



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final City Council

Tuesday, January 20, 2015

5:30 PM

Council Chambers

Council Meeting

Call to Order

Council President Wayne Trawick called the meeting to order at 5:30 p.m.

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Vickey Southern, Katy Taylor, David White, David Wilson, Chad Brewer, Chad Christian, Leslie Gahagan, LaDonna Hinesley, Gregg Knight, Sharon Knight, Roderick Burkle, Sal Muccio and press representative Cliff McCollum (Onlooker).

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

Pledge of Allegiance

Additions/Removals

A motion was made by Council Member Ralph Hellmich to carry over item 15-0034 to the Council meeting of February 2, 2015. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Approval of Minutes

[15-0036](#)

01-05-2015 Work Session Minutes

Attachments: [01-05-15 WS Minutes.pdf](#)

A motion was made by Council Member Rick Blackwell to approve the Work Session Minutes of January 5, 2015. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

[15-0023](#)

Council Meeting Minutes of January 5, 2015.

Attachments: [01-05-15 Council Meeting Minutes](#)

A motion was made by Council Member Ralph Hellmich to approve the Council Meeting Minutes of January 5, 2015. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Audit the Accounts

[15-0042](#) Audit the accounts of December 2014.

A motion was made by Council Member Charles Ebert III to approve the accounts of December 2014 for payment. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Reports

[14-0910](#) Monthly Bid Activity Report

Attachments: [December 2014.pdf](#)

City Administrator Mike Thompson reported the December 2014 Monthly Bid Activity report is for the Council's review. The new monthly report will track the bids and keep the Council apprised of the various projects and bid processes. The December 2014 Monthly Bid Activity report is attached as backup to the minutes.

[15-0030](#) December 2014 CDD Report

Attachments: [December 2014 for Council.pdf](#)

Environmental Manager Leslie Gahagan gave a synopsis of the December 2014 CDD Report, which is attached as backup to the minutes.

[15-0033](#) Fourth Quarter 2014 Engineering Report

Attachments: [Fourth Qtr. 2014 Engineering Report](#)
[Engineering Project Status Report](#)

City Engineer Chad Christian gave a synopsis of the Fourth Quarter 2014 Engineering Report, which is attached as backup to the Minutes.

1.) Ashford Park Drainage - They are currently looking at a western route that was suggested by one of the property owners. The surveying that has been done to the south shows that the pond and pipes were installed too deep if they go to the grades that is being dictated by the work being done by the County on County Road 20, they will not be able to drain all the water out of the pond to the bottom of the pipes. The Engineering Department will likely come back to Council to request a surveying contract to GPS to the west to Hickory Street. The controlling pipe along Hickory Street going towards County Road 20 is lower than any other pipes on County Road 20 and that is an option to fully drain the pond. Councilman Hellmich asked if the land owners were interested in it or have they suggested doing it? Mr. Christian reported that the

land owner most impacted to the south suggested the western route and the land owner most impacted to the west suggested the southern route and from an engineering stand point, they want to drain as much water as possible to reduce the snake habitat. Councilman Hellmich asked if the western land owner was receptive to this. Mr. Christian reported that until he knew it would work, he was not going to approach him again regarding it. Once a GPS survey is complete, different options can be planned out. If they take the southern route, 1 foot of water can be drained and if they take the western route, two feet of can be drained.

2.) Projects:

A.) ATRIP Phase I (Pride Drive) - Mr. Christian reported that the time starts on the ATRIP Phase I Pride Drive project on January 21st and they will then have 290 days to complete the work.

B.) Phase II (County Road 20) - The work has been ongoing on ATRIP Phase II County Road 20.

C.) Phase III (Fern Ave. Extension) - Mr. Christian is meeting with ALDOT representatives on January 27, 2015 to discuss the 2 lane - 4 lane cross section for the ATRIP Phase III Fern Avenue Extension project. Mr. Christian is hopeful this project will go to bid in the spring 2015 if an agreement can be reached with ALDOT.

3.) Dog Park Parking Lot - Mr. Christian reported the dog park parking lot is now complete and they are proceeding with separating and bidding the remaining work.

4.) TAP Grant Foley Beach Express - The plans are 98% complete for the Foley Beach TAP Grant and the right of way certification has been submitted to ALDOT. Bidding for this project will be later this month or February.

5.) Graham Creek Nature Preserve - They are currently designing the Graham Creek Nature Preserve road extension. They have met with Environmental Manager Leslie Gahagan in the field regarding the type of culvert crossings needed to improve drainage.

