



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, August 20, 2018

5:30 PM

Council Chambers

Council Meeting

Public Hearing

[18-0418](#)

Public hearing to declare weeds to be a nuisance and order its abatement at 149 Meadow Run.

Council President Wayne Trawick opened the public hearing at 5:30 p.m. He asked for comments from the public. Gary Rogers, who resides at 147 Meadow Run Loop reported that this lot is constantly in need of maintenance and that the owner refuses to maintain it. Mr. Rogers thanked the Council for doing everything possible to get the lot cleaned up. Hearing no further comments, President Trawick closed the public hearing.

[18-0419](#)

Public hearing to declare weeds to be a nuisance and order its abatement at the south corner of HWY 98 and Cypress Street.

President Trawick opened the public hearing at 5:33 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

Call to Order

President Trawick called the meeting to order at 5:34 p.m.

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Phillip Brettel, David Wilson, Chuck Sutherland, Joey Darby, Coach Bryant and Coach Weaver from Gulf Coast Volleyball, Chuck Milan, Gary Rogers, David Thompson, Lori Ealey, Bryant Gardner, Elander Wilson, Mike Willis, Ralph Brock, Jerry Wilkey, Stephen Hood, Tommy Gardner, Fannie Wilson, Bryan Battaglia, LaDonna Hinesley and press representative Jessica Vaughn (Gulf Coast News).

Present: 5 - President Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell and Council Member Charles Ebert III

Pledge of Allegiance

Presentation

[18-0300](#)

Presentation: The Gulf Coast Region of USA Volleyball will award the City of Foley the R.L. Meritorious Service Award.

Coach Weaver and Coach Bryant from Gulf Coast Volleyball present the Mayor with The Gulf Coast Region of USA Volleyball award.

Departmental Reports

[18-0416](#)

Department Reports

Attachments: [July 2018 Tax Reports](#)
 [July 2018 CDD Report for Council](#)
 [FD Report June 18 7-18](#)
 [FD Report July 18 8-18](#)
 [July 2018 Police Department Month End Report signed](#)

A motion was made by Council Member Ralph Hellmich to approve the Departmental Reports as submitted. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Audit of the Accounts

[18-0425](#)

Audit the accounts of July, 2018

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, that this Auditing Accounts be approved for payment. The motion carried by an unanimous vote.

Approval of the Minutes

[18-0422](#)

Work Session Minutes of August 6, 2018

Attachments: [08-06-18 Work Session Minutes](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to approve the Work Session Minutes of August 6, 2018. The motion carried by an unanimous vote.

[18-0423](#)

Council Meeting Minutes of August 6, 2018

Attachments: [Council Meeting Minutes of August 6, 2018](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaites, to approve the Council Meeting Minutes of August 6, 2018. The motion carried by an unanimous vote.

Additions/Removals

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to add items 18-0415 and 18-0432 to the agenda. The motion carried by an unanimous vote.

Ordinances

Resolutions and Other Business

[18-0412](#)

ABC License: 010-Lounge Retail Liquor for Bryant K Gardner, applicant operating under the trade name Da Palace 2 located at 709 South Maple Street Foley, Alabama.

Attachments: [Da Palace 2 Map](#)
 [Da Palace 2 ABC Application](#)

Foley Police Chief David Wilson made a recommendation to not move forward with the ABC License.

Foley Fire Chief Joey Darby reported the applicant met all the requirements needed from the Fire Department.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to make a recommendation to the ABC Board to not move forward with the ABC License. The motion carried by an unanimous vote.

[18-0402](#)

Request Council Permission to Change Focus of Grant Award from Alabama Historical Commission from the Cactus Café building to the Hamburg building.

Attachments: [18-1137 RES](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1203-RES

[18-0404](#)

Approving Renewal of Sublease Agreement between City of Foley and Gregory Scott and Lindsey Driskell

Attachments: [Driskell Sublease Renewal](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by

an unanimous vote.

Enactment No: 18-1204-RES

[18-0406](#)

A Resolution Requesting to Enter into an agreement with Mobile County Commision- CTSP (Community Traffic Safety Program) for Reimbursement of Overtime for Labor Day Grant 2018-"Driver Sober or Get Pulled Over" Campaign

Attachments: [email](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1205-RES

[18-0407](#)

Approve or Deny the usage of Heritage Park for a Halloween Festival on October 26, 2018 from 5:00 pm until 9:00 pm.

Attachments: [DOC161 \(1\)](#)
[EH-771318-L1194150 Certificate of Insurance](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to deny the usage of Heritage Park for a Halloween Festival on October 26, 2018. The motion carried by an unanimous vote.

