



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, April 5, 2021

4:00 PM

Foley Civic Center

Work Session/Council Meeting

Public Hearings

[21-0112](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 9190 Lakeview Drive.

Council President Wayne Trawick opened the public hearing at 4:00 pm. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[21-0166](#)

Public Hearing To Consider An Ordinance To Amend the City of Foley Zoning Ordinance

President Trawick opened the public hearing at 4:00 pm. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[21-0167](#)

Public Hearing To Consider An Ordinance Approving Petition For Annexation And Bringing Property Into The Corporate Limits Of The City Of Foley Owned By Norman And Marjorie Moore

President Trawick opened the public hearing at 4:00 pm. 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 4:01 pm.

Roll Call

All Council Members were present. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Wynter Metz, Leslie Gahagan, Sue Steigerwald, Jo Hellmich, Tony Fuqua, Joey Linder, Brenda Shambo, Jeannie Harper, Deborah Mixon, David Thompson, John Jackson, Joanna Worch, Richard Rider, Logan Eberly, Suzanne Kellams, Chad Brewer,

Darrellynn Dunmore, Angie Beard, LaDonna Hinsley , Bertha Gibbs and press representative Jessica Vaughan.

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

Pledge of Allegiance

Discussion Items

[21-0165](#)

Discuss Lemonade Day Coastal Alabama Sponsorship

Attachments: [Lemonade Day Sponsorship Request](#)

Mayor Hellmich reported that this program for K5 through 5th grade students is to teach them the fundamentals of running a business. Darrellyn Dunmore reported that the children practice recipes and entrepreneurship at Coastal Community College. Mayor Hellmich recommended sponsoring this program and adding it to the agenda for the next Council Meeting. There was no further discussion on this item.

[21-0186](#)

Discuss Potential Butterfly Garden by Foley Dog Park

Attachments: [Adding Butterfly Garden by Dog Park](#)

Brenda Shambo reported that Hurricane Sally ruined the south side of the Foley Dog Park, making it a great location for another Butterfly Garden. Mrs. Shambo reported that the Beatification Board is not asking Council for money, just their approval on moving forward with this project. There was no further discussion on this item.

Consent Agenda

[21-0168](#)

Work Session/Council Meeting Minutes of March 15, 2021

Attachments: [3-15-2021 Work Session & Council Meeting Minutes](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, to approve the March 15, 2021 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

Additions/Removals/Carry-Overs

There were no additions, removals or carry-overs.

Ordinances

[21-0119](#)

An Ordinance Amending The City of Foley Zoning Ordinance

Attachments: [Recommendation and backup](#)

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: 21-2003-ORD

[21-0129](#)

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY NORMAN AND MARJORIE MOORE

Attachments: [Annexation Petition and Map](#)
 [Summerlyn SD-letter](#)

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

Enactment No: 21-2004-ORD

[21-0151](#)

An Ordinance Amending Ordinance 1031-08 Regulating Towing and Recovery Rotation Services for the City of Foley

Attachments: [1031-08 ORD](#)
 [Tow Ordinance Revised Draft \(Legal Review\)](#)

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: 21-2005-ORD

[21-0170](#)

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF FOLEY REGARDING THE REGULATION OF SMALL CELL TECHNOLOGY FACILITIES IN THE CITY OF FOLEY, ALABAMA

Attachments: [Clean Version of Small Cell Ordinance](#)
 [Redline of Small Cell Ordinance](#)

City Administrator Mike Thompson reported to Council that this Ordinance will align the City with the new state laws. There was no further discussion on this item.

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, that this Ordinance be approved on the first reading.

The motion carried by an unanimous vote.

