



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final City Council

Monday, November 3, 2014

5:30 PM

Council Chambers

Council Meeting

Call to Order

Council President Wayne Trawick called the meeting to order at 5:30 p.m.

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Vickey Southern, Katy Taylor, Steve Smith, David Wilson, Joey Darby, Gregg Knight, Niki Whitaker, Joanne Sheils, Katie Spartlin, Lowell Cunningham, Roddy Burkle, Albert Lugo, Chad Christian, Richard Humphrey, Sue Steigerwald, John Jackson, Joe Alrete and Sal Muccio.

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

[14-0780](#)

Presentation of Checks for the money Raised by the First Annual Gospel Community Event

Mayor Koniar presented checks for money raised by the first annual Gospel Community Event to Care House Executive Director Niki Whitaker and the Lighthouse Executive Director Joanne Sheils. Pastor Joe Aldrete reported the event was very successful and he thanked the Mayor and Council for allowing the event to take place.

[14-0802](#)

Certificate of Achievement For Excellence in Financial Reporting & Award of Financial Reporting Achievement

Attachments: [FY13 COA Summary of Grading.pdf](#)
[2013 Program Results for PR.pdf](#)
[FY13 Certificate of Achievement \(1\).pdf](#)
[FY13 GFOA AFRA-Sue Steigerwald.pdf](#)

Mayor Koniar presented Council President Wayne Trawick with the certificate of achievement for excellence in financial reporting. Mayor Koniar reported Foley is one of 16 cities in the state of Alabama to be recognized for this achievement. He also recognized City of Foley Finance Director Sue Steigerwald, who worked very hard in this endeavor, which also lowers the interest rates from the bonding companies and as a result, saves Foley taxpayers money. Ms. Steigerwald reported that this achievement was a joint effort made by all City Management.

[14-0819](#)

Hospice Month Proclamation

Attachments: [Hospice Proclamation](#)

Mayor Koniar presented Community Hospice Marketing Director Katie Spratlin with the Hospice Month proclamation. Ms. Spratlin thanked Mayor Koniar and the City of Foley for the community support. She reported that Community Hospice is the only locally owned hospice care organization in Baldwin County, which is headquartered in Foley.

Additions/Removals

A motion was made by Council Member Ralph Hellmich to add items 14-0760, 14-0788 and 14-0750 to the Council agenda and to remove item 14-0814 from the Council agenda. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Approval of Minutes

[14-0810](#)

10-20-2014 Work Session Minutes

Attachments: [10-20-2014 Draft WS Minutes.pdf](#)

A motion was made by Council Member Ralph Hellmich to approve the Work Session Minutes of October 20, 2014. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

[14-0789](#)

10-20-2014 Council Meeting Minutes

Attachments: [10-20-2014 Council Meeting Minutes Draft.pdf](#)

A motion was made by Council Member Rick Blackwell to approve the Council Meeting Minutes of October 20, 2014. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Ordinances, Resolutions, and Other Business

[14-0580](#)

A Resolution Appointing a New Member as Alternate to the Board of Adjustments and Appeals and moves Joseph Bullard to a regular member

position

Attachments: [BAA MEMBERS.pdf](#)

A motion was made by Council Member Ralph Hellmich to move Joseph Bullard from an alternate member to a regular member on the Board of Adjustments and Appeals Board. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-0459-RES

[14-0651](#)

Accept bid for Vegetation and Pest Management Services

Attachments: [Bid Results - Vegetation & Pest Management.pdf](#)
 [Edko LLC Bid.pdf](#)

A motion was made by Council Member Rick Blackwell to accept the lowest, responsible bid submitted by Edko, LLC for vegetative and pest management services for the Street Department in an amount up to \$25,000 and for the Airport & NDB in an amount up to \$8,000. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0460-RES

[14-0782](#)

Rescheduling Council Meetings for 2015 to Accommodate Holidays and Conferences

Attachments: [2015 HOLIDAYS & CONFERENCES.pdf](#)
 [2015 MAY CALENDAR.pdf](#)

A motion was made by Council Member Ralph Hellmich to reschedule the Council Work Session and Meeting originally scheduled on Monday, January 19, 2015 to Tuesday, January 20, 2015 for the same times to accommodate for Martin Luther King Day; to reschedule the Council Work Session and Meeting originally scheduled on Monday, September 7, 2015 to Tuesday, September 8, 2015 for the same times to accommodate for Labor Day Holiday and to reschedule the Council Work Session and Meeting originally scheduled on Monday, May 18, 2015 to Thursday, May 21, 2015 for the same times due to scheduling conflicts with conferences. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-0461-RES

