

COUNCIL WORK SESSION AGENDA MINUTES
CITY OF FOLEY
CONFERENCE ROOM, 407 E. LAUREL AVENUE
FOLEY, ALABAMA
TUESDAY, MAY 26, 2009 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, Vera Quaites, Rick Blackwell, Wayne Trawick AND Charlie Ebert. Also attending were Perry Wilbourne, Sandra Pate, Vickey Southern, Joey Darby, David Wilson, Randy Bishop, Butch Stokes, Miriam Boutwell, Holly Nelson, Steve Horn, Joe Bouzan, David Thompson, Randy Kurtts, Bruce Wright, Herman Dolster, Clay Brogdon, Alan Sims, and Guy Busby.

ACTION ITEMS:

1. Approve Work Session Minutes of May 12, 2009.

Councilmember Hellmich made a motion to approve. Councilmember Trawick seconded the motion. The vote to approve was unanimous.

2. There are no Consent Agenda items for May 26, 2009.

3. Consider American Red Cross' request for \$3,000 contribution towards the position of Baldwin County Disaster Response Coordinator. See attached letter. If approved move resolution to Council Agenda.

The City currently donates \$750.00 per quarter to the American Red Cross. There was discussion that the City needs to continue efforts to control spending, particularly with regard to those items which are not currently funded in the budget such as donation requests. It was noted that most all requests are good causes, but the current economic environment requires saying no to requests that are not budgeted. Contracts for Public Purpose were discussed and Perry Wilbourne stated that Administration expects to have a draft of the FY10 budget, as well as forecasts out to FY12, ready for Council's review by approximately three more Council meetings. There was consensus to table this request until such time that the draft budget could be reviewed by Council. Carried over.

4. Consider Baldwin Register's annual ads in special tabloids: **A)** Where the Soil Meets the Sea; **B)** Fifth Balloon Festival. Last year the City spent \$781.25 on a full page, full color ad for the Soil/Sea. Recommend the City reduce costs by purchasing quarter page ads, full color at a cost of \$245.86 each. If approved move resolution to Council agenda.

It was noted that the downsizing in the ads saves the City considerable cost. One Resolution moved to Council Agenda to approve both ads.

5. Consider resolution approving procedures to obtain a Foreign Trade Zone status within the City's industrial parks.

Councilmember Trawick explained that this only designates the potential for the property to be a Foreign Trade Zone. This gives the potential user of the property the option to pursue actual Foreign Trade Zone designation, or not pursue it, based on their preference and it also simplifies the process should they decide to do so. Resolution moved to Council Agenda.

DISCUSSION ITEMS:

6. David Thompson: **A)** Discuss whether or not the City needs to create an ordinance about pet owners needing to clean up after their pets at public parks. **B)** Discuss stage rental for political and other functions throughout the City. **C)** Consider \$225 donation to the Foley Cheerleading Organization. If approved move resolution to Council agenda. **D)** Consider resolution amending 01-622-8110 budget an additional \$1,508.80 for memorial plaques for Soccer Park and 5-Plex. **E)** Consider resolution combining expense accounts for Girls softball concessions Acct. No. 05-650-5025 and boys softball concessions Acct. No. 05-651-5025 to one account number 05-649-5025. **F)** Discuss Abiding Love Fellowship request for using Kid's Park July 6-8, 2009 from 9:00 a.m. – Noon. If approved move under New Business on Council agenda.

A) David Thompson reported that the problem with the pets is mainly at Max Griffin Park. After some minor discussion, it was decided to post signs at the park that owners should clean up after their pets. No formal action required. B) There was general agreement that the City needed to recoup costs of City labor, etc. in providing and setting up the stage. Perry Wilbourne suggested the City consider making the stage available only for City functions and not for public use. David Thompson will research more and bring back a policy for the Council's review. Carried over. C) After brief discussion, it was decided to have David Thompson check to see if the Treasurer of the organization was bonded prior to making a decision on this request. Carried over. D) David Thompson reported that the plaques would be permanently installed on the concession stands. He also noted that they are looking at June 6th at 9:30 as the tentative date for the dedication ceremony. Resolution moved to Council Agenda. E) Resolution moved to Council Agenda. F) Alan Sims, representative from Abiding Love Fellowship, was present and addressed the Council. Mr. Sims explained that they were not requesting the entire park, only a portion of park large enough to put a 30 foot trailer on for a puppet show and about four to five tables. In other words, the park would not be closed off to the public, and they would only be using a small part of the park. Moved to Council Agenda under New Business for Voice Vote.

7. Sue Steigerwald: The Foley Public Library submitted a letter of request to Baldwin County Commissioner Charles Gruber for possible funding from his discretionary fund of \$3,000 for the Summer Reading Program. If funding is received, the following Library Fund account budgets will be amended: A) 04-5863 Summer Reading Program Donations will be increased from \$2000 to \$3,000. The \$2,000 originally budgeted has proven hard to solicit from the community due to the current economic conditions. B) 04-600-8040 Summer Reading Children's Program expense account will be increased from \$2,500 to \$3,000, the total of requested funding. C) 04-600-5100 Book purchases account will be increased by \$2,500 to purchases much needed books for the newly renovated Children's Services area.

Resolution moved to Council Agenda.

8. Joe Bouzan: Consider resolution accepting Ozark Stripping's quote in the amount of \$17,668.80 for repainting the runway markings at the Foley Municipal Airport. During a recent FAA inspection it was noted that the runway should be remarked according to their standards.

Resolution moved to Council Agenda.

