407 E. Laurel Avenue
Foley, AL 36535

City of Foley, AL

Meeting Minutes - Draft
City Council

Monday, October 6, 2014 | **4:00 PM** | **Conference Room**

Work Session

Call to Order

Council President Called the Work Session to order at 4:00 pm.

Roll Call

All Council Members were present. Also Present: Sandra Pate, Dan Hellmich, Joe Bouzan, Meg Moreland, David Brackin, Katie Spratlin, David Vosloh, Jeff Rouzie, Steve Smith, Taylor Davis, Chad Christian, John Graham, Jody Morgan, Rev. William Stephens, Rachel Keith, Suzanne Kellams, David Wilson, Joey Darby, Jay Dickson, Miriam Boutwell, David Adams, press representative Cathy Higgins (Onlooker) and press representative Marc Anderson (Press Register / AL.com).

Present: 5 - President Wayne Trawick,Council Member Vera Quaites,Council Member Ralph Hellmich,Council Member Rick Blackwell and Council Member Charles Ebert III

Discussion Items

14-0712 Discuss Status Update on FEMA Repairs

Attachments: FEMA Status Report

Assistant City Engineer Taylor Davis reported there were 41 sites through out the City that received significant damage during the flood event in April 2014. Public Works has done an outstanding job entirely repairing 30 of the 41 damage sites. As of the end of September, 2014 there are 6 outstanding damage sites that have not received repairs. Three of these sites will receive repairs by in-house design and will most likely go out to bid and the remaining three sites are being prepared by a consultant and these will also have to be bid out. President Trawick asked Mr. Davis if the culvert on Peachtree Avenue will be replaced. Mr. Davis reported that the plan is to pave over the culvert, which is in good condition, the road base just failed and it will be paved at the same time Perfection Road will be paved. Councilman Blackwell asked if West Section Avenue will be repaired. Mr Davis reported that they had hoped to put West Section on the FEMA list but it had only received minor shoulder damage. Councilman Ebert asked if the damaged bulk head on Section Avenue was the responsibility of the City or the property owner. Mr. Davis reported that it will be replaced under the City's Capital Project Plan.

14-0720 Update on Planning Commission Appointments

Attachments: PC Appointments.pdf

City Planner Miriam Boutwell reported Jeff Rouzie was the City Representative on the Planning Commission; however, he has moved outside the City of Foley corporate limits. Mayor Koniar appointed Sandra Pate to be the City Representative and Jeff Rouzie was appointed by the Mayor at large as a regular member.

14-0729 Discuss Bid Results for New Fire Station Construction

Attachments: Cert. Tabulation of Bids
Foley Fire Station Bid - September 9, 2014 .pdf
Foley Fire Station Bid - May 29 2014.pdf

Fire Chief Joey Darby reported that the construction for the new fire station has been bid out twice and the bids did not come back as favorable as anticipated. The lowest bid during the first round was $897,000 and the lowest bid at the re-bid was $868,000 even after re-designing to lower the cost. The economy has driven construction costs up. The construction was initially estimated at $120 per square foot and now it is $180 per square foot. Several options have been researched. One option is to go to a force account and manage the project internally to drive costs down, but after seeking a legal opinion, that is not an option. Another option that was researched was to see if there could be negotiations from the low bid, but that too was not an option. What can be done is, take no action and postpone the project, but the costs may continue to rise. The second option is to re-bid the project again and cut back in other areas to lower the cost but that will only lower the amount by approximately 10%. The third option is to award the bid at $868,000 and allow the Fire Department to work with the successful bidder to lower the costs with change orders. When the plans were first drawn to build the new fire station, the initial costs were approximately $600,000 and now, with cutting construction costs as much as possible and getting close to a 10% cost reduction plus the costs of furnishings, the total cost is approximately $900,000. Councilman Hellmich asked what the completion time will be if the project is approved to move forward. Chief Darby reported the completion time would be approximately six months. This time frame puts the project in line with FEMA releasing the applications for the SAFER grants within the next two months and it is also anticipated that FEMA will make the awards of the grants by early 2015. There is a 90 day window for the awards. President Trawick asked what would happen if the Safer grant is not awarded to the City. Chief Darby reported that he has a plan to move staff around and still operate out of the Foley Fire Station. If that happens, services will not be improved, only the current services are shifted around. There was a consensus to move this item to the Council agenda for action to either reject all bids or accept the lowest bid.