He reported that he has been working with the HOA and individual property owners of Graham Creek Estates for the drainage project. He has obtained some permanent easements from individual owners. He will be sending a blanket temporary easement to one of the HOA officers to be giving to all the parties and to specific land owners of parcels that are key to the project. There are three out fall lines but there were only two on the current plan. He reported that it would be wise to upgrade the third line since it has the same issues but there are no houses beside it.

He reported the Justice Center Flume is currently underway and ahead of schedule.

The notice to proceed with the Manning alleyway drainage improvements was issued on January 5, 2015 to start the project on January 12, 2015. The contractor is currently finishing up other work. They have ordered junction boxes but have not yet received them. They should be starting the project in a week.

He reported they will be bidding the Pecan Street box culvert work in February.

They are currently working on minimizing environmental costs.

Work has been completed on the Philomene Holmes road paving.

Curbs have been put in place for the Resurfacing Phase V at the Aaronville ball park and they are cleaning the parking lot at the Cedar Street ball park. They have not placed any asphalt at this time.

Tiger Grant Phase I - Sidewalks are being installed along W. Michigan Street and pipes for the sidewalks along West Azalea Street are being installed for the Tiger Grant Phase I. project.

The Tiger Grant Phase II (shared use path) - Plans are 98% complete and the project will go out to bid in the spring of 2015.

Tiger Grant Phase III (pedestrian bridge) - The pre-bid conference will be Thursday, January 22, 2015. The bid opening will be February 5, 2015.

Mr. Christian reported he has reached a verbal agreement with the property owner to allow the placement of a UTC Wayfinding sign on his property on Highway 59.

W. Section Street drainage improvements - The pre-bid conference will be on Thursday, January 22, 2015 and the bid openings will be on January 27, 2015.

Councilman Blackwell asked about the status of the street lighting on W. Section Avenue and Highway 59. Mr. Christian reported he informed ALDOT that a street light was needed at the intersection of Highway 59 and W. Section. ALDOT has re-painted the stop bar and the divider line but they did not reply regarding the lighting. Mr. Christian reported he will contact them again about the street light.

[15-0035](#)

Fire Department Monthly Report December 2014

Attachments: [Council December 14 1-15](#)

Assistant Fire Chief Chad Brewer gave a synopsis of the December 2014 Fire Department Report, which is attached as backup to the Minutes. He reported there were three fires, one of which was a fatal fire on Monteith Oaks Drive. There was a significant fire on Bay View Drive and the third fire was extinguished by the occupant before the Department arrived on scene. He also reported that the Station 3 slab was poured on Monday, January 19, 2015, which consisted of approximately 200 yards of concrete.

[15-0021](#)

Foley PD December 2014 Monthly Report

Attachments: [PD Dec Monthly Report.pdf](#)

Police Chief David Wilson gave a synopsis of the December 2014 Police Department Report, which is attached as backup to the Minutes.

[15-0039](#)

December 2014 Sales, Lodging and Rental Tax Reports

Attachments: [20150113135616293.pdf](#)

City Administrator Mike Thompson reported that the year-to-date sales tax revenue is up by 6.63%. He also reported that since the Robertsdale Walmart opened last October, the Foley Walmart sales tax revenue is down 7%. He also reported that Shoe Station will be opening in March or April this year and also with the opening of Academy this spring, the sales tax revenue will continue to increase. Lodging tax revenue is up. Rental tax revenue to down 6%. A state auditor will be doing audits over the next few weeks to find the reasons for the decline because it should be going up along with the sales tax and lodging tax revenue. The decline may be due to rental companies paying to wrong cities.

[15-0041](#)

Marketing Quarterly Report - Oct., Nov. and Dec. 2014

Attachments: [Oct 2014 - Dec. 2014 Visitor Stats](#)
 [Marketing Dept. Report - Oct. Nov. and Dec. 2014](#)

Marketing Director LaDonna Hinesley gave a synopsis of the Quarterly report, which is attached as backup to the Minutes.

Ordinances, Resolutions, and Other Business

[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

Attachments: [Digital Billboard Ordinance August 2014 \(3\).pdf](#)
 [Zoning Ord Amend Recommendaion Lette.pdf](#)

A motion was made by Council Member Charles Ebert III to amend the zoning code to permit legal nonconforming billboards in certain areas to be converted into digital billboards under certain circumstances, terms, requirements and conditions. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 15-1001-ORD

[14-0907](#)

Funding for South Baldwin Education Foundation, Inc.

