



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, July 20, 2020

4:00 PM

Council Chambers

Work Session/Council Meeting

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 John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Wynter Plaski, Ellis Williams, Kevin Carnley, Joey Darby, Chad Christian, Randy Kurtts, LaDonna Hinesley, Logan Eberly, Darrylyn Dunmore, Paul Gordon, Rachel Keith, Pam Harris, Donna Watts, Frances Holk-Jones, Rachel Spear, Paul Mavrin, Richard Dayton, Paul Hartlic, Kevin Slade, Shirley Johnson and press representative Jessica Vaughn.

Present: 4 - President Wayne Trawick, Council Member Vera Quaites, Council Member Rick Blackwell and Council Member Charles Ebert III

Pledge of Allegiance

Discussion Items

20-0328 Discuss Appointing a New Member to the Public Athletic and Sports Facilities Cooperative District and the Public Cultural and Entertainment Facilities Cooperative District

City Administrator Mike Thompson reported there is a vacancy on the Public Athletic and Sports Facilities Cooperative District and the Public Cultural and Entertainment Facilities Cooperative District Boards. Council member Vera Quaites reported there are a couple of people, who work at Collins Aerospace who are interested in serving on City Boards.

Additions/Removals

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to remove item 20-0311 from the agenda. The motion carried by an unanimous vote.

Consent Agenda

[20-0311](#) Report of Prior Month Approved/Paid Bills for the Records (June, 2020)

Attachments: [2020-06 Approved & Paid Bills.Expense Approval Report](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Agenda Item be approved. The motion carried by an unanimous vote.

[20-0319](#) Work Session/Council Meeting Minutes of July 6, 2020

Attachments: [Work Session & Council Meeting Minutes of July 6, 2020](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to approve the Work Session/Council meeting Minutes of July 6, 2020. The motion carried by an unanimous vote.

[20-0320](#) Department Reports

Attachments: [Grant Status Report June 2020](#)

[June 2020 Bid Awards](#)

[Tax Report June 2020](#)

[June 2020 CDD Report](#)

[May 2020 FD Report](#)

[June 2020 PD Report](#)

[2020 April, May and June Marketing Quarterly Report \(1\)](#)

[Welcome Center 3rd Qtr Stats](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to approve the Departmental Reports as submitted. The motion carried by an unanimous vote.

Ordinances

[20-0299](#) **An Ordinance Declaring Certain Real Property Not Presently Needed For Municipal Purposes And Authorizing The Lease Of The Same To NAPA Store**

Attachments: [NAPA Lease Request and Photo](#)
[Lease Agreement](#)

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: 20-2015 ORD

Resolutions and Other Business

[20-0273](#) A Resolution Appointing Election Officers

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: 20-1193-RES

[20-0310](#) A Resolution Approving Application for the FY2020 Homeland Security Local Grant

Attachments: [Homeland Security Application 2020 \(1\)](#)
[Budget Worksheet 2020](#)

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

[20-0313](#) A Resolution to Waive the Fees for the Foley Civic Center for Career Technical Education Professional Development Day

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: 20-1194-RES

[20-0314](#) A Resolution Approving the South Baldwin Chamber of Commerce to Use the Hot Air Balloon Festival Performance Contract Funds

Attachments: [Balloon Festival Cancellation 2020](#)

Mike Thompson reported to Council that the Chamber had already spent \$18,300 in preparation of the Festival before having to cancel it due to COVID-19. Mr. Thompson reported that they are asking for reimbursement of that amount and to use the remaining balance for programs to support local businesses. There was no further discussion on this item.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by 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., abstained. The motion carried by a majority vote.

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

Abstain: 1 - Council Member Ebert III

Enactment No: 20-1195-RES

20-0316

A Resolution Approving Entering Into An Agreement With the Baldwin County Highway Department to Pave The City's Portion of Bender Road

Attachments: [Bender Rd Map](#)

[Capital Budget Increase Bender Rd](#)

[Capital Project Worksheet Bender Rd](#)

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: 20-1196-RES

20-0318

AMENDING THE FAÇADE IMPROVEMENT INCENTIVE GRANT PROGRAM

Attachments: [July 2020 Amendments to CITY OF FOLEY FACADE GRANT PROGRAM](#)

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: 20-1197-RES

20-0321

A Resolution Approving Going to Bid for E. Fern Avenue Fence Project

Attachments: [E Fern Fence Scope of Work](#)

[Capital Project Worksheet E Fern Fence](#)

[Capital Budget Increase E Fern Fence](#)

Randy Kurtts reported to Council that the fence is going to be five strand barbed wire and it will tie into the existing fence structure on neighboring land. There was no further discussion on this item.

