

COUNCIL WORK SESSION AGENDA MINUTES
CITY OF FOLEY
CONFERENCE ROOM, 407 E. LAUREL AVENUE
FOLEY, ALABAMA
MONDAY, APRIL 19, 2010 4:00 P.M.

Mayor John Koniar called the meeting to order at 4:00 p.m. Those in attendance were Council Members Ralph Hellmich, Charlie Ebert, Wayne Trawick, Vera Quaites, and Rick Blackwell. Also attending were Perry Wilbourne, Sandra Pate, Vickey Southern, Jessica Nelson, David Wilson, Randy Bishop, Butch Stokes, Meg Hellmich, Joey Darby, Jeff Rouzie, Miriam Boutwell, Donna Watts, Christie Steigerwald, Hazel Kagy, Zend Hoady, David Vosloh, and Guy Busby.

ACTION ITEMS:

1. Approve Work Session Minutes of April 5, 2010.

Councilman Hellmich made a motion to approve the Minutes. Councilman Blackwell seconded the motion and the vote passed unanimously.

2. Consider Consent Agenda of April 19, 2010.

Resolution to approve the four (4) items on the Consent Agenda was moved to the Council Meeting Agenda.

3. Consider Kid Plus Child Development Center's request to close a portion of South Bay Street in front of their facility for their annual "Trike Rally" on May 7 from 9:30 a.m. until 11:00 a.m. This is their annual fundraiser. If consensus to approve move to the Council Agenda under New Business for voice vote.

This item was moved to the Council Meeting Agenda for approval under New Business.

4. Consider Foley Post Office's request to use Heritage Park on May 15 to promote their new stamps that promote food for shelter pets. The Baldwin Animal Rescue Center will also be there to promote spaying, neutering and adoptions of animals. The only sales at the event will be by the Post Office for the new stamps and any donations that BARC may receive. If consensus to approve move to the Council Agenda under New Business for voice vote.

Request was moved to the Council Meeting Agenda for approval under New Business.

5. Consider Foley United Methodist Church's request to use John B. Foley Park and the Rose Trail for a fundraiser for the Wesley Dumas Community Center on Saturday, May 22, 2010 from 8:00 a.m. until noon and on Friday, May 21, 2010

to set up tent tops. If consensus to approve move to the Council Agenda under New Business for voice vote.

Vickey Southern noted that the Cobbs Light Dedication was set for 5:00-6:00 pm that evening and that the tents would not be able to be set up until after 6:00 pm. Request was moved to the Council Meeting Agenda for approval under New Business, contingent upon not being able to set up the tents until after 6:00 pm.

6. Consider Abiding Love Fellowship's request to use Max Griffin Park Monday, June 14 through Wednesday, June 16, 2010, from 10:00 a.m. until noon for their annual Vacation Bible School. If consensus to approve move to the Council Agenda under New Business for voice vote.

Request was moved to the Council Meeting Agenda for approval under New Business.

DISCUSSION ITEMS:

7. Ralph Hellmich & Charlie Ebert: Consider resolution releasing payment of funds budgeted in the amount of \$20,000 in Public Relations/community Development Account 01-620-8110 for the YMCA Strong Kids Campaign. See backup documentation.

Councilman Hellmich reported they have done this in previous year(s) and all of the money raised stays with the local YMCA. Resolution was moved to the Council Meeting Agenda approving the \$20,000 expenditure.

8. Ralph Hellmich: **A)** Discuss possibility of approaching ALDOT and Baldwin County Commission to initiate intersection improvements at the Intersection of Hwy. 98 and Hwy. 65. **B)** Discuss possible vacation of Baldwin Street.

A) This is a heavily used intersection located in the County and Councilman Hellmich noted he hears numerous requests asking for improvements to this intersection to include the addition of turn lanes. He recommended the City draft a letter to the County Commission and to ALDOT requesting the intersection improvements. There was consensus to draft the letter and Mayor Koniar asked Butch Stokes to follow up and draft the letter. No formal action required.

B) Councilman Hellmich proposed that the city swap the non-useful right of way for a useful one. Moved to the Council Meeting Agenda to set the public hearing.

9. Charlie Ebert: Discuss review of the City's business license fees compared to surrounding cities.

Councilman Ebert requested that staff do a review of business license fees of surrounding, comparable size cities and to give a report as an information item for an upcoming work session. Carried over.

10. Joe Bouzan: Consider offer from EWS to enter into an early contract renewal for the commercial solid waste service. The contract is due to expire on March 1, 2011. The early renewal would extend the contract to March 1, 2013. Early renewal would save the CPI- based increase of 6.48%, which is provided for in the contract.

This item was carried over until the next work session in order to obtain more information.

11. Meg Hellmich: Consider adopting a resolution approving the City's participation in the 2010 Sales Tax Holiday.

This is something that Foley has done since the inception of the Sales Tax Holiday and Meg Hellmich recommended to Council that support continue. Donna Watts asked if the dates could be changed, but Meg reported that the state's enabling Act sets the dates for the first full weekend in August and therefore the dates cannot be changed. Resolution moved to Council Meeting Agenda.

12. Wendell Stokes: **A)** Consider resolution accepting low bid for Roadbed Material for the Graham Creek roadway across the Holmes property. **B)** Consider Resolution approving Volkert's Task Agreement 73 for Cypress Pond Drainage Project in an amount not to exceed \$7,000. **C)** Consider resolution approving additional \$5,000 to Volkert's contract for construction surveillance of the NW Quadrant Drainage Project.

