



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft City Council

Monday, June 3, 2013

5:30 PM

Council Chambers

Council Meeting

Public Hearing

13-0746 Public Hearing to consider passage of an ordinance amending the Solid Waste Ordinance No. 1186-11.

Attachments: Solid Waste Ordinance Amendments
Ordinance No. 1186-11

Council President Wayne Trawick called the public hearing to order at 5:33 p.m. President Trawick asked for public comments and after hearing none he closed the public hearing.

Call to Order

Council President Wayne Trawick called the meeting to order at 5:34 p.m.

Roll Call

Council members present: Council President Wayne Trawick, Council member Ralph Hellmich, Council member Rick Blackwell and Council member Charles Ebert III. Council member Vera Quaite was absent due to illness. Also present: City Administrator Mike Thompson, City Clerk Vickey Southern, Katy Taylor, Steve Smith, David Wilson, Joey Darby, Butch Stokes, Dan Hellmich, Tommy Rhodes, Herman Doster and press representative Cathy Higgins (Foley Onlooker). Mayor Koniar was absent due to a schedule conflict.

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

Absent: 1 - Council Member Vera Quaite

Pledge of Allegiance

Mayor's Presentation

13-0726 Proclamation declaring June to be Confederate History Month

Attachments: 06-03-2013 Confederate History Proclamation

Council member Ralph Hellmich presented Herman Doster and Tommy Rhodes with the Confederate History Month proclamation.

Additions/Removals

Council member Hellmich made a motion for 13-0731 and 13-0740 be carried over to the Council meeting of June 17, 2013 and items 13-0727 and 13-0751 be added to the June 3, 2013 agenda. Council member Ebert seconded the motion which passed unanimously.

Approval of Minutes

13-0724 Special Call Council Meeting Minutes of May 6, 2013

Attachments: 05-06-13 Special Call Council Meeting Minutes

A motion was made by Council Member Charles Ebert, III to approve the Special Call Meeting Minutes of May 6, 2013. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

13-0720 Council Work Session Minutes of May 6, 2013

Attachments: 05-06-2013 WS Meeting Minutes

A motion was made by Council member Hellmich to approve the Work Session Minutes of May 6, 2013. The motion was seconded by Council member Blackwell which passed unanimously.

13-0721 Council Minutes of May 6, 2013

Attachments: 05-06-2013 Council Meeting Minutes

A motion was made by Council Member Ralph Hellmich to approve the Council Meeting Minutes of May 6, 2013. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

13-0723 Council Meeting Minutes of May 15, 2013

Attachments: 05-15-2013 Council Meeting Minutes

A motion was made by Council Member Rick Blackwell to approve the Council Meeting Minutes of May 15, 2013. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

New Business**Ordinances, Resolutions, and Other Business**

13-0638 Accepting Annexation by Legislative Acts 2013-230, 2013-231 and 2013-232

Attachments: [AG Letter 05-21-2013.pdf](#)
 [Act 2013-230 Hwy 98.pdf](#)
 [Hwy 98 Map 2013.pdf](#)
 [Act 2013-231 Springdale.pdf](#)
 [Springdale Map 2013.pdf](#)
 [Act 2013-232 Willow Lakes Subdivision.pdf](#)
 [Willow Lakes Sub Map 2013.pdf](#)

A motion was made by Council Member Ralph Hellmich to accept the annexations by legislative acts that passed both houses and were signed by Governor Robert Bentley and the City acknowledges that City services will be added to these areas effective the first day of August 2013. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 13-0325-RES

13-0708 West Peachtree Ave. Drainage Pipe Repairs

Attachments: [13-0708 - W. Peachtree Pipe Repairs](#)
 [13-0708 - W. Peachtree Pipe Repairs Pictures](#)

A motion was made by Council Member Charles Ebert, III to approve R&S Paving & Grading, Inc.'s proposal for West Peachtree Avenue drainage pipe repairs and appropriates \$35,000.00 for the same. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 13-0326-RES

