



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, October 3, 2022

4:00 PM

Council Chambers

Work Session/Council Meeting

Public Hearing

[22-0583](#)

Public Hearing to Consider Approving the Rezoning of Property Owned by Various Owners to PUD (Planned Unit Development) (Hadley Village)

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.

[22-0584](#)

Public Hearing to Consider Adopting an Ordinance to Rezone Property Owned by Powers Investments, LL from RV Park (Recreational Vehicle Park District) to B-1A (Extended Business District).

President Wayne 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.

[22-0585](#)

Public Hearing to Consider Adopting an Ordinance to Rezone Property Owned by The Reserve of Foley, LLC and The Reserve West of Foley West, LLC from B-1A (Extended Business District) to R-3(Residential Multi Family District).

President Wayne 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.

Call To Order

Council President Wayne Trawick called the meeting to order at 4:01 p.m.

Roll Call

All Council Members were present. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, David Wilson, Wayne Dyess, Police Chief Thurston Bullock, Fire Chief Joey Darby, Brandon Mothershed, Jeff Lee, LaDonna Hinesley, Leslie Gahagan, Angie Eckman, David Thompson, Miriam Boone, Pam Harris, Jeff Phillips, Jack Lynch, Lisa Lynch, Danny Pugh, Aaron Collier, Darryn Dunmore, Beckie Rapier, Vickie Wilkerson, April Wrisley, Phil Noonan, Teresa Neese, Darrell Russell, and Jessica Kinsey.

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

Moment of Reflection

Pledge of Allegiance

Proclamation

[22-0582](#)

Proclamation: Recognizing The 105th Birthday of Ms. Audrey Talbot Malden Ainsley

Attachments: [Proclamation-Audrey Talbot Malden Ainsley](#)

Mayor Ralph Hellmich presented the Proclamation to honor Ms. Audrey Talbot's 105th Birthday. Country Place Senior Living Reserve accepted the Proclamation on the behalf of Ms. Talbot.

Consent Agenda

[22-0577](#)

September 19, 2022 Work Session/Council Meeting Minutes

Attachments: [9-19-2022 Work Session Council Meeting Minutes](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, to approve the September 19, 2022 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

Additions/Removals/Carry-Overs

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell to add item 22-0590 to the Council Meeting. The motion was carried by an unanimous vote.

Ordinances

[22-0569](#)

(Second Reading) AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY VARIOUS OWNERS (Hadley Village)

Attachments: [Annexation Petition](#)
[Annexation Map](#)
[Hadley Village Valuation](#)

There was no discussion on this item.

A motion was made by Council Member Rick Blackwell, seconded by Council

Member Richard Dayton, that this Ordinance be approved on first reading. The motion carried by an unanimous vote.

Enactment No: 22-2043-ORD

[22-0506](#)

(Second Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY THE RESERVE OF FOLEY LLC & THE RESERVE WEST OF FOLEY LLC FROM B1A - EXTENDED BUSINESS DISTRICT TO R3 - RESIDENTIAL MULTI FAMILY DISTRICT

Attachments: [Reserve of Foley Rezoning.pdf](#)

There was no discussion on this item.

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

Enactment No: 22-2040 ORD

[22-0507](#)

ORDINANCE AMENDING ORDINANCE NO. 387-87 PRE-ZONING PROPERTY OWNED BY DANIEL RAY PUGH, SANDRA PUGH NORWOOD, VICKIE WILKINSON, JOHN RICKY PUGH & REBECCA RAPIER TO PUD - PLANNED UNIT DEVELOPMENT

ORDINANCE AMENDING ORDINANCE NO. 387-87 PRE-ZONING PROPERTY OWNED BY DANIEL RAY PUGH, SANDRA PUGH NORWOOD, VICKIE WILKINSON, JOHN RICKY PUGH & REBECCA RAPIER TO PUD - PLANNED UNIT DEVELOPMENT

Attachments: [Hadley Rd Prezoning.pdf](#)

There was no discussion on this item.

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

Enactment No: 22-2041 ORD

[22-0508](#)

ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY POWERS INVESTMENTS LLC FROM RV PARK - RECREATIONAL VEHICLE PARK DISTRICT TO B1A - EXTENDED BUSINESS DISTRICT

Attachments: [Powers Investments LLC Rezoning.pdf](#)

There was discussion on this item.

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

Enactment No: 22-2042 ORD

Resolutions and Other Business

[22-0547](#)

A Resolution to Approve the Purchase of Software for the Senior Center

Attachments: [Budget Increase](#)

Director of Municipal Complex Pam Harris reported to Council that this program would assist day to day business tasks. 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: 22-1344-RES

[22-0565](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 2550 S. MCKENZIE STREET VACANT LOT

Attachments: [Lot 2 B Resubdivision of Riviera Square Subdivision](#)

There was no 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: 22-1345-RES

[22-0567](#)

A Resolution Approving Two Additional Firework Shows at OWA

Attachments: [OWA Fireworks Shows](#)

Foley Fire Chief Joey Darby reported to Council that he recommends the Council to move forward on this item. 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: 22-1346-RES

[22-0568](#)

A Resolution to Appoint Gregg Knight to the Board of Adjustment and Appeals

Attachments: [Gregg Knight Appointment Letter](#)
 [BAA](#)

