



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes City Council

Monday, November 19, 2012

5:30 PM

Council Chambers

Call to Order / Roll Call

Present: 5 - Council Member Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell and Mayor John Koniar

Others present: City Administrator Mike Thompson, Donna Poole, Miriam Boutwell, Joey Darby, David Wilson, Steven Smith, Butch Stokes, Ricky Gordon, Cody Horton, Matt Parker, Warren Harbison, David Thompson, Chandra Wright, Alec Barrett, Elva Barrett, Cathy Higgins, Angie Walker, Randy Corlew, Randy Davis, Skip Davis and Troy Barrett.

Public Hearings

Accepting Cost for Weed Abatement for 426 W. Peachtree Avenue and Authorizing a Copy be Sent to the Baldwin County Tax Collector

Attachments: [Resolution - Ordering Weed Abatement.pdf](#)
[Chamber Door Abatement Cost Posting 426 W. Peachtree Avenue 10-2012.c](#)
[Resolution Accepting Costs for Weed Lien 426 W Peachtree and Authorizing](#)

President Wayne Trawick opened the public hearing at 5:35 p.m. to consider the costs for a weed abatement at 426 W. Peachtree Avenue and authorizing the City Clerk to send a copy of the costs in the amount of \$287.26 to the Baldwin County Tax Collector. Hearing no comments the Council President closed the public hearing.

SETTING A PUBLIC HEARING TO DECLARE WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 761 S. McKENZIE STREET

Attachments: [761 S McKenzie St Weed Abatement 10-01-12.pdf](#)
[Public Hearing Notice.docx](#)

Council President opened the public hearing to declare weeds a nuisance and violating the City's weed abatement ordinance at 761 S. McKenzie Street. Hearing no comments the President reported the weeds have been abated and no further action will be required and closed the public hearing.

Resolution Accepting Costs for Weed Abatement at 2651 S. Juniper

St. and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [Chamber Door Abatement Cost Posting Victoria Place SD 10-2012.docx](#)
[Resolution Accepting Costs for Weed Lien 2651 S Juniper and Authorizing C](#)

President Wayne Trawick opened the public hearing to consider the costs for a weed abatement at 2651 S. Juniper Street a/k/a Victoria Place and authorizing the City Clerk to send a copy of the costs in the amount of \$5,689.52 to the Baldwin County Tax Collector's office. Hearing no comments President Trawick closed the public hearing.

Call to Order / Roll Call

Present: 5 - Council Member Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell and Mayor John Koniar

Pledge of Allegiance

Swearing in Ceremony

City Administrator Mike Thompson introduced the Honorable Mary Murchison who will be swearing in the Assistant Municipal Judge and the City Engineer.

Oath of Office - Assistant Municipal Judge

At this time the City Administrator called Ms. Chandra Wright to be sworn in by Judge Murchison.

Oath of Office - City Engineer

Attachments: [Oath of Office Butch Stokes 2012.pdf](#)

City Administrator Mike Thompson called Mr. Wendell "Butch" Stokes to be sworn in by Judge Murchison.

Approval of the Minutes

Work Session Minutes of November 5, 2012

Attachments: [Work Session Minutes 11-05-12](#)

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

Council Meeting Minutes of October 15, 2012

Attachments: [10-15-12 Council Meeting mINUTES.pdf](#)

A motion was made by Council Member Blackwell, seconded by Council Member Quaite, that this Minutes be approved. The motion carried by an unanimous vote.

Organizational Meeting Minutes of November 5, 2012

Attachments: [Organizational Meeting Minutes.pdf](#)

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

Council Meeting Minutes of November 5, 2012

Attachments: [November 5 2012 Council Meeting Minutes.pdf](#)

Minutes are amended to show Councilman Hellmich and Councilwoman Quaite voted "Aye" on Item 13-0260.

