



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, June 19, 2017

5:30 PM

Council Chambers

Council Meeting

Public Hearing

[17-0339](#)

PUBLIC HEARING DECLARING 413 2ND AVENUE TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT

Council President Wayne Trawick opened the public hearing at 5:30 pm. He asked for comments from the public. Hearing no comments, he closed the public hearing.

Call to Order

President Trawick called the meeting to order at 5:31 pm.

Roll Call

All Council Members were present with the exception of Council Member Vera Quaites, who was absent due to illness. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Kate Embry, John Gleaton, David Wilson, Thurston Bullock, Andy Forsythe, Joey Darby, Chad Christian, Jeff Rouzie, Jason Calbo, Paul Pecora, Gregg Knight, Sharron Knight and press representative Jessica Vaughn (Onlooker).

Present: 5 - President Wayne Trawick, Council Member Ralph Hellmich, Council Member Rick Blackwell, Council Member Charles Ebert III and Mayor J Koniar

Absent: 1 - Council Member Vera Quaites

Pledge of Allegiance

Reports

[17-0353](#)

May 2017 Tax Reports

Attachments: [May 2017 Tax Reports](#)

City Administrator Mike Thompson reported the sales tax is up 6%

year-to-date, the lodging tax is up 16.55% year-to-date and the rental tax is up 22.5% year-to-date.

[17-0331](#)

May 2017 CDD Report for Council

Attachments: [May 2017 CDD Report for Council.pdf](#)

The May CDD Report was moved to the July 5, 2017 Council Meeting due to City Planner Miriam Boutwell being absent.

[17-0346](#)

Fire Department Monthly Report May 2017

Attachments: [Council May 17 6-17](#)

Fire Chief Joey Darby presented the Fire Department Monthly Report, which is attached as back up to the minutes.

[17-0347](#)

May 2017 Foley Police Report

Attachments: [20170612102852372](#)

Police Detective John Gleaton presented the May 2017 Foley Police Report, which is attached as back up to the minutes.

Audit Of The Accounts

[17-0341](#)

Audit the accounts of May, 2017

A motion was made by Council Member Rick Blackwell, seconded by Council Member Ralph Hellmich, that this Auditing Accounts be approved for payment. The motion carried by an unanimous vote.

Approval of the Minutes

[17-0343](#)

Work Session Minutes of June 5, 2017

Attachments: [MeetingMinutes14-Jun-2017-12-37-46](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles, Ebert, III to approve the Work Session Minutes of June 5, 2015. The motion carried by an unanimous vote.

[17-0344](#)

Council Meeting Minutes of June 5. 2017

Attachments: [June 5, 2017 Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to approve the Council Meeting Minutes of June 5, 2015. The motion carried by an unanimous vote.

Additions and Removals

Ordinances

[17-0318](#)

GRANTING A NON-EXCLUSIVE FRANCHISE TO MEDIACOM SOUTHEAST LLC

Attachments: [Mediacom Ordinance Draft](#)
 [Mediacom Franchise Agreement](#)

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

Enactment No: 17-2024-ORD

[17-0298](#)

AN ORDINANCE DECLARING CERTAIN REAL PROPERTY NOT PRESENTLY NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE CONVEYANCE OF AN EASEMENT OVER THE SAME TO THE ORANGE BEACH WATER, SEWER AND FIRE PROTECTION AUTHORITY FOR USE AS A WATER WELL SITE

Attachments: [Foley Ordinance Orange Beach Water Well Easement](#)

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

Enactment No: 17-2025-ORD

Resolutions and Other Business

[17-0301](#)

Amend Volkert, Inc.'s CE&I Contract for TIGER Phases I and II

Attachments: [TIGER I&II Labor Detail](#)

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: 17-1160-RES

[17-0327](#)

A RESOLUTION APPROVING USE OF CABOOSE CLUB DONATIONS

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: 17-1161-RES

[17-0328](#)

Request Approval to Bid and Purchase a Full Size, Half Ton, 4x4 Extended Cab Truck for the Horticulture Department

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: 17-1162-RES

[17-0329](#)

Foley Beach Express/County Road 20 Safety Project Construction
Appropriation and Bid Permission Request

Attachments: [Approved Pre-Project Checklist](#)

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: 17-1163-RES

[17-0336](#)

Approval to go to bid and purchase hydraulic rescue tools for FFD

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: 17-1164-RES

[17-0340](#)

Resolution declaring property located at 413 2nd Avenue to be a threat to the public's health and welfare.

Attachments: [Nuisance at 413 2nd Ave.](#)

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: 17-1165-RES

[17-0342](#)

Residential Sanitation Write Offs as Uncollectible

Attachments: [Sanitation Write Off 06-05-17](#)

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: 17-1166-RES

[17-0345](#)

A Resolution Reappointing Billie Nardell on the Senior Center Advisory Board

Attachments: [Senior Center Advisory Board List](#)

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: 17-1167-RES

[17-0348](#)

A Resolution Approve Contract Negotiations on Behalf of the Public Cultural & Entertainment Facilities Cooperative District

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: 17-1168-RES

[17-0354](#)

Declaring Surplus Detective John Gleaton's Badge and Service Weapon

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: 17-1169-RES

[17-0334](#)

Building Code & Fee Amendments

Attachments: [2015 Code Ordinance draft.pdf](#)
 [2015 Code Ordinance draft clean .copy](#)

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

Mayor's Comments

There were no comments to report.

Visitor Comments

There were no comments to report.

Executive Session

President Trawick reported there is a need for an Executive Session to discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property.

City Administrator Mike Thompson reported the Executive Session will last approximately 10 minutes and there is no need for Council to return for a vote.

A motion was made by Council Member Ralph Hellmich to go into Executive Session. The motion was seconded by Council Member Rick Blackwell.

City Administrator Mike Thompson took the following roll call vote: Council Member Hellmich, aye; President Trawick, aye; Council Member Rick Blackwell, aye and Council Member Ebert, III, aye. Of those present, the vote was unanimous to go into Executive Session.

The Council meeting was recessed at 6:00 p.m.

The Council Meeting reconvened at 6:14 p.m.

All Council Members were present with the exception of Council Member Vera Quaites. Also present was City Administrator Mike Thompson.

Adjournment

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to adjourn the meeting. The motion carried by an unanimous vote.

The meeting adjourned at 6:15 p.m.