bids within 5% of the lowest bid, the City can choose the local dealership's bid. There was consensus to go to bid on the vehicle to allow local dealerships the opportunity to bid and if the vehicle on the state bid list is a better deal, Council will permit the purchase from the state bid list in an amount not to exceed the budgeted price of $30,000 and this item remained on the Council agenda

15-0694 Resolution Amending Pay Classification Plan for Changes to Position Structure in Sports Tourism Department With Neutral Effect To Budget - Human Resources Director Sandra Pate reported in the budget, Council approved certain positions in the Sports Tourism Department. These positions are scheduled to begin in the second and third quarter so these positions are currently vacant. It is requested to re-structure some of the positions that will change the pay plan, job titles and pay grades but it will accommodate Executive Director Don Staley's needs and there is no budgetary impact. There was a consensus for this item to remain on the Council agenda.

15-0696 Adjust Local Bid Preference as contained in Act 2015 293 - Purchasing Agent Rachel Keith reported this item pertains to the recent legislation that increases the local bid preference from 3% to 5% and this is a request to adjust the City's guidelines to accept the increase. If an out of state vendor submits a bid there would be a 10% preference to the local vendors and this will include vendors in the City's Police Jurisdiction. There was a consensus for this item to remain on the Council agenda.

15-0697 Cedar Street Pipe Replacement - Assistant City Engineer Taylor Davis reported this item is a request to consider appropriating funds for the Cedar Street pipe replacement project, which is a capital project in this year's planning document. Councilman Hellmich asked if the Engineering Department was ready to go to bid on this project. Mr. Davis confirmed that they are ready

and that it is currently being advertised. Councilman Ebert, III asked how long the project will take. Mr. Davis reported the project will take approximately ten (10) days as long as there is good weather. There was a consensus for this item to remain on the Council agenda.

15-0699 Request to Dispose of Five Ford Crown Victoria police vehicles - Police Captain Thurston Bullock reported the Police Department currently has five Crown Victoria vehicles that have reached their useful life due to be being wrecked, engine problems or very high mileage and Department wishes to dispose of them as they are preparing to purchase new vehicles. There was a consensus for this item to remain on the Council agenda.

15-0700 Move Revenue Funds from General Fund to the Jail Corrections Fund - Purchasing Agent Rachel Keith reported this is request to move the funds that is generated from the jail inmate phone service to the Corrections fund, which is estimated at $5200 this year so the Corrections Department can use those funds. They are currently trying to get kiosk for the lobby and a commissary that will generate revenue which will be placed back into the Corrections Fund. Mr. Thompson reported this would modify the budget if approved. Funds that are in the General Fund can be used for any purpose but if funds are earmarked, the money must be spent on the specific purpose it was earmarked for. Mrs. Keith reported this was initiated when the inmate phone service had to be re-bid. During the process, it was learned that if the revenue went back to the jail, the phone service would not have to bidded out. She also reported that she is currently trying to verify this information. Police Chief David Wilson reported there will soon be a need for a jail expansion and either way, money will have to be set aside for that. There was a consensus for this item to remain on the Council agenda.

15-0702 Establishing the Use of Electronic Vote Counting Devices - Mrs. Southern reported prior to the election, Council must adopt a resolution specifying what type of machine will be used in the election. This resolution states the City will be using the County's equipment and the County has changed the equipment since the 2012 election. There was a consensus for this item to remain on the Council agenda.

15-0703 Authorize City Engineer to execute ALDOT Revised Forms for Pedestrian Bridge - President Trawick turned the meeting over to President Pro-tem Hellmich. City Engineer Chad Christian reported this resolution is asking Council to sign over Power of Attorney to the Morette Company so they will be able to execute the MB-05 form, which is the permit for the work within the right-of-way and to authorize Mr. Christian to execute and submit the MB-06A form, which is the maintenance. Mr. Christian the reason for putting the MB-05 form in the contractor's name is so that the bond can be from them to ALDOT because there were some issues with the permitting. The goal is for construction of the pedestrian bridge to begin on January 4, 2016 and the contractor has asked for all permits to be in place. Mayor Koniar asked about the projected completion date. Mr. Christian reported it will be completed in 180 days (six months). There was a consensus for this item to remain on the Council agenda. President Pro-temp Hellmich turned the meeting back over to President Trawick.

15-0705 Request to go to bid for replacement ERP System - Information Systems Manager Jessica Middleton reported the current ERP (Enterprise

Resource Planning) System is Incode, which is used for the Finance, HR, Revenue and Community Development Departments. This item is requesting to go to bid on a new comprehensive suite. The current program is antiquated, it does not have any built in work flows, which means that work is done manually. The new systems on the market have built in work flows so the purchase order processes, leave requests and citizen engagement modules for Community Development can be streamlined. Anything off the shelf is currently better than the existing system which is from 1999 and that module is being phased out. There was a consensus for this item to remain on the Council agenda.

