



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, November 16, 2015

4:00 PM

Conference Room

Work Session

Call to Order

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

Roll Call

All Council Members were present with the exception of Council Member Ralph Hellmich, who arrived at 4:07 p.m. Also present were: Mayor John Koniar, Mike Thompson, Vickey Southern, Katy Taylor, Sandra Pate, Jeff Rouzie, Thurston Bullock, Miriam Boutwell, Richard Humphrey, Don Staley, LaDonna Hinesley, Hames Adams, Yann Cowart, Nick Klarman, Phillip Clayton, David Thompson, Mitch Nelson, Darrell Russell, David Wilson, Joey Darby, Chad Christian, Miranda Bell and press representative Allison Woodham (Onlooker).

Discussion Items

[15-0614](#)

National Guard Armory Proposal

Attachments:

[Email 10 07 2015](#)

[Foley NG and Schools split - Master Plan colored](#)

[Informational Brief](#)

Construction and Facility Management Officer Phillip Clayton of the Alabama National Guard gave a presentation of the expansion plans for the National Guard Armory located on the Foley Beach Express. The Military Construction (MILCON) Foley, Alabama Information Brief is attached as backup to the minutes. Mr. Clayton reported they do not know how this project made the National Defense Authorization Act other than it was the right amount at the right time and place. The Guard presents a list of projects every year to Congress that are called, "Unfunded Requirements". This project is estimated at \$4.5 Million Dollars and Congress approved ten of these projects across the nation. Construction will begin as soon as the bond funds are received in 2016. The maintenance shop will be completed in late 2018 or early 2019 then they will start the design on the readiness center. The National Guard is requesting the City to deed off approximately 15 acres being Parcels 05-54-07-35-0-000-001.007 and 05-54-07-35-0-000-001.017 located in the Foley Industrial Park on the Foley Beach Express to be combined with the

approximate 31 acres deeded for the Super Armory. The armory needs 43,000 square feet of space and they are short in maintenance space in the southwest Alabama area. When the facility is completed, it will employ up to seventeen personnel. The facility has been designed to be expandable and to support other activities within the community.

Councilman Ebert, III asked if the employees have to be members of the National Guard. Mr. Clayton reported that currently, they do have to be members of the National Guard. The National Defense Authorization Act of 2016 requires the National Guard across the United States to being a 20% hiring of what is called Title 5 Civilian Employees for all skill sets. Up until now, all employees were Title 32 Active Guard and Reserve or Military Technicians. Starting in 2016, Title 5 will bring in 50% civil servants and 50% military technicians.

Economic Director Jeff Rouzie asked if it will be possible for the National Guard to partner with the school system regarding the mechanic shops. Mr. Clayton reported there is a possibility of partnering with anyone. They are currently working towards partnering with the junior college system. The readiness center will be built next the career tech center that will have four maintenance training work bays.

Mr. Clayton reported they plan to have the design completed in July 2016 and the City will have input on the design as it progresses. Construction will begin late in 2016 and will continue through 2017. The building should be complete by April of 2018.

Mr. Clayton reported last November, the voters of Alabama approved a bond issue for the National Guard for facility improvements and building maintenance. Even though the voters approved the bond, the Governor has not issued the bond. Once the bond is received, \$2 Million will be used to upgrade the current Foley facility that will be comparable to the Talladega facility as shown in the Information Brief, which will take approximately a year to complete. There is a clause in the deed that states once the National Guard vacates the Foley facility, it will convert back to the City of Foley. The City has input on how the work will be completed. Mr. Thompson asked if the National Guard will be leaving the Armory behind City Hall once the Super Armory is built on the Foley Beach Express. Mr. Clayton confirmed that is correct, which realistically will be in the year 2022 or 2023.

15-0674

Consider approving HPM Amendment #5 relating to Cultural & Entertainment Center

Attachments: [HPM Contract Amendment #5 11-02-2015 3502_001.pdf](#)

City Administrator Mike Thompson reported the Foley Public Cultural and Entertainment Facilities Cooperative District Board met to discuss item 15-0674 and 15-0676. The Board approved both items. Hoar Program Management and Yann Cowart from Goodwyn Mills Cawood were present to answer any questions Council may have. Mayor Koniar reported that he was impressed with the presentation from Hoar Program Management and Goodwyn Mills Cawood during the Foley Public Cultural and Entertainment Facilities Cooperative District Board meeting and he believes hiring both agencies is the option for the City to take. Councilman Ebert, III reported he had concerns regarding hiring two separate agencies (Hoar Program Management and Goodwyn Mill Cawood) to oversee the project prior to the

Foley Public Cultural and Entertainment Facilities Cooperative District Board meeting but after getting more information at the meeting, he understands that having both agencies overlap is an added protection for the City because they both will ensure costs are kept low and construction is completed properly. President Trawick reported he would like to carry the item over to the next Council meeting because a member of the Foley Public Cultural and Entertainment Facilities Cooperative District Board was unable to attend the meeting. President Trawick reported he believes it is very important that all members are informed and understand and he wants to avoid any miscommunication. Mayor Koniar reported that during the Foley Public Cultural and Entertainment Facilities Cooperative District Board meeting, he and Councilman Ebert, III asked staff to meet with the absent board member and go over his concerns and explain the process. President Trawick reported the time frame to hire the architect is not crucial and they have time to ensure everyone understands the project. City Administrator Mike Thompson asked if Council intends to vote on hiring the architect (item 15-0676) but carry over hiring Hoar Program Management to the next Council meeting and in the interim, staff and Hoar Program Management will meet with the absent Foley Public Cultural and Entertainment Facilities Cooperative District Board member. President Trawick confirmed that is correct. Mr. Cowart reported that will give Goodwyn Mills Cawood time to verify codes before getting too far into the project.

