



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft City Council

Monday, April 21, 2014

4:00 PM

Conference Room

Work Session

Call to Order

Council President Wayne Trawick called the Work Session to order at 4:02 p.m.

Roll Call

All Council members were present. Others present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Vickey Southern, Sandra Pate, Katy Taylor, Steven Smith, David White, David Thompson, Jessica Middleton, Joe Bouzan, Pam Harris, Judge Mary Murchison, Taylor Davis, Payne Walters, Stephen Delahunty (Sawgrass LLC) and Cathy Higgins (Onlooker).

Discussion Items

14-0276

State Of The Court By Judge Mary Murchison

Judge Mary Murchison handed out a letter addressed to the Mayor that addressed "Changes in the Municipal Court." She was very complimentary about the Court Clerk Brandy Springsteen and her staff, Ronni Criswell, Cindy Jackson, Sandy Benefield, Kathy Robine, Sgt. Steve Smith, Chief Wilson, Lt. Tony Fuqua and staff, especially Jennifer Lowry for working great as a team "The Court Clerk and staff are open to innovation and never stop educating themselves about the changes in the law to assist in its implementations." She stated they do outstanding work and it is a pleasure to work with this great group.

The report indicated that while there has been a reduction in the number of cases there have been some less positive impacts. For instance, the Police Department's role is their community policing efforts has made great strides in reducing crime, which reduces court cases. The prosecutors do an excellent job in evaluating the potential for pretrial diversion and making recommendations on a case by case basis for punishment. This also leads to reduction in repeat offenders and reduction in court cases.

The Alabama Supreme Court adjusted fines on a fixed schedule so that a \$20 traffic ticket costs \$161, with only \$40 going to the City. The Court fines are distributed between the State, County and City. This had impacted the citizens and their ability to pay fines. JCS has worked up payment schedules to allow for payments but since the downturn in the economy there is low employment. There are more and more people with no jobs and if they have no job they often choose to work for the City rather than pay their fines. Working for the City does not allow for any funds to come in.

Another problem in the Court system is that there has been a reduction in Mental Health Services. Since these closings they have had to hold over the mentally ill until they could find a place where they can be sent to secure those services for treatment. In those cases they have to be nul processed. In the meantime the jailers and staff have to make sure they are not released so they do harm to themselves or society.

Foley has had a pretrial diversion in place for some time and it is being discussed and developed on a State wide level. It requires a first time offender or those with extraordinary circumstances to successfully complete a rigid probationary period with the end result of changing their behavior to reflect crime prevention and reduction. State law requires the Judge to examine incarcerated persons every 30 days to determine whether or not they should be released on probation, with restrictions, for the remainder of their sentence. She works with JCS and through the City to assist them in finding them jobs; however, there is a shortage of jobs. The Police Department through the Literacy Council and Faulkner State College has a program called "Second Chance Ready to Work". This program allows certain individuals to complete their GED in hopes that they can secure successful employment. Dana Wolf, Faulkner's Career Readiness Certification and Alternative Sentencing GED Program Coordinator, has expanded the program to include the implementation of a GED program in jail so that prisons can participate. The GED graduation will be held on Wednesday, April 23, 2014 at 6:00 p.m. in the

Civic Center. She invited everyone to attend. Judge Murchison asked the Council for their opinion in regards to seeing a new draft of a pre-trial Diversion Ordinance. There was a consensus that they did want to see one drawn up for consideration. Judge Murchison will work on it and get a copy back to the Mayor for Council's review and comments.

Councilwoman Quaites asked to see if they could work with local employers to get people hired after they have completed their GED's.

14-0279**Schneider Electric Esco Update By Payne Walters**

Mr. Payne Walters, Schneider Representative, reported all the green highlighted items were completed and the the only yellow item (OA Flow Station/Barmoetric Damper installation) has been done but still needs to be commissioned. The City has already seen some savings in March since December of last year. Next week they will have everything completed. Mr. Thompson reported the budget was reduced in anticipation of saving on those line items and basaed on budgeted dollars it appears the City is where they should be.

