



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, December 4, 2017

5:30 PM

Council Chambers

Council Meeting

Public Hearing

[17-0679](#)

Public Hearing to consider passing an Ordinance approving the Zoning Ordinance Amendments

Council President Wayne Trawick opened the public hearing at 5:30 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[17-0680](#)

Public Hearing to consider passing an Ordinance approving the rezoning of property owned by MCMC Glenlakes, LLC from PUD (Planned Unit Development) to PUD (Planned Unit Development)

President Trawick opened the public hearing at 5:30 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[17-0681](#)

Public Hearing to consider passing an Ordinance to approve the rezoning of property owned by WLW&S, LLC from PUD (Planned Unit Development) to PUD (Planned Unit Development).

President Trawick opened the public hearing at 5:31 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[17-0682](#)

Public Hearing to consider passing and Ordinance to approve the rezoning of property owned by Andru Bramblett Rezoning from R1A (Single Family Residential) to R1B (Single Family Residential).

President Trawick opened the public hearing at 5:31 p.m. He asked for comments from the public. Mr. Doug Wyatt, who resides at 213 E. Peachtree addressed the Council with concerns of this rezoning. He reported it will

increase the traffic in the area and lower the property values of existing homes in the area. Councilman Hellmich asked Mr. Wyatt if once the extension of Fern Avenue to Juniper Street is complete, if he thought that would help any traffic issues. Mr. Wyatt stated that it may help.

Ercil Godwin from Sawgrass Consulting reported he represents Mr. Bramblett and the lay out of the lots for this subdivision will be approximately 53 lots. The homes that will be built are larger than what residents believe. T

[17-0685](#)

Public Hearing to consider passing an Ordinance approving the initial zoning of PUD (planned Unit Development) for property owned by WLW&S, LLC.

President Trawick opened the public hearing at 5:41 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 5:41 p.m.

Roll Call

All Council Members were present with the exception of Council Member Charles Ebert, III, who was out of town. Mayor Koniar was absent due to being out of town. Also present: City Administrator Mike Thompson, City Clerk Katy Taylor, David Wilson, Joey Darby, Chad Christian, Erick Haffner, Tom DeBell, Doug and Vicky Wyatt, Nick Byut and press representative Jessica Vaughn (Onlooker).

Present: 4 - President Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich and Council Member Rick Blackwell

Absent: 1 - Council Member Charles Ebert III

Pledge of Allegiance

Approval of the Minutes

[17-0690](#)

Work Session Minutes of November 20, 2017

Attachments: [11-20-2017 Work Session Minutes](#)

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

[17-0691](#)

Council Meeting Minutes of November 20, 2017

Attachments: [11-20-2017 Council Meeting Minutes](#)

A motion was made by Council Member Ralph Hellmich to approve the Council Meeting Minutes of November 20, 2017. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Additions/Removals

A motion was made by Council Member Ralph Hellmich to add items 17-0696, 17-0697 and 17-0698 to the Council agenda. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Ordinances

[17-0580](#)

ORDINANCE APPROVING INITIAL ZONING OF WLW&S LLC PROPERTY.

Attachments: [INT ZONING RECOMMEND Wyld](#)
 [Wyld Palms PUD](#)

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

Enactment No: 17-2045-ORD

[17-0625](#)

ZONING ORDINANCE AMENDMENT

Attachments: [ZONING ORDINANCE RECOMMEND Letter.doc](#)

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

Enactment No: 17-2046-ORD

[17-0626](#)

REZONING ORDINANCE FOR MCMC GLENLAKES LLC FROM PUD TO PUD

Attachments: [Glenlakes rezone \(1\).pdf](#)

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

Enactment No: 17-2047-ORD

[17-0628](#)

WLW&S LLC REZONING FROM PUD TO PUD

Attachments: [Wyld Palms Rezoning.pdf](#)

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: 17-2048-ORD

[17-0629](#)

ANDRU BRAMBLETT REZONING R1A TO R1B

Attachments: [Rezone Peachtree Ave.pdf](#)
 [REQUEST FOR REZONE Letter](#)

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

Enactment No: 17-2049-ORD

[17-0652](#)

ORDINANCE APPROVING INITIAL ZONING OF PROPERTY OWNED BY RIVIERA UTILITIES.