[14-0783](#)

Declare Cabinets Surplus and Authorize Their Disposal

Attachments: [Cardboard Metal Filing Cabinets 1.docx](#)
 [Cardboard Metal Filing Cabinets 2.docx](#)
 [Wooden filing cabinets 1.docx](#)
 [Wooden Filing Cabinets 2.docx](#)

A motion was made by Council Member Ralph Hellmich to authorize the transfer of two black vertical filing cabinets to the HR Department; to authorize the transfer of one beige five-drawer lateral filing cabinet and 39 cardboard/metal filing boxes and one grey vertical metal filing cabinet to the

Community Development Department and to authorize the transfer of one wooden cabinet comprised of a bottom and top section to Municipal Complex Maintenance Department. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0462-RES

[14-0784](#)

Approves FY15 EPA Brownfields Assessment Grant Proposal Application and Authorizes Grant Writing Services

Attachments: [PE1140806 Brownfield Grant Writing Services \(City of Foley\) 102014.pdf](#)

A motion was made by Council Member Charles Ebert III to approve the City of Foley to apply for a FY15 EPA Brownfields Assessment Grant up to \$200,000 with no match required but where in-kind services are recommended and to authorize Terracon to provide grant writing services and to prepare the grant application on a lump-sum basis of \$2,000. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0463-RES

[14-0785](#)

Approves Purchase Of Four (4) Lamp Posts And LED Fixtures For The Overflow Parking/Dog Park

Attachments: [Irby Quote For Lamp Posts.pdf](#)

A motion was made by Council Member Rick Blackwell to approve the purchase of four lamp posts and four LED fixtures to be installed at the overflow parking/dog park from Irby in the amount of \$9,572.00 and to appropriate the funds. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0464-RES

[14-0790](#)

Approval Of ABC License For Bama Bud's

Attachments: [Bama Bud's Map](#)

Foley Police Chief David Wilson and Foley Fire Chief Joey Darby recommended moving forward with the ABC License.

A motion was made by Council Member Hellmich to approve the ABC License application for Bama Buds, LLC operating under the trade name of Bama Buds and located at 8380 S. Hwy 59, Foley, AL. The motion was seconded by Council Member Blackwell and carried by the following vote: Council Member Vera Quaites, aye; Council Member Ralph Hellmich, aye; Council President Wayne Trawick, aye; Council Member Rick Blackwell, aye and Council Member Charles Ebert III, abstained. The vote passed by a majority vote.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Abstain: 1 - Council Member Ebert III

[14-0791](#)

A Resolution Appointing a Successor Escrow Agent, Registrar and Paying

Agent for the Federally Taxable Lease Purchase Certificates of Participation, Series 2013 Qualified Energy Conservation Bonds

A motion was made by Council Member Charles Ebert III to appoint Regions Bank as Successor Escrow Agent, Registrar and Paying Agent with respect to the bonds and to authorize and designate the Mayor to take any and all actions that may be required in order to give effect to the intent of this resolution, and in connection therewith, to perform in the name of the City such actions and to execute, deliver, seal, attest and accept such documents and certificates to carry out fully the appointment authorized. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0465-RES

[14-0792](#)

Street Light Install on West Orchid Avenue

Attachments: [W. Orchid St. Light Install](#)

A motion was made by Council Member Ralph Hellmich to approve installing one new street light on an existing Riviera Utilities pole for an annual cost of \$73.20. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0466-RES

[14-0793](#)

Temporary Road Closure for Business After Hours Event

Attachments: [Temp. Road Closure Business After Hours Event](#)

President Trawick turned the meeting over to President Pro-tem Hellmich.

A motion was made by Council Member Ebert III to approve the temporary road closure of West Verbena Avenue from the alley to the western right of way of Highway 59 for the South Baldwin Chamber of Commerce's Business After Hours event to be held on November 25, 2014 from 4:00 p.m. to 8:00 p.m. The motion was seconded by Council Member Blackwell and carried by the following vote: Council Member Vera Quaites, aye; Council Member Ralph Hellmich, aye; Council President Wayne Trawick, abstained; Council Member Rick Blackwell, aye and Council Member Charles Ebert III, aye. The vote passed by a majority vote.

President Pro-tem Hellmich turned the meeting back over to President Trawick.

