



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final City Council

Monday, October 15, 2012

5:30 PM

Council Chambers

Call to Order - Roll Call

Present: 5 - Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell, Council Member Charles Ebert III and Mayor John Koniar

Absent: 1 - Council Member Wayne Trawick

Present: 5 - Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell, Council Member Charles Ebert III and Mayor John Koniar

Absent: 1 - Council Member Wayne Trawick

Public Hearings

[13-0163](#)

Declaring growth of weeds and other vegetative growth a public nuisance at 407 E. Myrtle Avenue.

Attachments: [Public Hearing Notice.docx](#)

The public hearing regarding weed violations at 407 E. Myrtle Avenue was opened for public comment. Hearing no comments the Mayor closed the public hearing.

Enactment No: 13-0034

[13-0165](#)

Declaring growth of weeds and other vegetative growth a public nuisance at 805 E. Verbena Avenue.

Attachments: [Public Hearing Notice.docx](#)
[Chamber Door Abatement Cost Posting 805 E Verbena Ave.docx](#)
[Resolution Accepting Costs for Weed Lien 805 E Verbena and Authorizing Copy to be Sent to Tax Collector.docx](#)

This Resolution was opened for public comment

Enactment No: 13-0069

[13-0166](#)

Declaring growth of weeds and other vegetative growth a public

nuisance at 905 W. Peachtree Avenue.

Attachments: [Public Hearing Notice.docx](#)

This public hearing was opened for public comment. Hearing no comments the Mayor closed the public hearing.

Enactment No: 13-0036

[13-0168](#)

Declaring growth of weeds and other vegetative growth a public nuisance at 222 W. Walnut Avenue.

PROPERTY HAS BEEN ABATED AND NO FURTHER ACTION IS REQUIRED.

This public hearing was opened for public comment. Hearing no comments the Mayor closed the public hearing.

[13-0167](#)

Declaring growth of weeds and other vegetative growth a public nuisance for ten (10) vacant lots in Parish Lakes Subdivision.

PROPERTY HAS BEEN ABATED AND NO FURTHER ACTION IS REQUIRED

This public hearing was opened for public comment. Hearing no comments the Mayor closed the public hearing.

Call to Order - Roll Call

Approval of Minutes

[13-0161](#)

Council Work Session Minutes of October 1, 2012

Attachments: [10-01-12 Work Session Agenda Minutes.pdf](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Minutes be approved. The motion carried by an unanimous vote.

[13-0208](#)

Council Meeting Minutes of October 1, 2012

Attachments: [10-01-12 Council Meeting Minutes.pdf](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Minutes be approved. The motion carried by an unanimous vote.

[13-0209](#)

Special Called Council meeting Minutes of October 10, 2012.

Attachments: [10-10-12 Council Meeting Minutes.pdf](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Minutes be approved. The motion carried by an unanimous vote.

Reports

[13-0205](#)

Community Development Department 2012 September Report

Attachments: [September 2012 EOM.docx](#)
 [SEPTEMBER2012RESIDENTIAL.xls](#)
 [SEPTEMBER2012COMMERCIAL.xls](#)
 [SEPTEMBER2011RESIDENTIAL.xls](#)
 [SEPTEMBER2011COMMERCIAL.xls](#)

This Report was presented

[13-0212](#)

Fire Department - September 2012 Monthly Report

Attachments: [Council September 12 10-2012](#)

This Report was presented

[13-0195](#)

Police Department - Monthly Report 2012 September

Attachments: [20121010090333608.pdf](#)

This Report was presented

[13-0204](#)

Marketing Department Quarterly Report (July - September 2012)

Attachments: [Marketing Department Quarterly Report](#)
 [September 2012 Visitor Stats](#)
 [July - Sept 2012 Foley in the News Press Log](#)

This Report was presented

[13-0218](#) Revenue Department September 2012 Report

Attachments: [2012 Sales Rental and Lodging Tax reports.pdf](#)

This Report was presented

Audit Accounts

[13-0216](#) Approve September 2012 Accounts

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0031

Consent Agenda Items

[12-0125](#) Memorialize Permit to Picket for Cheryl Morrow per consensus of October 1st Work Session.

