

COUNCIL WORK SESSION AGENDA MINUTES
CITY OF FOLEY
CONFERENCE ROOM, 407 E. LAUREL AVENUE
FOLEY, ALABAMA
MONDAY, JULY 6, 2009 4:00 P.M.

Mayor John Koniar called the meeting to order at 4:00 p.m. Those in attendance were Council Members Charlie Ebert, Wayne Trawick, Vera Quaites and Rick Blackwell. Council Member(s) absent: Ralph Hellmich. Also attending were Perry Wilbourne, Sandra Pate, Vickey Southern, Meg Hellmich, Joey Darby, David Wilson, Randy Bishop, Butch Stokes, Miriam Boutwell, Steve Horn, David Thompson, Joe Bouzan, Bob Young, Heyward Hosch, Keith Smith, Catherine Williams, John Williams, and Charles Eubanks.

ACTION ITEMS:

1. Approve Work Session Minutes of June 15, 2009.

Councilman Blackwell made a motion to approve the minutes and Councilman Ebert seconded the motion. The vote passed unanimously.

2. There is no Consent Agenda for July 6, 2009.

3. Reappoints are due for the Construction Board of Adjustments & Appeals as follows: Eric Crosby and Wayne Trawick's terms expire 8-07-09. CDD will report at the July 20th work session.

This item was carried over until July 20th for further research on the Board's membership criteria.

4. Consider resolution approving the State of Alabama Department of Archives and History's "Municipal Records Disposition Authority" detention schedule and memorialize destruction of authorized records.

A resolution was moved to the Council Agenda.

5. Consider Planning Commission's recommendation for City's public projects: Sunset Loop Drainage Improvements (Move to Council Agenda under New Business for approval).

This item was moved to the Council Agenda under New Business for voice vote.

6. Consider Planning Commission's recommendation for City's public projects: Northwest Quadrant Drainage Project; Cedar Street Drainage Improvements (Move to Council Agenda under New Business for approval).

Councilman Trawick requested that it be explicit in the motion that this project is subject to the availability of funds from the City's upcoming the bond issue. This item was moved to the Council Agenda under New Business for voice vote.

7. Consider Keith Smith, Foley Middle School's request to aid in the purchase of one Flash transfer 16mm digital film transfer system. The equipment would be used to transfer football footage for preservation. The purchase price is \$101,323.26.

Mr. Keith Smith, son of Coach Lester Smith, was present. He reported that he did a lot of research on the equipment and the information submitted was the best purchase price that he found on this type of equipment. Currently Foley Schools have approximately 350,000 to 400,000 feet of 16 mm film footage that goes back to 1955, and, he was told by Henry Smith that there is footage that dates back to the 1940's. Since history means a lot to Foley and since Foley has a rich football heritage he thought that the Council might consider his request. What makes the equipment so special is that it has the capability to go frame by frame to transfer to a high quality DVD. Most film goes into a mirror box resulting in a little bit of the light bulb distortion on the picture. Some of the film is worn which gives a jumpy effect if lower quality equipment is used. This higher end equipment would eliminate that jumpy effect. Mayor Koniar stated that the City was very cognizant of the cost during these trying times and suggested that pursuing a grant might be the best option. Steve Horn and Meg Hellmich will assist Mr. Smith in locating grant funds. No formal action was taken.

8. Consider resolution approving de-annexation of Mr. & Mrs. John P. Williams for their property located next to Eleanor's Ceramics. The property was originally annexed by Custom Concepts a/k/a Wyld Palms and a court order has declared the owners of the property to be the Williams'.

A resolution was moved to the Council Agenda.

DISCUSSION ITEMS:

9. Greg England, United Steel Workers Rapid Response Coordinator: Consider request to approve a resolution promoting to buy materials, goods and services for projects from companies that are produced within the USA. See attached list of cities that approved 2009 "Buy American" resolutions.

Mr. England was not present. Mayor Koniar asked for comments and no comments were made. Mayor Koniar stated it appeared there was no great enthusiasm for the resolution and recommended that this item not be approved. Therefore no formal action was taken and item is closed.

10. Heyward Hosch: Update and advise schedule for document approval of Cooperative District and consider a resolution approving: **A)** The issuance of

revenue bonds by The City of Foley Public Facilities Cooperative District, **B)** The use of the proceeds of such bonds to reimburse the City for the costs of various capital improvements made by the City, pursuant to Resolution No. 3345-08 of the City, **C)** The conveyance to, and the lease from, said Cooperative District of such capital improvements by the City pursuant to an instrument of conveyance and a year-to-year (annual appropriation) lease agreement providing for annual payments by the City equal to annual principal of and interest on said bonds and **D)** The validation of the bonds.

Mr. Hosch was present and gave a brief overview of the role of the Public Facilities Cooperative District and the bond/lease process. He noted that everything was on the current timeline and that tonight's action now brings the City to the point of starting the court proceedings for validation of the bonds. A Resolution authorizing the execution and delivery of the financing documents for the \$24 million dollar revenue bonds was moved to Council Agenda.