Departmental Reports

Attachments: [October 2012 CDD Report.pdf](#)
 [FY 2011 12 Annual Report.pdf](#)

This Report was presented

Attachments: [Council October 12 11-2012](#)

This Report was presented

Attachments: [20121114161427170.pdf](#)

This Report was presented

Attachments: [201211131318.pdf](#)

This Report was presented

Audit Accounts

Approve September 2012 Accounts

This Agenda Item was approved

Ordinances, Resolutions, Proclamations & Other Business

Accepting Cost for Weed Abatement for 426 W. Peachtree Avenue and Authorizing a Copy be Sent to the Baldwin County Tax Collector

Attachments: [Resolution - Ordering Weed Abatement.pdf](#)
 [Chamber Door Abatement Cost Posting 426 W. Peachtree Avenue 10-2012.c](#)
 [Resolution Accepting Costs for Weed Lien 426 W Peachtree and Authorizing](#)

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

Resolution Accepting Costs for Weed Abatement at 2651 S. Juniper St. and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [Chamber Door Abatement Cost Posting Victoria Place SD 10-2012.docx](#)
 [Resolution Accepting Costs for Weed Lien 2651 S Juniper and Authorizing C](#)

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

A resolution to set the public hearing for grass and weed violations at 9590 County Road 65

Attachments: [Arbor Walk Model Homes](#)

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

Residential Sanitation Write Offs as Uncollectible

Attachments: [Residential Sanitation Write-offs.pdf](#)

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

Consider proclamation declaring November as National American Indian Heritage Month

Attachments: [proclamation template 2012.pdf](#)

A motion was made by Council Member Hellmich, seconded by Council Member Quaites, that this Proclamation be approved. The motion carried. President Trawick as Mayor Koniar to step forward and read the proclamation.

Purchase one gator for the Street Department and one gator for the Sanitation Department

Attachments: [Foley Implement Gator Quote](#)
 [NJPA](#)

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

Application for Airport Improvement Funding Assistance

Attachments: [Pre-Application for Federal Assistance](#)

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

Request approval to go to bid on Custom Fire Pumper

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

Request to amend FY13 budget to transfer FD communications system upgrades from capital purchase to line items

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

Memorialize A&M Portables Invoice

Attachments: [A&M Portables Invoice](#)

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

Ashford Park Street Lights

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

Memorialize Ryland's Invoice

Attachments: [Ryland's Invoice](#)

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

Purchase of One (1) Half-Ton, 4x2 Extended Cab Truck for the Engineering Department

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

Resolution Approving City's Reinsurance Provider for 2013

Attachments: [Memo - Reinsurance Recommendation for 2013](#)

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

Amending FY13 Budget in the amount of \$2,500 for Additional Plant Storage Area

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

Accept bid for CDD truck

Attachments: [Moyer Ford Price Sheet](#)

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

Department of Commerce EDA Grant application

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

Mayor's Comments

Mayor Koniar wanted to clarify that Jeff Rouzie will be the staff representative and David Rauch will be the Mayor's representative for the Planning Commission. The Mayor's Association met on Nov. 14, 2012 and the Council was given a list of roads the Association is looking at. Mayor Koniar wants some input from the Council as to which are of the most important. Representative Steve McMillan attended the meeting also and assured Mayor Koniar that the weed abatement process was being looked to help with the costs that are not recoverable.

Visitor's Comments

Judge Murchison introduced Angie Walker and Warren Harbison, new Defense

Attorneys for Municipal Court and commended them for their hard work.

Troy Barrett, Riviera Furniture, stated he had received a certified letter from the Foley Fire Department regarding an annual alarm and sprinkler inspection. Mr. Barrett stated he had an inspection done one year ago and paid \$750. He questioned why he would need another inspection. Chief Darby stated that it is a requirement with the International Fire Codes. He will follow up with Mr. Barrett and provide him with companies that do the annual inspections.

Executive Session

At 6:25 pm. President Trawick asked for a motion to go into Executive Session to discuss property purchase. Councilman Hellmich made a motion to go into Executive Session and Councilman Blackwell seconded the motion. City Administrator Mike Thompson took the following roll call: Councilman Trawick, aye; Councilwoman Quaite, aye; Councilman Hellmich, aye and Councilman Blackwell, aye. The vote to recess to go into Executive Session passed. Mayor Koniar was invited to attend. President Trawick reported the Council will reconvene in approximately 20 to 30 minutes. President Trawick reconvened the meeting at 6:45 pm.

Resolution Authorizing the Purchase of Certain Real Property

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

Resolution Authorizing the Purchase of Certain Real Property

A motion was made by Council Member Quaite, seconded by Council Member Hellmich, that this Resolution be adopted. The motion carried.

Adjourn

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this meeting be adjourned. The motion carried and the meeting adjourned at 6:50 p.m.