There was no 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: 22-1347-RES

[22-0570](#)

A Resolution Approving the Purchase of a 2022 Peterbilt 520 ASL Garbage Truck

Attachments: [Contract Sourcewell HGAC w_o Details](#)
[Capital Purchase - Capital Project Worksheet 2022 ASL.xlsx](#)

Public Works Director Darrell Russell reported to Council that this purchase is under budget and is a replacement for the older model. Council Member Richard Dayton asked if the trucks hold the value during auction, Mr. Russell reported to Council that they do. 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: 22-1348-RES

[22-0571](#)

A Resolution to Amend Resolution 22-1280 A Resolution to Approve the Closure of Streets in Downtown Foley for Uptown Halloween on Oct. 27, 2022

Attachments: [22-1280 RES to close streets for Hometown Halloween](#)

Marketing Director LaDonna Hinesley reported to Council that due to a football game scheduled on October 27, 2022 we request to change the date to October 28, 2022. 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: 22-1349-RES

[22-0573](#)

A Resolution Memorializing Entering into a School Resource Officer Reimbursement Agreement with Baldwin County Commission and Baldwin County Sheriff's Office

Attachments: [MOU-School Resource Officer 2022](#)

Foley Police Chief Thurston Bullock reported to Council that this item will include one School Resource Officer at each of the Foley Schools. 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: 22-1350-RES

[22-0574](#)

A Resolution to Memorialize the Appointment of Council Member Charles Ebert, III. to the Foley Education Advisory Committee

Attachments: [Charles Ebert, III Appointment Letter \(2\)](#)

There was no 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: 22-1351-RES

[22-0578](#)

ABC License: 140 - Special Events Retail for Blooms 4 You, Inc, applicant operating under the trade name Chocolate and Cheese Festival on November 12, 2022 from 8am-8:00pm located at 200 N. McKenzie Street Foley, Alabama 36535.

Attachments: [ABCLicense Application](#)
[Chocolate & Cheese Festival approval application](#)

Foley Police and Fire Department made a recommendation to move forward with the license. 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 Agenda Item be approved. The motion carried by an unanimous vote.

[22-0579](#)

A Resolution Authorizing the Mayor to Sign a Service Agreement with TK Elevator Corporation for 3 Years.

Attachments: [TK Elevator Agreement](#)

Project Director Jeff Phillips reported to Council that this item is pertaining to the three year agreement with the Tk Elevator Corporation for the pedestrian bridge. 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: 22-1352-RES

[22-0580](#)

A Resolution to Reappoint Kathryn Ford to the Museum-Archives Board.

Attachments: [Museum Archive Advisory Board](#)
[Kathryn Ford Appointment Letter](#)

There was no discussion on this item.

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: 22-1353-RES

[22-0581](#)

A Resolution Acknowledging and Approving the Emergency Purchase of an A/C Unit for the Senior Center

Attachments: [Climatic quote](#)
 [Wittichen quote](#)

Director of Municipal Complex Pam Harris reported to Council that the Senior Center air conditioner unit is beyond repair and needs to be replaced. Mrs. Harris reported that this unit is nineteen years old and is asking to amend the budget for this purchase. 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: 22-1354-RES

[22-0587](#)

A Resolution Approving the Local Public School Support Agreement

Attachments: [Educational Enhancement Agreement](#)

Mayor Hellmich reported to Council that this agreement is between the City of Foley and Baldwin County Board of Education. Mayor Hellmich also reported that the City of Foley has established a five member advisory board. Charlie Ebert, III, is the representative for City Council.

Mayor Hellmich also reported that Foley Education Advisory Committee will implement certain educational initiatives for the public schools in the City of Foley and the best area of impact is needed. 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: 22-1355-RES

[22-0590](#)

Foley Main Street Annual Report

Attachments: [2021-2022 Foley Main Street Annual Report](#)
 [Cat Alley Synopsis](#)

Darlene Dunmore reported to Council that Foley Main Street annual report numbers are increasing and thanked the City of Foley for the continued support. Mrs. Dunmore reviewed the annual report with the City Council. There was no further discussion on this item.

Mayor's Comments

Mayor Hellmich reported to Council that the city is in a new budget year and there are some projects planned for this new year. Mayor Hellmich reported that the City is moving forward with the committee that is conducting interviews of different architecture firms for the new library. Mayor Hellmich

reported that there were influences from other departments that assisted with this project, the City is hoping to have the decision of the architecture firm for the next Council Meeting.

Visitor Comments

Jack Lynch of County Road 12 has concerns about the high rate of speed. Mr. Lynch reported to Council that he is concerned for the well being of himself and the other neighbors. Mr. Lynch reported that this was not his first time bringing this concern to Council and that he again asked if a stop sign could be installed.

Mayor Hellmich reported to Council that a traffic study was conducted and it was determined that installing a stop sign would cause other issues. Mayor Hellmich reported that this area does have a high volume of traffic due to the increase of building construction. City Administrator Mike Thompson reported to Council that this area has had eight minor accidents in the last six years.

Adjournment

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell to adjourn the meeting.

The meeting was adjourned at 5:02 p.m.