



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Final

### City Council

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Tuesday, September 7, 2021

4:00 PM

Civic center

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#### Work Session/Council Meeting

#### Call to Order

Council President Wayne Trawick called the meeting to order at 4:00 pm.

#### Roll Call

All Council Members were present. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, David Thompson, Jamie Smith, Miranda Bell, Logan Eberly, Joey Darby, Darrell Russell, Richard Rider, John Jackson, Suzanne Kellams, LaDonna Hinesley, Chad Christian, Mitchell Lee, Tom DeBell, Eric Roach, Francis Holk Jones and press representative Jessica Vaughn.

**Present:** 5 - Council Member Richard Dayton, Council Member Rick Blackwell, Council Member Charles Ebert III, Vera Quaites and Wayne Trawick

#### Moment of Silence

A moment of silence was observed.

#### Pledge of Allegiance

#### Mayor's Presentation

[21-0502](#) Proclamation: Constitution Week

**Attachments:** [Proclamation](#)

Mayor Hellmich read the Constitution Week Proclamation into the record.

#### Discussion Items

[21-0525](#) Discuss Use of American Rescue Plan Act Funds

City Administrator Mike Thompson reported the City has received American Rescue Plan Act Funds in two increment payments of approximately \$1.5 Million Dollars. These funds can only be used for certain things such as road projects, various storm water projects and hospitality projects. Mr. Thompson further explained these planned City projects and the costs associated with each of them.

## Consent Agenda

[21-0532](#)

Work Session/Council Meeting Minutes of August 16, 2021

**Attachments:** [August 16, 2021 WS.Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to approve the Work Session/Council Meeting Minutes of August 16, 2021. The motion carried by an unanimous vote.

## Addition/Removals/Carry-overs

There were no additions, removals or carry-overs.

## Ordinances

[21-0479](#)

**An Ordinance Declaring Certain Real Property Not Presently Needed For Municipal Purposes And Authorizing The Lease Of The Same To Terra Trucking**

**Attachments:** [Lease Agreement - Truck Parking Terra Trucking](#)  
[Tera Truck Lease Drawing](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, that this Ordinance be adopted. The motion carried by an unanimous vote.

Enactment No: 21-2024-ORD

[21-0521](#)

**AN ORDINANCE PERTAINING TO THE POLICE JURISDICTION OF THE CITY OF FOLEY AND THE SERVICES TO BE PROVIDED THEREIN**

**Attachments:** [Proposed PJ Map](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, to suspend the rules for the immediate adoption of this Ordinance in order to meet the Alabama Senate Bill 107 October 1, 2021 deadline. City Administrator Mike Thompson took the following roll call vote: Council Member Quaites, aye; Council Member Dayton, aye; President Trawick, aye; Council Member Blackwell, aye and Council Member Ebert, III, aye. The vote was unanimous to suspend the rules.

A motion was made by Council Member Richard Dayton, seconded by Council Member Charles Ebert, III, that this Ordinance be adopted. The motion carried by an unanimous vote.

Enactment No: 21-2025-ORD

[21-0500](#)

**AN ORDINANCE CONSENTING TO THE CONVEYANCE OF REAL PROPERTY BY THE UTILITIES BOARD OF THE CITY OF FOLEY TO THE BALDWIN COUNTY BOARD OF EDUCATION.**

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaites, to suspend the rules for the immediate adoption of this Ordinance. City Administrator Mike Thompson took the following roll call vote: Council Member Quaites, aye; Council Member Dayton, aye; President Trawick, aye; Council Member Blackwell, aye and Council Member Ebert, III, aye. The vote was unanimous to suspend the rules.

A motion was made by Council Member Richard Dayton, seconded by Council Member Vera Quaites, that this Ordinance be adopted. The motion carried by an unanimous vote.

Enactment No: 21-2026-ORD

[21-0504](#)

(Second Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY SOUTH BALDWIN HEALTH CARE AUTHORITY AND SOUTH BALDWIN HOSPITAL BOARD FROM PUD, R1A & B1A TO PO

**Attachments:**     [SBRMC Rezoning Backup.pdf](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to approve this Ordinance on the first reading. The motion carried by an unanimous vote.

Enactment No: 21-2029-ORD

## **Resolutions and Other Business**

[21-0487](#)

A Resolution Approving Construction Bid Award for Annual Resurfacing Project (PHX)

**Attachments:**     [Sawgrass Bid Tabs](#)

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

Enactment No: 21-1304-RES

[21-0488](#)

A Resolution to Modify Commercial Sanitation Collection Fees

**Attachments:**     [Resolution to Modify Commercial Sanitation - Addendum 1](#)

Revenue Office Jamie Smith reported there has not been a fee increase for commercial sanitation in 30 years.

