



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, February 20, 2023

4:00 PM

Council Chambers

Work Session/Council Meeting

Public Hearing

23-0094

Public Hearing to Consider Weed to be a Public Nuisance and to Order its Abatement at 708 East Myrtle Ave.

Council President Wayne Trawick opened the Public Hearing at 4:00 p.m. He asked for comments from the public.

William Powell, who resides at 17 East Myrtle Ave. reported to Council about his concerns of the back of the property close to the fence line and that it does not appear to be abated.

Jim Richardson reported to Council about his concerns with the scrap metal and junk that remains on the property along the East side of the property.

Environmental Manager Angie Eckman reported to Council that the weeds have been abated and the junk nuisance will be processed in Municipal Court. She also reported that she will inspect the property again on February 21, 2023. There was no further discussion.

Hearing no further comments, Council President Wayne Trawick closed the public hearing.

Call to Order

Council President Wayne Trawick called the meeting to order at 4:11 p.m.

Present: 4 - Wayne Trawick, Vera Quaites, Rick Blackwell and Richard Dayton

Absent: 1 - Charles Ebert III

Roll Call

All Council Members were present with the exception of Charles Ebert, III, who was out of town. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Kathryn Taylor, Fay Krehling, David Thompson, Wayne Dyess, Tommy Gebhart, Brandon Mothershed, Police Chief Thurston Bullock, Leslie Gahagan, LaDonna Hinesley, Darrelyn Dunmore, Jamie Smith, Angela Shermen, Miriam Boone, Jeff Phillips, Cecilia Matheny, Angie Eckman, James Richardson, William Powell, John Jackson, Darrell Russell, Sheryl Thomas, and Fire Chief Joey Darby.

Present: 4 - Wayne Trawick, Vera Quaites, Rick Blackwell and Richard Dayton

Absent: 1 - Charles Ebert III

Moment of Reflection

Pledge of Allegiance

Work Session Discussion

There were no Work Session Discussions

Consent Agenda

23-0079 Report of January, 2023, Approved and Paid Bills for the Record

Attachments: [2023-01 Approved & Paid Bills.Expense Approval Report](#)

A motion was made by Council Member Richard Dayton, seconded by Council Member Vera Quaites, to approve the Report of paid bills for January 2023. The motion carried by an unanimous vote.

23-0084 Departmental Reports

Attachments: [Tax Report and Permit-Plan Review Jan 2023](#)

[2023 Marketing Department Quarterly Report Oct. 2022 - Dec. 2022](#)

[January 2023 CDD Report](#)

[January 2023 PD report](#)

[January 2023 FD Report](#)

A motion was made by Council Member Richard Dayton, seconded by Council Member Vera Quaites, to approve Departmental Reports for January 2023 . The motion carried by an unanimous vote.

23-0086 Work Session/Council Meeting Minutes of February 6, 2023

Attachments: [Work Session Council Meeting Minutes of February 6, 2023](#)

A motion was made by Council Member Richard Dayton, seconded by Council Member Vera Quaites, to approve the February 6, 2023 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

Additions/Removals/Carry-Overs

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton to remove item 23-0061 and item 23-0060 from the February 20, 2023 Council Meeting Agenda. The motion was carried by an unanimous vote.

Ordinances

23-0061

(First Reading) AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY CHRISTOPHER AND KELLIE THORTON

Attachments: [Thorton Annexation](#)
[Thornton Annex Valuation](#)

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

Resolutions and Other Business

23-0067

ABC License: 160- Special Retail Liquor At The Hotel Magnolia Restaurant LLC, applicant operating under the trade name The Hotel Magnolia Restaurant located at 119 N McKenzie St. Foley, Alabama 36535.

Attachments: [The Hotel Magnolia Restaurant ABC Application](#)

Foley Police and Fire Departments made a recommendation to move forward with the license.

A motion was made by Council Member Vera Quaites, seconded by Council Member Richard Dayton, to make a recommendation to the ABC Board to move forward with the license. The motion carried by an unanimous vote.

23-0069

ABC License: 050 - Retail Beer (Off Premises Only) and ABC License: 070 - Retail Table Wine (Off Premises Only) Om Sri Sai LLC, applicant operating under the trade name Legacy C Store located at 2300 S McKenzie St. Foley, Alabama 36535.

Attachments: [ABC Application-Legacy Store C](#)

Foley Police and Fire Departments made a recommendation to move forward with the license.

A motion was made by Council Member Vera Quaites, seconded by Council Member Richard Dayton, to make a recommendation to the ABC Board to move forward with the license. The motion carried by an unanimous vote.

23-0070

ABC License: 020 - Restaurant Retail Liquor Foley Sports JV LLC, applicant operating under the trade name El Diablo Taqueria And Cantina located at 104A South OWA BLVD Foley, Alabama 36535.

