



Meeting Minutes - Draft

City Council

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Monday, May 20, 2019

5:30 PM

Council Chambers

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Council Meeting

Call to Order

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

Roll Call

All Council Members were present with the exception of Council Member Vera Quaites, who was out of town. Also present: Mayor John Koniar, Brenda Shambo, David Wilson, Joey Darby and Taylor Nipper.

**Present:** 4 - President Wayne Trawick, Council Member Ralph Hellmich, Council Member Rick Blackwell and Council Member Charles Ebert III

**Absent:** 1 - Council Member Vera Quaites

Pledge of Allegiance

Departmental Reports

[19-0263](#) Departmental Reports

**Attachments:** [Tax Report - April 2019](#)  
[APRIL 2019 CDD REPORT](#)  
[April 2019 FD Report](#)  
[April 2019 PD Report](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to accept the reports as submitted. The motion carried by an unanimous vote.

Audit of the Accounts

[19-0264](#) Audit the Accounts of April, 2019

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to approve the accounts for payment. The motion carried by an unanimous vote.

## Approval of the Minutes

[19-0261](#) Work Session Minutes of May 9, 2019

**Attachments:** [05-09-2019 Work Session Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Ralph Hellmich, to approve the Work Session Minutes of May 9, 2019. The motion carried by an unanimous vote.

[19-0262](#) Council Meeting Minutes of May 9, 2019

**Attachments:** [05-09-2019 Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, to approve the Council Meeting Minutes of May 9, 2019. The motion carried by an unanimous vote.

## Additions/Removals

There were no additions or removals.

## Ordinances

[19-0268](#) (First Reading) AN ORDINANCE GRANTING A 10-YEAR NON-EXCLUSIVE FRANCHISE TO POINT BROADBAND LLC ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A SYSTEM NETWORK FOR THE PURPOSE OF TRANSMISSION OF CABLE SERVICES WITHIN ALL INCORPORATED PORTIONS AND LOCATIONS OF THE CITY OF FOLEY, ALABAMA AND TO USE AND OCCUPY THE STREETS, ALLEYS AND OTHER PUBLIC PLACES OF CITY FOR SUCH PURPOSES

**Attachments:** [Point Broadband Franchise Agreement Final Draft](#)  
[Point Broadband Letter of Request](#)

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

[19-0276](#) (Second Reading) An Ordinance Declaring Certain Real Property No Longer Needed For Municipal Purposes and Authorizing the Sale of the Same

**Attachments:** [211 Rose Ave E-2-Foley, AL 36535](#)  
[Purchase Offer](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Ralph Hellmich, that this Ordinance be approved on the first reading. The motion carried by the following roll call vote: Council Member Ralph Hellmich, aye; President Wayne Trawick, aye; Council Member Rick Blackwell, aye and Council Charles Ebert, III, abstained. The motion carried by a majority vote.

**Aye:** 3 - President Trawick, Council Member Hellmich and Council Member Blackwell

**Abstain:** 1 - Council Member Ebert III

## Resolutions and Other Business

### [19-0265](#)

Consider 050- Retail Beer (Off Premises Only) ABC License for Publix Alabama LLC, applicant, operating under the trade name of Publix Alabama 1673 located at 2614 South McKenzie Street, Foley, AL.

**Attachments:** [Publix ABC Application](#)

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

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to recommend the ABC Board move forward with the ABC License. The motion carried by an unanimous vote.

### [19-0118](#)

A Resolution to Terminate the Alabama Festival of Flavor Performance Contract and Reallocate Funds to Chicago Street Supper Club

**Attachments:** [Festival of Flavor Contract](#)  
[Contract Revision Proposal \(1\)](#)  
[Request to City to reallocate funds \(1\)](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be carried over to the City Council, due back by 6/17/2019. The motion carried by an unanimous vote.

### [19-0269](#)

A Resolution Waiving Fees for the Use of Heritage Park and Pavilion for AL Operation Lifesaver

**Attachments:** [20190508111203275](#)

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: 19-1152-RES

### [19-0270](#)

A Resolution to Apply for the FY2019 Resilience to Future Flooding

Request for Project Ideas

**Attachments:** [Resilience to Future Flooding RFPI - FINAL](#)

**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: 19-1153-RES

[19-0271](#)

A Resolution Accepting an Unbudgeted Donation from Ascend Performance Materials for the Foley Fire Department - CPR

**Attachments:** [Ascend Check 4-29-19](#)

**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: 19-1154-RES

[19-0272](#)

A Resolution Accepting the Award for FY2019 Alabama Historical Commission's Historic Preservation Funds Grant

**Attachments:** [Signed Budget Increase Form](#)

**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: 19-1155-RES

[19-0273](#)

A Resolution Appropriating Funds for a Press Box for Foley Sports Tourism.

**Attachments:** [MikeWayne Approval Pressbox](#)

**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: 19-1156-RES

[19-0277](#)

Resolution Requesting To Waive Fees To Minimum For Oasis Church

**Attachments:** [Oasis Church 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: 19-1157-RES

## Mayor's Comments

There were no comments to report.

### **Visitor Comments**

There were no comments to report.

### **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 5:48 p.m.