



Meeting Minutes - Final

City Council

Monday, October 7, 2019

4:00 PM

Council Chambers

Work Session

Call to Order

Council President Wayne Trawick called the October 7, 2019 Work Session to order at 4:00 p.m.

Roll Call

All Council Members were present with the exception of Council Member Ralph Hellmich and Mayor John Koniar who were absent due to travel. Also present: City Administrator Mike Thompson, City Clerk Katy Taylor, Kate Embry, Sandra Pate, David Wilson, Thurston Bullock, Miriam Boutwell, Chad Christian, Logan Eberly, Rachel Keith, Tommy Gebhart, Sue Steigerwald, John Jackson, Jamie Smith, LaDonna Hinesley, Ricky Rider, Jeff Cotton, Darrell Russell, David Thompson, Steve Soloman, Randy LeDrew, Yolanda Johnson, Robert Helton, Darrelyn Dunmore, Brenda Sears, Francis Holk-Jones, and Press Representative Jessica Vaughn.

Discussion Items

[19-0464](#)

YMCA Performance Contract Financial Report

There was a consensus to remove this item from the October 7, 2019 Work Session agenda as it was placed on the agenda by mistake and will return for report at a later date.

[19-0480](#)

Alabama Community of Excellence Star-Local Coordinator

Yolanda Johnson reported to the Council that this year's Alabama Community of Excellence Star-Local coordinator received multiple nominations. Ms. Johnson reported to the Council that this individual has received tremendous accolades among the organization not only for her work with the City of Foley but also Baldwin County. Ms. Johnson reported to the Council that the 2019 Alabama Community of Excellence Star-Local coordinator is Miriam Boutwell.

[19-0482](#)

A RESOLUTION APPROVING INCREASE IN BUDGET FOR PINE STREET AND HWY. 98 CORNER IMPROVEMENTS

Attachments: [RES 19-1149 Pine St 98 Corners](#)
 [Bid Tab - Pine St 98 Corners](#)
 [19-1223 RES Pine St 98 Electrical](#)
 [Budget Increase - Pine 98 Corners](#)
 [Revised Bid 09 30 2019](#)

Randy Kurtts reported to the Council that for this project there was only one bidder. Mr. Kurtts reported to the Council that the Engineering Department has gotten the project bid down to 10% over, which will allow the project to not have to be rebid. Mr. Kurtts reported to the Council that for the project to not be rebid an additional \$7,000 will have to be approved. There was a consensus to move item 19-0482 to the October 7, 2019 Council Meeting agenda.

Enactment No: 19-1319-RES

[19-0527](#)

Finance: FY19 report of disposal of equipment, furnishings, tools and supplies.

Attachments: [Barnes Clean Out List](#)
 [FY 2019 - Items Surplused by Finance](#)

Council President Wayne Trawick reported to the Council that this report is of the items that were removed from the Barnes Building and there is no reason to place it on the Council agenda. Council President Trawick reported to the Council that this report acknowledges the items and their disposal. There was no further discussion on this item.

[19-0543](#)

A Resolution Approving Collection Bucket Fundraising By Foley Animal Care and Control Program

Steve Soloman with the Foley Animal Care and Control Program reported to the Council that the last donation made to the program was on October 2, 2019 and that the group is overwhelmed with cost and looking for further options for donation collection. Mr. Soloman reported to the Council that FACCP is requesting to collect money donations at specific intersections throughout the City of Foley. Police Chief David Wilson reported to the Council that FACCP has been working with the Police Department and by helping them we are helping the animal control division. There was no further discussion on this item. There was a consensus to move item 19-0543 to the October 7, 2019 Council Meeting agenda.

Enactment No: 19-1320-RES

Discuss Council Meeting Agenda of October 7, 2019

19 0512 A RESOLUTION REVOKING BUSINESS LICENSE FOR SHENG YUN ZHOU FOR OCEAN MASSAGE AT 8154 STATE HIGHWAY 59; SUITE 208 FOR VIOLATIONS OF MUNICIPAL ORDINANCES

Police Chief David Wilson reported to the Council that due to an ongoing investigation there are few details that can be disclosed about this case, however; during an undercover investigation this business was identified as

promoting prostitution. Chief Wilson reported to the Council that the Police Department recommends revoking the business license for Ocean Massage. There was no further discussion on this item, it remained on the agenda.