Enactment No: 14-0432-RES

Discuss Council Meeting Agenda for October 6, 2014

14-0697 Automated Garbage Truck for Sanitation Dept. - President Trawick asked Public Works Supervisor Dan Hellmich if there are one or two garbage

trucks in the budget this year. Mr. Hellmich reported there is only one this year and there was one last year. Councilman Hellmich asked how much more was the cost of the second automated garbage truck. Mr. Hellmich reported that it was actually $1000 cheaper. This item remained on the Council Agenda.

14-0593 Graham Creek Interpretive Center/First Responders Safe Room Grant - City Engineer Chad Christian reported that the Alabama EMA has announced the funding availability for the flooding of April 28, 2014. Governor Bentley has set the funding priority of these funds for community safe rooms. There are $2.3 Million in funds available for Baldwin County. The draft agreement will be based on the Graham Creek Interpretive Center and based on Chief Darby's presentation, it may be worthwhile to submit a letter of intent for the new fire station as well. Mr. Christian recommended authorizing him to submit letters of intent. Mr. Bouzan and Mrs. Keith have invited Mr. Christian to attend the Hazard Mitigation Planning Committee meeting this week to get everyone's thoughts on the First Responders Safe Room. The letters of intent are non-binding and these can be produced from an example Mr. Lehe from Lehe Planning, LLC has provided without having him under contract. President Trawick asked Mr. Christian if he would want to submit the letters of intent prior to the Hazard Mitigation Planning Committee meeting on Wednesday. President Trawick also reported that when he read it, he thought it was only a room, he did not realize the amount of money that was involved. Mr. Christian reported there is a good cost assessment on page 2 of the contract where it is broken down by square footage. There is a breakdown of what the cash out of pocket would be. It is believed to be less than what is budgeted for the Graham Creek Interpretive Center. It is a good deal if the grant is awarded. President Trawick reported that it needs to be looked into more with flexibility because what he understands, it may not be approved at Graham Creek Nature Preserve since it is located south of the hurricane evacuation line of Highway 98. It may need to be moved north of Highway 98. He also asked if submitting the letters of intent would affect the timing on the Graham Creek Interpretive Center. Mr. Christian reported that it probably would affect the timing. He reported that they had looked at it and talked with the Interpretive Center's architect and Mr. Lehe has an architect that advises as well. It may be worth pushing back the Graham Creek Nature Preserve Interpretative Center in order to get $600,000 - $800,000. Councilman Hellmich asked what the time line of the grant award will be if the letters of intent are submitted. Mr. Bouzan reported that they should have that information after the meeting on Wednesday. President Trawick asked about the size of the facility. Mr. Christian reported that the Interpretive Center is 5600 square feet of enclosed space. The new fire station is 4700 square feet. In order to have other communities to support the City's application, it would need to house all the first responders. Typically, safe rooms are approved in hurricane areas because they want people to leave the area in the event of a hurricane with the exceptions of first responders and their immediate families. There was a consensus to approve the letters of intent to be submitted after the Hazard Mitigation Planning Committee meeting on Wednesday. Mr. Bouzan reported that there are currently two letters of intent, one for the Graham Creek Nature Preserve Interpretative Center and one for the new fire station. He asked if they could submit a third letter of intent in case they find land north of Highway 98. President Trawick reported that they wanted to give them flexibility to get the best location for the safe room. Mr. Christian reported the benefits of putting the safe room at the Graham Creek Nature Preserve Interpretative Center or the new fire station is that it could have a dual use at those locations. This item remained on the Council Agenda.

