



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, August 19, 2019

5:30 PM

Council Chambers

Council Meeting

Call to Order

Council President Wayne Trawick called the meeting to order at 5:30 p.m.

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

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Caleb Bibby, David Wilson, Joey Darby, Leslie Gahagan, Russ Moore, several Glen Lakes Subdivision residents and several Foley High School students.

Pledge of Allegiance

Presentation

[19-0442](#)

Russ Moore and Foley Highschool Senior Class Presentation

Foley High School Principal Russ Moore addressed Council with his gratitude for the support the City gives to Foley High School. The 2020 Class Officers addressed Council thanking them as well.

Departmental Reports

[19-0435](#)

Department Reports

Attachments: [Tax Reports August 2019](#)
[July 2019 Bid Reports](#)
[July CDD Report for Council](#)
[June 2019 FD Report](#)
[July 2019 FD Report](#)
[July 2019 PD Report](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, to accept the Departmental Reports as submitted. The motion carried by an unanimous vote.

Audit of the Accounts

[19-0439](#) Audit the Accounts of July, 2019

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Auditing Accounts be approved for payment. The motion carried by an unanimous vote.

Approval of the Minutes

[19-0433](#) Work Session Minutes of August 5, 2019

Attachments: [08-05-2019 Work Session Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, to approve the Work Session Minutes of August 5, 2019. The motion carried by an unanimous vote.

[19-0434](#) Council Meeting Minutes of August 5, 2019

Attachments: [08-05-2019 Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, to approve the Council Meeting Minutes of August 5, 2019. The motion carried by an unanimous vote.

Additions/Removals

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to add items 19-0448 and 19-0436 to the agenda. The motion carried by an unanimous vote.

Ordinances

[19-0381](#) (Second Reading) AN ORDINANCE AMENDING ORDINANCE NO.

**387-87 FOR INITIAL ZONING OF PROPERTIES ANNEXED VIA
LEGISLATIVE ACT**

Attachments: [Leg Annex Initial Zoning](#)

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

[19-0426](#)

(Second Reading) An Ordinance to Amend Ordinance No. 17-2039 Amendments to the Manual For Design and Construction Standards Ordinance

Attachments: [17-2039 ORD](#)

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

Resolutions and Other Business

[19-0357](#)

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

Attachments: [Housing Authority Board Member List](#)
 [George Parker](#)
 [Alec Barnett](#)

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: 19-1241-RES

[19-0366](#)

A Resolution Reducing the City's Corporate Limits

Attachments: [De-Annexation Petition](#)

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: 19-1242-RES

[19-0395](#)

**A RESOLUTION ESTABLISHING A 2020 CENSUS COMPLETE COUNT
COMMITTEE**

Attachments: [2020 CENSUS CCC PROCLAMATION](#)

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: 19-1243-RES

[19-0413](#)

Approving Renewal of Sublease Agreement between City of Foley and Gregory Scott and Lindsey Driskell

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: 19-1244-RES

[19-0415](#)

A Resolution to Apply for the Alabama Transportation Rehabilitation and Improvement Program II (ATRIP-II) for the Juniper Street Extension

Attachments: [FY2020.ATRIPII.Application.30Jul2019.01](#)

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: 19-1245-RES

[19-0418](#)

A Resolution Approving the Temporary Street Closure of Jessamine Street

Attachments: [Witches Ride](#)

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: 19-1246-RES

[19-0419](#)

A Resolution Waiving Fees for the Use of Heritage Park and Pavilion for Emmanuel's Place

Attachments: [20190808142319470](#)

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: 19-1247-RES

[19-0421](#)

A Resolution Approving the Surplus & Disposal of 2 Parks Department Vehicles.

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: 19-1248-RES

[19-0422](#)

A Resolution Authorizing the Mayor to Sign a Letter of Intent for the Purchase of a 2020 Peterbilt 520 Chassis

Attachments: [letter of intent RUSH.docx](#)
 [Quote for Peterbilt 520.pdf](#)

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: 19-1249-RES

[19-0423](#)

A Resolution Approving the Sponsorship for the Gulf United Metro Business Organization Tourism Economic Development Summit

Attachments: [GUMBO](#)
 [GUMBO Ethics Pre Certification](#)

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: 19-1250-RES

[19-0424](#)

A Resolution Approving the Transfer of Funds from a Capital Project to Operations for the Municipal Court.

