

MINUTES  
CITY OF FOLEY, ALABAMA  
407 E. LAUREL AVENUE  
COUNCIL CHAMBERS  
CITY COUNCIL MEETING OF JUNE 15, 2009  
5:30 P.M.

PUBLIC HEARINGS:

Mayor Koniar called the public hearing to order at 5:30 p.m. to consider passage of an ordinance and to consider Planning Commission's recommendation for the proposed amendments to the City of Foley Zoning Ordinance regarding Sign Regulations. Hearing no comments Mayor Koniar closed the public hearing.

Mayor Koniar called the public meeting to order to consider passage of a resolution to consider the Public Building Authority, Public Library Authority and Public Parks & Recreation Authority's applications to seek permission to incorporate a Capital Improvement Cooperative District and to authorize such Incorporation. Hearing no comments Mayor Koniar closed the public hearing.

COUNCIL MEETING:

Mayor Koniar called the Council meeting to order at 5:32 p.m. Council members present: Wayne Trawick, Vera Quaites, Ralph Hellmich, Rick Blackwell and Charles Ebert, III. Also present: City Clerk Perry Wilbourne, Vickey Southern, Miriam Boutwell, Leslie Lassitter, Roger Prewett, Sandra Pate, Butch Stokes, Randy Bishop, Steve Smith, Joey Darby, David Wilson, Jackie Sewell, Tom Knighton and press representative Bob Morgan.

APPROVAL OF THE MINUTES

Councilman Hellmich made a motion to approve the Council meeting Minutes of June 1, 2009. Councilwoman Quaites seconded the motion and the vote passed unanimously.

OLD BUSINESS: None to report.

NEW BUSINESS:

Councilman Ebert made a motion to approve the Rileigh & Raylee Angel Ride Foundation, Inc.'s request to hold their 8<sup>th</sup> Annual Motorcycle Ride Saturday, November 7, 2009 starting at 2:00 p.m. Councilman Trawick seconded the motion and the vote passed unanimously.

REPORTS

**Community Development Department** - City Planner Miriam Boutwell gave the May 2009 report as follows: Planning Commission approved one rezoning and discussed two different work session items. Planning and Zoning performed four plan reviews and 30 permit reviews and three permit exempt reviews.

Environmental/Code Enforcement handled 32 citizen complaints; performed 32 enforcement actions, 46 code enforcement inspections, 11 environmental inspections, four Erosion & Sediment Control Plan Review/Permits and GPS'd 43 outfall structures.

The Building Department issued two "Single Family Residential" permits, ten Residential Miscellaneous permits, one new commercial permit for McDonalds, one at Tanger Outlet, five commercial miscellaneous permits, seven signs and 27 "Electrical, Mechanical & Plumbing" permits for a total of 53 permits for a permit valuation of \$1,297,817. They had three new tenants in existing buildings; one new tenant moved into Tanger and performed 158 inspections.

Councilman Hellmich asked how far along where they in the outfall structure project. Ms. Leslie Lassitter reported they had almost fifty (50%) percent complete and anticipate completion by the end of the year. They are currently doing the field work and then an intern will convert the information into GIS. Councilman Hellmich asked what the next step would be. Ms. Lassitter reported that a new ordinance will need to be adopted and Municipal Separate Storm Sewer System.

Councilman Hellmich inquired about McDonalds. Ms Boutwell reported McDonalds had to have the permit in hand prior to closing on the property. They have closed and are

ready to move forward. City Engineer Butch Stokes reported that he has spoken with some of the contractors and they are "on go".

**Fire Department** - Chief Joey Darby reported he was pleased to report the May 2009 totals were down and they are the lowest they've been in the last year. We are pleased especially with the amount of traffic that is flowing through the area to be able to keep the "BRT's" (Big Red Trucks) off the road. They did have one building fire at Savannah Park Apartment that displaced one family and were glad to report there were no injuries. The "MVA's" were high as well as the MVA's with injuries. Med Star is getting use to his philosophy on running the Fire Department and that injuries are not there primary mission. They had a total of 66 incidents in May.

Public Education events included 88 adults; 66 trained in CPR and 22 trained in First Aid. It's interesting how work spreads on getting free education as they continue to grow in this area. The Fire Inspector made 77 public contracts for the month. This included 28 "New Construction" inspections and 42 "Existing Construction" inspections for a total of 70 inspections for the month. The total inspections performed for the fiscal year is 828. We are taking a look at "Existing Occupancies" and issues have come up but we have addressed those and the business owners have complied.

