

City of Foley, AL

407 E. Laurel Avenue Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, February 5, 2024 4:00 PM Council Chambers

Work Session/Council Meeting

Public Hearing

24-0063 Public Hearing to Approve the Initial Zoning of Property of the Mills

Community as R4-Residential Single Family and Duplex and

AO-Agricultural Open Space

Council 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.

24-0064 Public Hearing to Approve the Initial Zoning of Property owned by the

City of Foley (Mills Park) as OSP-Open Space/Preservation District

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.

Call to Order

Council President Wayne Trawick called the meeting to order at 4:00 p.m.

Roll Call

All Council Members were present. Also present: Mayor Ralph G. Hellmich, City Administrator Mike Thompson, Christi Watkins, Leslie Gahagan, Angie Eckman, Kate Norris, Danielle Duemmel, Michael Duemmel, Richard Roberts, Kevin Carnley, Larry Dearing, Miranda Bell, Rachel Keith, Glenn Hartenstein, Pam Harris, Chad Brewer, David Vosloh, David Thompson, Suzanne Kellams, Taylor Davis, Russell Ware, Jeff Lee, Nicole Blackwell, Guy Busby, LaDonna Hinesley, Rachel Spear, Jason Prescott, Deborah Mixon, Ricky Rider and Dennis Kreigh.

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

Moment of Silence

Pledge of Allegiance

Work Session Discussion

Additions/Removals/Carry-Overs

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to carry-over items 23-0663 and 24-0088 to a later date. The motion carried by an unanimous vote. There were no additions or removals to report.

Consent Agenda

24-0061 Work Session/Council Meeting Minutes of January 16, 2024

<u>Attachments:</u> 01-16-2024 Work Session.Council Meeting Minutes

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to approve the January 16, 2024 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

Ordinances

24-0075 AN ORDINANCE APPROVING AGREEMENT BETWEEN THE

BALDWIN COUNTY COMMISSION, THE CITY OF FOLEY AND THE PLANNING COMMISSION OF THE CITY OF FOLEY CONCERNING THE EXERCISE OF SUBDIVISION REGULATIONS WITHIN THE PLANNING JURISDICTION OF THE CITY OF FOLEY PLANNING

COMMISSION

<u>Attachments:</u> 2024 Baldwin County PJ Agreement

There was no discussion on this item.

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

Enactment No: 24-2004-ORD

24-0090 An Ordinance Accepting Public Rights-of-Way and Infrastructure

Improvements In Majestic Manor Subdivision for City Maintenance.

<u>Attachments:</u> City of Foley Letter

COF Acceptance Letter - Jeff

There was no discussion on this item.

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

Enactment No: 24-2005-ORD

<u>24-0009</u> ORDINANCE AMENDING ORDINANCE NO. 387-87 FOR INITIAL

ZONING OF PROPERTY OF THE MILLS COMMUNITY AS R4 -

RESIDENTIAL SINGLE FAMILY & DUPLEX AND AO -

AGRICULTURAL OPEN SPACE

Attachments: Initial Zoning Recommendation Documents.pdf

There was no discussion on this item.

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

Enactment No: 24-2002-ORD

24-0001 ORDINANCE AMENDING ORDINANCE NO. 387-87 FOR INITIAL

ZONING OF PROPERTY OWNED BY CITY OF FOLEY TO OSP - OPEN

SPACE PRESERVATION DISTRICT

Attachments: Initial Zoning Recommendation Documents.pdf

There was no discussion on this item.

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

Enactment No: 24-2003-ORD

Resolutions and Other Business

24-0074 ABC License: 020 - Restaurant Retail Liquor for Danielle Duemmel,

applicant operating under the trade name Waffles R Wild located at 100

S OWA Blvd. Ste. F, Foley, AL.

Attachments: Waffles R Wild App

Foley Police and Fire Departments made a recommendation to move forward

with the ABC License.

A motion was made by Council Member Richard Dayton, seconded by Council Member Charles Ebert, III, to make a recommendation to the ABC Board to move forward with the ABC License. The motion carried by an unanimous

vote.

23-0662 A Resolution Approving to go to Bid and Purchase a Shuttle Bus for the

Senior Center

<u>Attachments:</u> Capital Purchase Worksheet for Sr Center Bus

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: 24-1037-RES

23-0663 A Resolution Approving the Purchase of a Ford F-150 Truck for the

Municipal Complex

Attachments: Capital Purchase - Capital Project Worksheet MC Truck

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, that this Resolution be carried-over to a later date.

The motion carried by an unanimous vote.

24-0059 A Resolution to Apply for the FY23 Assistance to Firefighters Grant

(AFG) Program

Chad Brewer reported that the Fire Department sent firefighters as a test and evaluation team to make this selection of equipment.