14-0683 A Resolution approving MCS Contracting, Inc.'s proposal for additional improvements to the Claude Peteet building. – Economic Development Director Jeff Rouzie reported that there are two other items the Performing Arts Association has requested. They are requesting the installation of a water fountain and the removal of a concrete shower basin, then to repair the floor so they can move the bathroom from one room to the other. This will be approximately $4,705 in additional costs. Councilman Ebert reported that there are mistletoes in the back of the building and asked if the Performing Arts Association would want those removed prior to the fence being built or if they would want to keep them for shade. John Graham will look at them to see if it is best to keep them or remove them. This item remained on the Council Agenda.

14-0689 A resolution waiving fees for Heritage Park Pavilion for ACS South Baldwin Relay for Life. The Relay for Life Event Chairman David Brackin reported that along with the events held in the past, they would also like to have a car show if they can get the volunteers. This item remained on the Council Agenda.

14-0699 A resolution waiving fees for Heritage Park Pavilion for Community Hospice to host their "Party in the Park" event – President Trawick turned the meeting over to President Pro-tem Hellmich. Community Hospice Marketing Director Katie Spratlin reported that they are the only non-profit hospice care in Baldwin County and their main office is in Foley. She reported they do an annual fundraiser and last year they raised $30,000 to offer hospice services to those who have no money or are not eligible for Medicaid or have no insurance. She reported they would like to move their fundraiser from Orange Beach back to Foley to be in their hometown and they would like to hold the fundraiser in Heritage Park on March 7, 2015 and they ask Council to waive the park fees since they are a non-profit organization. The event will be a seated dinner that is a ticket event that will have a silent auction and live entertainment. President Pro-tem Hellmich turned the meeting back over to President Trawick. This item remained on the Council Agenda.

14-0700 Consider Budget Adjustment for Lions Club Tour de Foley – President Trawick reported that the Tour de Foley was a line item budgeted for the Baldwin County Trail Blazers. The Trail Blazers no longer support the Tour de Foley. This item remained on the Council Agenda.

14-0702 YMCA request to host the Y Get Dirty Obstacle Race at Graham Creek Nature Preserve - Jody Morgan from the Foley YMCA reported there have been two Y Get Dirty Races and it uses the same route as the Creek Crawl and they request the date of March 21, 2015 for the event. This item remained on the Council Agenda.

14-0703 AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF FOLEY TO PERMIT LEGAL NONCONFORMING BILLBOARDS IN CERTAIN AREAS TO BE CONVERTED INTO DIGITAL BILLBOARDS UNDER CERTAIN CIRCUMSTANCES, TERMS, REQUIREMENTS AND CONDITIONS – President Trawick reported that prior to approving the first reading of this ordinance, a public hearing must be set. This item remained on the Council Agenda.

14-0704 Resolution Amending Resolution 14 0399 RES – Rachel Keith reported that when Change Order #2 was prepared, the wrong amount was entered for Change Order #1, which made the total project amount wrong. This item remained on the Council Agenda.

14-0705 Request road closing for Uptown Halloween Oct. 23, 2014, and approval for hay ride route – Police Chief Wilson and Fire Chief Darby recommended moving forward with the temporary street closure. Councilman Hellmich reported that he would suggest to look closely at closing streets along Highway 98 in the future and determine if it is actually necessary to do so if it is possible.

14-0707 APPROVAL OF DESIGN OF ATRIP PROJECT LANDSCAPE BUFFER BY WAS DESIGN, INC. – John Graham reported this is a memorialization to approve the invoice not to approve the actual design. Councilman Hellmich asked if this design will have any type of berms. Mr. Graham reported yes, there will be berms. This item remained on the Council Agenda.

14-0708 Consider a resolution to waive permit fees to the minimum for Crossway Christian Fellowship Baptist Church – Crossway Christian Fellowship Pastor William Stephens reported that once all the permits are in place and the plans are finished, they wish to disturb some ground this fall to add on to their church. This item remained on the Council Agenda.