There was a consensus to move item 15-0676 to the Council agenda and to carry over item 15-0674 to the next Council meeting of December 7, 2015.

Enactment No: 15-2366-RES

[15-0676](#)

Consider hiring an architect for the Cultural & Entertainment Center

Attachments: [GOODWYN MILLS & CAWOOD AIA CONTRACT.pdf](#)
[SITE PLANS.pdf](#)
[GOODWYN MILLS CAYWOOD PROPOSAL.pdf](#)

There was consensus to move item 15-0676 to the Council agenda as noted above.

Enactment No: 15-2365-RES

[15-0679](#)

Request to Accept Donation of Canopy from City of Gulf Shores

City Administrator Mike Thompson reported the City of Gulf Shores reached out to the City of Foley regarding a canopy that covers four tennis courts that they would like to donate to the City of Foley. Gulf Shores wishes to make their tennis courts open air courts and has offered their canopy to the City of Foley for the Sports Tourism Department. There is an estimated cost of \$475,000.00 to deconstruct the canopy, transport it to the City of Foley, reconstruct it, and outfit it so it can be used for volleyball, cheer, dance, gymnastics, camps, clinics, weddings and many other activities. To cover this cost, the square footage of the event center can be cut back or the bond payment can be increased if Council wishes to obtain the canopy. Gulf Shores wishes to have the canopy removed by January. After discussing the options, there was a consensus to not move forward with this item.

Discuss Council Meeting Agenda of November 16, 2015.

15-0686 A PUBLIC HEARING APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY (MTSC Land Development) - President Trawick reported there are adjacent property owners opposing the zoning for multi-family use for this property. Councilman Hellmich reported they have concerns of drainage in that area and that will have to be resolved. President Trawick reported the parcel of land is currently in the county and any drainage issues will still exist regardless if the property is in the county or the city. He also reported the county had a referendum vote to zone the property in that area and the land owners voted it down twice.

15-0689 Gulf Coast Gospel Jubilee Presentation to The Lighthouse and Carehouse - Foley Police Detective Richard Humphrey reported the Jubilee did not raise as much money as last year but everyone involved with this fundraiser wishes to have it again next year. October is domestic violence awareness month and more churches are getting involved with this program each year and they believe next year's event will be a greater success. Detective Humphrey reported he will present checks in the amount of \$830.00 each to the Lighthouse and Carehouse.

15-0692 October 2015 Sales, Lodging and Rental Tax Reports - Councilman Ebert, III if the accuracy of the rental tax is still under review. Mr. Thompson reported it is still being reviewed and he reported the sales and lodging taxes are doing very good but rental tax continues to fall flat. Rental tax is the smallest of the three revenue streams. It will continue to be tracked because there is anticipation for it to increase with the many projects taking place within the City. Lodging tax is up 33% and sales tax is up 8% and rental tax is down 5%.

15-0665 Request to surplus 2 copiers. 1 Minolta 5000 equip id# 5219 4352 and 1 Canon Image Runner equip id# 6191 5571 - Police Chief David Wilson reported that these copiers are old and there is no longer a use for them.

15-0681 Downtown Incentive Grant Application - City Planner Miriam Boutwell reported Crimson Eagle Development, LLC came through the Historical Commission, who recommended approval for the grant application.

15-0683 A resolution waiving fees for the Heritage Park Pavilion for the Foley Art Center's 44th annual Art in the Park event - Mayor Koniar reported that this event will be taking place during the same weekend as the Gulf Coast Hot Air Balloon Festival. Mr. Thompson reported he will be meeting the Chamber of Commerce and City Department heads for Police, Fire, Public Works and Parks Department to go over both events taking place at the same time to ensure all staff is comfortable. President Trawick reported it would be best to have a shuttle go from the park to the Balloon Fest.

15-0691 Request approval to purchase new vehicle for City Hall. - Mr. Thompson reported this vehicle will be used for the Clerk's office to replace the current mail van. The mail van will be transferred to the IT Department. City Clerk Vickey Southern reported the current vehicle is not a good vehicle to travel far in for trainings. Councilman Ebert, III asked if any local dealers were interested in supplying a vehicle. Mrs. Southern reported it would have to be bidded out. She and Mr. Thompson had discussed the type of vehicle and packages that would best meet the needs of the Clerk's office and other

departments that will be using the vehicle. Mr. Thompson reported the Ford Escape model seemed to be the best vehicle but is not on the state bid list because passenger vehicle are not yet on the list but they may be in a couple of months. If it goes to bid, the Clerk's office may not get the best vehicle to meet the needs. Councilman Hellmich reported that a larger and safer vehicle such as a Ford Explorer may be on the state bid list, which would be an even better vehicle. Fire Chief Joey Darby offered his assistance in writing the spec for a vehicle. After some discussion, there was a consensus to carry over this item to a future Council meeting to see what is available on the state bid list.

HR Director Sandra Pate reported there is a need for an alternate member on the Personnel Actions Committee and she asked Council to consider a good candidate to fill the vacancy.

Mayor's Comments

Mayor Koniar reported he traveled with the Chamber of Commerce, LaDonna Hinesley, Miriam Boutwell and two members of the Historic Commission to New Orleans and Ocean Springs Mississippi for Downtown Revitalization. He reported they saw warehouses in the downtown districts that were converted into loft apartments. Ocean Springs has the same population as Foley and they have a beautiful downtown. He reported they saw some great ideas that could benefit Foley's downtown and they met people that could help Foley in this area. They will meet again in December to plan out some steps to take. Councilman Hellmich asked Ms. Boutwell if Ocean Springs has an overlay district and she reported that they do.

Visitor's Comments

No comments to report.

Adjourn

Hearing no further comments the meeting adjourned at 5:19 p.m.