



Meeting Minutes - Final

City Council

Monday, December 21, 2020

4:00 PM

Foley Civic Center

Work Session/Council Meeting

Public Hearings

[20-0578](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 311 West Marigold Avenue.

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

[20-0579](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at the SE corner of Hickory St & Michigan Ave.

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

[20-0580](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at the dam on Lakeview Drive North.

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

[20-0581](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 422 W Orange Avenue.

President Trawick opened the public hearing at 4:01 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[20-0582](#)

Public Hearing to Consider 232 West Laurel Avenue to be a Public Nuisance and to Order is Abatement.

President Trawick opened the public hearing at 4:02 p.m. He asked for comments from the public. Attorney Stephen Klimjack reported that Deep South Landscaping is scheduled to cut the grass and clear the lot by the end of January 2021. Mr. Klimjack also reported that the historic home was in the process of being restored until the Covid-19 Pandemic caused major delay. Mr. Klimjack stated the project will resume restoration measures in March of 2021. Leslie Gahagan made a recommendation to give the property owners until March of 2021, as long as the doors and windows to the building are secured to prevent vagrants and vermin from accessing the home. City Administrator Mike

Thompson confirmed with Mrs. Gahagan that plywood is an acceptable material to be used to secure the doors and windows of the building. Hearing no further comments, President Trawick closed the public hearing.

[20-0583](#)

Public Hearing to Consider 216 West Orchid Avenue to be a Public Nuisance and to Order is Abatement.

President Trawick opened the public hearing at 4:02 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[20-0620](#)

Public Hearing to Consider Planning Commission's Recommendation to Approve the Rezoning of Property Owned by William Byard Gordon SR ETAL from AO (Agricultural Open Space) to PUD (Planned Unit Development) and Initial Zoning of property Owned by William Byard Gordon SR ETAL to PUD (Planned Unit Development).

President Trawick opened the public hearing at 4:02 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 4:06 p.m.

Roll Call

All Council Members were present. Mayor Ralph Hellmich was absent due to illness. Also present: City Administrator Mike Thompson, City clerk Katy Taylor, Leslie Gahagan, Kevin Carnley, Joey Darby, Donna Watts, Ed Bushaw, Suzanne Kellams, Sue Steigerwald, Jamie Smith, Darrell Russell, Chad Brewer, Chad Christian, David ThompsonRachek Keith, LaDonna Hinesley, Casey Pipes, Miriam Boone, Diana Brewer, Connie Whitaker, Tom Poulos, Keviv Berland, Taylor Henseler, Kathy Raffetto, William Roberts, Susan Gordon, William Byard, David Stovall, Craig Johnson, David Dichiara, Don Cook and Jay Lanius.

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

Presentations

[20-0572](#)

South Alabama Land Trust Presentation

Attachments: [Questionnaire for Council Agenda Request](#)
[SALT - At a Glance \(1\)](#)

Connie Whitaker from South Alabama Land Trust gave a power point presentation.

Additions/Removals/Carry-Overs

Council Member Charles Ebert, III made a motion, seconded by Council Member Richard Dayton to remove item 20-0588. The motion was carried by an unanimous vote.

Discussion Items

There were no discussion items.

Consent Agenda

[20-0616](#) Work Session/Council Meeting Minutes of December 7, 2020

Attachments: [12-07-2020 Work Session 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 December 7, 2020. The motion carried by an unanimous vote.

[20-0614](#) Report of Prior Month Approved/Paid Bills for the Records, November, 2020.

Attachments: [2020-11 Approved & Paid Bills.Expense Approval Report](#)

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

[20-0615](#) Department Reports

Attachments: [November 2020 Bid Awards](#)
[Tax Report Nov 2020](#)
[November 2020 CDD Report](#)
[November 2020 PD Report](#)

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

[20-0586](#)

A Resolution Authorizing Employees to Enter Upon the Property at the South East section of the dam located on Lakeview Drive 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: 20-1379-RES

[20-0587](#)

A Resolution Authorizing Employees to Enter Upon the Property at 422 West Orange Avenue 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: 20-1380-RES

[20-0588](#)

A Resolution Authorizing Employees to Enter Upon the Property at 232 West Laurel Avenue for the Purpose of Abating the Public Nuisance.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, that this item be removed from the agenda. The motion carried by an unanimous vote.

Enactment No: 20-1381-RES

[20-0589](#)

A Resolution Authorizing Employees to Enter Upon the Property at 216 West Orchid Avenue 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: 20-1382-RES

[20-0604](#)

A Resolution to Appoint a New Member to the Housing Authority Board.