Attachments: [Cheryl Morrow Letter requesting extension 10-11-15.pdf](#)
 [Cheryl Morrow Request 10-01-12.pdf](#)
 [Cheryl Morrow Response 10-01-12.pdf](#)
 [Cheryl Morrow Permit to Picket.pdf](#)
 [Cheryl Morrow 4' Signs for picketing.pdf](#)

Enactment No: 13-0037

[12-0150](#) Memorialize increase in Graham Creek comfort station budget

This Resolution was adopted.

Enactment No: 13-0037

[13-0200](#)

Hiring registered interpreter for Municipal Court

Attachments: [Res 4604-11 Hiring Registered Interpreter for Municipal Court.pdf](#)

Enactment No: 13-0037

[13-0210](#)

Amends Resolution No. 5115-12 For Shipping Charges For Centennial Ornaments

Attachments: [PEI Ornament Invoice](#)

Enactment No: 13-0037

[12-0127](#)

AMEND RESOLUTION 13-0010 TO RESTATE CORRECT DATE OF ST. MARGARET'S ROSARY RALLY

Attachments: [Becky Hoover St Margarets Catholic Church Rosary Rally 10-01-12.pdf](#)

Enactment No: 13-0037

Ordinances, Resolutions and Other Business

[12-0029](#)

Consider Zoning Ordinance Amendments

Attachments: [Ordinance - Amending Zoning Ordinance 387-87 10-.pdf](#)
[Zoning Amendments.pdf](#)

A motion was made by Council Member Rick Blackwell , seconded by Council Member Ralph Hellmich, that this Ordinance be approved on second reading. The motion carried. by an unanimous vote.

Enactment No: 13-1003

[13-0219](#)

Consider Wayfinding Sign Ordinance

Attachments: [Ordinance - Directional Signs.docx](#)
[Application for Directional Sign.pdf](#)
[Administration of ORDINANCE AUTHORIZING CERTAIN SIGNS WITHIN THE FOLEY BEACH EXPRESS RIGHT.pdf](#)
[Ord 1142-10 Authorizing Wayfinding Signs.pdf](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Ordinance be approved on first reading. The motion carried by an unanimous vote.

Enactment No: 13-1020

[13-0178](#)

Residential Sanitation Writeoffs 10/15/2012

Attachments: [Residential Sanitation Writeoffs.pdf](#)

A motion was made by Council Member Vera Quaites , seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried. by an unanimous vote.

[13-0177](#)

Consider resolution amending Resolution 4874-12 and approving a one year contract with Adam & Reese, LLP

Attachments: [4874-12 RES.pdf](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0032

[13-0160](#)

Set a public hearing for weed abatement at 18930 Sunset Circle

Attachments: [Wells, Barbara.pdf](#)

A motion was made by Council Member Charles Ebert, III , seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried. by an unanimous vote.

Enactment No: 13-0033

[13-0163](#)

Declaring growth of weeds and other vegetative growth a public nuisance at 407 E. Myrtle Avenue.

Attachments: [Public Hearing Notice.docx](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Aye: 5 - Council Member Quaites, Council Member Hellmich, Council Member Blackwell, Council Member Ebert III and Mayor Koniar

Enactment No: 13-0034

[13-0165](#)

Declaring a public nuisance at 805 E. Verbena Ave.

Attachments: [Public Hearing Notice.docx](#)
[Chamber Door Abatement Cost Posting 805 E Verbena Ave.docx](#)
[Resolution Accepting Costs for Weed Lien 805 E Verbena and Authorizing Copy to be Sent to Tax Collector.docx](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0069

[13-0166](#)

Declaring a public nuisance at 905 W/ Peachtree Ave.