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

Abstain: 1 - President Trawick

Enactment No: 14-0467-RES

[14-0794](#)

Acceptance and Use of Friends of the Library Donation

A motion was made by Council Member Rick Blackwell to accept the \$3,000.00 donation from the Friends of the Foley Library and to approve the use of the donated funds for a temporary part-time employee for the Library. The motion was seconded by Council Member Vera Quaites and carried by an unanimous

vote.

Enactment No: 14-0468-RES

[14-0796](#)

A RESOLUTION SETTING A PUBLIC HEARING
DECLARING WEEDS TO BE A PUBLIC NUISANCE
AND ORDERING ITS ABATEMENT at 1608 SOUTH OAK STREET

Attachments: [1608 S Oak St.10.24.14](#)

A motion was made by Council Member Rick Blackwell to set a public hearing and to declare weeds to be a public nuisance and ordering its abatement at 1608 South Oak Street. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0469-RES

[14-0797](#)

A RESOLUTION SETTING A PUBLIC HEARING
DECLARING WEEDS TO BE A PUBLIC NUISANCE
AND ORDERING ITS ABATEMENT AT 5 CANTERBERRY CIRCLE

Attachments: [5 Canterbury Circle.10.24.14](#)

A motion was made by Council Member Charles Ebert III to set a public hearing and to declare weeds to be a public nuisance and ordering its abatement at 5 Canterbury Circle. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0470-RES

[14-0798](#)

A RESOLUTION SETTING A PUBLIC HEARING
DECLARING WEEDS TO BE A PUBLIC NUISANCE
AND ORDERING ITS ABATEMENT AT N OAK ST

Attachments: [N Oak St.10.24.14](#)

A motion was made by Council Member Charles Ebert III to set a public hearing and to declare weeds to be a public nuisance and ordering its abatement at the lot north of 908 North Oak Street. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0471-RES

[14-0799](#)

Accept Bid for Athletic Uniforms

Attachments: [Bid Tab - Athletic Uniforms.pdf](#)
 [Off the Wall Bid.pdf](#)

A motion was made by Council Member Rick Blackwell to accept the bid submitted by Off The Wall for athletic uniforms for amounts as needed for baseball up to \$20,000, softball up to \$19,500, basketball up to \$7,500 and soccer up to \$ 16,500. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0472-RES

[14-0800](#)

Application for Airport Improvement Projects for the Foley Municipal Airport

President Trawick turned the meeting over to President Pro-tem Hellmich.

A motion was made by Council Member Quaites to authorize the City of Foley to make an application for airport improvement funding assistance from the State of Alabama Department of Transportation, for the purpose of undertaking a project in fiscal year 2015 to make improvements at the Foley Municipal Airport. The motion was seconded by Council Member Blackwell and carried by the following vote: Council Member Vera Quaites, aye; Council Member Ralph Hellmich, aye; Council President Wayne Trawick, abstained; Council Member Rick Blackwell, aye and Council Member Charles Ebert III, aye. The vote passed by a majority vote.

President Pro-tem Hellmich turned the meeting back over to President Trawick.

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

Abstain: 1 - President Trawick

Enactment No: 14-0473-RES

[14-0803](#)

Permission to install prework and electrical service for new soccer fields construction.

Attachments: [Soccer Field Power Service Install](#)

A motion was made by Council Member Rick Blackwell to approve Bill Smith Electric in the amount of \$10,500 for prework for lighting and well service installation for the new soccer field construction and to appropriate \$2,500 for an electrical connection fee. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-0474-RES

[14-0804](#)

Proposed Zoning Ordinance Amendments

Attachments: [RECOMM LETTER ZONING ORD AMEND.pdf](#)
[SOB Ordinance Amendment \(2\).pdf](#)

A motion was made by Council Member Ralph Hellmich to approve the first reading of proposed zoning ordinance amendments. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

[14-0805](#)

Amending the Pay Classification Plan for a job title and pay grade change to the IT Position

Attachments: [Maintenance Letter Foley IT Tech \(Network Tech\) Dept 10-8-14](#)

A motion was made by Council Member Rick Blackwell to approve amending the Pay Classification Plan and converting the IT Technician at a Grade 10 to Network Technician at a Grade 12 effective with pay period beginning November 4, 2014; to approve the expenditure of funds in the amount of \$4,148

in support of this action and to approve the current employee to remain in this position upon its conversion. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0475-RES

[14-0807](#)

Solicit Bids for East Michigan Avenue Asphalt Repairs

Attachments: [E. Michigan Asphalt Repairs](#)

A motion was made by Council Member Vera Quaites to approve soliciting bids and the advertising cost up to \$100.00 for the East Michigan Avenue asphalt repairs. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-0476-RES

[14-0808](#)

A Resolution reappointing Roderick Burkle to the Foley Building Authority, Foley Library Authority, Foley Public Park & Recreation Authority and Foley Redevelopment Authority

Attachments: [Roderick Burkle](#)

A motion was made by Council Member Ralph Hellmich to reappoint Roderick Burkle to the Foley Building Authority, Foley Library Authority, Foley Public Parks & Recreation Authority and Foley Redevelopment Authority. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-0477-RES

[14-0811](#)

Authorizing transfer of funds to support hiring a temporary position to assist the Environmental Manager.