11. David Thompson: **A)** The amended budget removed the previously approved LI-078 Pitching Machine, Capital Item, from Resolution 3661-09 adopted by March 16, 2009. We need to purchase a new pitching machine for the batting cages at the Sportspark. Requested amount is \$1,900. Initial budget request was \$5,000 for two or \$2,500 each. **B)** Further consider \$225 donation to Foley Cheerleading Association. Treasurer is in the process of getting bonded.

A) Resolution moved to Council Agenda. B) David Thompson reported that the Treasurer of the Association was in the process of getting bonded. Resolution moved to the Council Agenda.

12. David Wilson: **A)** Consider resolution approving one-time donation of Sick Leave for deserving employee. **B)** Consider resolution accepting JAG Grant funds in the amount of \$55,091. **C)** Consider resolution approving additional funds through COPS Grant with no matching funds. **D)** Consider request to unfreeze one frozen Patrol Officer slot. See attached. **E)** Consider resolution memorializing a Security System Upgrade not carried over in the amended budget in the amount of \$4,035.83 under Capital Purchase Account No. 15-600-7010.

A) Chief Wilson requested to withdraw this request. B) Resolution moved to Council Agenda. C) Resolution moved to Council Agenda. D) Resolution moved to Council Agenda. Councilman Trawick also requested that research be done to confirm that the City's policy is still in place regarding differential pay for employees who are on active military duty. A second Resolution was moved to Council Agenda to authorize researching this and putting the policy back in place if the policy for any reason is now inactive. E) Resolution moved to Council Agenda.

13. Joe Bouzan: Consider resolution approving South Baldwin Regional Medical Center request to use the Foley Civic Center as an alternate care site in the event of an emergency or incident (other than a storm or hurricane) that would require them to move patients from their facility).

Mr. Charles Eubanks was present and explained to the Council the hospital's request and thanked the Council for their consideration. The resolution was moved to the Council Agenda.

14. Butch Stokes: **A)** Recommend acquiring mitigation credits in the amount of \$41,250 from Wetlands Restoration, LLC for the Airport Drive North project. **B)** Consider resolution memorializing Volkert's TA#72 for Traffic Count at CR20 & Foley Beach Express. **C)** Discuss changing speed limit on Cater Lee Way between Hickory Street and 3-way stop at Soccer Park entrance from 20 mph to 35 mph and between 3-way stop and Cater Lee Way to CR 65 stop sign from 20 mph to 45 mph. **D)** Consider recommendation of speed limit of 35 mph along CR 20 from Hwy. 59 to CR20/Juniper Street intersection and recommendation of speed limit of 45 mph along CR20 from CR20/Juniper Street intersection to Foley Beach Express intersection. **E)** Discuss installing a 4-way stop at Section/Hickory/Cater lee Way intersection. Currently, there are no stops for north/south traffic on Hickory Street; east bound traffic at Cater Lee Way has stop sign at intersection with Hickory Street; west bound traffic at Section Street has stop sign at its intersection with Hickory Street.

A) Resolution moved to Council Agenda. B) Resolution moved to Council Agenda. C) After brief discussion, there was favorable response to the recommendation for the speed limit changes and an Ordinance was moved to Council Agenda. D) Butch reported there will be an official survey done on two segments, one on Hwy 59 to Juniper and one on Juniper to the Beach Express. Mayor Koniar noted that this will help the City have a defensible solution. Butch Stokes will follow-up to obtain cost(s) on the survey. Carried over. E) Resolution moved to Council Agenda.

15. Meg Hellmich: Discuss setting public hearing on possible amendment to permitting and licensing ordinances. (If consensus, move to Council Agenda under New Business)

Miriam Boutwell reported the City previously amended the electrician's license ordinance but there is still some controversy in dealing with non-regulated boards. She requested a public hearing be set for July 15th at 10:00 a.m. in Council Chambers to gain input. Resolution to set the public hearing was moved to Council Agenda.

16. Joey Darby: Consider resolution approving Dept. of Homeland Security's Assistance to Firefighters' Fire Station Construction Grants (SCG) grant application. See attached.

Joey Darby reported this is a zero match grant, being made available through stimulus money, with tough competition. He noted that the application includes requests for modification to fire stations #1 and #2 so the stations can be occupied during hurricane. Those modifications would run approximately \$180,000 to \$200,000. Also, included in the grant request would be funds for building a new station #3 at an approximate cost of \$500,000 to \$600,000. The approximately timeline would be four years for this station to be built and manned. This item was moved to Council Agenda under New Business for voice vote.

ADD ON:

17. Consider Resolution approving the amendment to the Certificate of Incorporation of the Utilities Board of the City of Foley.

Resolution moved to Council Agenda.

INFORMATION ITEMS:

18. Historical Commission Action: Approval of Memorial Bench in front of Stacey's Drug Store.
19. Sue Allen, John McClure Snook Family YMCA: Thank you letter for donation to "Kids Need Heroes" Campaign.
20. Thank you letter from Linda Hula.