14-0709 Milling North Side of Jessamine St. Parking, East Side of N. Pine St. Parking, and E. Orange Alley - Assistant City Engineer Taylor Davis reported they have received a request to look at three different drainage issues around town that are holding water. They thought it would be best to look at these collectively. They believe milling work will address the issues. On Pine Street near the Dragonfly Café, there is an area on the sidewalk that holds water. The street is also holding water in front of the Community Development office building. The third area is at the alley way on Orange Avenue and Highway 98 behind Good Morning Mattress. Councilman Hellmich reported that so not to confuse anyone, there are a few other alley ways that are being looked at but they will be handled separately. Mr. Davis reported that was correct. This item remained on the Council Agenda.

14-0710 Accept Bid for Grading and Asphalt Paving of Philomene Holmes Boulevard – Mr. Davis reported they took bids on this project last week and Baldwin Road Builder, Inc. had the low bid of $337,400. They recommend awarding the bid to Baldwin Road Builders Inc. This item remained on the Council Agenda.

14-0713 CE&I Services for Pride Dr. Extension – President Trawick turned the meeting over to President Pro-tem Hellmich. Mr. Christian reported that this is the next step on the Pride Drive project. ALDOT requires that they negotiate with a selected firm from the list of firms they provided and once the negotiations have been complete to report it to ALDOT for final approval. Mr. Christian recommends selecting Volkert, Inc. and to forward it on to ALDOT for consideration. Mr. Christian reported he received new information from Gulf Shores on County Road 4, which is the same type of grant project. The percentages of engineering and CE & I Services compare favorably as we are a couple percent below what Gulf Shores paid their consultants. President Pro-tem Hellmich turned the meeting back over to President Trawick. This item

remained on the Council Agenda.

14-0715 Memorialize Application and Accept Award From The Dollar General Literacy Foundation – Suzanne Kellams reported that Kelly Wansley from the library applied for a grant for $4,000 for a new children's program in the Children Services area and she was awarded it. This item remained on the Council Agenda.

14-0716 Accepts An Agreement With WKRG News 5 As The Official Media Partner Of Foley's Centennial - President Trawick turned the meeting over to President Pro-tem Hellmich. Suzanne Kellams reported that WKRG sent the Centennial Committee a proposal regarding being the City's Centennial media partner. Meg Moreland and WKRG General Manager Mark Bunting presented a PowerPoint presentation, which is attached as backup to the minutes. President Pro-tem Hellmich turned the meeting back over to President Trawick. This item remained on the Council Agenda.

14-0717 Declaring the old Simplex time clocks and time card racks as surplus and authorizing their disposal – Sandra Pate reported that the new automated time clocks are in place and the old time clocks and time cards that are still operational can be sold on govdeals.com. This item remained on the Council Agenda.

14-0721 Approves Electrical Service Installations Related To Centennial Plaza – Suzanne Kellams reported there is an amendment to this resolution due to additional electrical circuits that will be going to the Downtown Welcome Center, where the controls for the clock tower will be housed for a project total of $3,100. This item remained on the Council Agenda.

14-0725 Amending Pay Classification Plan by a 2% upward adjustment in follow up to The Archer Company recommendation for maintaining the current competitiveness level of the City's pay structure and pay schedule – Sandra Pate reported this will adjust the pay plan only. It moves the pay range brackets up to keep the pay plan competitive with the job market. When this adjustment is made, it will cause some new employees to be outside of the range. There are 28 employees that need to be adjusted upward so that they are within their pay range. This will allow the City to recruit qualified candidates for jobs and allows the City to remain competitive in the job market. Employees are getting raises based on performance on their anniversary date. This item remained on the Council Agenda.

14-0728 Amending the Pay Classification Plan for a job title and pay grade change to the Finance Manager position - Mrs. Pate reported this is a request based on the duties of this position becoming more involved and having more responsibilities. This request is to adjust this position from a Grade 28 to a Grade 30. Councilman Ebert reported this will be the City's first Director of Finance. This item remained on the Council Agenda.

Visitor's Comments

None to report.

Adjourn

Hearing no further comments, the meeting adjourned at 5:10 p.m.