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

Enactment No: 21-1305-RES

[21-0489](#)

A Resolution to Amend Resolution 19-1115 A Resolution to Modify Residential Sanitation Collection Fees

**Attachments:**     [19-1115 RES](#)  
                                 [17-2032 ORD](#)

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

Enactment No: 21-1306-RES

[21-0490](#)

A Resolution to Memorialize the Execution of the Contract with Tetra Tech for the City's Debris Monitoring Services

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

Enactment No: 21-1307-RES

[21-0491](#)

A Resolution to Memorialize the Execution of the Contract with D&J Enterprises for the City's Debris Removal Services.

**Attachments:**     [Debris Removal Contract - Executed](#)

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

Enactment No: 21-1308-RES

[21-0493](#)

A Resolution Authorizing A Temporary Head Count in the Police Department

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: 21-1309-RES

[21-0494](#)

A Resolution Waiving Fees for the Use of Heritage Park and Pavilion for Foley High School Homecoming Community Pep Rally

**Attachments:**     [Foley High School Pep Rally](#)

A motion was made by Council Member Rick Blackwell, seconded by Council

**Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.**

Enactment No: 21-1310-RES

[21-0499](#)

A Resolution Memorializing the Application for the Homeland Security Local Competitive Grant for Soft Target/Crowded Places Protection

**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: 21-1311-RES

[21-0501](#)

A Resolution to Memorializing the Capital Purchase of Two Large Format Scanners

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

Enactment No: 21-1312-RES

[21-0503](#)

A Resolution Approving A One Day Members Only Pop Up Local Arts And Crafts Show

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

Enactment No: 21-1313-RES

[21-0505](#)

A Resolution to Accept FY22 LSTA (Library Service and Technology Act) Grant

**Attachments:**     [21-1102 RES](#)  
                              [FY22 Budget Increase Form](#)

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

Enactment No: 21-1314-RES

[21-0513](#)

A Resolution Approving USDA's Cooperative Service Agreement for Beaver Management

**Attachments:**     [Beaver Agreement](#)

**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: 21-1315-RES

[21-0522](#)

A Resolution Approving Going to Bid on a 2023 Custom Fire Pumper for

the Foley Fire Department

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

Enactment No: 21-1316-RES

[21-0523](#)

A Resolution Approving Going to Bid for FY2022 Stream Cleaning Services

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

Enactment No: 21-1317-RES

[21-0524](#)

A Resolution Requesting Approval to Replace an Excavator for the Street Department

**Attachments:**     [ST ROAD 2021 JD 160G EXCVTR Req to Increase Funds.pdf](#)  
[ST ROAD 2021 JD 160G EXCVTR Cap Pur Wksht & Quote.pdf](#)

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

Enactment No: 21-1318-RES

[21-0526](#)

A Resolution rescinding resolution 21-2108 and appropriating funds for a zero turn mower for Foley Recreation.

**Attachments:**     [Zero Turn Approval](#)

**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: 21-1319-RES

[21-0527](#)

Resolution Appropriating Funds for the purchase of portable volleyball court for the Foley Event Center and permission to bid and purchase.

**Attachments:**     [Portable Volleyball Court](#)

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

Enactment No: 21-1320-RES

[21-0528](#)

A Resolution to Reappoint Phillip Hinesley and Mark Jones to the Graham Creek Nature Preserve Advisory Board.

**Attachments:**     [GCNP Member List](#)

**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: 21-1321-RES

[21-0529](#)

A Resolution to Reappoint Phillip Hinesley to the Planning Commission

**Attachments:**     [Planning Commission Member list](#)

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

Enactment No: 21-1322-RES

[21-0530](#)

A Resolution Reappointing Don Auseon on the Senior Center Advisory Board

**Attachments:**     [Senior Center Adv Brd Member List](#)

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

Enactment No: 21-1323-RES

[21-0531](#)

A Resolution to Set a Public Hearing to Consider the Passage of an Ordinance to Approve the Rezoning of Property Owned by South Baldwin Healthcare Authority from PUD (Planned Unit Development) to PO (Preferred Office District)

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

Enactment No: 21-1324-RES

[21-0534](#)

A Resolution Adopting Fiscal Year 2022 Budgets

**Attachments:**     [FY 22 Public Purpose Schedule & Statements](#)  
                          [FY 22 Grants & Contracts for Public Purpose](#)  
                          [~FY2022 Final Budget Report-reduced size](#)

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

Enactment No: 21-1325-RES

## Mayor's Comments

**Mayor Hellmich thanked Council for approving the FY2022 Budget and for approving the debris removal contracts. He also gave an update on the land purchase of approximately 800 acre near Wolf Creek.**

## **Visitor Comments**

There were no visitor comments.

## **Adjournment**

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

The meeting adjourned at 5:03 pm.