



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, October 19, 2020

4:00 PM

Foley Civic Center

Work Session/Council Meeting

Public Hearings

[20-0471](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order its Abatement located between 808 & 810 East Verbena Ave.

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.

[20-0472](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order its Abatement located at Lot 14 in Cypress Pond Subdivision - Property has been abated by owner. No further action required.

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.

[20-0473](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order its Abatement located at 26210 Juniper Street South. Property Abated By Owner. No Further Action Required.

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.

[20-0477](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order its Abatement located at 9270 Bay Point Drive - Property is not located within the City limits. No further action required.

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 John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Wynter Metz, Linda Koniar, Leslie Gahagan, Logan Eberly, Richard Dayton, Jody Dayton, Sue Steigerwald, Brenda Shambo, Mell Davis, Claire Davis, Jamie Smith, Anita Allen, Suzanne Kellams, Kate Embry, Todd Koniar, Bradley Koniar, Kim Koniar, Kathrine Koniar, Brandy Springsteen, Joey Darby, Thurston Bullock, Sandra Pate, John Jackson, Deborah Mixon, Forrest Mixon, Kevin Carnley, Gary Schrader, Roni Criswell, Paul Kostecker, Taylor Davis, Pam Harris, Chad Brewer, Susan and Perry Wilbourne, Lorenzo and Shirley Johnson, Steve McMillian, Sue Summer, John Graham, Sue Sutton, David Thompson, Darrelyn Dunmore and press representative Jessica Vaughn.

Present: 4 - President Wayne Trawick, Council Member Vera Quaites, Council Member Rick Blackwell and Council Member Charles Ebert III

Pledge of Allegiance

Additions/Removals

A motion was made by Council Member Ralph Hellmich to add items 20-0480 and 20-0469 to the agenda. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Proclamation Presentations

[20-0481](#)

Proclamation: Chamber of Commerce Week

Attachments: [Chamber of Commerce Week](#)

Mayor Koniar presented the proclamation for Chamber of Commerce Week.

[20-0455](#)

Proclamation: Mayor John Koniar

Attachments: [Proclamation](#)

Mayor-elect Ralph Hellmich presented the proclamation for Mayor John Koniar.

Discussion Items

[20-0469](#)

A Resolution to Waive the Fees for the Foley Civic Center

Pam Harris reported to Council that for the past 7 years Foley has partnered

with Calvary Chapel to host a Thanksgiving Dinner at the Senior Center for the senior citizens. Mrs. Harris reported that due to COVID-19, she is requesting the use of the Civic Center and to have the fees waived. There was a consensus to move this item to the agenda.

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: 20-1299-RES

Consent Agenda

[20-0456](#)

Work Session & Council Meeting Minutes of October 5, 2020

Attachments: [Work Session & Council Meeting Minutes of October 5, 2020](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to approve the Work Session/Council Meeting Minutes of October 5, 2020. The motion carried by an unanimous vote.

[20-0457](#)

Department Reports

Attachments: [September 2020 Bid Awards](#)
 [Tax Report Sept 2020](#)
 [September CDD Report](#)
 [FY 2019-20 CDD Annual Report](#)
 [September 2020 PD Report](#)

City Administrator Mike Thompson reported to Council that despite the Pandemic this year, the FY20 revenue numbers surpass the FY19 numbers. There was no further discussion on this item.