Attachments: [ABC Application-El Diablo Taqueria and Cantina](#)

Foley Police and Fire Departments made a recommendation to move forward with the license.

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton, to make a recommendation to the ABC Board to move forward with the license. The motion carried by an unanimous vote.

23-0046

A Resolution Waiving Fees for the Use of Heritage Park and John B. Foley Park for the 51st Annual Art in the Park on May 12-14, 2023.

Attachments: [Special Events Application - Art in the Park](#)

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: 23-1040-RES

23-0060

A Resolution to Approve the Road Building Project on South Pecan Street and Permission to go to Bid.

Attachments: [Capital Purchase - Capital Project Worksheet Shop truck.xlsx - Capital Project](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton to remove this item from the agenda. The motion carried by an unanimous vote.

Enactment No: 23-1041-RES

23-0063

A Resolution Approving To Move Forward with the Training Center Burn Building Renovation

Attachments: [City of Foley Mail - Trawick & Thompson Approvals](#)

Foley Fire Chief Joey Darby reported to Council that this training facility was constructed in 1996 and is in need of renovation. Chief Darby requested from Council to move forward with the bidding process. 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: 23-1042-RES

23-0073

A Resolution to Appoint John Foley to the Museum Archives Board.

Attachments: [John Foley](#)

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: 23-1043-RES

[23-0074](#)

A Resolution to Reappoint Luanne McCarley to the Board of Adjustments And Appeals.

Attachments: [Luanne McCarley](#)

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: 23-1044-RES

[23-0077](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 9475 S. HICKORY STREET

Attachments: [9475 Hickory Street Abatement](#)

Environmental Manager Angie Eckman reported to Council that the owner of this property was given an extension, but as of February 20, 2023 the property has not been abated. There was no further 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: 23-1045-RES

[23-0078](#)

A Resolution Approving Street Light Installation In Front of 204 West Fern Avenue.

Attachments: [City of Foley Mail - Street light 204 W Fern Ave](#)

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: 23-1046-RES

[23-0080](#)

A Resolution Approving the Submittal of the Application for DHS/FEMA FY2022 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program for Nine New Firefighters

Foley Fire Chief Joey Darby reported to Council that if approved, this grant would be utilized for financial assistance for nine firefighters during the next three years at 100%. 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: 23-1047-RES

23-0081

A Resolution Memorializing the Application and Accepting the FY2023 Gulf Coast Resource Conservation and Development Council Grant

Attachments: [Cooperative Agreement- City of Foley](#)
[Request to Increase Budget Dollars](#)

Environmental Director Leslie Gahagan reported to Council that this grant would be utilized for beehives and pollinators at Graham Creek. 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: 23-1048-RES

23-0082

A Resolution Memorializing the Application for the Alabama Department of Environmental Management GOMESA Litter Trap Grant

Attachments: [GOMESA Litter Trap Funding Application](#)

Environmental Director Leslie Gahagan reported to Council that these litter traps will be established at four locations which are: County Road 20 and Pine Street, Juniper Street and County Road 20 and Bonner Road. The fourth trap location has not yet been determined. Mrs. Gahagan also reported that this grant will include installation and two years of maintenance. There was no other 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: 23-1049-RES

23-0083

A Resolution to Accept the Grant Award from ADCNR for the Beulah Heights Stormwater Management Plan

Attachments: [FOLEY-CZM-309-21-1](#)
[Budget Increase Form](#)

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: 23-1050-RES

23-0085

A Resolution Approving the Transfer of Funds and the Purchase of a John Deere Gator for the Nature Parks Department

Attachments: [Capital Purchase Request for ATV](#)
[Budget Increase.ATV.2023](#)
[ATV Quotes 2023](#)
[SunSouth Quote ATV.2023](#)

There was 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: 23-1051-RES

[23-0087](#)

A Resolution Appropriating Funds for the Purchase of a 44HP Tractor for the Nature Parks Department

Attachments: [Request to Increase Budget Dollars for Tractor](#)
[Capital Purchase Request for 44HP Tractor](#)
[Tractor Quotes](#)

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: 23-1052-RES

[23-0088](#)

A Resolution to Increase Commercial Sanitation budgeted funds for Dumpsters

Attachments: [dumpster quote](#)
[Budget Increase and Transfer Request Forms.xlsx - Increase in Budget Dollars \(2\)](#)

Public Works Director Darrell Russell reported to Council that due to the growth of the city, he underestimated the amount of dumpsters and needs to increase the budgeted funds for this item. There was no further 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: 23-1053-RES

[23-0089](#)

A Resolution Approving the Transfer of Funds Between Street Department and Public Works.

Attachments: [Budget Increase and Transfer Request Forms.xlsx - Transfer between Departments](#)

Public Works Director Darrell Russell reported to Council that this item is budget neutral and is also a house keeping 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: 23-1054-RES

23-0090

A Resolution Approving the Surplus & Disposal of Two Toro 355Z Vacuum Mowers.

