



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Final

### City Council

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Monday, July 1, 2024

4:00 PM

Council Chambers

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#### Work Session/Council Meeting

#### Public Hearing

[24-0394](#)

A Public Hearing to Consider the Adoption of the City of Foley Zoning Ordinance Amendments

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.

#### Call to Order

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

#### Roll Call

All Council Members were present with the exception of Council Member Rick Blackwell. Also present: Mayor Ralph G. Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Christi Watkins, David Thompson, Christopher Swain, Jeff Phillips, Logan Eberly, Jeff Lee, Deborah Mixon, Rachel Keith, Glenn Hartensen, Larry Dearing, Eden Lapham, Pam Harris, Tony Fuqua, Darrell Russell, Kate Norris, LaDonna Hinesley, Darrelyn Dunmore, Angela Sherman, Brenda Shambo, Linda Spangrud, Russell Ware, Luanne McCarley, Kylee Raulerson, Joey Darby and Cian Harrison.

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

#### Moment of Reflection

#### Pledge of Allegiance

#### Presentation

[24-0302](#)

Presentation: Student Sister City Trip

Linda Spangrud and Cooper Watkins with the Sister Cities Program gave a presentation on the group's trip to Germany.

## Work Session Discussion

### Additions/Removals/Carry-Overs

There were no removals or carry-overs to report.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to add Item 24-0403 to the Agenda. The motion carried by an unanimous vote.

### Consent Agenda

[24-0395](#)

Work Session/Council Meeting Minutes of June 17, 2024

**Attachments:**     [6-17-24 Work Session.Council Meeting Minutes](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, to approve the Work Session/Council Meeting Minutes of June 17, 2024. The motion carried by an unanimous vote.

### Ordinance

[24-0374](#)

(Second Reading) An Ordinance Amending Ordinance No. 1028-08 An Ordinance to Protect the Public Health, Safety, and Welfare by Providing Policies and Procedures For Usage At Public Parks Within The City of Foley

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

Enactment No: 24-2022-ORD

[24-0367](#)

(Second Reading) An Ordinance Declaring Certain Real Property Surplus and No Longer Needed for Municipal Purposes and Authorizing the Sale of the Same

**Attachments:**     [Map](#)

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 adopted. The motion carried by an unanimous vote.

Enactment No: 24-2020-ORD

[24-0327](#)

(Second Reading) AN ORDINANCE AMENDING THE CITY OF FOLEY ZONING ORDINANCE

**Attachments:**     [Zoning Amend Recommendation Docs.pdf](#)  
[Zoning Ordinance Amendments 2](#)

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.

Public Notice synopsis advertisements were placed in the Foley Onlooker on June 12, 2024 and June 19, 2024.

The full Public Notice and proposed ordinance in its entirety were posted at City Hall, Foley Public Library, Community Development, Foley Welcome Center and the City of Foley official website [www.cityoffoley.org](http://www.cityoffoley.org) from June 4, 2024 until July 2, 2024.

The adopted Ordinance was posted at City Hall, Foley Public Library, Community Development, Foley Welcome Center and the City of Foley official website [www.cityoffoley.org](http://www.cityoffoley.org) from July 2, 2024 until August 2, 2024.

Enactment No: 24-2021-ORD

## Resolutions and Other Business

### [24-0366](#)

A Resolution to Approve the Forestry Mowing of the Property Located at the Northwest Corner of US Highway 98 and Hickory Street.