Enactment No: 18-1206-RES

[18-0408](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 308 N HICKORY ST

Attachments: [Weed Abatement 308 N Hickory St](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1207-RES

[18-0409](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT LOT 43 HEATHER TERRACE

Attachments: [Weed Abatement Lot 43 Heather Terrace](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1208-RES

[18-0410](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 905

PEACHTREE AVE WEST

Attachments: [Weed Abatement 905 Peachtree Ave W](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1209-RES

[18-0411](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT LAKEVIEW GARDENS

Attachments: [Weed Abatement Lakeview Gardens](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1210-RES

[18-0413](#)

Residential Sanitation Write Offs as Uncollectible in the Amount of \$102.15

Attachments: [August 2018 Sanitation Write-Offs](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1211-RES

[18-0414](#)

A resolution to reappoint Barbara Ingram to the Riviera Utilities Board.

Attachments: [Barbara Ingram Email](#)
[Riviera Utilities Board Member List - B. Ingram](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1212-RES

[18-0417](#)

Traffic Signal Preemption System

Attachments: [2017 Traffic Signal Preemption System - Contract \(002\)](#)
 [2018 Traf Sig Preem Sys- Temple Inc- Extn-1 2018](#)
 [20180801044417865 Signed by MB \(003\)](#)
 [20180801044417865 Signed by MB \(004\)](#)
 [20180801044417865 GS](#)
 [20180813171438472](#)
 [PreProject Checklist Fire Dept](#)
 [Q1218629775](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1213-RES

[18-0420](#)

Resolution authorizing employees to enter upon the property at 149 Meadow Run for the purpose of abating the public nuisance.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1214-RES

[18-0421](#)

Resolution authorizing employees to enter upon the property at the south west corner of HWY 98 and Cypress Street for the purpose of abating the public nuisance.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1215-RES

[18-0424](#)

Amending Pay Classification Plan to create a Patrol Position for a limited amount of time (approx 6 months) within the Police Department to allow for internal promotions to take effect for the filling of a vacant Sergeant position. No additional budget funds are necessary for this action.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1216-RES

[18-0426](#)

Request to Construct the Graham Creek Maintenance Area Improvement

Attachments: [Heard Roofing Co. Quote](#)
 [Pre-Project Checklist-GCNP Maintenance Area](#)

A motion was made by Council Member Charles Ebert III, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by

an unanimous vote.

Enactment No: 18-1217-RES

[18-0430](#)

APPROVES JUSTICE CENTER RENOVATION PROJECT

Attachments: [Municipal Court Plans](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1218-RES

[18-0431](#)

Acceptance of Federal and State Grant Offer to Construct T-Hangar Access Taxiways at the Foley Municipal Airport

Attachments: [Federal Grant Offer.pdf](#)
 [ALDOT Grant Offer - Foley](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1219-RES

[18-0432](#)

Ken Stabler XOXO Foundation Donation Request.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1220-RES

[18-0415](#)

APPROVES SIDEWALK REPAIRS AND PLANTERS

Attachments: [EJ Builders Proposal](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1221-RES

Mayor's Comments

There were no comments to report.

Visitor Comments

Brian Battaglia, who resides in Parish Lakes Subdivision thanked the Council for creating the Gulf Cart Ordinance.

Bryant Gardner, who resides at 3421 Royal Carriage Drive, Montgomery, AL.

36116 asked City Clerk Katy Taylor when he can get a copy of the Council Meeting Minutes of August 20, 2018. Mrs. Taylor reported she will send him a copy after the September 4, 2018 Council Meeting when the Minutes are officially approved by the City Council.

Jerry Wilkey who resides in South Hampton addressed Council with his concerns of public safety within the South Hampton Subdivision such as vehicles parked on the street. He gave written information to District 4 Council Member Rick Blackwell for review.

Ms. Wilson, who is the aunt to Bryant Gardner asked Police Chief David Wilson why he is not recommending moving forward with the ABC License for Da Palace 2. Chief Wilson reported all he will say publicly at this time is there are police concerns about this licensing request. Ms. Wilson reported she felt as though this situation is discriminatory. There have been two different owners of this club and they had no problems obtaining a license. Council President Trawick reported Chief Wilson has spoken with the applicant. Council Member Vera Quaites reported residents in the area contacted her with their concerns about having that type of business in their neighborhood and they would rather not have it opened.

Tommy Gardner addressed the Council in support of Bryant Gardner.

Joseph Ronin addressed the Council regarding the City donating property to place small individual tiny homes for the community's homeless population. This would be comparable to an RV Park. He reported he is not asking for funding, only property to place the houses on.

Adjournment

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to adjourn the meeting. The motion carried by an unanimous vote.

The meeting adjourned at 6:29 p.m.