Attachments: [Sponsors - SBEF](#)
 [Foley letter](#)
 [1-SBEF Directors and Officers](#)
 [2-FY2015 Budget](#)
 [3-Summary of Awards](#)
 [4- SBEF Current Financials](#)

A motion was made by Council Member Rick Blackwell to acknowledge that the South Baldwin Education Foundation provides a valuable service to the community by awarding scholarships to Foley High School graduates; to approve \$7,000 in assistance to the Foundation and to appropriate the funds under account Public Relations/Community Development. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

Enactment No: 15-2013-RES

[15-0018](#)

Accept donation of Permanent Right of Way and permanent easement from BC Foley, LLC

Attachments: [13-0225 RES ROW EASEMENT PRIDE DR EXT.pdf](#)

A motion was made by Council Member Ralph Hellmich to approve and accept the donations of the properties owned by BC Foley, LLC. and accepts the same as right of way and easements for the extension of Pride Drive Project. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2014-RES

[15-0019](#)

Resolution requesting all but minimum fees be waived for Liberty Church's renovation and expansion

Attachments: [LIBERTY CHURCH REQUEST TO WAIVE FEES.pdf](#)

A motion was made by Council Member Ralph Hellmich to approve waiving all but the minimum fees for building permits, land disturbance permits, zoning fees, engineering fees and environmental fees for Liberty Church's renovation project located at 110 East Riviera Blvd., Foley, Alabama. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 15-2015-RES

[15-0027](#)

Request to Transfer Funds for Equipment Purchase

Attachments: [Brush Cutter Quote.1.9.15](#)

A motion was made by Council Member Ralph Hellmich to approve the transfer of \$5000 from the Nature Parks Capital Purchases Account to the Nature Parks Operating Account for the purchase of a brush cutter from G & J's Power Equipment in an amount up to \$3188.75. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2016-RES

[15-0029](#)

Shed Roof for Parks Dept.

Attachments: [Parks Dept. Shed Roof](#)

A motion was made by Council Member Hellmich to appropriate \$42,477.00 to the Park Department Account and to approve the construction of a 30 foot by 112 foot shed roof to be attached to the existing Parks Department metal building. The motion was seconded by Council Member Quaites and carried by

the following vote: Council Member Vera Quaites, aye; Council Member Ralph Hellmich, aye; President Wayne Trawick, aye; Council Member Rick Blackwell, aye and Council Member Charles Ebert III, abstained. The vote passed by a majority vote.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Abstain: 1 - Council Member Ebert III

Enactment No: 15-2017-RES

[15-0031](#)

Request to procure Jeep Patriot SUV 4WD from the State Bid List for the Environmental Division

Attachments: [Jeep Patriot Specifications](#)

A motion was made by Council Member Charles Ebert III to approve the procurement of a 2015 Jeep Patriot SUV 4WD from Ben Atkinson Motors for the Environmental Division in the amount of \$22,010, which is budgeted in the amount of \$25,000. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 15-2018-RES

[15-0032](#)

Amending the Pay Classification Plan - Converting One Patrol Officer Position to Code Enforcement Officer

A motion was made by Council Member Rick Blackwell to authorize an amendment to the Pay Classification Plan to convert one Patrol Officer position to a Code Enforcement Officer, effective pay period beginning January 27, 2015. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 15-2019-RES

[15-0034](#)

Centennial Plaza Lamp Posts

Attachments: [Irby & RCI](#)

A motion was made by Council Member Ralph Hellmich to carry over this item to the Council meeting of February 2, 2015. The motion was seconded by Council Member Charles Ebert III and carried by an unanimous vote.

[15-0037](#)

EMI Request for five 30x80" banners for their "Chili for Charity" event

Attachments: [EMI REQUEST FOR BANNERS PLACEMENT.pdf](#)

A motion was made by Council Member Charles Ebert III to approve the placement of five 30"x80" banners advertising the annual fundraiser of "Chili for Charity" located on poles throughout the City beginning January 28, 2015 through February 28, 2015. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2020-RES

[15-0038](#)

Consider suspending the Sports Commission Advisory Board until further

notice

Attachments: [14-0537 RES.pdf](#)

A motion was made by Council Member Ralph Hellmich to suspend the Sports Commission Advisory Board until further notice due to scheduling conflicts. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 15-2021-RES

Mayor's Comments

No comments to report.

Visitor's Comments

No comments to report.

Adjourn

A motion was made by Council Member Charles Ebert III to adjourn the meeting. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

The meeting adjourned at 6:09 p.m.