Attachments: [Public Hearing Notice.docx](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0036

[12-0125](#)

Consider renewing Permit to Picket for Cheryl Morrow.

Attachments: [Cheryl Morrow Letter requesting extension 10-11-15.pdf](#)

[Cheryl Morrow Request 10-01-12.pdf](#)

[Cheryl Morrow Response 10-01-12.pdf](#)

[Cheryl Morrow Permit to Picket.pdf](#)

[Cheryl Morrow 4' Signs for picketing.pdf](#)

This Resolution was removed

Enactment No: 13-0037

[13-0187](#)

Consider Alabama Coastal Foundation's request for sponsorship for Cocktails for the Coast

Attachments: [Alabama Coastal Foundation Letter 09-24-12.pdf](#)

[Alabama Coastal Foundation Sponsor Registration Form 2012.pdf](#)

City staff to write a letter to the ACF and let them know that the City cannot buy alcohol for an event.

[13-0186](#)

Marine Corps League 1370 request a road block at the intersection of Hwy. 59 and 98 for a fundraiser on Sunday, October 27, 2012, or Sunday, November 3, 2012 from 10:00 a.m. until 5:00 p.m.

Attachments: [Marine Corps League 1370 Request for road block 10-15-12.pdf](#)

A motion was made by Council Member Charles Ebert, III, to approve the fundraiser for the intersections of Alston and 98 and 98 and Juniper Streets and was seconded by Council Member Vera Quaites, that this Resolution be approved as amended. The motion carried by an unanimous vote.

Enactment No: 13-0038

[13-0185](#)

Close streets for Uptown Halloween

A motion was made by Council Member Rick Blackwell , seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried. by an unanimous vote.

Enactment No: 13-0039

[13-0203](#) **Authorizing Extension of the 2012 AHC Historic Preservation Grant and Transfer of Funds to Personnel Accounts In Support of the Grant**

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0040

[13-0176](#) Request to go to Bid on Project Sky Guardian

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0041

[13-0169](#) Firewalls for City Departments

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0042

[13-0159](#) Request to go to bid for Cellular Phone Service

A motion was made by Council Member Rick Blackwell, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0043

[12-0152](#) New Computer for Welcome Center Administrative Assistant

Attachments: [Quote - Fletchers PC - Foley](#)

A motion was made by Council Member Vera Quaites , seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0044

[12-0147](#) Purchasing Deep Freeze Licenses for Library Lap Computers

Attachments: [Quote Foley Library DeepFreeze Ent](#)

A motion was made by Council Member Charles Ebert, III seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0045

[12-0149](#)

Request to go to Bid on IT Equipment

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0046

[12-0119](#)

Baker & Taylor Books and Overdrive as Primary Distributors for Library

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0047

[12-0110](#)

Name Wolf Creek Park Property

Attachments: [General Park Area](#)

A motion was made by Council Member Charles Ebert, III, to name the park "The City of Foley Wolf Creek Park", and the motion was seconded by Council Member Ralph Hellmich, that this Ordinance be approved on first reading. The motion carried by an unanimous vote.

Enactment No: 13-1019

[13-0180](#)

**RESOLUTION TO AUTHORIZE FLU SHOTS FOR EMPLOYEES AND PAYROLL
DEDUCTION FOR FAMILY MEMBER FLU SHOTS**

Attachments: [Resolution Authorizing Flu Shots for Employees and Payroll
Deduction for Family Member Flu Shots](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0048

[13-0182](#)

**RESOLUTION TO AUTHORIZE PURCHASE OF A XEROX PRINTER FOR THE
HUMAN RESOURCES DEPARTMENT**

Attachments: [Resolution Authorizing purchase of Xerox Printer for HR](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0049

[12-0153](#)

Request funding to purchase (1) one Canine to replace "Kane" who has served faithfully for a long time

Attachments: [K9request.10.12](#)

A motion was made by Council Member Rick Blackwell , seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried. by an unanimous vote.