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: 24-1039-RES

24-0060 A Resolution to Approve Task Order FY24-01 with Synergy Disaster

Recovery LLC For the Purpose of Providing Disaster Consulting

Services

Attachments: Budget Increase Form

Task Order FY24-01 for Disaster Consulting Services

There was no discussion on this item.

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

Enactment No: 24-1040-RES

<u>24-0062</u> Memorialize Acceptance of the Foley Woman's Club Donation

There was no 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: 24-1041-RES

24-0065 Resolution to Declare Structure Located at 211 East Rose Avenue

Surplus and Authorize Its Disposal and Approves the Purchase of or Bid

a Pre-fabricated Building for Use as the New Symbol Clinic

<u>Attachments:</u> <u>Budget Increase Capital Projects</u>

Capital Project Worksheet

Taylor Davis reported that Project Manager Jeff Phillips is looking at all possible options for a pre-fabricated building for the use as the new Symbol Clinic.

Mayor Hellmich reported that the City of Foley originally had a company interested in the removal of the building but the company never completed and submitted a proposal. He also reported that the City of Foley evaluated the project closely and determined that it was too costly to restore the building and being that it holds no historical value, it has been determined by the City of Foley that it will be best to demolish the building.

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: 24-1042-RES

24-0066 A Resolution to Waive the Fees for the Use of the Foley Civic Center

Municipal Complex Director Pam Harris reported that this was a request made by the Dream Center for their annual fundraiser.

Mayor Hellmich reported that the Dream Center is making the request for use of Foley Civic Center due to outgrowing their current building. He also reported that the City of Foley initially helped to support the start up of this non profit organization.

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: 24-1043-RES

A Resolution Authorizing the Transfer of Personnel Funds Between

Departments

<u>Attachments:</u> Request to Transfer Departmental Budget Dollars - Street to Nature

<u>Parks</u>

HR Director Suzanne Kellams reported that this is a budget neutral request authorizing the transfer of surplus funds from the Street Department's personnel accounts to the Nature Parks account so they can fill and start a position now rather than the 3rd quarter.

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

Enactment No: 24-1044-RES

24-0068 A Resolution to Approve Foley Public Library's Microfilm Reader to be

Deemed Surplus

Library Director Kate Norris reported that the Library has a 1994 microfilm reader that is no longer operational so they would like for it to be deemed as surplus. She also reported that the library received a grant last fiscal year to purchase a new microfilm reader.

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

Enactment No: 24-1045-RES

A Resolution Approving the Purchase of a Reel Mower for the Parks and Recreation Department.

Attachments: Capital Purchase Worksheet

City of Foley Sportsplex 7700A - Reel Mower

Parks and Recreation Director Jeff Lee reported that this mower will be replacing an existing mower and that it is coming in five thousand dollars under budget. He also reported that there is an estimated 18 to 20 month lead time so he would like to go ahead with purchase allowing time to get before existing mowers start to breakdown.

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: 24-1046-RES

A Resolution Accepting an Unbudgeted Donation from the Rikard Charitable Trust to the Caboose Club.

There was no 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: 24-1047-RES

A Resolution Waiving Fees for the Use of Heritage Park and Pavilion on Thursday, March 7th - Saturday March 9th for the South Baldwin Chamber Foundation's Annual BBQ & Blues Cook-Off Fundraising Event

Attachments: 16th Annual BBQ & Blues Cook-Off

Parks and Recreation Director Jeff Lee reported that the specifics of this request is to close Violet St. from Hwy 59 to Chicago St. to help vendors come and go more easily and to block off unnecessary traffic.

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.

City of Foley, AL

24-0078

Enactment No: 24-1048-RES

<u>24-0079</u> A Resolution Waiving Fees for the Use of Heritage Park for Andrea

Overstreet and the Redemption Apostolic Church to Host a Community

Praise in the Park Event.

<u>Attachments:</u> <u>Andrea Overstreet Praise in the Park Event</u>

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: 24-1049-RES

<u>24-0080</u> A Resolution Approving the Purchase of a John Deere Tractor for the

Parks and Recreation Department.

<u>Attachments:</u> <u>Capital Purchase Worksheet - Tractor</u>

Proposal for Quote 30259697

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: 24-1050-RES

A Resolution Requesting Permission to Bid the Replacement and

Upgrades to the Dugout Roof Structures at Mel Roberts Park.

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: 24-1051-RES

24-0082 A Resolution to Align the Local Public School Support Payment with the

School Calendar Year

Attachments: Budget Increase Request

Finance Director Miranda Bell reported this Resolution is a request to be allowed to make 9/12 of the \$250,000 Enrichment Program payment now allowing for the alignment of the schools calendar so they may have the money to start their hiring process for teachers.