**Attachments:**     [Estimate C-05-050724 Forestry Mowing Corner of US 98 and N Hickory \(#C-05-050724 Mowing\)](#)  
[Capital Purchase - Forestry Mowing Taylor Property](#)  
[Budget Increase and Transfer Request Forms.xlsx - mowing taylor property](#)

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: 24-1244-RES

### [24-0368](#)

A Resolution Approving the Lease of 10'x16' T-Hangar End Units on the North Apron at the Foley Municipal Airport and Establishing a Lease Rate

**Attachments:**     [T-Hangar Storage Areas - North Apron.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 Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 24-1245-RES

[24-0369](#)

A Resolution to Accept Volkert Supplemental Agreement No. 7 & 8 for Professional Services Related to a Terminal Building at the Foley Municipal Airport

**Attachments:**    [Agreement 07 - Teminal \(Design Construct\) 04-01-2024.pdf](#)  
[Agreement 08 - Teminal Site Development 04-01-2024.pdf](#)  
[Capital Project Worksheet - Terminal Building Design & Site Development.pdf](#)

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: 24-1246-RES

[24-0370](#)

A Resolution Approving the Application for a Highway Safety Improvement Program Grant for Pedestrian Improvements

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: 24-1247-RES

[24-0371](#)

A Resolution To Waive the Board of Adjustment and Appeals Application Fee for The Way, The Truth, And The Life Holiness Church

**Attachments:**    [Email Request](#)

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: 24-1248-RES

[24-0372](#)

Resolution Approving the Professional Land Surveying Proposal from Beyond Measure Surveying for the Resubdivision of Lot 3-B Foley Beach Express Industrial Park Unit 7.

**Attachments:**    [Proposal - Beyond Measure Surveying - City of Foley \(2\)](#)

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: 24-1249-RES

[24-0373](#)

A Resolution to Transfer Funds from Library Personnel to Operating

**Attachments:**     [Transfer Salaries to Operational](#)

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: 24-1250-RES

[24-0376](#)

A Resolution Approving the East Peachtree Pedestrian Improvements and Accepting The Capstone Engineering Group's Professional Services Proposal.

**Attachments:**     [Scope and Fee Proposal](#)  
                              [Capital Project - East Peachtree Path](#)  
                              [Budget Increase - E Peachtree Ped Improvement](#)

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: 24-1251-RES

[24-0377](#)

A Resolution to Accept and Use Unbudgeted Donation Money Issued to the Foley Police Department.

**Attachments:**     [Donation money FY 2024](#)  
                              [Approval emails Wayne/Mike](#)

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: 24-1252-RES

[24-0378](#)

A Resolution to Approve the Purchase and Installation of a Lightning Suppression System for the Foley Municipal Airport

**Attachments:**     [Budget Transfer Request - Lightning Suppression System.pdf](#)  
                              [Capital Project Worksheet - Lightning Suppression System.pdf](#)  
                              [EMPD Quote 2496-128 - City of Foley Airport 5.15.24.pdf](#)  
                              [Sole Source Letter - EMP Defense LLC.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 Resolution be adopted. The motion carried by an unanimous vote.**

Enactment No: 24-1253-RES

[24-0379](#)

A Resolution Approving a Never Forget Memorial on the Perry Wilbourne Antique Rose Trail

**Attachments:**     [Fort Bowyer NSDAR Wreath and Stand for Holidays 2024](#)

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: 24-1254-RES

[24-0380](#)

A Resolution Appointing Members to the Library Advisory Committee

**Attachments:**     [Rick Blackwell Bio](#)  
                              [Rachael Gebhart Bio](#)  
                              [Jessica Gosa Bio](#)  
                              [Brett Taylor Bio](#)  
                              [Beverly Wenzel Bio](#)

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: 24-1255-RES

[24-0381](#)

A Resolution Authorizing the Magnolia River Stream Cleanout Project

**Attachments:**     [Estimate Magnolia River to US 98 C02021324](#)  
                              [Capital Purchase - Mag River Stream Cleanout.xlsx - Google Sheets](#)  
                              [Budget Increase - Mag River Cleanout.xlsx - Google Sheets](#)

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: 24-1256-RES

[24-0383](#)

A Resolution Approving a Right-Of-Way Use Agreement Between the City of Foley and Colt Foley, LLC

**Attachments:**     [Foley ROW Use Agreement 118 W Laurel revised June 21](#)

City Administrator Mike Thompson reported Colt Foley, LLC is requesting the consideration of the Council to allow them to use parking spaces for their grill and allow them to have side walk seating.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to approve this Resolution subject to giving the Mayor authority to negotiate a reasonable lease rate on the four parking spaces and to allow the use of the sidewalk for seating. The motion carried by an unanimous vote.