13-0713 A resolution to permit the use of Max Griffin Park for Genesis Church on Sunday, June 30, 2013

Attachments: [Genesis 2013.pdf](#)

A motion was made by Council Member Rick Blackwell to permit the use of Max Griffin Park for Genesis Church on Sunday, June 30, 2013. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 13-0327-RES

13-0725 A resolution reappointing Frances U. Lager and Kathleen Parker to the Library Advisory Board

Attachments: 06-03-2013 Library Advisory Board Reappointments

A motion was made by Council Member Ralph Hellmich to reappoint Frances U. Lager and Kathleen Parker to the Library Advisory Board. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 13-0328-RES

13-0729

A resolution rescinding Resolution 13-0323 approving Volkert's Task Agreement No. 13.

Attachments: Resolution 13-0323

Volkert's Task Agreement No. 13

Council President Trawick turned the meeting over to President Pro-tem Hellmich. A motion was made by Council Member Blackwell to rescind Resolution 13-0323 Volkert's Task Agreement No. 13 due to the details not being finalized. The motion was seconded by Council Member Ebert, III and carried by the following vote: Council President Trawick, abstained; Council member Hellmich, aye; Council member Rick Blackwell, aye; and Council member Ebert, aye. President Pro-tem Hellmich turned the meeting back over to Council President Trawick.

Aye: 3 - Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - President Trawick

Enactment No: 13-0329-RES

13-0730

A resolution to amend Resolution 13-0324 Contract for Services for Farmers Market Operations Manager (Heather Blankenship).

Attachments: Resolution 13-0324

Farmers Market Operations Manager Contract

A motion was made by Council Member Rick Blackwell to amend Resolution 13-0324 to state the annual salary for the Farmers Market Operations Manager and to appropriate the funds for the same. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 13-0330-RES

13-0731

A resolution supporting the display of the national motto "In God We Trust" in a prominent location in the Foley City Hall Council Chambers.

Attachments: 06-03-13 In God We Trust

This Resolution was carried over to the City Council meeting June 17, 2013.

13-0733

Awards the construction contract for CDBG Project No. LR-CM-PF-12-007 Sewer Rehabilitation Project to Suncoast Infrastructure, Inc. in the amount of \$932,845.00

Attachments: Foley CDBG 12-007 Certified Bid Tab

A motion was made by Council Member Ralph Hellmich to award the construction contract for the City's 2012 CDBG Sewer Rehab Project for Aaronville to Suncoast Infrastructure, Inc. in the amount of \$932,845.00 to be paid for with grant funds and matching cash funds from Riviera Utilities. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote. It was noted this is a pass thru grant.

Enactment No: 13-0331-RES

13-0735

Purchase One (1) John Deere MX6 Lift-Type Rotary Cutter for the Parks Department

Attachments: John Deere MX6 Lift Type Rotary Cutter
 NJPA Approval Letter

A motion was made by Council Member Charles Ebert, III to approve the purchase of one John Deere MX6 Lift-Type Rotary Cutter as budgeted from John Deere Company through Foley Implement Company, Inc. utilizing John Deere's NJPA contract in the amount of \$2,426.27. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 13-0332-RES

13-0736

Accept Metal Construction Pipe and Culvert Bid for the Street Department

Attachments: Gulf Atlantic Culvert Company, Inc's Bid
 Truckload Price - Bid Results
 Less than a Truckload Price - Bid Results

A motion was made by Council Member Ralph Hellmich to accept the lowest responsible bid submitted by Gulf Atlantic Culvert Company, Inc. for metal construction pipe and culvert as outlined in their bid. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 13-0333-RES

13-0737

Consider Resolution approving parking signs at Fortis College to designate parking spaces.

