



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final City Council

Monday, March 3, 2014

5:30 PM

Council Chambers

Council Meeting

Call to Order

Council President Wayne Trawick report that the Public Hearing scheduled for March 3, 2014 has been rescheduled for March 17, 2014. Anyone wishing to make any comments regarding Amendment 772 will be given the opportunity to speak at this time. Hearing no comments he called the meeting to order at 5:30 p.m.

Roll Call

All Council members were present. Others present: Mayor John Koniar, Mike Thompson, Vickey Southern, Suzanne Kellams, Joey Darby, Melissa Harris, Tom Knighton, Amy Green, Tom Lee, Pat Davis, Skip Davis, Keith Nelson, Debra Beaus, Marie Correa, Celena Willis, Will Robinson-Smith (FOX News) and Cathy Higgins (Foley Onlooker).

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

Presentation

[14-0073](#)

Beautification and Revitalization Awards Presentation

Attachments: [Awards.pdf](#)

Mrs. Pat Davis, Chairman of the Beautification and Revitalization Committee, thanked everyone for attending the awards and noted that the City of Foley and the Beautification Board honor those businesses for their efforts in enriching the community with the outstanding contributions for beautification.

Mayor Koniar and Mrs. Pat Davis, presented beautification awards as follows:

Country Place Living - Accepting were Amy Green and Celena Willis

McKenzie Street Florist - Accepting was Marie Correa

John McClure Snook Museum - Accepting was Tom Lee

Tanger Mall - Tom Knighton, Melissa Harris and Debra Beaus

Mr. Knighton reported that Melissa and Debra are responsible for looking after the grounds upkeep. He thanked the ladies for their hard work and dedication. He also reported Tanger hired a new landscape company to ensure the

landscape continues to take on a fresh look.

Additions/Removals

Approval of Minutes

[14-0158](#) Meeting Minutes of February 26, 2014

Attachments: [02-26-2014 draft minutes.pdf](#)

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

[14-0138](#) Work Session Minutes of February 17, 2014

Attachments: [Work SessionMeetingMinutes17-Feb-2014-10-09-11.pdf](#)

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

[14-0147](#) Council Meeting Minutes Of February 17, 2014.

Attachments: [2-17-14 Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, that the Minutes be approved. The motion carried by an unanimous vote.

Ordinances, Resolutions and Other Business

[14-0153](#) Baldwin County Jail Fesibility Study

Attachments: [Proposal Baldwin County Jail Feasibility](#)

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: 14-0061-RES

[14-0086](#) (First Reading) Revisions to FBE Access Units Exhibits

Attachments: [FBE Backup Doc. - Exhibits \(1\)](#)
[Backup Doc. - Revised Exhibits D & E](#)

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

[14-0090](#)

(Second Reading) ORDINANCE APPROVING THE INITIAL ZONING OF MALLARD POINT LLC, BRAIDA SHARPE & JAMES E. KLEINSCHMIDT

Attachments: [Mallard Point Initial Zoning & Map](#)

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

Enactment No: 14-1006-ORD

[14-0104](#)

(Second Reading) An Ordinance Regulating Parades And Demonstrations On Public Property In The City Of Foley

Ordinance is attached in its entirety as Exhibit A.

Attachments: [Ordinance Exhibit A](#)

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

Enactment No: 14-1007-ORD

[14-0115](#)

Resolution Approving New Market Tax Credit Transaction

This Resolution was removed to be brought back to Council at a later date, possibly March 17, 2014.

[14-0116](#)

TO APPROVE A CORRECTIVE DEED AND TO CONFIRM AND RATIFY A PURCHASE AGREEMENT AND PROMISSORY NOTE

Attachments: [City of Foley Resolution PEAVEY](#)

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

Enactment No: 14-1008-ORD

[14-0132](#)

Request to apply for ADCNR Coastal Access Grant for improvements at Wolf Creek Park

Attachments: [Proposed Trails & Pavilion Summary.pdf](#)
 [Public Access Grant_0114](#)

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: 14-0062-RES

[14-0127](#)

Capital Funds Request

Attachments: [Leadsonline.request.2.2014](#)

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: 14-0063-RES

[14-0140](#)

Acceptance of Emergency Equipment Bid

Attachments: [equip.quotes.2014.agenda.](#)
 [3407-08 RES.pdf](#)

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: 14-0064-RES

[14-0133](#)

Request for capital purchase of Fencing at Graham Creek Preserve

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: 14-0065-RES

[14-0141](#)

Accept Bid for a One Ton Pickup and Quote for a 6-Yard Dump for the Sanitation Department

Attachments: [Moyer Ford Bid - Sanitation One Ton Truck](#)
 [Par-Kan Company Quote - 6 yd dump](#)
 [BID RESULTS - One Ton Truck - Sanitation Dept](#)

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

Enactment No: 14-0066-RES

[14-0142](#)

Memorialize application for the annual CLG (Certified Local Government) grant from the Alabama Historical Commission.

