

**MINUTES  
CITY OF FOLEY, ALABAMA  
407 E. LAUREL AVENUE  
COUNCIL CHAMBERS  
CITY COUNCIL MEETING OF MAY 12, 2009  
5:30 P.M.**

**PUBLIC HEARINGS:**

Mayor John Koniar opened the public hearing at 5:30 p.m. to consider passage of an ordinance and to consider Planning Commission's recommendation to re-zone 2.3± acres from R-1A (Residential Single Family) to PUD (Planned Unit Development) and located on the east of North Alston Street, north of West Rosetta Avenue and west of North McKenzie Street. Applicant is **SOUTH BALDWIN HEALTH CARE AUTHORITY**. Hearing no comments Mayor Koniar closed the public hearing.

Mayor Koniar opened the public hearing to consider passage of a resolution for partial vacation of an unnamed alley located immediately west of and adjacent to the western boundary of Lot 13, Block "O" of the Magnolia Springs land Company's addition to Foley. Hearing no comments Mayor Koniar closed the public hearing.

**COUNCIL MEETING:**

Mayor Koniar called the Council meeting to order at 5:33 p.m. Council members present: Wayne Trawick, Vera Quaites, Ralph Hellmich, and Rick Blackwell. Absent: Charles Ebert, III who is out of town. Others present: City Clerk Perry Wilbourne, Vickey Southern, David Wilson, Randy Bishop, Kathy Danielson, Roger Prewett, Richard Roper, Dennis Gleim, Jullie Hunley, Carol and Cal Hanson, Gail Pettibone, Melanie Gouveia, Larry Cooper, Jennifer Lowery, Joe Wiseman, Judy Hocutt, Dorothy Chapman, Mike Neuendorf, Steve Horn, J.W. Hamburg, Jackie Sewell, Wayne and Phyllis Hall, and press representatives Bob Morgan and Guy Busby.

**SPECIAL GUESTS**

Mayor Koniar presented Dennis Gleim, U.S. Coast Guard, and Mrs. Carol Hanson, U.S. Coast Guard Auxiliary, a proclamation declaring May 16-22, 2009 as National Safe Boating Week. Mrs. Hanson said that they would give Cmdr. Dick Carson, Perdido Bay Power Squadron, his proclamation. They thanked the Council for their support.

Mayor Koniar presented Kathy Danielson with a proclamation declaring May 9-17, 2009 as Travel and Tourism Week. Ms. Danielson reported that she loves tourism and has been here for ten years. She encouraged everyone to get out in our community to take advantage of visiting the places that our tourists visit. Mayor Koniar reported Governor Bob Riley was in Gulf Shores this morning signing bill that will allow the State Park Convention Center to be built.

Police Chief David Wilson reported the officers that are present tonight represent the "Officers of the Year" over the past five years and they are as follows: Lt. Thurston Bullock, Patrol Commander, 2009; Corp. Kevin Carnley, Patrol Division, 2008; Sgt. Richard Roper, Patrol Division, 2005; Corp. Eric Waldrop, Investigations, 2007; Lt. David White, Investigations Commander, 2006. Mayor Koniar presented the officers with a proclamation declaring May 10-16, 2009 as National Police Officers Week.

Police Chief David Wilson reported Foley has a mini metro jail and he is very happy with the jail staff as they often times have difficult jobs in handling incoming arrestees. Staff present is as follows: Joe Wiseman, Chief Corrections Officer; Jennifer Lowery, Shift Leader; Melanie Gouveia, Corrections Officer; Krystal Knight, Corrections Officer; Judy Hocutt, Corrections Officer; Larry Cooper, Shift Leader; Gail Pettibone, Corrections Officer; Nelson Bradley, Shift Leader and Douglas Dean, Corrections Officer. Mayor Koniar presented them with a proclamation declaring the week of May 3<sup>rd</sup> as National Corrections Officer Week.

Mayor Koniar presented Ms. Jullie Hunley, Director of Sales and Marketing, Golden Living Center, with a proclamation declaring May 10-16, 2009 as National Nursing

Home Week. Mayor Koniar encouraged the citizens to visit friends and loved ones this week. Ms. Hunley thanked the Mayor and Council for the proclamation and their support.

#### APPROVAL OF THE MINUTES

Councilman Hellmich made a motion to approve the Council meeting Minutes of April 20, 2009. Councilman Blackwell seconded the motion and the vote passed unanimously.

OLD BUSINESS: None to report.

#### NEW BUSINESS

Councilman Trawick made a motion to reappointment Francis Lager and Kathleen Parker to the Library Board for another term. Councilwoman Quaites seconded the motion and the vote passed unanimously.

Councilman Trawick made a motion to set a public hearing to discuss creating the City of Foley Public Facilities Cooperative District. Councilman Hellmich seconded the motion and the vote passed unanimously.

Councilman Hellmich made a motion to set a public hearing to consider the new draft of the Electronic Sign Ordinance. Councilwoman Quaites seconded the motion and the vote passed unanimously.

Councilman Hellmich made a motion to approve a Letter of Authorization for Honeywell for feasibility study on broadband technology under a stimulus grant. Councilman Blackwell seconded the motion and the vote passed unanimously.