19 0481 A Resolution Approving Waiving Civic Center Fees for Baldwin County Schools Staff Development Day

There was no discussion on this item, it remained on the agenda.

19 0504 A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 422 W ORANGE AVE

There was a consensus to removed item 19-0504 from the October 7, 2019 Council Meeting agenda due to the property being abated. There was no further discussion on this item.

19 0505 A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 214 W ORCHID AVENUE

There was a consensus to removed item 19-0505 from the October 7, 2019 Council Meeting agenda due to the property being abated. There was no further discussion on this item.

19 0506 A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 1301 DOMINOE TRAIL

There was a consensus to removed item 19-0506 from the October 7, 2019 Council Meeting agenda due to the property being abated. There was no further discussion on this item.

19 0510 A Resolution to Apply for the FY2020 Census Grant Program

Logan Eberly reported to the Council that this resolution will allow for the application to the FY 2020 Census Grant Program through ADECA to be submitted. There was no further discussion on this item, it remained on the agenda.

19 0514 A Resolution Approving To Waive Rezoning Fees For The Foley Housing Authority

City Administrator Mike Thompson reported to the Council that these fees are for the new construction being completed by the Foley Housing Authority. There was no further discussion on this item, it remained on the agenda.

19 0515 A Resolution Approving the Purchase of a 2019 Limb Truck

Jeff Cotton reported to the Council that last year the Public Works Department leased a limb truck while their trucks were down. Mr. Cotton reported to the Council that by purchasing this limb truck 50% of the lease funds would be returned to the cost of the purchase. There was no further discussion on this item, it remained on the agenda.

19 0521 A Resolution Approving an Agreement with Mobile County Commission's SWARHSO/ADECA (Southwest Alabama Regional Highway Safety Office) Community Traffic Safety Program (CTSP) for reimbursement of Overtime for the FY 2019 2020.

Logan Eberly reported to the Council that this annual grant has been awarded to the Police Department again and will go towards reimbursement of overtime funds. There was no further discussion on this item, it remained on the agenda.

19 0522 A Resolution Approving Entering into the FBI's Organized Crime Drug Enforcement Task Force (OCDETF) Reimbursement Agreement for FY2020.

Logan Eberly reported to the Council that this annual grant has been awarded to the Police department again. There was no further discussion on this item, it remained on the agenda.

19 0523 A Resolution to Accept (BJA) Bulletproof Vest Partnership Grant Award for FY 2019

Logan Eberly reported to the Council that this annual grant has been awarded again and will go towards the purchase of Bulletproof Vests for the Police Department. There was no further discussion on this item, it remained on the agenda.

19 0526 A Resolution Approving the Surplus & Disposal of Wide Format Copier/Printer

Sue Steigerwald reported to the Council that this was the one capital item that would be removed from the Barnes Building during cleanup. There was no further discussion on this item, it remained on the agenda.

19 0528 A Resolution Declaring Primary Source Vendors for the Foley Public Library

Library Director John Jackson reported to the Council that declaring Primary Source Vendors the Library is able to forgo the bid process to purchase books. There was no further discussion on this item, it remained on the agenda.

19 0529 A Resolution Approving Waiving Civic Center Fees for Baldwin County Board of Education's Foley Redistricting Meeting

There was no discussion on this item, it remained on the agenda.

19 0530 A Resolution Approving the Purchase of a 2020 ASL Garbage Truck

Jeff Cotton reported to the Council that a letter of intent has been sent for the purchase of the 2020 ASL Garbage Truck. Mr. Cotton reported to the Council that the truck should arrive in approximately November. There was no further discussion on this item, it remained on the agenda.

19 0531 A Resolution Approving the Purchase of a 2019 Excavator

Ricky Rider reported to the Council that the Public Works Department currently has the 2019 Excavator on lease and have been using it to work behind Tanger. Mr. Rider reported to the Council that the lease money would be applied towards the purchase. There was no further discussion on this item, it remained on the agenda.