**Police Department** - Chief David Wilson gave the May 2009 report. The Patrol Division made 72 misdemeanor and 32 felony arrests; served 98 misdemeanor warrants; made 26 DUI arrests; issued 411 citations; made 319 close patrols; issued 611 warnings; assisted 94 motorists; worked 79 motor vehicle accidents; answered 158 alarms; made 219 positive citizen contacts and made 197 official business visits. Dispatch answered 1,055 calls for service. The Narcotics Division made 13 misdemeanor and 2 felony Marijuana arrests; 14 controlled substance (felony) arrests and 11 drug paraphernalia arrests; and made one drug raid. The Investigations Division received 94 new cases and solved 56 cases resulting in 23 felony arrests and 12 misdemeanor arrests. They followed up on ten Domestic Violent case's. They assisted Code Enforcement by issuing two warnings for litter/junk in neighborhoods. The Justice Department had a total of 316 arrestees with a year to date total of 1,440. Of those arrested in May 37 attended Alcoholics Anonymous and 14 received drug counseling. The highest number on inmates for May was 35 and the lowest was 19. Inmate worker hours totaled 1,100 for May and 7,100 year to date. Animal Services received 85 calls. Community Services included one Neighborhood Watch meeting and one Police Service Expo. Community Outreach and Development had 53 participants in the GED program and two youth activity events were held. These are some of the highlights and the complete report was included in the Council packets. Councilman Hellmich asked, "Under Investigations, what is "Exceptional Clearance?" Chief Wilson reported the people don't want to prosecute.

A resolution approving residential sanitation write-off's for the 120 day period ending May 2009 in the amount of \$62.53 passed unanimously on motion by Councilman Trawick and was seconded by Councilman Hellmich.

#### AUDITING ACCOUNTS

Councilman Hellmich made a motion to pay the bills and Councilman Blackwell seconded the motion. The vote passed unanimously.

#### ORDINANCES, RESOLUTIONS AND OTHER BUSINESS

The first reading of an Ordinance to consider Planning Commission's recommendation for the proposed amendments to the City of Foley Zoning Ordinance regarding Sign Regulations passed unanimously on motion by Councilman Ebert and was seconded by Councilman Hellmich.

Councilman Trawick made a motion to suspend the rules to consider the passage of a resolution and Councilman Hellmich seconded the motion. Assistant City Clerk Vickey Southern took the following roll call vote: Councilman Trawick, aye; Councilwoman Quaites, aye; Councilman Hellmich, aye; Councilman Blackwell, aye; Councilman Ebert, aye; and Mayor Koniar, aye.

Of those present there was unanimous consent to suspend the rules.

A resolution to consider the Public Building Authority, Public Library Authority and Public Parks & Recreation Authority's applications to seek permission to incorporate a Capital Improvement Cooperative District and to authorize such Incorporation passed unanimously on motion by Councilman Trawick and was seconded by Councilwoman Quaites.

A resolution approving Habitat for Humanity of Baldwin County's request to use the Civic Center on Friday, September 11, 2009 for a Live/Silent Auction and dinner passed unanimously on motion by Councilman Blackwell and was seconded by Councilwoman Quaites.

A resolution approving the Capital Purchase of one modern 15' Predator heavy duty flex wing mower in the amount of \$11,500 passed unanimously on motion by Councilman Ebert and was seconded by Councilman Trawick.

A resolution approving "Adopt a Container" program and approving "requests for bids" for the "Adopt a Container" program to fulfill competitive bid requirements for advertising in an amount of approximately \$3,300 passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Blackwell.

The first reading of an Ordinance to consider Herndon Oil's Petition to De-Annex property that was annexed into the corporate limits of the City of Foley, Alabama by Ordinance 902-06 due to an incorrect legal description passed unanimously on motion by Councilman Trawick and was seconded by Councilwoman Quaites.

A resolution declaring select timber on the southern end of Graham Creek Nature Preserve as surplus property and approving a contract with Southern Resource Management and Mid South Timber to thin pines from the area passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Ebert.

A resolution approving a DOJ (Department of Justice) Grant application for bullet proof vests passed unanimously on motion by Councilman Trawick and was seconded by Councilwoman Quaites.

A resolution amending Resolution 319-85 and defining the scope of the Revitalization and Beautification Advisory Board passed unanimously on motion by Councilman Blackwell and was seconded by Councilman Ebert.

A resolution authorizing the Mayor to hire a surveyor for property located adjacent to Soccer Park passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Trawick.

Councilman Hellmich reminded everyone of the upcoming Fifth Annual Hot Air Balloon Festival. The Chamber is very happy with all the work the City employees have done so far. There will be a lot of traffic and the various Departments are ready. Tanger has an event on Thursday night with a balloon glow.

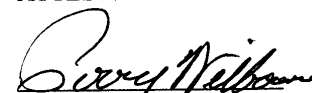
VISITOR COMMENTS: No comments.

ADJOURN:

Hearing no further comments the meeting adjourned at 5:55 p.m.

  
John E. Koniar, Mayor

ATTEST:

  
A. Perry Wilbourne  
City Clerk/Administrator