Parks and Recreation Director Jeff Lee reported to Council that these items are not operational and are beyond repair. 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: 23-1055-RES

23-0091

A Resolution Approving the Application to the FY23 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program

Attachments: [FY 2023 RAISE NOFO 12.14.2022](#)

City Administrator Mike Thompson reported to Council that the purpose of this grant is to provide safe zones and grass areas around the Downtown Foley area. There was no further 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: 23-1056-RES

23-0092

A Resolution to Amend 22-1390-RES for the Purchase Amount of (1) K9 Dual Purpose Dog

Attachments: [Southern Coast K9 Quote 2-2023](#)

Foley Police Chief Thurston Bullock reported to Council that the new quote came in higher and this item needs to be amended to match the new quote. There was no further 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: 23-1057-RES

23-0095

A Resolution for the Acceptance and Use of Friends of the Library Donation

Attachments: [Copy of Increase Budget Dollars_Friends Donation_2_23](#)

Library Director John Jackson reported to Council that this donation will be used for additional programming. There was no further 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: 23-1058-RES

[23-0096](#)

A resolution approving Volkert's Professional Services proposal regarding an update to the City Street Functional Classification Data.

Attachments: [City of Foley - Transportation Continuity Plan Proposal \(1\)](#)
[Capital Project Worksheet](#)
[Budget Increase Capital Projects](#)

Project Director Jeff Phillips reported to Council that this item is to update the street classification information to better analyze current street network. Mayor Hellmich, City Administrator Mike Thompson and Executive Director of Infrastructure and Development Wayne Dyess concurred with Mr. Phillips. 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: 23-1059-RES

[23-0097](#)

A Resolution increasing the budget for capital revenue and expense accounts and approving the purchase of a replacement storage building for Sports Tourism.

Attachments: [Storage Building Approval](#)

Executive Director of Leisure Services David Thompson requested Council to increase the budget to cover the capital expense. There was no further 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: 23-1060-RES

[23-0098](#)

A Resolution Waiving Fees for the Use of Heritage Park and Pavilion on Saturday March 11, 2023 for South Baldwin Chamber Foundation's Concert Event and temporarily closing East Violet Avenue.

Attachments: [Amended Special Event Application 2023](#)

Executive Director of Leisure Services David Thompson reported to Council that this is a new concert event with the band Wet Willie. Mr. Thompson reported that the estimation of 2,000 to 4,000 will attend and this is a fundraising event. There was no further 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: 23-1061-RES

23-0099

A resolution approving the installation of a new fence around the Reynolds Ready Mix Concrete Plant located at 2640 S McKenzie Street.

Attachments: [Ariel View](#)

[Hagan Fence Quote](#)

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: 23-1062-RES

23-0104

A Resolution Approving the Purchase of a Polaris UTV for the Foley Fire Department

Attachments: [20230213162029082.pdf](#)

[Capital Purchase - Capital Project Worksheet - UTV - 2-2023 .xlsx](#)

[City of Foley Mail - Capital Purchase requests for Council agenda 2-2023.pdf](#)

Foley Fire Chief Joey Darby reported to Council that this item is for a budgeted purchase. This equipment will be used for special events and road rescues.
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: 23-1063-RES

23-0106

A Resolution Approving the Purchase of a 2023 Ford Expedition for the Foley Fire Department

Attachments: [Capital Purchase - Capital Project Worksheet - SUV - 2-2023 .xlsx](#)

[City of Foley Mail - Capital Purchase requests for Council agenda 2-2023.pdf](#)

[20230214100731391.pdf](#)

Foley Fire Chief Joey Darby reported to Council that this item is a budgeted purchase and is available now. He reported that he would like to move forward.

City Administrator Mike Thompson asked if the 2015 Expedition can be re-purposed and Chief Darby reported that the IT Department has expressed interest. There was no further 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: 23-1064-RES

[23-0107](#) A Resolution to Waive the Fees for the Use of the Foley Civic Center

Attachments: [Foley Youth Football](#)

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: 23-1065-RES

Mayor's Comments

Mayor Ralph Hellmich reported to Council that Saturday, February 25, 2023 is Arbor Day at the Farmer's Market. Mayor Hellmich also reported that the Mardi Gras Parade was a successful event and everyone enjoyed the beautiful cold day.

Mayor Hellmich reported that the City of Foley is excited to be hosting the Alabama Design Group this week. He also reported that the Armory is now owned by the City of Foley.

Mayor Hellmich reported that the North Pecan Road Project is finished but has not been officially opened. We are currently waiting for the Engineering Department to release the contractor.

Visitor Comments

Foley Fire Chief Joey Darby reported to Council that the book signing event Cooking with Brenda Gantt was a huge success and Stacey's Drug Store did an excellent job during this event. There were no further discussion on this item.

Adjournment

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton to adjourn the meeting.

The meeting was adjourned at 5:15 p.m.