Attachments: [Housing Authority Members List](#)
 [Nealy Jerome Roper](#)

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: 20-1383-RES

Ordinances

[20-0529](#)

**(Second Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87
REZONING PROPERTY OWNED BY WILLIAM BYARD GORDON SR
ETAL FROM AO TO PUD AND INITIAL ZONING OF PROPERTY OWNED**

BY WILLIAM BYARD GORDON SR ETAL TO PUD

Attachments: [Initial and rezone Gordon](#)
 [Overall Site Plan \(12-15-2020\)](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III that this Ordinance be adopted. The motion carried with four aye votes and one nay vote.

Aye: 4 - Trawick, Quaite, Blackwell and Ebert III

Nay: 1 - Council Member Dayton

Enactment No: 20-2024-ORD

Resolutions and Other Business**[20-0617](#)**

A Resolution to Approve A Contract For the City's Reinsurance/Stop Loss for the 2021 Calendar Year.

Attachments: [City of Foley comparision 2021](#)
 [City of Foley 2021 Projection \(20201210\)\(FINAL\)\(SunLife \\$100K Spec. \\$50K Agg Spec\)](#)

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

Enactment No: 20-1384-RES

[20-0621](#)

A Resolution To Approve Filling A New Position In Nature Parks Sooner Than Budgeted

Attachments: [L. Gahagan Email](#)
 [Budget Transfer Request Form-Nature Parks](#)

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: 20-1385-RES

[20-0622](#)

A Resolution to Approve an Extension to the Paid Sick Leave and Expanded Family and Medical Leave for City Employees Under the Families First Coronavirus Response Act (FFCRA) due to COVID-19 Pandemic.

Attachments: [FFCRA Poster WH1422 Non-Federal](#)

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: 20-1386-RES

[20-0623](#)

A Resolution Amending the Pay Classification Plan to Accommodate the Fire Department Restructure

Attachments: [Fire Service Captain Job Analysis Summary](#)
[Fire Service Lieutenant Job Analysis Summar](#)

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: 20-1387-RES

[20-0624](#)

A Resolution Approving the South Baldwin Chamber of Commerce to Use a Portion of the Hot Air Balloon Festival Performance Contract Funds for a State-wide Program through the Alabama Restaurant+Hospitality Promise Program.

Attachments: [20-1195 RES](#)
[Alabama Restaurant and Hospitality Promise Proposal \(2\)](#)

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: 20-1388-RES

[20-0625](#)

A Resolution appropriating funds for a Kubota Tractor for Foley Recreation.

Attachments: [Recreation Tractor](#)

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: 20-1389-RES

[20-0626](#)

A Resolution Approving a Capital Project for Traffic Warning Signals on CR20

Attachments: [RTC_FireStationWarning_15May2018a.pdf](#)
[Foley.110520.RTCFirestationwarning.pdf](#)

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: 20-1390-RES

[20-0627](#)

A Resolution to Approve D&J Enterprises, Inc. Notice to Proceed Number 2020-03 Increasing Contract "Not to Exceed" Amount

Attachments: [Notice to Proceed 2020-03 - Debris Removal Services.pdf](#)

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: 20-1391-RES

Mayor's Comments

There were no comments to report.

Visitor Comments

Greg Roberts, who resides in Live Oak Village subdivision reported trash dumping issues on North Cedar Street and West Peachtree Avenue. Mr. Roberts recommends that 25 signs be posted, fines be put in place, and then have law enforcement monitor the area. Mr. Roberts reported that there are condemned houses in the area that need fencing put up around them as well. Another resident of Live Oak Village reported that people are coming from all over to dump their trash along N Cedar Street, as well as a lawn service company claiming to have permission from the City of Foley to dump there.

Executive Session

City Administrator Mike Thompson reported the need to go into executive session to discuss potential litigation with the City's attorney. He reported the executive session will take approximately 30 minutes and there was no need to come back to take a vote.

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton to go into executive session.

Mr. 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 motion carried by an unanimous vote.

The Council Meeting was recessed at 5:01 p.m.

The Council Meeting reconvened at 5:54 p.m.

All Council Members were present. Also present: City Administrator Mike Thompson and Casey Pipes.

There was no further business to conduct.

Adjournment

A motion was made by Charles Ebert, III, seconded by Rick Blackwell, to adjourn the meeting. The motion carried by an unanimous vote.

The meeting was adjourned at 5:55 pm.