15-0706 Accept Donation from Frances Holk Insurance Co., Inc. for Fire Prevention - Fire Chief Joey Darby reported he asked Frances Holk to be present so that he may publicly thank her and her company, who have partnered with the Fire Department for many years. He reported the national fire prevention campaign was, "Hear The Beep Where You Sleep" to focus on smoke alarms. The target group for this campaign were primarily the senior citizens. Ms. Holk and her company, State Farm Insurance made a $1,000 donation to help purchase smoke alarms to give out in the community. This item is to accept the donation. Ms. Holk reported that she appreciates all that the City of Foley and the Fire Department does for all the citizens. There was a consensus for this item to remain on the Council agenda.

15-0707 Approving OptumHealth Contract Renewal as the City's reinsurance provider for the 2016 Calendar Year - Human Resource Director Sandra Pate reported this item is a contract renewal for OptumHealth. OptumHealth has been the City's reinsurance provider for several years. They provide reinsurance on claims that are over $50,000 per employee. The City pays 100% of the employees' health care and last year's health care costs came in $75,000 under budget even though the number of employees has grown. The Human Resource Department was able to negotiate premium costs for this year, which is $53,000 less, but they traded out on a higher aggregate specific liability. The City is paying a lower premium but there will be a $50,000 increase on the aggregate liability. If an employee has a $50,000 claim, the City will have to pay the next $50,000 over the initial $50,000, but only if the costs reach the next $50,000 mark City wide, not per employee. Even if the claim goes to the next $50,000 it will break even. President Trawick reported that the City will be doubling the liability at a lower premium. Mrs. Pate reported the City has been self-insured since 2008 and it has saved the City approximately $570,000 in premium cost. There was a consensus for this item to remain on the Council agenda.

15-0708 A Resolution to reappoint Donald Barnett to the Foley Housing Authority Board - Police Chief David Wilson reported Mr. Barnett has served on the board through good times and bad. Councilman Blackwell reported he believes Mr. Barnett is a good leader. There was a consensus for this item to remain on the Council agenda.

15-0709 EMI Request to display five 30x80" banners for their "Chili for Charity" event - There was no discuss on this item and it remained on the Council agenda.

15-0711 Request to transfer funds for the Baldwin Pops - Marketing Director LaDonna Hinesley reported the City has had a performance contract with the

Baldwin Pops for many years in the amount of $2,000 in return for two free performances each year. The Baldwin Pops has requested an increase from $2,000 to $3,000 to offset their costs because they have not received an increase in eighteen (18) years. The request was received after the FY2016 Budget was adopted. Mrs. Hinesley reported she has $1,000 in her public relations account and she is requesting to transfer the $1,000 from the public relations account to the contracts for public services account for the increase. There was a consensus for this item to remain on the Council agenda.

15-0713 Consider resolution approving purchase of Police Department vehicles - Police Captain Thurston Bullock reported the Police Department originally was requesting to purchase all the vehicles from the state bid list; however, there is now a request added to the resolution to go to bid for a Ford Explorer Interceptor or like vehicle. There was a consensus for this item to remain on the Council agenda.

15-0714 Approve the purchase of one vehicle as a replacement PD vehicle - Police Captain Thurston Bullock reported the Police Department is requesting to go to bid to replace a police vehicle that was involved in an accident, which resulted in the vehicle being a total loss. There was a consensus for this item to remain on the Council agenda.

15-0720 Authorizing the Mayor to request an opinion from the Attorney General - President Trawick reported this item is added on to the agenda to requesting authorization for the Mayor to request an opinion from the Attorney General concerning the eligibility of a person to be appointed as a member of the Planning Commission. There was a consensus for this item to remain on the Council agenda.

Mayor's Comments

Mayor Koniar reported he would like to recognize the Kiwanis Club for the Christmas parade. There is a lot of man power and hard work that goes into putting on the parade. They do a great job every year and the City appreciates all they do.

Councilman Ebert, III reported it is his belief that this year's parade was organizer Richard Peterson's last year with the parade. He asked that staff confirm this so the City can officially recognize him.

Visitor's Comments

Fire Chief Joey Darby reminded everyone of the open house for Fire Station #3 Thursday, December 10, 2015 from 10:00 a.m. until 2:00 p.m. The ribbon cutting ceremony begins at 10:30 a.m. The official opening for business is December 18, 2015.

Adjourn

Here no further comments, the meeting adjourned at 5:02 p.m.