Enactment No: 13-0050

[13-0192](#)

Going To Bid On Dept. Truck

Attachments: [Backup Doc. - Going To Bid On Dept. Truck](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0051

[13-0189](#)

LED Fixtures for Alley Arbors.

Attachments: [Backup Doc. - Hellmich Elec. Alley Arbors LED Fixtures](#)
 [Resolution - Hellmich Elec. Alley Arbors LED Fixtures](#)

A motion was made by Council Member Blackwell, seconded by Council Member Ebert, III, that this Resolution be adopted. The motion carried by the following vote:

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

Abstain: 1 - Council Member Hellmich

Enactment No: 13-0052

[13-0190](#)

Recptacles Install On Two Oak Trees.

Attachments: [Backup Doc. - Hellmich Elec. Old Chamber Bldg. Receptacles](#)
 [Resolution - Hellmich Elec. Old Chamber Bldg. Receptacles](#)

A motion was made by Council Member Blackwell, seconded by Council Member Quaites, that this Resolution be adopted. The motion carried by the following vote:

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

Abstain: 1 - Council Member Hellmich

Enactment No: 13-0053

[13-0191](#)

Receptacles Install On New Light Poles.

Attachments: [Backup Doc. - Hellmich Elec. Stscape Ph IV Lights Receptacles](#)
 [Resolution - Hellmich Elec. Stscape Ph. IV Lights Receptacles](#)

A motion was made by Council Member Ebert, III, seconded by Council

Member Blackwell, that this Resolution be adopted. The motion carried by the following vote:

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

Abstain: 1 - Council Member Hellmich

Enactment No: 13-0054

[13-0193](#)

Appropriate Funds For Construction Related To Skate Park.

Attachments: [Resolution - Skate Pk. Related Const. Work](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0055

[13-0202](#)

Acceptance of the Alabama Municipal Electric Authority (AMEA) FY13 Special Projects Grant

Attachments: [Awarding Letter from AMEA Special Projects Grant](#)

A motion was made by Council Member Ralph Hellmich , seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried. by an unanimous vote.

Enactment No: 13-0060

[12-0033](#)

Jeff: Consider resolutions: Approves Schneider Electric's contract and authorizes the mayor to sign it; Authorizing QECB Application; Authorizes the Mayor to apply for Local Government Energy Loan Program (ADECA 0%); Authorizes the financing firm to begin the funding process with QECB funds.

Attachments: [Resolution - Entering into an agreement Schneider Electric 10-15-12.pdf](#)
[Resolution - Authorizing QECB Application 10-15-12.pdf](#)
[Resolution - Approving Local Gov Energy Loan Program 10-15-12.pdf](#)
[Resolution - Authorizing the financing firm to begin funding process with QECB Funds 10-15-12.pdf](#)

A motion was made by Council Member Ralph Hellmich , seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried. by an unanimous vote.

Enactment No: 13-0056-59

[13-0173](#)

Request to appropriate \$5,000 for underground wiring to provide power to tennis courts.

A motion was made by Council Member Rick Blackwell , seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by

an unanimous vote.

Enactment No: 13-0062

[13-0184](#)

Permission to purchase zero turn mower for recreation department

A motion was made by Council Member Ralph Hellmich , seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried. by an unanimous vote.

Enactment No: 13-0063

[13-0215](#)

Consider appointments to the Planning Commission and Historical Commission.

This Resolution was carried over to the City Council due back on 11/05/2012

[13-0223](#)

ACCEPT CDM SMITH'S PROPOSAL FOR ENVIRONMENTAL DUE DILIGENCE FOR CITY EVENTS CENTER FACILITIES

A motion was made by Council Member Rick Blackwell, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0061

[13-0222](#)

APPROVING ROTARY CLUB'S 20TH ANNUAL OYSTER RUN

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 13-0064

Visitor Comments

Hearing no comments the Mayor closed the public hearing.

Adjourn

Hearing no further comments the meeting adjourned at 6:27 p.m.