Attachments: [Riviera Initial Zoning](#)

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

Enactment No: 17-2050-ORD

[17-0698](#)

AN ORDINANCE DECLARING CERTAIN REAL PROPERTY NOT PRESENTLY NEEDED FOR MUNICIPAL PURPOSES

Attachments: [Ginwright Center Deed](#)
 [Housing Authority Deed \(1\)](#)

A motion was made by Council Member Ralph Hellmich to suspend the rules for the immediate adoption of this Ordinance. The motion was seconded by Council Member Vera Quaites. City Administrator Mike Thompson took the following roll call vote: Council Member Vera Quaites; aye; Council Member Ralph Hellmich, aye; Council President Wayne Trawick, aye and Council Member Rick Blackwell, aye. Of those present, the vote passed unanimously to suspend the rules.

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

Enactment No: 17-2051-ORD

Resolutions and Other Business

[17-0666](#)

Street Dept. requests permission to purchase a 2018 John Deere 310SL Backhoe.

Attachments: [Backhoe Quote.PDF](#)
 [Confirmation to proceed on Backhoe.PDF](#)

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

Enactment No: 17-1318-RES

17-0684

Approval to purchase hydraulic rescue tools for FFD

Attachments: [NAFECO Bid - Rescue Tools](#)
 [Notice of Award - Hydraulic Rescue Tools](#)
 [Copy of Capital Purchase - Capital Project Worksheet - Hydraulic Rescue Tools](#)

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: 17-1319-RES

17-0687

Fern Avenue Extension Wetland Mitigation

Attachments: [City of Foley Mail - Fern Ave Wetland Mitigation Credits](#)

Council President Trawick turned the meeting over to President Pro-tempore Hellmich.

A motion was made by Council Member Blackwell, seconded by Council Member Quaites, that this Resolution be adopted. The motion carried by the following vote: Council Member Vera Quaites; aye; Council Member Ralph Hellmich, aye; Council President Wayne Trawick, abstained and Council Member Rick Blackwell, aye. Of those present, the vote passed by a majority vote.

President Pro-tempore Hellmich turned the meeting back over to President Trawick.

Aye: 3 - Council Member Quaites, Council Member Hellmich and Council Member Blackwell

Abstain: 1 - President Trawick

Enactment No: 17-1320-RES

17-0688

Appropriating funds and Approving the Purchase of a Trackless Train

Attachments: [17-1187-RES](#)
 [17-1313 REs](#)
 [Train Information](#)

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: 17-1321-RES

[17-0689](#)

Approving OptumHealth Contract as the City's reinsurance/stop loss provider for the 2018 Calendar Year.

Attachments: [Optum Quote 2018.pdf](#)
 [Reinsurance Quotes 2018 and Backup Reports.pdf](#)

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: 17-1322-RES

[17-0692](#)

Residential Sanitation Write Offs as Uncollectible in the Amount of \$204.37

Attachments: [Sanitation Write Offs](#)

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

Enactment No: 17-1323-RES

[17-0693](#)

Request to purchase new vehicle for Municipal Complex Department.

Attachments: [20171129085402443](#)
 [20171130082617742](#)

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: 17-1324-RES

[17-0696](#)

Approve Sale of Property by The Utilities Board of the City of Foley

Attachments: [Utilities Board Resolution](#)

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: 17-1325-RES

[17-0697](#)

A Resolution to Approve Opening a New Court Bond Checking Account

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: 17-1326-RES

[17-0683](#)

ABC License Transfer: 020-Restaurant Retail Liquor for Ichiban Foley, Inc., applicant operating under the trade name Ichiban Hibachi & Sushi transfer from Dong Zhang Ichiban, Inc. to Ichiban Foley, Inc.

Attachments: [ABC License Transfer Ichiban Hibachi](#)
 [Ichiban Hibachi Map](#)

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

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to approve the ABC License Application for Ichiban Foley, Inc. The motion carried by an unanimous vote.

Mayor's Comments

There were no comments to report.

Visitor's Comments

Harold Dishon, who resides at 111 Pine Place Drive, Foley addressed Council with concerns of new duplexes being built on North Pine Street that have metal roofs and siding. He reported he and other residents in the area are concerned about the way the structures look because they do not look like the rest of the houses in the area. He asked if the builder of the duplexes can be asked to build a barrier around the duplexes.

City Administrator Mike Thompson reported City Planner Miriam Boutwell will be asked to check into zoning regulations for these duplexes to make sure there are no violations.

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 adjourned at 6:04 p.m.