Attachments: [annoucement signed.pdf](#)
 [2014 - CLG Application.pdf](#)
 [applc instructions.pdf](#)
 [2013 - CLG other forms.pdf](#)

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: 14-0067-RES

[14-0143](#)

Permission to Bid New Soccer Field Construction Grow-In

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: 14-0068-RES

[14-0144](#)

Accept Bid for Fire Station No. 1 Safe Room

Attachments: [Bid Tab - Fire Station Safe Room](#)
 [Sycamore Construction Bid - Fire Station Safe Room](#)

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: 14-0069-RES

[14-0145](#)

Approval To Purchase Two Metal Signs From Vulcan Metal Stampings In The Amount Of \$2,350 For The Downtown Welcome Center

Attachments: [Vulcan quote - Welcome Center Sign](#)
 [Foley Welcome Center Sign](#)

A motion was made by Council Member Charles Ebert, III, to approve the signs as discussed in Work Session, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0070-RES

[14-0146](#)

Authorizes FY2014 ADECA CDBG Application For Sewer Rehabilitation

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: 14-0071-RES

[14-0148](#)

A Resolution Reappointing R. Francine Hall To The YMCA Parks And Recreation Board

Attachments: [R. Francine Hall](#)

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

Enactment No: 14-0072-RES

[14-0149](#)

Allocating funds for the installation and FY14 monthly fees for a DSL for employee health care clinic.

Attachments: [DSL Quote](#)

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: 14-0073-RES

[14-0150](#)

Memorializing an allocation of \$1,202.46 to cover the expense of an unforeseen emergency repair on the sewer lateral at the employee health care clinic.

Attachments: [Sewer Lateral Expense](#)

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

Enactment No: 14-0075-RES

[14-0151](#)

Approval of audiovisual upgrades for Fire Department Station #1

Attachments: [NEC NP-PE401H 4000-Lumen Multi-Region Installation NP-PE401H B&H](#)
[NEC Display NP-PE401H 3D Ready DLP Projector - 1080i - HDTV - Rakuten](#)
[Tiger Direct](#)

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: 14-0074-RES

[14-0152](#)

Select voting delegates for annual Covention Business Meeting of the Alabama League Of Municipalities to be held in Mobile, Alabama on May 5, 2014

Attachments: [ALM Voting Delegate](#)

Council Member Ralph Hellmich made a motion to appoint Council Member Vera Quaites, which was seconded by Council Member Ebert. The motion carried by an unanimous vote. Council Member Hellmich reported Council Member Quaites did a good job in representing the City.

Enactment No: 14-0076-RES

[14-0154](#)

Consider Resolution Approving a Proxy Vote or Appoint a Council Representative to attend AMIC's Annual Business Meeting May 3, 2014

Attachments: [AMIC_Voting_Delegate.pdf](#)

A motion was made by Council Member Charles Ebert, III, to appoint Steven E. Wells as the proxy for the City of Foley, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 14-0077-RES

[14-0156](#)

A Resolution Continuing the Approval of Financing Documents by the City of Foley, Alabama and the City of Foley's Public Facilities Cooperative District

Attachments: [Res_continuing_hearing_03-03-2014_Cityoffoley.pdf](#)
 [Foley 2014 Continuance of City Resolution - Farmers Market \(2\).pdf](#)

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: 14-0078-RES

[14-0157](#)

Memorialize Roof Repairs at CDD

Attachments: [MCS_CONTRACTING.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. Council Member Ebert commended staff on how quickly they responded and got the roof stabilized.

Enactment No: 14-0079-RES

Mayor's Comments

Mayor Koniar reported he announced in Work Session that Don Staley, the former Tourism Sports Director for Tuscaloosa, was hired by the City of Foley as the new Executive Director, Multi-Use Community Sports Facility. He has 21 years of experience and has a great track record. When he starts on Thursday he will hit the ground running to get Foley's program started.

Council Member Ebert thanked the Mayor for doing such a great job in recruiting Don Staley.

Council Member Quaites congratulated Fire Chief Joey Darby for being selected as the Commissioner of the Alabama Fire College and Commission, which is confirmed by the Senate.

Council Member Rick Blackwell reported AL.Com had an article regarding Alabama Judges routinely overriding juries in death penalty cases and sited the Mrs. Wilma Underwood murder in 1987. Mr. John Neal was sentenced to

death and his sentence was overturned to life in prison. At the time of the murder Deputy Bogey Hall was the Sheriff's Deputy who solved the murder. Council Member Ebert reported that he remembered Deputy Hall's recount of solving the mystery.

Visitor's Comments

None to report.

Adjourn

Hearing no further comments the meeting adjourned at 5:53 p.m.