Attachments: Quote for Council Approval.pdf

A motion was made by Council Member Ralph Hellmich to approve the placement of parking signs at Fortis College to designate parking spaces. The parking signs will be purchased by Fortis College. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 13-0334-RES

13-0738

A RESOLUTION SETTING A PUBLIC HEARING
DECLARING WEEDS TO BE A PUBLIC NUISANCE

AND ORDERING ITS ABATEMENT AT 1904 BAY STREET

Attachments: [1904 Bay St](#)

A motion was made by Council Member Charles Ebert, III to set a public hearing declaring weeds to be a public nuisance and ordering its abatement at 1904 Bay Street. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 13-0335-RES

13-0739

A RESOLUTION SETTING A PUBLIC HEARING
DECLARING WEEDS TO BE A PUBLIC NUISANCE
AND ORDERING ITS ABATEMENT AT 528 VERBENA LOOP

Attachments: [complaint 528 Verbena Loop](#)

A motion was made by Council Member Charles Ebert, III to set a public hearing to declaring weeds to be a public nuisance and ordering its abatement at 528 Verbena Loop. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 13-0336-RES

13-0740

Consider Resolution Hiring Hoar Program Management

Attachments: [Backup 06032013.pdf](#)

This Resolution was carried over to the City Council meeting June 17, 2013.

13-0741

Consider Industrial Development Board's Recommendations for terms of office, adjusting the terms and new board members

Attachments: [06-03-2013 Council Recommendations.pdf](#)

[Barbara Ingram](#)

[Keith Newton](#)

[Tom Boggs Bio.pdf](#)

A motion was made by Council Member Ralph Hellmich to appoint Barbara Ingram, Keith Newton and Tom Boggs to the Industrial Development Board beginning June 3, 2013 and approves changing the terms of office from their existing terms of office and to appropriate \$500.00 for expenditures related to a reception for Mr. Lee. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 13-0337-RES

13-0742

A resolution appropriating \$500 to the Groundswell Fish Fry/Insurance Initiative

Attachments: [Fish Fry](#)

A motion was made by Council Member Charles Ebert, III to appropriate \$500.00 for the Groundswell Fish Fry/Insurance Initiative. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous

vote.

Enactment No: 13-0338-RES

13-0743

SE Quadrant Transportation Improvements for ATRIP

Attachments: Option B

Option A

Council President Trawick turned the meeting over to President Pro-tem Hellmich. A motion was made by Council Member Ebert, III to accept the ATRIP fund offered by ALDOT and to select Option A for the firm(s) to do the engineering design work and to appropriate \$981,958.00 for the same. The motion was seconded by Council Member Blackwell the and carried by the following vote: Council President Trawick, abstained; Council member Hellmich, aye; Council member Blackwell, aye; and Council member Ebert, aye.

Aye: 3 - Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - President Trawick

Enactment No: 13-0339-RES

13-0744

A resolution approving Alacare Home Health Care and Hospice Certificate of Need Application

Attachments: Alacare

Alacare Support Letter

A motion was made by Council Member Ebert, III to authorize the Mayor to sign a letter of need for the Alacare Home Health and Hospice Certificate of Need application. The motion was seconded by Council Member Blackwell and carried by the following vote: Council President Trawick, abstained; Council member Hellmich, aye; Council member Blackwell, aye; and Council member Ebert, aye. President Pro-tem Hellmich turned the meeting back over to Council President Trawick.

Aye: 3 - Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - President Trawick

Enactment No: 13-0340-RES

13-0727

Fairmont Subdivision Street Lighting

A motion was made by Council Member Ralph Hellmich to approve a one time light and arm installation fee for eleven street lights on existing poles for Fairmont subdivision in the amount of \$220.00 and approves \$752.40 annually for street lighting. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 13-0341-RES

13-0751

Resolution Amending Pay Classification Plan

Attachments: Pay Classification Plan

A motion was made by Council Member Rick Blackwell to adopt the Pay Classification Plan as amended and authorize the pay adjustments to take effect as originally stated in Resolution 13-0317, with the pay period beginning May 21, 2013. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 13-0342-RES

Mayor's Comments

No comments due to Mayor Koniar being absent.

Visitor's Comments

There were no visitor comments.

Motion to Adjourn

A motion was made by Council Member Rick Blackwell to adjourn the meeting. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote. The meeting adjourned at 5:55 p.m.