Enactment No: 21-2006-ORD

Resolutions and Other Business

[21-0066](#)

A Resolution to Accept the ADECA Volkswagen Settlement Grants and Proceed with Purchase

Attachments: [ADECA Grant Agreement 1VW21 02](#)

[ADECA Grant Agreement 1VW21 06](#)

[Budget Increase & Project Form](#)

Logan Eberly reported to Council that \$278,153.00 was awarded for the ADECA Volkswagen Settlement Grant. The grant is 65% funded with a 35% match, requiring the surplus and disposal of 3 dump trucks and the purchase of 3 new ones as replacement. There was no further discussion on this item.

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

Enactment No: 21-1094-RES

[21-0113](#)

A Resolution Authorizing Employees to Enter Upon the Property at 9190 Lakeview Drive for the Purpose of Abating the Public Nuisance.

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: 21-1095-RES

[21-0140](#)

A Resolution to Reappoint Sharron Wineman to the Senior Center Advisory Board

Attachments: [Sharron Wineman's Term](#)

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: 21-1096-RES

[21-0145](#)

A Resolution Approving the Placement of a Stick Library in the Foley Dog Park

Attachments: [Stick Library](#)

Joanna Worch and Angie Beard reported to Council that Foley Elementary has a "Pet-Pals" program that is similar to having Pen-Pals, only this is with pets. Mrs. Worch reported that the Foley Elementary 4th grade class is asking the Mayor for permission to place a box made by the Foley High School Wood Working class at the dog park, that will hold sticks for the dogs to play with. Mrs. Worch reported that this is something that the class is wanting to

continually maintain at the dog park. There was no further discussion on this item.

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: 21-1097-RES

[21-0155](#)

A Resolution Approving the Application for the Lowe's 100 Hometown Grant

Attachments: [THE LOWE'S HOMETOWNS GRANT PROGRAM](#)

Logan Eberly reported to Council that the Beautification Board is wanting to apply for this grant to create a pocket park in Downtown Foley, across from Mama Mia's Pizzeria. There was no further discussion on this item.

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

Enactment No: 21-1098-RES

[21-0156](#)

A Resolution Appointing AMIC Proxy

Attachments: [AMIC Proxy](#)

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: 21-1099-RES

[21-0160](#)

A Resolution Approving the Increase of Budget for Sidewalk Maintenance

Attachments: [Estimate and Pictures for Pressure Washing Sidewalks \(1\)](#)
 [Sidewalk Map](#)
 [Unsigned Budget Increase Form- Sidewalk Maint](#)

Brenda Shambo reported to Council that Liquid Shine will be pressure washing the sidewalk in Downtown Foley at Hwy 59 & 98. Mrs. Shambo reported that they will cover 32,800 square feet totaling in \$6,560.00. There was no further discussion on this item.

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: 21-1100-RES

[21-0161](#)

A Resolution Approving The Budget Increase For Gateway Sign Maintenance

Attachments: [Estimate and Picture of Foley Welcome Sign](#)
[Budget Increase Form Signs](#)

Brenda Shambo reported to Council that Liquid Shine will be hand washing 6 "Welcome to Foley" signs for a total of \$600. There was no further discussion on this item.

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: 21-1101-RES

[21-0162](#)

A Resolution Requesting Approval of the Application for the FY2022 LSTA Grant

John Jackson reported to Council that the library is asking to apply for this \$20k grant with a \$5k local match for new books for the library. There was no further discussion on this item.

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: 21-1102-RES

[21-0164](#)

Resolution Authorizing Agreement for Laboratory Services with Foley Hospital Corporation d/b/a South Baldwin Regional Medical Center

Attachments: [LabServicesAgreement](#) [CityOfFoley](#) [SBRMC](#)

Human Resource Director Suzanne Kellams reported to Council that this agreement with South Baldwin will work in situations with inmate lab services, police car accidents, and after work injuries. There was no further discussion on this item.

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

Enactment No: 21-1103-RES

[21-0169](#)

A Resolution to Approve Setting a Public Hearing to Adopt an Ordinance to Amend Chapter 10, Article IV of the Code of Ordinances of the City of Foley Regarding the Regulation of Small Cell Technology Facilities in the City of Foley, Alabama.