#### ORDINANCES, RESOLUTIONS AND OTHER BUSINESS

The first reading of an ordinance approving Planning Commission's recommendation to re-zone 2.3± acres from R-1A (Residential Single Family) to PUD (Planned Unit Development) for South Baldwin Health Care Authority for their property located on the east of North Alston Street, north of West Rosetta Avenue and west of North McKenzie Street passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Trawick.

A resolution approving a partial vacation of an unnamed alley located immediately west of and adjacent to the western boundary of Lot 13, Block "O" of the Magnolia Springs Land Company's addition to Foley passed unanimously on motion by Councilman Trawick and was seconded by Councilwoman Quaites.

The first reading of an ordinance declaring certain municipal property surplus and authorizing the transfer or conveyance of the same and authorizing the Mayor and City Clerk to enter into a boundary line agreement with an adjoining property owner passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Trawick.

A proclamation declaring May 16-22, 2009 as National Safe Boating Week passed unanimously on motion by Councilman Trawick and seconded by Councilwoman Quaites.

A proclamation declaring May 9 – 17, 2009 as Travel and Tourism Week passed unanimously on motion by Councilman Blackwell and was seconded by Councilwoman Quaites.

A proclamation declaring May 10 – 16, 2009 as National Police Officer Week passed unanimously on motion by Councilman Trawick and was seconded by Councilman Hellmich.

A proclamation declaring May 3 – 9, 2009 as National Corrections Officer Week passed unanimously on motion by Councilman Blackwell and was seconded by Councilwoman Quaites.

A proclamation declaring May 10-16, 2009 as National Nursing Home Week passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Trawick.

A resolution approving the Consent Agenda of May 12, 2009 passed unanimously on motion by Councilman Hellmich and seconded by Councilman Blackwell.

A resolution memorializing an extension of a one-year lease agreement between the Wallace Living Trust and the City of Foley passed unanimously on motion by Councilman Trawick and was seconded by Councilwoman Quaites.

A resolution approving ALDOT's Supplemental Agreement No. 1 for widening, resurfacing and extending Airport Road passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Trawick.

A resolution approving installation of street light on an existing pole located on the north side of West Magnolia Avenue passed unanimously on motion by Councilman Blackwell and was seconded by Councilman Trawick.

A resolution approving the City's participation in the 2009 Sales Tax Holiday August 7 – 9, 2009 passed unanimously on motion by Councilman Trawick and was seconded by Councilwoman Quaites.

A resolution approving Temco, Inc.'s low bid in the amount of \$52,588 for Wetlands Treatment and Reuse Water Pilot Study for EPA Grant No. XP-97486704 passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Blackwell.

A resolution approving Calvert Construction's low bid in the amount of \$55,141.30 for Barin Field Stormwater Recharge for EPA Grant No. XP-97486704 passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Blackwell.

A resolution approving making two temporary Lieutenant (Shift Leader) positions permanent Lieutenant positions within the City's Pay Classification Plan passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Blackwell. It was noted there are no budgetary changes required for this action.

A resolution accepting Moyer Ford's low bid in the amount of \$43,686 for two trucks for the Foley Fire Department passed unanimously on motion by Councilman Blackwell and was seconded by Councilman Hellmich.

A resolution accepting the sole bid submitted by Mobile Fixture in the amount of \$21,112 for kitchen fixtures and equipment for the City Jail passed unanimously on motion by Councilman Trawick and was seconded by Councilman Hellmich.

A resolution memorializing a Target Grant application under their Law Enforcement Grant Program in the amount of \$1,200 passed unanimously on motion by Councilman Hellmich and was seconded by Councilwoman Quaites.

A resolution authorizing the Mayor to execute documents for a \$2 million draw on RBC Bank line of credit authorized by Ord. 1077-08 and approving opening an investment checking account with RBC Bank to receive the transfers of funds and serve as a holding account until such time as needed to fund weekly operating expenditures passed unanimously on motion by Councilman Trawick and was seconded by Councilman Hellmich

A resolution approving Thompson Engineering's proposal in the amount of \$12,915 for corrective action, as required by ADEM, for the wells at the former Foley Police Department site passed unanimously on motion by Councilman Trawick and was seconded by Councilman Blackwell.

A resolution approving Assistance to Firefighters Grant application with matching funds passed unanimously on motion by Councilman Hellmich and was seconded by Councilman Blackwell.

Councilwoman Quaites thanked Mayor Koniar and Council members for celebrating Community Day along with Wolf Bay Watershed Watch.

Councilman Hellmich reported the City is hosting a Community Resource Day next Saturday, May 23, 2009 from 10:00 a.m. until 2:00 p.m. There will be all kinds of resources available at Heritage Park for the citizens of Foley.

#### VISITOR COMMENTS

Ms. Dorothy Chapman, 820 S. Chestnut Street, Foley – Ms. Chapman reported that she is having problems with snakes at her house. She is located next to a big field. Councilwoman Quaites reported there is low area that stays wet and lots of weeds. Ms. Boutwell will have the lot/area check for weed violations.

#### ADJOURN

Hearing no further comments the meeting adjourned at 6:05 p.m.

/s/John E. Koniar, Mayor

#### ATTEST:

/s/A. Perry Wilbourne  
City Clerk/Administrator