19 0532 A Resolution Approving the Purchase of a 2019 Trailer for the Excavator

Ricky Rider reported to the Council that this purchase is budgeted but is not currently leased by the Public Works Department. There was no further discussion on this item, it remained on the agenda.

19 0533 A Resolution Approving the Purchase of a 2021 Tri Axle Dump Truck

Ricky Rider reported to the Council that this truck is a budgeted item that will be used to pull the excavator and the trailer. There was no further discussion on this item, it remained on the agenda.

19 0534 A Resolution Approving the Purchase of a 2020 Sweeper Truck

Ricky Rider reported to the Council that this sweeper truck will replace a 2002 model. Darrell Russell reported to the Council that the disposal of the 2002 truck will depend on a grant application that has been submitted. There was no further discussion on this item, it remained on the agenda.

19 0535 A Resolution Approving the Replacement of Fuel System Wiring

Public Works Superintendent reported to the Council that wires that effect the sensors have been found and need to be repaired in order to meet ADEM expectations. Mr. Russell reported to the Council that this is included in the Capital Plan. There was no further discussion on this item, it remained on the agenda.

19 0541 A Resolution to Reappoint Chad Watkins to the Graham Creek Nature Preserve Board.

There was no discussion on this item, it remained on the agenda.

19 0542 A Resolution Authorizing Residential Sanitation Write Offs as Uncollectible in the Amount of \$800.75

There was no discussion on this item, it remained on the agenda.

19 0544 A Resolution to Waive Fees for the use of the Stage by American Legion Post 99 on November 11, 2019 from 11:00 am until 12:00 pm.

There was no discussion on this item, it remained on the agenda.

19 0546 A Resolution To Terminate The Purchase And Sale Agreement Between The City of Foley And Retail Markets Group, LLC And/OR Assigns

City Administrator Mike Thompson reported to the Council that the due diligence time frame has passed for this purchase and that by terminating the

agreement the City will be able to potentially sell the property to another entity. Mr. Thompson reported to the Council that if another entity were to purchase then the original Ordinance would have to be removed but it is not required at this time. There was no further discussion on this item, it remained on the agenda.

19 0538 ABC License: 020 Restaurant Retail Liquor for Casa De Medinas, LLC applicant operating under the trade name Burrito Bandido located at 2147 South McKenzie Street Suite E Foley, AL 36535.

Police Chief David Wilson reported to the Council that the Police Department recommends moving forward. Fire Chief Joey Darby reported to the Council that the Fire Department recommends moving forward. There was no further discussion on this item, it remained on the agenda.

19 0539 ABC License: 140 Special Events Retail for The Park at OWA, LLC applicant operating under the trade name Fall Fest located at 500 OWA Blvd Foley, AL 36535.

Police Chief David Wilson reported to the Council that the Police Department recommends moving forward. Fire Chief Joey Darby reported to the Council that the Fire Department recommends moving forward. There was no further discussion on this item, it remained on the agenda.

19 0540 ABC License: 010 Lounge Retail Liquor Class I for La Santa Night Club, LLC applicant operating under the trade name La Santa Night Club located at 1157 McKenzie Street South Foley, AL 36535.

Police Chief David Wilson reported to the Council that the Police Department has concerns and will be following up. Chief Wilson reported to the Council that the Police Department recommends moving forward at this time. Fire Chief Joey Darby reported to the Council that the Fire Department recommends moving forward. There was no further discussion on this item, it remained on the agenda.

Mayor's Comments

No comments to report due to Mayor's absence.

Visitor's Comments

Robert Helton reported to the Council that he has concerns about the FACCP Trap Neuter and Release Program. Mr. Helton reported to the Council that all of the cats that are loose in the City of Foley are not feral cats, some are people's pets. Mr. Helton reported to the Council that he has concerns of his neighborhood cats that are marking/spraying in yards, leaving feces in driveways, killing birds, and leaving markings on vehicles. Mr. Helton reported to the Council that when cats are released in the TNR program then all issues are not being solved.

Adjournment

Hearing no further comments, the Work Session adjourned at 4:44 p.m.