Attachments: [Temporary Part Time Staff](#)

A motion was made by Council Member Ralph Hellmich to authorize a transfer of funds in the amount of \$7,254 from Habitat Management to support a temporary position to assist the Environmental Manager. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0478-RES

[14-0812](#)

Request Approval to Go To Bid on Full Size SUV for FFD

A motion was made by Council Member Ralph Hellmich to approve staff going to bid on the new vehicle, which is included in the FY2015 Budget in the amount of \$40,000. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-0479-RES

[14-0814](#)

A resolution setting a public hearing to consider Planning Commission's recommendation to pre-zone 51 +/- acres and 9.7 +/- acres owned by Foley Investment Group, LLC.

Attachments: [REQUEST FOR PREZONING LETTER](#)
[Foley Investment Group LLC \(1\)](#)

A motion was made by Council Member Ralph Hellmich to remove this item from the agenda due to Foley Investment Group withdrawing their Pre-Zoning request. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

[14-0816](#)

Request To Transfer Funds for Foley Sports Tourism Marketing

A motion was made by Council Member Charles Ebert III to approve Addendum #1 to the Sponsorship agreement between the City of Foley and Taking Off Hot Air Balloon Co.; to approve transfer of funds within Foley Sports Tourism accounts to their Advertising/Marketing account for the purpose of marketing the Complex logo; and to approve the expenditure of the funds. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0480-RES

[14-0817](#)

Declares The Gazebo On the Rose Trail As Surplus And Approves Of Its Disposal

A motion was made by Council Member Charles Ebert III to declare the gazebo on the south end of the Wilbourne Antique Rose Trail as surplus and to approve of its disposal in the best means possible. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0481-RES

[14-0818](#)

Amends Resolution 14-0458-RES approving Sponsorship Agreement with Taking Off Hot Air Balloon Co.

Attachments: [14-0458 RES.pdf](#)

A motion was made by Council Member Hellmich to amend Resolution 14-0458 to state \$55,000 was appropriated for the Sponsorship Agreement with Taking Off Hot Air Balloon Company instead of \$45,000. The motion was seconded by Council Member Blackwell and carried by the following vote: Council Member Vera Quaites, aye; Council Member Ralph Hellmich, aye; Council President Wayne Trawick, aye; Council Member Rick Blackwell, aye and Council Member Charles Ebert III, abstained. The vote passed by a majority vote.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Abstain: 1 - Council Member Ebert III

Enactment No: 14-0482-RES

[14-0760](#)

A Resolution Amending the Bid Process

A motion was made by Council Member Ralph Hellmich to rescind all previous resolutions pertaining to the bid process and approves updates to the City's Purchasing Policy. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 14-0483-RES

[14-0788](#)

Appointment to the South Baldwin Chamber

Attachments: [SO BALDWIN CHAMBER APPOINTMENT.pdf](#)
 [Copy of Council serving on Boards 07-24-2014.pdf](#)

A motion was made by Council Member Ralph Hellmich to reappoint Councilman Rick Blackwell to serve on the South Baldwin Chamber of Commerce's Board of Directors as a non-voting member for the purpose of sharing vital information between the two entities and to approve Councilwoman Vera Quaite to serve as the Council Representative on the Foley Housing Authority. At this time all the other Council positions will remain the same. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-0484-RES

[14-0750](#)

Attachments: [Quote - Vulcan Directional Sign](#)
 [Directional Sign](#)
 [Aerial - Directional Sign Location](#)

A motion was made by Council Member Ralph Hellmich to approve purchasing directional signs from Vulcan, Inc. in an amount not to exceed \$1000.00 for the Foley Beach Express / Baldwin Beach Express directing traffic to the Foley Historical District, Gulf Shores/Orange Beach and Hospital. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0485-RES

Mayor's Comments

No comments to report.

Visitor's Comments

No comments to report.

Adjourn

A motion was made by Council Member Ralph Hellmich to adjourn the meeting. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

The meeting adjourned at 5:59 p.m.