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

[20-0461](#)

Report of Prior Month Approved/Paid Bills for the Records, September, 2020

Attachments: [2020-09 Approved & Paid Bills.Expense Approval Report](#)

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

[20-0452](#)

A Resolution Declaring Primary Source Vendors for the Foley Public

Library

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: 20-1286-RES

[20-0462](#)**A Resolution to waive fees for the American Legion Post 99's Veteran's Day Ceremony at Max Griffin Park**

Attachments: [VETERANS DAY PARK REQUEST](#)
[VETERANS DAY REQUEST \(1\)](#)

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: 20-1287-RES

[20-0470](#)**A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 12767 SPRINGSTEEN LANE**

Attachments: [Dollar General](#)

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: 20-1288-RES

[20-0474](#)**A Resolution Authorizing Employees to Enter Upon the Property between 808 & 810 East Verbena Ave, PPIN# 057294, for the Purpose of Abating the Public Nuisance.**

Gloria Austill reported to Council that there is storm debris piled up on her property preventing her from abating the nuisance. Council President Wayne Trawick stated that Council is willing to give Mrs. Austill more time since the Hurricane Sally cleanup is ongoing.

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: 20-1289-RES

Ordinances[20-0480](#)**An Ordinance Naming A New Road**

Attachments: [Koniar Way](#)

Council Member Ralph Hellmich stated that in honor of Mayor Koniar, City Council has named the new road connecting Kenny Stabler Ave to Mifflin Road,

"Koniar Way". Mayor Koniar was then presented with the street signs.

A motion was made by Council Member Ebert, III, seconded by Council Member Blackwell, that this Ordinance be adopted. A motion to Suspend the Rules was then made by Council Member Ebert, III, seconded by Council Member Hellmich. The motion carried by the following vote:

Aye: 5 - President Trawick, Council Member Quaites, Hellmich, Council Member Blackwell and Council Member Ebert III

Enactment No: 20-2022-ORD

Resolutions and Other Business

[20-0447](#)

A Resolution Approving FY20 Prisoner Transport Van Not Received by Year End

Attachments: [Donohoo Bid Packet](#)
 [AGENDA APPROVAL EMAIL](#)
 [JAIL VAN INCREASE REQUEST](#)

Kevin Carnley reported to Council that this van was to be purchased last fiscal year, but due to COVID the plant delayed shipment of the vehicle. Mr. Carnley reported that he spoke to the dealership and the van will be ready in 8 days.

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: 20-1290-RES

[20-0448](#)

A Resolution to Approve the Memorial Tree Trail Expansion Boardwalk Bid Recommendation

Attachments: [Bid Tab - Memorial Trail Boardwalk](#)
 [Contract for Construction](#)

Logan Eberly reported to Council that the bid from Wade Construction for the Recreational Trails Program Grant, came in under budget. Mrs. Eberly reported they would like to move forward using Wade Construction as the contractor.

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: 20-1291-RES

[20-0460](#)

A RESOLUTION MEMORIALIZING THE INSTALLATION OF THREE WAY STOP SIGNS FOR S. OAK STREET AT 9TH AVENUE INTERSECTION

Taylor Davis reported to Council that a request came in to place these stop signs at this location due to an existing pedestrian cross walk, as well as a large tree blocking the line of sight.

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: 20-1292-RES

[20-0463](#)

A Resolution Approving Submittal of FAA/ALDOT FY20 Grant Application for an Airport Improvement Project at the Foley Municipal Airport

Attachments: [Foley Municipal Airport - 10 Year Plan \(2021-2030\).pdf](#)
[FOLEY MUNICIPAL AIRPORT - FY21-FY25 CIP](#)

Logan Eberly reported to Council that this is for the pre-application and the application for the FY20 Airport Grant. Mrs. Eberly reported this will be another paving project.

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: 20-1293-RES

[20-0464](#)

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

Attachments: [20201012104300331.pdf](#)
[20201012104313814.pdf](#)
[Budget Increase and Transfer Request Forms - Ascend donation 10-2020](#)

Joey Darby reported to Council that Ascend Performance Materials will be donating the full amount of money for the Fire Department to purchase an inflatable fire safety house.