Discuss Council Meeting Agenda for April 21, 2014

14-0257 Renewal of Disaster Debris Monitoring and Grant Consulting Services Contract - Joe Bouzan reported this is the last year the City can renew this contract as next year it will have to go out for bid. They would like to continue the contract with Thompson Consulting. This item remained on the Council meeting agenda.

14-0258 Request permission to go to bid for equipment for the CAFFM - Suzanne Kellams reported the funds are reimbursable through a \$100,000 grant agreement. This item remained on the Council meeting agenda.

14-0261 Ordinance declaring a 20' easement no longer needed for municipal purposes and authorizing the conveyance by Quitclaim Deed to the owner - This easement is located on property owned by Magnolia Land Company and The Broadway Group LLC. Dollar General will be relocating its store at this location and Popeye's will also be locating at this location. The second reading of the ordinance remained on the Council meeting agenda.

14-0269 Bid Results for Glenlakes Bikepath, Phase II - Taylor Davis reported this is the section from Fairway Drive to Clubhouse Drive. The bids all came in within \$4,000 of each other. The lowest responsible bidder was E.J. Builders in the amount of \$127,881. This item remained on the Council meeting agenda.

14-0270 Improvements to alley south of Highway 98 between South Pine Street and South Alston Street - Taylor Davis reported this is the alley behind Manning's Jewelry and the Gift Horse. There are drainage issues in the alleyway and they met with HMR and they were all in agreement on how to solve the problems. A proposal for alley repairs was submitted by HMR for engineering design, construction inspection and testing services. They are looking to remove the inverted crown in the middle of the road. This item remained on the Council meeting agenda.

14-0271 Graham Creek Drainage Repairs - Councilman Hellmich requested staff to insert "...to mitigate drainage issues and the effects on the road with two outfall structures in Graham Creek." This item remained on the Council meeting agenda.

14-0278 Max Griffin Plumbing Upgrades - David Thompson reported Max Griffin Pool has had to have the pump worked on almost annually. The Pool Wizard submitted the lowest responsible quote. They will take out two of the residential sand filters as the front six are doing all the work and they will lay a longer run. The pump needs a longer run to function properly. This item remained on the Council meeting agenda.

14-0280 Appropriates funds for Hoar Program Management - Mike Thompson reported Hoar has been working on the CAFFM and Blue Collar projects. They have only used \$18,000 of the \$50,000 appropriated and believe their services will be needed for the Foley Sports Complex and Phase II of CAFFM. Jeff Rouzie came up with \$25,000 but it does not include the Farmers Market, Phase II. Mike is requesting \$121,000. This item remained on the Council meeting agenda.

14-0282 Resolution continuing the approval of financing documents by the City of Foley, Alabama and the City of Foley's Public Facilities Cooperative District.
- Mike Thompson reported the City will continue to do this until we have the validation completed. The company is close to finishing Phase II of the Environmental assessment. We won't have a final report until in the morning. This item remained on the Council meeting agenda.

14-0284 Resolution authorizing a consent and amendment of lease agreement and trust indenture - Heyward Hosch, City Attorney, reported this is the second time the City has done this. The lease needs to be amended to release the property. The lease is the vehicle by which the City repays the bond. It was done year to year to keep it off of our debt limits. The new agreement is a common year to year lease agreement. It provides that if the City terminates the contract within two years of the end of the lease then the District would own City Hall and the Library. If the City defaulted then they would have a very bad credit rating. This item remained on the Council meeting agenda.

14-0219 Donation of Bronze Statute - Suzanne Kellams reported that Skip and Pat Davis are donating the bronze stature of a little boy to be placed in Mr. Roberts memory in the Mel Roberts Park. The Council will need to appropriate funds for the big stone that the statute will be welded to. This item remained on the Council meeting agenda.

14-0297 Travel Expenses for the Mayor - Mike Thompson reported the Mayor will be travelling to the London airshow and needs funds to take with him. This item remained on the Council meeting agenda.

Mayor's Comments

None to report.

Visitor's Comments

None to report.

Adjourn

Hearing no further comments the meeting adjourned at 5:29 p.m.