A) Butch reported they will not use the crushed concrete. He recommended R&S Paving for using sandy fill at \$4.84/cubic yard and Ferguson Waterworks at .81/square yard for geotextile. Resolution moved to Council Meeting Agenda.

B) The owners have agreed to permit a drainage swell on the southern border of Cypress Pond to Juniper Street. It will give positive outlet to the drainage situation that is there. Resolution moved to Council Meeting Agenda.

C) Resolution moved to Council Agenda.

13. Joey Darby: **A)** Consider resolution accepting low bid for Hydraulic Rescue Tools. **B)** Consider resolution accepting monetary donation from Tanger Properties, LP. **C)** Consider resolution approving purchase and installation of (1) 21hp Kubota diesel engine, (1) CET Fire Pump, and (1) Scotty Foam system from Bay Fire Products in Bay Minette, AL in the amount of \$13,950 to replace existing equipment on 2000 Ford F-350 Brush unit. This is a budgeted item in the amount of \$65,000 under Account 02-600-7010.

- A) *Joey Darby reported they were able to obtain a demo set of tools at a great savings. Resolution was moved to the Council Meeting Agenda.*
 - B) *The TV will also be used as a monitor. Resolution moved to the Council Meeting Agenda.*
 - C) *Resolution moved to Council Meeting Agenda.*
14. Sandra Pate: Based on Computer Backup's recommendations consider resolution approving purchase of a new Laserfiche server and software in the amount of \$3,415. The existing server is approximately ten years old and continues to have problems. CPI would like to move the info over before existing server dies or corrupts. The server also serves as the connection point for other departments accessing City Hall.

Sandra Pate reported the server had crashed today. Councilman Ebert voiced concerns that the server room may be too hot and suggested adding some ventilation to the room. Sandra will follow up. Resolution moved to Council Meeting Agenda.

15. Jessica Nelson: **A)** Consider entering into a Performance Contract with Katie Garrett for Historical Commission. **B)** Consider amendment to Ordinance 1060-08 regarding the Historic District.

A) Jessica reported that Katie is a student who is getting her masters at UWF. She has streamlined the Certificate of Appropriateness (COA) and has been updating the City's Historic District database. She has done a great job and Jessica recommended continuing her services for some other projects to include establishing an inventory of the Historic District and housing it at the Library. The Performance Contract is for \$1,350 which would be used for mileage reimbursement. There is enough money in the Historic Commission Budget to cover this. Resolution moved to Council Meeting Agenda.

B) Jessica reported that the amendment removes the section about trees larger than 12" in diameter because it is duplicated in other ordinances and it also gives the Council the ability to set fees for the Historic District. Councilman Ebert noted he would prefer having a public hearing to get input from the property owners about the fees. Jessica reported the proposed fees would include a \$10 staff approval fee and a \$25 fee if the COA has to go to the Historic Commission. The fee money would be used to overset administrative tasks and to provide education and public relations material to property owners in the district. Jessica noted she will incorporate much of this education component into the upcoming Preservation Week scheduled for May 9-14, 2010. Councilmen Ebert and Trawick requested that a meeting be set up during Preservation Week with the property owners and that they receive a personal invitation to the meeting in order to obtain their feedback about the potential fee(s). This item was carried over until after the meeting takes place with the property owners during Preservation Week. Carried over.

INFORMATION ITEMS:

16. Wilson Pecan Building Disposal Log
17. Letter from Baldwin County Revenue Commissioner
18. Monthly reports for Sales Tax, Lodging Tax and Rental Tax

ADD ON ITEMS:

19. Butch Stokes: Consider resolution rescinding Resolution No. 4052-10 and approve increasing Volkert's contract for the SE Regional Stormwater Facility Project in the amount of \$4,000.

Resolution moved to Council Meeting Agenda.

20. Mayor Koniar: Discuss competitive bidding of the Wolf Bay Lodge project.

Mayor Koniar reported that since the project was being developed through the Public Facilities Cooperative District, Heyward Hosche has advised that the project will not require going through the competitive bid process. He added that the lease with final comments was received today and his suggestion is that Wolf Bay Lodge should sign the lease first and then the City sign. Comments were minimal and no formal action was required.

21. Randy Kurtts: Discuss installation of trellis and cobblestone alleyways.

Carried over.

22. Miriam Boutwell: Consider resolution waiving initial zoning fees for properties annexed by 2010 Legislative Act.

Resolution moved to Council meeting agenda.

COUNCIL WORK SESSION **CONSENT** AGENDA
CITY OF FOLEY
CONFERENCE ROOM, 407 E. LAUREL AVENUE
FOLEY, ALABAMA
MONDAY, APRIL 19, 2010 4:00 P.M.

1. Consider annual quarter page ad in the 2010 Graduation edition of the Gulf Coast Newspapers in the amount of \$302.40.

Resolution moved to Council Meeting Agenda.

2. Consider amending Section 1 of Resolution 3903-09 to reflect the correct Account No. 12-665-7269 Q52 VLK instead of Account no. 12-665-7268 Q51 VLK.

Resolution moved to Council Meeting Agenda.

3. Memorialize approving PAA's request to also use Heritage Park for their annual fundraiser "Art in the Park" and approves serving alcohol in a designated area in Heritage Park May 8-9, 2010.

Resolution moved to Council Meeting Agenda.

4. Memorializes the expenditure of \$26,400 for emergency drainage repairs on the Foley Beach Express for repairing erosion around the north and south retaining wing wall of the culvert and amends Capital Projects Account 12-600-9375 – Drainage Repairs, Project A06, RS-FBE.

Resolution moved to Council Meeting Agenda.