Attachments: [Request to Transfer Dept Budget Dollars to Another Category - Signed](#)

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: 19-1251-RES

[19-0425](#)

A Resolution Accepting Unbudgeted Donations to the Fire Department from Several Sources

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: 19-1252-RES

[19-0428](#)

A Resolution to Reappoint Gregg Knight to the Graham Creek Nature Preserve Board.

Attachments: [GCNP Board - G. Knight](#)

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: 19-1253-RES

[19-0429](#)

A Resolution Adopting a Long-Term Financial Planning Policy

Attachments: [Long-term financial planning policy.08.2019](#)

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: 19-1254-RES

19-0431

A Resolution to Appoint Sharron Wineman to the Senior Citizens Advisory Board

Attachments: [Senior Center Board List - J. Sheldon](#)

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: 19-1255-RES

19-0432

A Resolution to Reappoint Gary Hellmich to the Construction Board of Adjustments and Appeals

Attachments: [Const. BAA - G. Hellmich](#)

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 the following vote: Council Member Quaites, aye; Council member Hellmich, abstained; President Trawick, aye; Council Member Blackwell, aye and Council Member Ebert, III, ate. The motion carried with a majority vote.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - Council Member Hellmich

Enactment No: 19-1256-RES

19-0437

A Resolution Establishing The Use Of Electronic Vote Counting Devices

Attachments: [16-1062 RES](#)

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

Enactment No: 19-1263-RES

19-0438

A Resolution to Accept Federal and State Grant Offers to Rehabilitate access Taxiways at the Foley Municipal Airport

Attachments: [Grant Offer - Foley 017.pdf](#)

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: 19-1257-RES

[19-0440](#)

A Resolution to Set a Public Hearing to Consider Amending Ordinance 17-2039 Sec. 4-136

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: 19-1258-RES

[19-0427](#)

ABC License: 020- Restaurant Retail Liquor for Tootiani Group LLC, applicant operating under the trade name Calypso Bar and Grill located at 22394 County Road 20, Unit 301 and 302 Foley, AL 36535.

Attachments: [ABC License Calypso Bar and Grill](#)

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

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to recommend the ABC Board move forward with this license. The motion carried by an unanimous vote.

[19-0441](#)

A Resolution Adopting City of Foley FY 2020 Transportation Plan

Attachments: [HB 2 Rebuild Alabama Gas Tax Funds](#)

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: 19-1259-RES

[19-0436](#)

A Resolution Appointing A New Member To The Industrial Development Board

Attachments: [Otis Gatlin Resume](#)

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

Aye: 4 - Council Member Quaites, Council Member Hellmich, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - President Trawick

Enactment No: 19-1260-RES

[19-0448](#)

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

Attachments: [Foley Purchase Agreement Lot 1 Sportstown](#)
[Sportstown Village Lot 1 Map](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to suspend the rules for the immediate adoption of this ordinance. City Administrator Mike 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 Ebert, III, aye. The motion carried by an unanimous vote.

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

Enactment No: 19-2018-ORD

Mayor's Comments

Mayor Koniar reported that Council is working with Senator Chris Elliott to get ALDOT to take over the resurfacing of the Foley Beach Express.

Visitor's Comments

Richard Dayton, who resides at 9515 Lake View Drive addressed the Council on behalf of several Glen Lakes subdivision residents with concerns of the cost to residents for unregulated sewage rates charged by Baldwin County Sewer Service. Mr. Dayton reported when BCSS bought out their contract from their private sewer services provider, they have failed to honor the existing contract and is now charging the residents of the subdivision more money. The residents ask that Council work with the Baldwin County Commission to get the sewage regulated.

Council member Hellmich reported they need to speak with Senator Elliott and/or Representative Steve McMillian to have this started at the legislative level.

Adjournment

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

The meeting was adjourned at 6:45 p.m.