Mayor Hellmich reported that this Resolution is not an addition to the amount. He reported that it is just a change to the payment schedule allowing for the alignment with the school's calendar, and once this payment is made it will be just an annual payment in the future.

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: 24-1052-RES

24-0083

A Resolution Requesting Permission to Bid the Installation of Utilities and General Oversight for the Beulah Heights Upgrade Project.

There was no 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: 24-1053-RES

24-0084

Resolution Approving the Professional Services Proposal from Thompson Engineering and Appropriate Funding for Michigan Avenue at Cedar Street and Michigan Avenue at Juniper Street.

<u>Attachments:</u> Proposal - Michigan at Cedar Roundabout

Proposal - Michigan at Juniper Roundabout

Budget Increase Capital Projects

Capital Project Worksheet

Taylor Davis reported that this Resolution is to approve the funding for the construction of two round-abouts at Michigan and Cedar and also, Michigan and Juniper.

Mayor Hellmich reported that this project is budgeted this year. He reported that the round-abouts are the most cost effective solution, and it will lend to improving the sidewalks.

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: 24-1054-RES

<u>24-0085</u>

A Resolution Approving the Road Building Project for East Jessamine and Accepting the Professional Services Agreement from Engineering Design Group.

Attachments: 21-1073 RES four roads

Capital Project Worksheet .xlsx - Capital Project (4)

2024-01-24 East Jessamine Staking

Street Department Supervisor Ricky Rider reported this Resolution is to approve the funds for the staking and layout of E Jessamine Rd Building Project.

Mayor Hellmich reported that this project allows for the City to make the road more pedestrian friendly and will connect to the park.

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: 24-1055-RES

24-0086

A Resolution Approving the Highway 59 Sidewalk Project from East Verbena Avenue to Centennial Bank and accepting The Capstone Engineering Group's Professional Services proposal for the Survey and Design.

Attachments: Scope & Fee Proposal

Capital Project Worksheet .xlsx - Capital Project (2)

Street Department Supervisor Ricky Rider reported this Resolution approval will allow for the extension of the sidewalk south where there is some drainage areas needing to be crossed to obtain a scope and proposal.

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

Enactment No: 24-1056-RES

24-0087

A Resolution Approving the North Cedar Street Sidewalk Project and accepting Engineering Designs Group's Professional Services proposal for the North Cedar Street Sidewalk Project from North Cedar Street to West Peachtree Avenue.

<u>Attachments:</u> Survey proposal Cedar St Sidewalk Extension 1-17-2024

Capital Project Worksheet .xlsx - Capital Project (3)

Mayor Hellmich reported that this project will connect Mel Roberts up to the Fern Ave. sidewalks.

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

Enactment No: 24-1057-RES

24-0088

A Resolution Approving the Street Department Purchase of a Massey Ferguson 2860M Utility Tractor

Attachments: City of Foley MF2860M Cab quote with sourcewell ID

Proposal for Quote 30175978

Capital Purchase - utility tractor

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, that this Resolution be carried-over to the next council meeting on February 19, 2024. The motion carried by an unanimous vote.

24-0089

Resolution Approving the Bid Award to S.C. Stagner Contracting, Inc. and Appropriating Funding for the East Verbena Avenue Improvements Project.

Attachments: Recommendation Letter

Bid Tabulation

Budget Increase Capital Projects

Capital Project Worksheet

Taylor Davis reported the approval of this Resolution allows funding for the East Verbena Avenue Improvements which includes parking stalls, work to landscape island, right-of-way, decorative lighting and brick pavers. He reported that the City received two bids and one responsible bidder came in within budget.

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: 24-1059-RES

24-0091 A Reso

A Resolution to Waive the Fees for the Use of the Foley Civic Center

Municipal Complex Director Pam Harris reported that this event is a partnership between Lighthouse and the DA Office with a time frame of 8am until 12pm.

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: 24-1060-RES

24-0093

A Resolution to Move Forward with the Purchase of Two Golf Carts and One Gator for Foley Sports Tourism

Attachments: Capital Purchase - 4 seater

<u>Captial Purchase - 6 Seater</u> <u>Captial Purchase - Gator</u>

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: 24-1061-RES

24-0094

A Resolution to Accept a Quote and Proceed with Upgrades to a Vehicle Mounted Light Tower for the Fire Department

Attachments: Quote - Apparatus Repair - 1K9AF4287BN058083 1 16 2024.pdf

NAFECO-Q1224012480037.pdf

Deputy Fire Chief Chad Brewer reported this Resolution is to allow for a planned upgrade under the capital purchases this year. He reported they are upgrading a vehicle's mounted light tower to LED.