9. Butch Stokes & David Wilson: Discuss SouthernLINC Wireless (via ValuPower Resources, Inc.) request and proposed lease agreement to collocate on the city owned tower facility. See supporting documentation.

Mr. Clay Brogdon, a representative with SouthernLINC was present to address the Council. He reported that SouthernLINC is evaluating two or three other possible locations for cell tower usage. If Foley ends up to be the direction they want to go, they wanted to know in advance if the City would approve the lease option. SouthernLINC would relocate the propane tank location and increase it to a 1,000 gallon tank. Mr. Brogdon noted they should be able to make a decision in about 60 days whether or not they want to collocate on the City's tower.

Resolution moved to Council Agenda.

10. Butch Stokes: **A)** Consider resolution accepting Safe Span, LLC's proposal for performing six (6) bridge inspections in the City. **B)** Consider resolution approving installation of street light on existing pole 9403 located on the north side of West Verbena Loop. **C)** Consider approving requests to advertise Sunset Loop Drainage Improvements and Northwest Quadrant Drainage projects for bids. **D)** Consider resolution accepting HMR's proposal for Cedar Street and Hwy. 98 Intersection widening.

A) Resolution moved to Council Agenda. Councilmember Ebert requested that the intersection of North Hickory and Section be reviewed for a possible four-way stop sign. Butch Stokes will follow up. B) Resolution moved to Council Agenda. C) There was consensus to go to bid on the Sunset Loop Drainage Improvements

and Northwest Quadrant Drainage projects. D) Resolution moved to Council Agenda.

11. Randy Kurtts: Discuss quote from MCS Contracting, inc. for repair to the two doors on the south end of the City's warehouse (formerly Dixie Furniture Warehouse) in the amount of \$1,975. The City recently purchased the property and the repairs to the doors are necessary in order for the City to be able to use the building. If approved move resolution to Council Agenda.

Resolution moved to Council Agenda.

12. Discuss appointing a City representative to participate in the organization of the Southeast Energy Efficiency Alliance and adopt a resolution endorsing the South Alabama Regional Planning Commission's grant application to the Southeast Energy Efficiency Alliance. Carried over from April 6th Work Session.

Resolution moved to Council Agenda.

13. Perry Wilbourne: **A)** Baldwin County is submitting a request for federal funding to help expand the County's transit system. The County is in need of support letters from the cities that will have public transit hubs (Daphne, Fairhope, Foley, Gulf Shores, Orange Beach and Spanish Fort. If in agreement move a resolution authorizing the Mayor to sign the support letter. **B)** Discuss Cooperative District formation. **C)** Consider the purchase of credit insurance for upcoming \$21,000,000 bond issuance.

A) Resolution moved to Council Agenda. B) Perry Wilbourne explained that the Public Facilities Cooperative District will serve as the vehicle to handle the \$21 million dollar bond issue whereby it keeps the debt off of the City's debt limit. Heyward Hosch, City's Bond Attorney, has advised that four council members are needed to serve on that board along with the three that are already appointed. Resolution was moved to the Council Agenda to appoint the four council members. C) Perry Wilbourne explained that having bond insurance would allow the bond to carry a AAA rating as opposed to the current AA- rating. He also explained that it may be advantageous to have City Hall included in the lease agreement as it gives the lease an added measure of "essentiality" which is more favorable. It was noted that at this time all that was needed was for council to give the Mayor authorization to negotiate the purchase of the bond insurance once those rates come back, and, the authority to close the bond issue at the appropriate time. Resolution moved to Council Agenda.

14. Pam Ulrich: Discuss quote from Precision Glass Tinting, LLC for tinting windows on the west side of Civic Center/City hall building to help with temperature of the building and offices on the west side. If approved, move resolution to Council agenda.

This item was not discussed. Carried over.

15. Mayor Koniar: **A)** Discuss desirability of purchasing 52± acres adjacent to airport property. **B)** Discuss hiring Library Director. **C)** Discuss CVS Caremark Card being made available through the National League of Cities. The national League of Cities has launched a free prescription discount card program for member cities to help residents cope with the high cost of prescription drugs. There is no cost to the City to sponsor the program in collaboration with the NLC. See backup for more information. If approved move resolution to Council agenda.

A) It was noted that the property is zoned M-1 Industrial. It was also noted that the property appraised for \$1.2 million and the owner had put \$1.5 million into the property. After brief discussion, it was decided to hold off on this until the first draft of the budget could be reviewed. Carried over. B) There was consensus to uphold the Library Board's recommendation for Steve Horn to be promoted to the Library Director position to fill Donna Soto's vacancy due to her retirement. Resolution moved to Council Agenda to appoint Steve Horn at his current salary as Interim Director. C) Councilmember Trawick noted he had some questions regarding the Caremark Card and requested that this item be carried over until such time he could get his questions answered. Carried over.

16. Wayne Trawick: Consider an automatic electrical transfer switch for backup power.

Carried over.

INFORMATION ITEMS:

17. Sandra Pate: Information Item – Summer Youth Employment Program.
18. Monthly Rental, Lodging and 2% Sales Tax Reports

ADD ON'S:

19. Chief Wilson: Consider resolution approving request for a donation of sick leave for employee #01-0434.

Resolution moved to Council Agenda.

20. Perry Wilbourne: Discuss possible purchase of property near soccer field.

Perry reported that the owner of the property will sell for \$165,000. Mayor Koniar noted that the property had appraised for \$260,000 in October of last year and he recommended that the City purchase the property. There was consensus to authorize the Mayor to negotiate the purchase of the property and a Resolution to this effect was moved to Council Agenda.