



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final City Council

Monday, February 3, 2014

5:30 PM

Council Chambers

Council Meeting

Public Hearing

[14-0088](#)

Public Hearing To Consider Passage Of An Ordinance And To Consider Planning Commission's Recommendation For Initial Zoning For Property Owned By Charles And Joyce Ann Roberts Located At 22688 US HWY 98.

Council President Wayne Trawick opened the public hearing at 5:30 p.m. to consider passage of an ordinance and to consider Planning Commission's recommendation for initial zoning for property owned by Charles and Joyce Ann Roberts located at 22688 U.S. Hwy 98. President Trawick asked for comments from the public. Hearing no comments, he closed the public hearing.

Call to Order

Council President Wayne Trawick called the meeting to order at 5:31 p.m.

Roll Call

All Council members were present with the exception of Council member Vera Quaites who was absent due to a schedule conflict. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Vickey Southern, Katy Taylor, Steve Smith, David Wilson, David White, Butch Stokes, Suzanne Kellams, LaDonna Hinsley, Taylor Davis, Sal Muccio, Lisa Meredith, Pat Libby, Missy Gibson, Melissa Glison, Ellen Dean, David Vosloh, Richard Humphrey, Houston Callihan, Chuck Southerland, Glenn Hartenstein, Gail Pettibone and press representative Cathy Higgins (Onlooker).

Present: 4 - President Wayne Trawick, Council Member Ralph Hellmich, Council Member Rick Blackwell and Council Member Charles Ebert III

Absent: 1 - Council Member Vera Quaites

Pledge of Allegiance

Proclamation

[14-0030](#)

Arbor Day Proclamation

Attachments: [Arbor Day Proclamation](#)

Mayor Koniar presented a proclamation for Arbor Day, which is attached as back up to the minutes to Pat Libby and Ellen Dean. Ms. Libby and Ms. Dean are members of the Foley Revitalization and Beautification Board. Ms. Libby invited everyone to attend the Arbor Day event at the Senior Center on Saturday, February 22, 2014 at 10:00 a.m.

Foley Police Department Presentation[14-0101](#)

Recognition of police officer of the year for 2013 and also public servant employee of the year for 2013.

Foley Police Chief David Wilson presented Correction Officer Gail Pettibone with the Public Servant Officer of the Year 2013 ribbon to wear on her uniform and a plaque. Officer Pettibone was recognized by the Police Department for her professionalism and long term dedication. She thanked Chief Wilson and stated that she accepted the award not only on her behalf but for her co-workers as well.

Police Chief Wilson presented Detective Glenn Hartenstein with the Police Officer of the Year ribbon to wear on his uniform and a plaque. Detective Hartenstein was recognized by the Police Department for his hard work and dedication to solving crimes.

David Vosloh presented Detective Glenn Hartenstein with a check from Vosloh Charitable Foundation in the amount of \$1000. Mr. and Mrs. Vosloh established the Vosloh Charitable Foundation seven years ago to honor the Foley Teacher of the Year and the Foley Police Officer of the Year. Detective Hartenstein thanked Chief Wilson and Mr. Vosloh.

Additions/Removals

Councilman Hellmich made a motion to carry over items 14-0086 and 14-0100 to the Council meeting of February 17, 2014. The motion was seconded by Councilman Blackwell and carried by an unanimous vote.

Approval of Minutes[14-0098](#)

Council Meeting Minutes of 01-21-2014

Attachments: [Council Minutes 1-21-2014](#)

A motion was made by Council Member Rick Blackwell to approve the Council

Meeting Minutes of January 21, 2014. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

[14-0097](#)

Work Session Minutes of 01-21-2014

Attachments: [WS Minutes 01-21-2014.pdf](#)

A motion was made by Council Member Ralph Hellmich to approve the Work Session Minutes of January 21, 2014. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

[14-0096](#)

Emergency Council Meeting Minutes of 01-27-2014

Attachments: [01-27-2014 Minutes Special Emergency Meeting.pdf](#)

A motion was made by Council Member Rick Blackwell to approve the Emergency Council Meeting Minutes of January 27, 2014. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Report

[14-0078](#)

Foley Police Department Annual Report

Attachments: [City Clerk copy Year End 2013 - Part 1](#)

Foley Police Chief David Wilson read the Foley Police Department Annual Report that is attached as back up to the minutes.

Ordinances, Resolutions and Other Business

[14-0034](#)

Memorializes Invoice From Hatch Mott MacDonald For Surveying Task 2 for Peavey Building ALTA Survey

Attachments: [Survey Scope and Fee for Foley to execute \(1\).pdf](#)
 [Invoice for ALTA Survey Task 2](#)

A motion was made by Council Member Ralph Hellmich to accept Hatch Mott MacDonald's quote in the amount of \$5,200 for Surveying Task 2 for the Peavey Building ALTA Survey and to appropriate funds to the Peavey Building Improvement Account. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-0034-RES

[14-0071](#)

Consider resolution approving Foley Mardi Gras Parade Saturday, March 1 at 11:00 a.m.

Attachments: [2014 Foley Mardi Gras Parade.pdf](#)

A motion was made by Council Member Rick Blackwell to approve the Foley Mardi Gras Association's request to hold the annual Mardi Gras Parade on Saturday, March 1, 2014 at 11:00 a.m. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0035-RES

[14-0081](#)

Reducing the City's Corporate Limits

Attachments: [Petition Requesting De-annexation James E. Roberts](#)
 [Deed - James E. Roberts](#)
 [Code of Alabama Re De-annexation](#)

A motion was made by Council Member Ralph Hellmich to approve the de-annexation of "Lot 2, Sandy Creek Acres Subdivision, as shown on the map or plat thereof recorded in Map Book 10, Page 134, in the Office of the Judge of Probate of Baldwin County, Alabama" as noted in the recorded deed and owned by James E. Roberts and Kimberly D. Roberts. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0036-RES

[14-0082](#)

An Ordinance Rescinding Ordinance 13-1050 Approving Petition for Annexation and Bringing Property into the Corporate Limits of The City of Foley owned by Charles & Joyce Ann Roberts.