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: 24-1062-RES

24-0095 A Resolution Approving Application for the FY2024 Dollar General Grant

for Summer Reading

There was no 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: 24-1063-RES

24-0096 Resolution Approving Additional Funding and Award the Bid to Ammons and Blackmon Construction LLC for the Base Bid Plus Four Additive

Alternates for the Resurfacing & Street Repairs FY23 Project.

Attachments: Foley 2023-24 Bid Tab 1.26.24

Foley 23-24 Rec. to Award 1.26.24
Budget Increase Capital Projects

Capital Project Worksheet

Taylor Davis reported resurfacing repairs for FY23 is complete and recommends moving forward with construction. He reported that the back parking lot will be a shared cost with Riviera Utilities.

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: 24-1064-RES

24-0097 A Resolution to Amend Resolution 24-1032 A Resolution Approving the

Purchase of Arrow Board Signs for Street Department- Traffic Control.

Attachments: 24-1032 RES arrow boards

Budget Transfer Request - arrow boards

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: 24-1065-RES

<u>24-0098</u> Resolution to Declare the Comfort Station at John B. Foley Park Surplus.

There was no 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: 24-1066-RES

A Resolution Approving a Contract with Critical Mention for Media

Monitoring Services and Increasing the Marketing Budget by \$5,800.

Attachments: M. Thompson Approval

Burelles quote

Muck Rack quote

W. Trawick approval for agenda - Critical Mention

Marketing Director LaDonna Hinesley reported this Resolution would allow for a more useful tool for the Marketing Department to better track what is happening in the media. She also reported that the company offered a discount for the first year of service.

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: 24-1067-RES

A Resolution Memorializing and Approving the Surplus & Disposal of 1

Street Department and 1 Horticulture Vehicle.

There was no discussion on this item.

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: 24-1068-RES

Mayor's Comments

Mayor Hellmich reported the City will hold a ribbon cutting for the opening of Pecan Street at 9:00 a.m. on Friday, February 9, 2024.

He reported that the City of Foley will help with presenting a plaque in partnership with the Traveling Vietnam War Memorial Fund and a ceremony will be held in Robertsdale in May, 2024.

He also reported that there is construction currently being done at Mel Roberts Park replacing lights.

Mayor Hellmich reported that a good friend and one time realtor to the City Skip Davis is ill and asked all to keep him and his family in their prayers.

Visitor Comments

Dennis Kriegh, who resides at 2651 S Juniper, Unit 1500, Foley, AL 36535, addressed the Council with concerns of some infrastructure issues around the City.

Mayor Hellmich reported that the County will begin construction this year on lighting the intersection and will install turn lanes at Co. Rd. 12 and Co. Rd. 65.

The Mayor reported that the County has the project under design for the intersection at Michigan Ave. and Co. Rd. 65 and will begin FY 2025.

Mayor Hellmich also reported that at Michigan and Hickory intersection, the design is complete and construction on the intersection will also start FY 2025 to install signals and dedicated left turn lanes with arrows.

The Mayor reported that at Co. Rd. 12 and Hwy. 59, a grant was applied for two years ago and ALDOT has approved to let the project go to bid in April 2024.

He reported that at the intersection of Co. Rd. 98 and Hickory, a traffic count has been done by the City and concluded that, the City was not ready to apply for upgrades on it at this time.

He also reported that on the Foley Beach Express an extended dedicated right turn lane going West is being installed along with safety shoulders and repaving.

Mayor Hellmich reported that the Juniper Street project has been slow due to supply chain and engineering issues. He further explained that the East end of Juniper is complete and only waiting on signals and once installed it should open back up.

Mr. Kriegh asked about the progress of the pickleball courts being installed at Wolf Bay. Ricky Rider reported that they are in the process on laying the rock down on the roads and once rains clear they will complete the project.

Executive Session

City Administrator Mike Thompson reported that there is a need to go into Executive Session to discuss certain aspects of a possible real estate transaction to discuss the consideration that Council would be willing to pay to purchase certain real property. He further reported this discussion should take approximately twenty minutes and there will be no need for Council to take vote.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell to go into executive session.

Mr. Thompson took the following roll call vote: Council Member Quaites, aye; Council Member Dayton, aye; President Trawick, aye; Council Member Blackweel, aye; and Council Member Ebert, III, aye. The vote was unanimous to go into Executive Session.

The Council Meeting was recessed at 5:18 pm.

The Council Meeting reconvened at 5:44 pm.

President Trawick called the meeting back to order. All Council Members were present. Also present: Mayor Ralph Hellmich and City Administrator Mike Thompson.

There was no further business to conduct.

Adjournment

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

The meeting was adjourned at 5:45 pm.