Enactment No: 24-1257-RES

[24-0385](#)

A Resolution Approving Change Order #2 for the Juniper Street South Extension Project.

**Attachments:**     [Transfer within Category](#)  
                              [Change Order #2](#)

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: 24-1258-RES

[24-0387](#)

A Resolution adding additional services for WAS Design Inc to cover the specifications and oversight for three additional pickleball courts using impact fees.

**Attachments:**     [Foley Pickleball -Change Order Request](#)

Executive Director of Leisure Services David Thompson reported the approval of this Resolution will allow for the design work of the project so the City can look at having 12 courts rather than the 9 courts because he feels there will be a demand for 3 additional courts.

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: 24-1259-RES

[24-0388](#)

A Resolution to Approve Additional Funds for E Jessamine Extension and Permission to Go to Bid.

**Attachments:**     [Budget Increase - Jessamine Paving .xlsx - Google Sheets](#)  
                              [East Jessamine Ext.xlsx - Google Sheets](#)

Project Manager Jeff Phillips reported this Resolution will allow for the pavement of Jessamine St. and extend Heritage Park into the large common area where there are benches and lighting.

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: 24-1260-RES

[24-0389](#)

A Resolution Authorizing the Mayor to Sign a Letter of Intent for the Sanitation Department

**Attachments:**     [2025 City of Foley AL Petersen TL3 Peterbilt 537 6.18.24 \(1\)](#)  
[letter of intent EPG knuckleboom 2025](#)

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: 24-1261-RES

[24-0390](#)

A Resolution to Declare Bicycles and other miscellaneous items as Surplus and Donate to Calvary Chapel Fellowship Dream Center of Foley.

**Attachments:**     [Agenda Items](#)

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: 24-1262-RES

[24-0391](#)

A Resolution Approving the Transfer of Budgeted Funds from Fire Ad Valorem Fund Capital to Operating

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: 24-1263-RES

[24-0392](#)

A Resolution Approving Completing the Flag Pole Parking Area Project

**Attachments:**     [Ortega's Landscape Quote](#)  
[Landscape Workshop Quotes](#)  
[Photos](#)

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: 24-1264-RES

[24-0403](#)

A RESOLUTION AUTHORIZING THE CITY OF FOLEY TO ENTER INTO A SETTLEMENT AGREEMENT WITH BRIGHTSPEED OF SOUTHERN ALABAMA, LLC

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: 24-1265-RES

## Mayor's Comments

Mayor Hellmich reported that this week is the 4th of July Holiday and asked everyone to be patient with traffic and visitors.

He reported that there are many projects going on through the City and all are moving along well.

## Visitor Comments

Christopher Swain, who resides in Robertsedale, AL, and is an employee with the City of Foley as a Sanitation Department driver addressed the Council with concerns about the Sanitation Department's lack of applicants applying and high turnover rates.

He asked the Council to consider a pay rate increase for sanitation employees due to the cost of living for the area and the expenses of child care an employee may have.

Council Member Charles Ebert, III, read an official petition letter into the record from concerned citizens regarding a national movement underway to cut back on quality-of-life policing methods such as making arrests for vandalism, littering, vagrancy, public intoxication, and other quality-of-life violations. The citizens urged the City to maintain all quality-of-life policing methods, vigorously defend these methods, support our police in enforcement of quality-of-life violations, and make sure the district attorney is fully behind quality-of-life police methods.

There were no further comments to report.

## Adjournment

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

The meeting adjourned at 5:36 p.m.