Attachments: [13-1050 ORD](#)

A motion was made by Council Member Charles Ebert III to rescind Ordinance 13-1050 Approving Petition for Annexation and Bringing Property into the Corporate Limits of the City of Foley owned by Charles and Joyce Ann Roberts because Ordinance 13-1050 was adopted on its second reading on November 18, 2013 without it first going to Planning Commission for proper zoning recommendations. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-1003-ORD

[14-0083](#)

Ordinance declaring certain real property no longer needed for municipal purposes and authorizing the sale of same to North Alabama Property Leasing, Inc.

Attachments: [NAPL Lease Agreement](#)
 [IDB RES Approving sale to NAPL](#)
 [FBE Industrial Park Map](#)

A motion was made by Council Member Rick Blackwell to declare certain real property no longer needed for municipal purposes and to authorize the sale of same to North Alabama Property Leasing, Inc. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-1004-ORD

[14-0086](#)

(First Reading) Revisions to FBE Access Units Exhibits

Attachments: [Backup Doc. - Revised Exhibits D & E](#)

A motion was made by Council Member Ralph Hellmich to carry over this item to the Council Meeting of February 17, 2014. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

[14-0087](#)

New Street Light Install

A motion was made by Council Member Ralph Hellmich to approve installing one new street light on existing Riviera Utilities Pole No. 9472 for an annual cost of \$73.20. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 14-0037-RES

[14-0092](#)

Awarding Bid for One (1) 108HP 4-Wheel Drive Tractor with Cab and Boom Mower

Attachments: [Coastal Machinery Bid](#)
 [BID RESULTS - Tractor with Cab and Boom Mower](#)

A motion was made by Council Member Rick Blackwell to accept the lowest, responsible bid in the amount of \$101,987.32 submitted by Coastal Machinery Co. Inc. for one (1) 108HP 4-wheel drive tractor with cab and boom mower. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 14-0038-RES

[14-0093](#)

Resolution Authorizing Amendment to the Pay Classification Plan for the Maintenance Shop

Attachments: [Mechanic Job Description](#)

A motion was made by Council Member Ralph Hellmich to authorize converting the Mechanic Aide position to a second Mechanic position in the Pay Classification Plan effective pay period beginning February 11, 2014; to approve merging the two jobs as reflected in the attached job description; to authorize the employee to remain in this position upon conversion at the minimum rate of pay for the Mechanic position and to authorize an allocation of funds not to exceed \$11,000 in support of this action. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0039-RES

[14-0094](#)

A Resolution Approving The Purchase Of New Sound Equipment For The Senior Center in the amount of \$2,515.00

Attachments: [Alpha Sound & Lighting Co. Quote](#)

A motion was made by Council Member Charles Ebert III to approve the purchase of the following sound equipment for the Senior Center in the amount of \$2,515.00, which is budgeted: 8" Coax Ceiling Mounted Speaker Shallow Can/WH; Mix/Amp, 60 Watts, EQ, Aphex Aural Exciter; Security Cover For GS Amp; Cable, 14 GA, Twisted pair-speaker and a Rack Mount CD Player with Ipod Dock. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0040-RES

[14-0095](#)

Accepting an Addendum to Warren Averett's Terms of Engagement for the FY13 Audit

Attachments: [CAFR & PAFR Program Descriptions](#)
[ADDENDUM.pdf](#)

A motion was made by Council Member Hellmich to accept Warren Averett's Addendum to the FY13 Audit Terms of Engagement for up to \$10,000; to approve CAFR and PAFR application fees to GFOA for up to \$1,000 and to appropriate an additional \$7,300 to the Annual Audit Expense Account. The motion was seconded by Council Member Blackwell and carried by the following vote: Councilman Hellmich, aye; Council President Trawick, aye; Councilman Blackwell, aye and Councilman Ebert III, abstained. The vote passed by a majority vote.

Aye: 3 - President Trawick, Council Member Hellmich and Council Member Blackwell

Abstain: 1 - Council Member Ebert III

Enactment No: 14-0041-RES

[14-0099](#)

Consider Accepting Quote From Callihan Dearborn Construction In The Amount Of \$8,750.00

Attachments: [Callihan Dearborn Quote](#)

A motion was made by Council Member Charles Ebert III to accept the quote from Callihan Dearborn Construction in the amount of \$8,750.00 for underbrush mowing on approximately nine acres of land on the Wilson Pecan Property and to appropriate \$8,750.00 to the General Government Economic Development Account in support of this action. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0042-RES

[14-0100](#)

Approving Emmanuel's Place Request To Hold A 5k Run Fundraiser on June 28, 2014.

Attachments: [Emmanuel's Place](#)
[Emmanuel's Place 5k Run Map](#)

A motion was made by Council Member Ralph Hellmich to carry over this item to the Council Meeting of February 17, 2014. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 14-0043-RES

Mayor's Comments

Mayor Koniar thanked City staff, especially the Police and Fire Departments for their hard work during the recent winter weather event.

Council President Trawick reported that citizens are checking the City's website to see the garbage pick up schedule.

Visitor's Comments

There were no visitor comments.

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.