



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final City Council

Monday, March 4, 2013

5:30 PM

Council Chambers

City Council Meeting

Beautification Awards Presentation

[13-0505](#)

Presentation of the 2012 Revitalization and Beautification Awards

Attachments: [2013 Awards](#)

Mayor Koniar introduced Mrs. Pat Davis, Chairman of the Beautification Awards for the City of Foley Revitalization and Beautification Board. She made the following presentations:

Revitalization Awards went to Anna Banana's, Claude Peteet Real Estate Building, and MediStat Pharmacy.

Honorary Beautification Award went to Trees n Trends.

Call to Order

Council President Wayne Trawick called the meeting to order at 5:36 p.m.

Present: 4 - President Wayne Trawick, Council Member Ralph Hellmich, Council Member Rick Blackwell and Council Member Charles Ebert III

Absent: 1 - Council Member Vera Quaites

Roll Call

Council members present: Ralph Hellmich, Rick Blackwell, and Charles J. Ebert, III. Absent: Council member Vera Quaites due to illness. Other present: City Administrator Mike Thompson, City Clerk Vickey Southern, Assistant City Clerk Katy Taylor, Police Chief David Wilson, Fire Chief Joey Darby, Steve Smith, and press representative Cathy Higgins.

Pledge of Allegiance

Additions/Removals

Council member Hellmich asked that File ID# 13-0526 be added to the Agenda and there were no removals. The Council was in consensus to approve the addition to the agenda.

Presentations by Mayor Koniar

[13-0519](#)

Proclamation celebrating Paul F. Schultz, Sr.'s 100th birthday

Attachments: [Paul Schultz Sr Proclamation.pdf](#)

Mayor Koniar read the proclamation to be presented to Mr. Schultz at the Robertsdale nursing facility.

Approval of the Minutes

[13-0504](#)

Council Work Session Minutes of February 18, 2013.

Attachments: [Council Work Session Minutes 02-18-13](#)

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

[13-0463](#)

Council meeting Minutes of 02-18-2013

Attachments: [02-18-13 Council Minutes Draft.pdf](#)

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

Audit the Accounts

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, that the accounts be approved for payment. The motion carried by an unanimous vote.

Ordinances, Resolutions and Other Business

[13-0525](#)

Set Public Hearing for Non-Renewal of Business License

Attachments: [201302280905.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: 13-0192-RES

[13-0360](#)

Ordinance to re-zone 7± acres from R-2 (Residential Single Family & Duplex) to R-1C (Residential Single Family)

Attachments: [Rezoning Recommendation to Council.pdf](#)

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: 13-1027-ORD

[13-0397](#)

Second reading to consider the proposed amendments to the Ordinance Providing for the Regulation of Alarms and Penalties for Violations

Attachments: [Draft.pdf](#)

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

Councilmember Hellmich thanked the Chiefs for coming up with solutions to rectify deficiencies in the City's ordinance. They did a good job with coordinating with everyone and their work is appreciated.

Enactment No: 13-1028-ORD

[13-0428](#)

Ordinance approving the initial zoning of R-1A for the Battaglia property

Attachments: [Battaglia Zoning Recommendation.pdf](#)
 [Draft Ordinance.pdf](#)

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

To clarify this action please note the attachment on February 18, 2013 had a different ordinance as backup and was not the correct ordinance for the Battaglia property initial zoning. The advertisements were correct in content and publication for the public hearing held February 18th.

Enactment No: 13-1029-ORD

[13-0490](#)

Accept Bid for One (1) 15' Heavy Duty Flex Wing Mower for the Street Department

Attachments: [Foley Implement Co Bid - Flex Wing Mower](#)
 [BID RESULTS - Flex Wing Mower](#)

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: 13-0193-RES

[13-0440](#)

Petition for Annexation for City of Foley Pen Air property

Attachments: [Pen Air.pdf](#)
[INT ZONING RECOMMENDATION.pdf](#)

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

[13-0501](#)

Memorialize Ryland's Invoice

Attachments: [Ryland Invoice 2](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, that this Resolution be adopted approving the invoice in the amount of \$202.50. The motion carried by an unanimous vote.

Enactment No: 13-0194-RES

[13-0502](#)

Memorialize Riviera Utilities Invoice

Attachments: [Riviera Utilities Invoice](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, memorializes Riviera Utilities invoice in the amount of \$77,615.21 relating to Streetscape Phase 4 project. The motion carried by an unanimous vote.

Enactment No: 13-0195-RES

[13-0506](#)

Appoints Sara Rouzie to the Revitalization and Beautification Advisory Board

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: 13-0196-RES

[13-0507](#)

Approves Application For The Final Round Of Grants For The Gulf Tourism and Seafood Promotional Fund

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: 13-0197-RES

[13-0508](#)

Approves Additional \$820.00 For Repainting Train Cars

Attachments: [Christopher Painting Invoice and Quote](#)
[13-0142 Res Repaint Train Cars .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: 13-0198-RES

[13-0509](#)

Resolution to approve additional funding for staffing of the Holmes Medical Museum through Labor Day, including Saturdays.

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.

Councilman Ebert requested an update on the number of people touring the museum. City Administrator Mike Thompson reported he will ask LaDonna Hinesley to include the numbers in the quarterly marketing report.

Enactment No: 13-0199-RES

[13-0510](#)

Resolution to transfer funds in General Government.

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: 13-0200-RES

[13-0518](#)

Acceptance of the ADCNR Grant for Outdoor Classroom Design and Educational Program Development

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: 13-0201-RES

[13-0511](#)

Consider bid results for one custom pumper for Foley Fire Department

Attachments: [BID RESULTS FORM - Custom Pumper 2-2013](#)
[KME Pumper Options.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: 13-0202-RES

[13-0516](#)

Request to waive fees for Walk-a-thon for John B Foley Park sponsored by Women's Care Center

Attachments: [womens care medical request](#)

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: 13-0203-RES

[13-0520](#)

Waiving fees for park usage for "Breakfast with the Bunny" sponsored by Christian Life Church

Attachments: [Breakfast w the bunny](#)

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: 13-0204-RES

[13-0521](#)

Waiving fees for usage of Aaronville and Beulah Heightis Park for youth meetings

Attachments: [Youth Meeting Request](#)

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: 13-0205-RES

[13-0526](#)

Purchase one automated sanitation truck

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: 13-0206-RES

Mayor's Comments

Mayor Koniar reported during today's Work Session Council was reminded the City will hold an Employee Appreciation Luncheon at 11:30 a.m. Wednesday. He also reported South Baldwin Regional Medical Center continues to expand their services and facility.

Visitor's Comments

There were no visitor's comments to report.

Motion for Adjournment

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this meeting be adjourned. The motion carried by an unanimous vote. The meeting adjourned at 5:55 p.m.