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: 21-1104-RES

[21-0171](#)

A Resolution to Increase Budget and Move Forward with CDD Truck Purchase

Attachments: [2021 F150 X1E State Contract New](#)
 [Budget Increase Form](#)

Logan Eberly reported to Council that there were no bids on the truck for the Community Development Department. Mrs. Eberly reported that the truck being purchased is \$400 over budget. There was no further discussion on this item.

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: 21-1105-RES

[21-0172](#)

A Resolution to Increase Budget and Move Forward with the Electric Vehicle for the Environmental Department

Logan Eberly reported to Council that there were no bids on the Electric Vehicle for the Environmental Department. Mrs. Eberly reported that the car being purchased is \$4k over budget. There was no further discussion on this item.

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: 21-1106-RES

[21-0173](#)

Resolution Authorizing Advertisement of the Request for Proposals for Professional Administration Services

Logan Eberly reported to Council that Foley is applying for HMGP funds from FEMA for the First Responders Shelter. Mrs. Eberly reported that FEMA is requiring Foley to go to bid for companies to provide professional services for the grant application and program management. There was no further discussion on this item.

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

Enactment No: 21-1107-RES

[21-0174](#)

A Resolution Approving A Capital Purchase of AXON ICVS

Attachments: [AXON ICVS QUOTE 2021](#)
 [AXON STATE MASTER AGREEMENT](#)
 [AXON CAPITAL PURCHASE WORKSHEET](#)
 [AXON EMAIL APPROVAL](#)

Police Commander Tony Fuqua reported to Council that the police department is wanting to purchase 7 vehicle video surveillance systems for \$53k, which is coming in under budget. There was no further discussion on this item.

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: 21-1108-RES

[21-0175](#)

A Resolution Approving Facade Grant for Katy's Catering

Attachments: [Katy's Grant Recommendation](#)

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: 21-1109-RES

[21-0176](#)

Facade Grant for Marsha Kaiser / LA Computer

Attachments: [L A Computers Grant](#)

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: 21-1110-RES

[21-0177](#)

A Resolution to Amend Resolution #21-1083 for the Purchase of Five Tahoes for the Police Department

Attachments: [AMEND RESOLUTION EMAIL APPROVAL](#)
[DONOHOO SILVERADO MASTER AGREEMENT](#)
[DONOHOO SILVERADO QUOTES](#)

Police Commander Tony Fuqua reported to Council that the Chevy Silverados are \$3k cheaper, and will be ready sooner than the Chevy Tahoes. Commander Fuqua reported that the Silverados will come with 4x4, as well as a truck bed, which will help the Police Department in inclement weather and with carrying evidence. There was no further discussion on this item.

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

Enactment No: 21-1111-RES

[21-0179](#)

Resolution to approve request a variance that would allow alcohol to be sold at the Foley Horse Arena during the JMK Rodeo event being held 6/2/21 - 6/6/21.

Attachments: [JMK Rodeo Rental App](#)
[JMK Rodeo Request to sell alcohol](#)

Director of Recreation and Sports Tourism David Thompson reported to Council that alcohol is usually not allowed at this park for events. Mr. Thompson reported this Rodeo's main sponsor is a whiskey company, so they are asking

for permission for alcohol this one time. There was no further discussion on this item.

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: 21-1112-RES

[21-0180](#)

A Resolution Approving the Purchase of Two Front Mount Mowers & Decks for Street Dept. - Maintenance

Attachments: [ST MAINT Cap Purch Wrksht & Quote for Two 1575 Mowers-Decks.pdf](#)

Ricky Rider reported to Council that this purchase will replace 2 older mowers in the street department. There was no further discussion on this item.

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: 21-1113-RES

[21-0181](#)

A Resolution to Amend Resolution 20-1377 A Resolution Approving the Purchase of Real Property

Attachments: [20-1377 RES](#)
[Lawrenz Properties](#)

City Administrator Mike Thompson reported to Council that the original Resolution states the closing on 1 parcel of property and that this amendment will correct the verbiage to reflect that 2 parcels of property were purchased. There was no further discussion on this item.