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: 20-1294-RES

[20-0465](#)

A Resolution to Apply for the FY21 Alabama Transportation Rehabilitation and Improvement Program II (ATRIP-II) for the Construction of Intersection Improvements at County Road 12 & State Highway 59

Attachments: [CR-12 Only CONCEPT w/o Offsetting Left Turn Lanes](#)
[CR-12 at SR-59 CONCEPT W/ Offsetting Left Turn Lanes](#)

Logan Eberly reported to Council that this resolution approves the application for the FY21 Alabama Transportation Rehabilitation and Improvement Program II to improve the intersection at Highway 59 and County Road 12. Mrs. Eberly reported that the grant has a \$2 million cap and this project would cost

approximately \$2.5 million, requiring a 2% match.

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: 20-1295-RES

[20-0479](#)

A Resolution Approving the Purchase of a Vac Truck

Attachments: [2006 VAC Truck Cap Purch Wrkst & Quote .PDF](#)

Darrell Russell reported to Council that we will be able to get this retired truck from Riviera Utilities at a substantial discount.

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

Enactment No: 20-1296-RES

[20-0501](#)

A Resolution Approving Entering into an Agreement with ALDOT for Low Cost Safety Improvements on FBE and Approves a 10% Match

Attachments: [Capital Project Worksheet](#)
 [Capital Budget Increase](#)
 [Pre-project Budget Worksheet](#)
 [HSIP 0220 ALDOT AGREEMENT](#)

Logan Eberly reported to Council that ALDOT came to the City of Foley with an unsolicited grant for safety improvements on the Foley Beach Express. Mrs. Eberly reported that it is a 90% grant with a 10% match.

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: 20-1297-RES

[20-0502](#)

A Resolution Requesting to Memorialize the Application Submitted for the Request for Public Assistance through FEMA for Hurricane Sally

Logan Eberly reported to Council that tomorrow, October 20th, is the deadline to apply for public assistance through FEMA for Hurricane Sally. Mrs. Eberly reported that the request has already been submitted due to the time frame.

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: 20-1298-RES

Mayor's Comments

Mayor Koniar thanked everyone for the kind words and kind gestures. Mayor Koniar also congratulated City Clerk Katy Taylor on receiving her Master Municipal Clerk (MMC) designation.

Visitor Comments

Former Police Chief David Wilson stated the highpoint of his career was working for Mayor Koniar.

Lorenzo and Shirley Johnson addressed the Council with their continued concerns of vehicles speeding on Pecan Street and asked for an update regarding the speed bumps that are to be installed.

Darrell Russell stated to have patience with the debris pick up process and also reported that the recycle and sanitation route is back to normal as of this week.

Richard Dayton voiced concerns with construction crew dump trucks causing damage to city roads and the roads in the Glen Lakes subdivision.

Chief Joey Darby wanted to remind everyone wanting to burn storm debris that there is a county wide burn ban until November 1, 2020. Chief Darby also thanked Mayor Koniar for hiring him 12 years ago this month.

Council Member Vera Quaites asked Darrell Russell if there was going to be another round of debris clean up. Mr. Russell responded yes, that the crew will most likely be working until December.

Executive Session

City Administrator Mike Thompson the need to go into executive session to discuss a real estate transaction and pending litigation, both of which are exceptions to the Open Meetings Act. Mr. Thompson reported the two combined item discussions will last approximately 30 minutes and that Council may choose to reconvene in order to vote.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III to go into executive session. Mr. Thompson took the following roll call vote: Council Member Quaites, aye; Council member Hellmich, aye; President Trawick, aye; Council Member Blackwell, aye and Council Member Charles Ebert, III, aye. The votes was unanimous to go into executive session.

The meeting was recessed to go into executive session at 5:18 pm.

The meeting reconvened at 5:56 pm.

All Council Members were present. Also present: City Administrator Mike Thompson and City Clerk Katy Taylor.

There was no further business to discuss.

Adjournment

A motion was made by Ralph Hellmich, seconded by Council Member Charles Ebert, III, to adjourn the meeting. The motion carried by an unanimous vote.

The meeting adjourned at 5:57 pm.