



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, April 3, 2017

5:30 PM

Council Chambers

Council Meeting

Call to Order

Council President Wayne Trawick called the meeting to order at 5:30 pm.

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Clerk Katy Taylor, Kate Embry, Richard Humphrey, Harold Cox, Tom DeBell, Herman Doster, Randy Kurtts, David Wilson, Joey Darby, Thurston Bullock and Chad Christian.

Present: 6 - President Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell, Council Member Charles Ebert III and Mayor J Koniar

Pledge of Allegiance

Mayor's Presentation

[17-0177](#) Proclamation: Confederate History Month

Attachments: [Confederate History Month](#)

Mayor Koniar presented the Confederate History Month Proclamation to Herman Doster.

[17-0178](#) Proclamation: Child Abuse Prevention Month

Attachments: [Child Abuse Prevention Month](#)

Mayor Koniar presented the Child Abuse Prevention Month Proclamation.

[17-0181](#) Proclamation: National Safe Boating Week

Attachments: [NSBW - WEAR IT](#)

Mayor Koniar presented the National Safe Boating Week Proclamation.

Additions/Removals

A motion was made by Council Member Ralph Hellmich to add items 17-0198 and 17-0201 to the agenda. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Approval of the Minutes

[17-0188](#) Work Session Minutes of March 20, 2017.

Attachments: [3-20-2017 Work Session Minutes](#)

A motion was made by Council Member Rick Blackwell to approve the Work Session Minutes of March 20, 2017. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote with one abstention.

Aye: 4 - Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - President Trawick

[17-0189](#) Council Meeting Minutes of March 20, 2017.

Attachments: [3-20-2017 Council Meeting Minutes](#)

A motion was made by Council Member Hellmich to approve the Council Meeting minutes of March 20, 2017. The motion was seconded by Council Member Ebert, III and carried by an unanimous vote with one abstention.

Aye: 4 - Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - President Trawick

Ordinances

[17-0168](#) Amendment to Ordinance No. 1018-07 (Business License Ordinance)
Creating a License Fee Schedule for Places of Amusement/Entertainment

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

Enactment No: 17-2018-ORD

[17-0175](#)

(Second Reading) ORDINANCE REZONING PROPERTY OWNED BY CITY OF FOLEY, COASTAL ALABAMA FARMERS & FISHERMENS MARKET, PUBLIC FACILITIES COOPERATIVE DISTRICT OF THE CITY OF FOLEY & WOLF BAY LODGE FROM B1A TO PDD

Attachments: [Farmers Market Rezoning for Council_Final.pdf](#)
[CAFFM Rezone Support Letter](#)
[PFCD Rezone Support Letter](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, that this Ordinance be approved on first reading. The motion carried by an unanimous vote.

[17-0195](#)

(Second Reading) AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO SOUTHERN LIGHT, LLC, FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING FIBER-OPTIC TRANSMISSION LINES WITHIN THE PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF FOLEY, ALABAMA

Attachments: [Southern Light Franchise Agreement & Ordinance](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Ordinance be approved on first reading. The motion carried by an unanimous vote.

Resolutions and Other Business

[17-0174](#)

A Resolution to reappoint Orville Donald Wenzel, Jr. to the Museum Archive Advisory Board.

Attachments: [Museum Archive Board](#)

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: 17-1079-RES

[17-0176](#)

Consider appointment to fill an unexpired term on the Senior Center Advisory Board.

Attachments: [Senior Citizens Board](#)
[Recommendation Letter](#)

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: 17-1080-RES

[17-0179](#)

Consider Voting Delegate for the ALM Annual Business Session

Attachments: [Voting Delegate](#)

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

Aye: 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Ebert III

Abstain: 1 - Council Member Blackwell

Enactment No: 17-1081-RES

[17-0180](#)

Residential Sanitation Write Offs as Uncollectible in the Amount of \$237.60

Attachments: [Sanitation Write Offs](#)

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: 17-1082-RES

[17-0182](#)

Appoint proxy for AMIC's Annual Meeting

Attachments: [Proxy](#)

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: 17-1083-RES

[17-0183](#)

Request to enter into a contract with Ray Dougherty for Search Engine Optimization (SEO) Management and Consulting on the Foley Sports Tourism Website.

Attachments: [SEO MANAGEMENT CONTRACT](#)

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: 17-1084-RES

[17-0184](#)

Street Light Request for N. Holly Blvd.

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: 17-1085-RES

[17-0186](#)

Authorizing Transfer of Funds from the Sanitation Department to the

Street Department for Help in Funding Needed Overtime

Attachments: [20170324082947200.pdf](#)

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: 17-1086-RES

[17-0187](#)

Waiving Civic Center fees for South Baldwin Chamber of Commerce

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: 17-1087-RES

[17-0191](#)

Sports Tourism Request to Appropriate Funds for the application of PrGanics and Flexterra FGM at the Foley Sports Tourism Complex

Attachments: [Estimate 1242 from Landscape The South Inc](#)

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: 17-1088-RES

[17-0193](#)

REQUEST TO TRANSFER \$1,000 FROM CDD SUPPLIES P&Z TO OVERTIME ACCOUNT

Attachments: [Form to Transfer Funds.pdf](#)

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: 17-1089-RES

[17-0194](#)

Approval of Application for the 2018 LSTA Grant

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: 17-1090-RES

[17-0197](#)

OPPOSING SB31 (HB58) WHICH EXEMPTS PRESCRIPTION DRUG SALES FROM THE CALCULATION OF GROSS RECEIPTS BUSINESS LICENSES

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: 17-1078-RES

[17-0190](#)

ABC License - 140-Special Events Retail ABC License for the 13th Annual Gulf Coast Hot Air Balloon Festival to be held on May 5, 6 and 7, 2017.

Attachments: [Balloon Fest ABC License](#)

Police Chief David Wilson and Fire Chief Joey Darby both made recommendations to move forward with the ABC License.

A motion was made by Council Member Ralph Hellmich to approve the ABC license for the 13th Annual Gulf Coast Hot Air Balloon Festival. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

[17-0198](#)

A resolution setting a public hearing to consider Planning Commission's recommendation for rezoning property owned by City of Foley, Coastal Alabama Farmers & Fishermens Market, Public Facilities Cooperative District of The City Of Foley & Wolf Bay Lodge From B1A To PDD

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: 17-1091-RES

[17-0201](#)

A resolution to approve the use of budgeted funds for a portion of the Street Scape Phase V.

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: 17-1092-RES

Mayor's Comments

No comments to report.

Visitor Comments

No comments to report.

Adjournment

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

The meeting was adjourned at 5:51 pm.