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: 21-1114-RES

[21-0182](#)

A Resolution Waiving Fees for the Use of Heritage Park and Pavilion for Pastor Nolan Donald of Foley United Methodist Church VBS

Attachments: [VBS Application - 2021.03](#)

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

Enactment No: 21-1115-RES

[21-0184](#)

A Resolution to Consider an Additional One-Time Payment to the Boy Scouts & Girl Scouts Support Services

Attachments: [Budget Adjustment](#)
 [Boy Scouts services](#)

Logan Ebery reported to Council that fundraising for the Boy Scouts and Girl Scouts was negatively effected by COVID-19. Mrs. Eberly reported that this Resolution will amend the budget and approve a one time payment to help the children go to summer camp. There was no further discussion on this item.

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

Enactment No: 21-1116-RES

[21-0185](#)

A Resolution Approving Application from CDD for the FY2022 Alabama Coastal Area Management Program Grant.

Attachments: [FY2022-ACAMP-RFP-Package 3-15-2021 0 \(2\)](#)

Logan Eberly reported to Council that CDD is wanting to apply for a grant to update the NW Quadrant Comprehensive Plan, which is a \$20k grant with a \$20k match. There was no further discussion on this item.

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

Enactment No: 21-1117-RES

[21-0187](#)

A Resolution Approving the Purchase of a Zero Turn Mower for Street Department

Attachments: [ST SDWLK 2021 Mower Cap Purch](#)
 [ST SDWLK 2021 Mower Quotes.pdf](#)

Ricky Rider reported to Council that this purchase will allow the sidewalk crew to cut grass in tighter areas where the larger mowers cannot go. There was no further discussion on this item.

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: 21-1118-RES

[21-0190](#)

A Resolution To Appropriate and Approve the Expenditure of Funds to Remove and Re-Pour Concrete Slab

Attachments: [Remove Concrete Quote](#)
 [New Concrete Quote](#)
 [Budget Increase Form](#)

City Administrator Mike Thompson reported to Council that a Foley resident lost a large shed and applied for a permit to rebuild it in it's original location.

Mr. Thompson reported that City staff did not realize the shed was in the set back area of the property until the new slab was already poured. Mr. Thompson reported this Resolution will allow the City to remove the slab and pour a new one in the correct location. There was no further discussion on this item.

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: 21-1119-RES

[.21-0191](#)

A Resolution to Appoint Kim Ward to the Foley Historical Commission.

Attachments: [Historical Comm List](#)

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

Enactment No: 21-1120-RES

[21-0158](#)

ABC License: 011 - Lounge Retail Liquor - Class II (PACKAGE) for Shree Hari 21 Inc, applicant operating under the trade name Foley Liquor located at 3814 South McKenzie St. Foley, Alabama.

Attachments: [Foley Liquor ABC License](#)

The Foley Police and Fire Departments recommended moving forward.

A motion was made by Council Member Richard Dayton, seconded by Council Member Rick Blackwell to make a recommendation to the ABC Board to move forward with the license. The motion carried by an unanimous vote.

Mayor's Comments

Mayor Hellmich thanked his wife, Jo Hellmich, for supporting Foley Elementary School and congratulated them on their achievements. Mayor Hellmich congratulated John Graham on the beautiful flowers and also thanked the Beautification Board. Mayor Hellmich also thanked Kate Embry for her hard work and dedication on arranging the COVID Vaccinations.

Visitor Comments

Bertha Gibbs, who resides at 13418 Rooster Lane and Antonia Sledge, who resides at 13423 Rooster Lane addressed Council with their continued concerns of speeders on Rooster Lane. They requested the placement of speed bumps.

Council Member Vera Quaites thanked the City of Foley and everyone else for their love and support during this time.

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 was adjourned at 5:06 pm.