



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, March 5, 2018

5:30 PM

Council Chambers

Council Meeting

Public Hearing

[18-0109](#)

PUBLIC HEARING TO CONSIDER PLANNING COMMISSION'S RECOMMENDATION TO REZONE PROPERTY OWNED BY RIVIERA PLAZA LLC FROM PDD TO B1A

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

[18-0110](#)

PUBLIC HEARING TO CONSIDER PLANNING COMMISSION'S RECOMMENDATION TO REZONE PROPERTY OWNED BY PARKVIEW RV COMMUNITY LLC FROM PUD TO PUD

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

[18-0120](#)

Public Hearing to consider Building Code & Fee Amendments

President Trawick opened the public hearing at 5:31 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 5:31 pm.

Roll Call

All Council Members were present. Also present were: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Carla Smith, Chad Christian, David Wilson, Joey Darby, Kevin Carnley, Roddy Burkle, Ed Gutman and press representative Jessica Vaughn (Gulf Coast Media).

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

Pledge of Allegiance

Approval of the Minutes

[18-0111](#) Special Called Meeting-Audit Reading Minutes of February 19, 2018

Attachments: [02-19-18 Audit Reading Minutes](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, to approve the Special Called Meeting-Audit Reading Minutes of February 19, 2018. The motion carried by an unanimous vote.

[18-0112](#) Work Session Minutes of February 19, 2018

Attachments: [02-19-18 Work Session Meeting Minutes](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Rick Blackwell, to approve the Work Session Minutes of February 19, 2018. The motion carried by an unanimous vote.

[18-0113](#) Council Meeting Minutes of February 19, 2018

Attachments: [2-19-18 Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaites, to approve the Council Meeting Minutes of February 19, 2018. The motion carried by an unanimous vote.

Additions/Removals

There were no additions or removals.

Ordinances

[18-0004](#) **REZONE PROPERTY OWNED BY RIVIERA PLAZA LLC FROM PDD TO B1A**

Attachments: [Riviera Plaza LLC Rezone.pdf](#)

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: 18-2002-ORD

[18-0005](#)

**REZONE PROPERTY OWNED BY PARKVIEW RV COMMUNITY LLC
FROM PUD TO PUD**

Attachments: [Jim Brown RV Rezone.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: 18-2003-ORD

[18-0063](#)

An Ordinance to amend Ordinance 17-2037 Building Code & Fee Amendments

Attachments: [17-2037 ORD](#)
 [Revised Building Code Amendments](#)

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: 18-2004-ORD

[18-0115](#)

**(Second Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87
REZONING PROPERTY OWNED BY ~~MCMC~~ WCMC GLENLAKES, LLC FROM
PUD TO PUD**

Attachments: [Alabama GlenLakes 10.11.17](#)

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

[18-0116](#)

(Second Reading) An Ordinance to Rescind Ordinance 17-2047 Rezoning Ordinance for MCMC Glenlakes LLC from PUD to PUD

Attachments: [17-2047 ORD](#)

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

Resolutions and Other Business

[18-0100](#)

Street Dept. requests permission to purchase a John Deere 1575 Front Mount Mower and Deck

Attachments: [Front Mount Mower & Deck Quote 2018.PDF](#)
 [Frnt Mnt Mwr & Deck Capital Purch Wrksht.PDF](#)
 [Frnt Mnt Mwr & Deck Approval Emails.PDF](#)

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: 18-1049-RES

[18-0101](#)

A resolution to appoint Deborah Mixon to the Foley Revitalization and Beautification Board

Attachments: [Beautification Board Member List](#)
 [Ms. Deborah Mixon](#)

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: 18-1050-RES

[18-0103](#)

Parks Dept. requests permission to purchase a 2018 Dodge R1500.

Attachments: [2018 Dodge R1500 Truck Quote & Permission.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: 18-1051-RES

[18-0104](#)

Request the use of Beulah Heights Park for the Nationwide Never Again Movement with Youth on March 24th, 2018 from 8:00 am to 5:00 pm.

Attachments: [20180220104453924](#)

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: 18-1052-RES

[18-0105](#)

A resolution to reappoint Drew Wenzel to the Foley Depot and Museum Archive Board

Attachments: [Museum Brd. Members List](#)

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: 18-1053-RES

[18-0106](#)

A resolution waiving Horse Arena fees for Jennifer Claire Moore

Foundation Annual Rodeo

Attachments: [20180220154435301](#)

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: 18-1054-RES

[18-0108](#)

Approves Additional Improvements to Bender Road South and Accepts Funding Participation with Riviera Utilities

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: 18-1055-RES

[18-0114](#)

SUBDIVISION REGULATIONS

Attachments: [Clean Copy Foley 2018 Sub Regs from Casey 2_5.docx](#)
[Foley 2018 Sub Regs from Casey 2_5.doc](#)

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: 18-1056-RES

[18-0117](#)

A resolution to set a public hearing to consider Planning Commission's recommendation to rezone 95.95 total acres from PUD (Planned Unit Development) to PUD (Planned Unit Development) owned by WCMC Glenlakes, LLC.

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: 18-1057-RES

[18-0118](#)

A resolution to set a public hearing to consider an ordinance to rescind Ordinance 17-2047 Rezoning Ordinance for MCMC Glenlakes LLC from PUD to PUD

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: 18-1058-RES

[18-0119](#)

Purchase new Canine with donated funds

Attachments: [Capital Purchase with Donated Funds for Police K9](#)

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: 18-1059-RES

[18-0121](#)

Residential Sanitation Write Offs as Uncollectible in the Amount of \$108.64

Attachments: [Residential Sanitation Write Offs](#)

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: 18-1060-RES

[18-0122](#)

Accepts Hutchinson, Moore & Rauch, LLC's Proposal for Topographic Survey at Foley Sports Tourism Complex

Attachments: [HMR - FSTC proposal](#)

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: 18-1061-RES

Mayor's Comments

Visitor Comments

Ed Gutman, 1118 Sloan Cove Foley AL. 36535 addressed Council with his concerns of people in his neighborhood parking in the streets. He reported it was his belief that vehicles parked in the street can block fire trucks and other emergency vehicles getting into the neighborhood. Police Chief David Wilson reported he would be happy to meet with Mr. Gutman after the Council meeting to get more information and the Police Department will investigate.

Executive Session

President Trawick reported there is a need for an Executive Session.

City Administrator Mike Thompson reported there was a need to discuss in Executive Session certain aspects of two potential economic development projects under the trade negotiations exception to the Open Meetings Act. He also reported the Executive Session will last approximately 15 minutes and Council will not return for a vote.

A motion was made by Council Member Ralph Hellmich to go into Executive Session. The motion was seconded by Council Member Charles Ebert, III.

City Administrator Mike Thompson took the following roll call vote: Council Member Hellmich, aye; Council Member Quaites, aye; President Trawick, aye; Council Member Blackwell, aye and Council Member Ebert, III, aye. The vote was unanimous to go into Executive Session.

The Council meeting was recessed at 6:01 p.m.

Reconvened

President Trawick called the meeting to order at 6:19 p.m. All Council Members were present. Also present: City Administrator Mike Thompson. There was no further business to discuss.

Adjournment

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

The meeting adjourned at 6:20 p.m.