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: 20-1198-RES

20-0322

A Resolution Appropriating Funds for the Rose Trail Arched Wood Bridge Re-deck

Attachments: [Budget Increase Departmental Rose Trail Bridge](#)
[Blade Construction Quote Rose Trail Bridge](#)
[Blade Construction Quote Revised Rose Trail Bridge](#)

Randy Kurtts reported to Council that there are two quotes for the re-decking finish; wood materials and composite materials. There was no further discussion on this item.

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: 20-1199-RES

[20-0323](#)

A Resolution Approving the Re-filling of Budgeted Position Vacancies.

Attachments: [Pay Classification Plan - Effective 05-18-20](#)
[20-1116](#)

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: 20-1200-RES

[20-0324](#)

Resolution Amending the Pay Classification Plan to Adjust Pay Grade and Job Title of Sanitation Worker I

Attachments: [Pay Classification Plan - Effective After WC Code Audit](#)
[20200713164148117](#)

Mike Thompson reported to Council that over the years this position has acquired more duties and responsibilities than the original description. There was no further discussion on this item.

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: 20-1201-RES

[20-0326](#)

A Resolution to Appoint Les Polk as a Regular Member to the Construction Board of Adjustment and Appeals.

Attachments: [CBAA List](#)

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: 20-1202-RES

[20-0327](#)

A Resolution to Reappoint Erick Crosby to the Construction Board of Adjustment and Appeals.

Attachments: [CBAA List \(2\)](#)

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: 20-1203-RES

[20-0329](#)

A Resolution Approving the Use of Care Acts Funds

Attachments: [CARES Account Activity & Balance](#)

Mike Thompson reported to Council that the City of Foley has until December 31, 2020 to use the \$987,000 available for the Cares Act. MR. Thompson reported that \$220,000 has already been spent and staff members have various proposals for Council to look at. Mr. Thompson reported that Sports Tourism is requesting to use \$10,000 for a promotional video that will highlight all safety measures and precautions taken to make our events safer for advertisement purposes. Mr. Thompson reported that this would leave approximately \$41,000 for paying city employees who miss work due to COVID-19. There was no further discussion on this item.

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: 20-1204-RES

[20-0317](#)

ABC License: 020 - Restaurant Retail Liquor for Foley Sports JV LLC, Applicant operating under the trade name Tacos and Margarita located at 104 A South OWA Boulevard Foley, Alabama (old Wahlburger location).

Attachments: [Tacos And Margaritas ABC License](#)

The Foley Fire Department and Foley Police Department made a recommendation to move forward with the ABC License.

A motion was made by Council member Charles Ebert, III., seconded by Council Member Vera Quaites, to make a recommendation to the ABC Board to approve the ABC License. The motion carried by the following roll call vote: Council Member Quaites, aye; Council Member Hellmich, abstained; President Trawick, aye; Council Member Blackwell, aye and Council Member Ebert, III., aye. The motion carried by a majority vote.

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

Abstain: 1 - Hellmich

Mayor's Comments

Mayor Koniar asked everyone to keep Police Chief David Wilson in their prayers while he undergoes surgery this week.

Visitor Comments

Shirley Johnson stated that there is speeding going on in the Beulah Heights area that needs to be addressed.

Chad Christensen reported that Engineering is waiting on data collected by the discreet collections system.

Council President Wayne Trawick stated that there is concrete deterioration on Fern Ave, and Mr. Christensen responded that the next step would be installing a pipe.

Council Member Rick Blackwell asked about the progress on the restrooms at the tennis courts. Mr. Randy Kurtts stated that he is still waiting on the return of plans that he submitted on June 17, 2020.

Chief Joey Darby reported that the Fire Department has received calls and complaints as well as social media complaints of occupancy issues and that they are working diligently on these calls.

Mr. Paul Gordon, who resides at 209 W. Fig Avenue stated that there is an abundance of speeding taking place on Highway 59, north of Highway 98. Mr. Gordon also stated that citizens are not coming to complete stops at stop signs in the city either.

Council Member Vera Quaites stated that Loretta Johnson is the new director at The Snook Center and she is doing a wonderful job. Mrs. Quaites stated that Mrs. Johnson plans on hosting an Open House on August 2, 2020 if anyone wanted to attend.

Adjournment

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

The meeting adjourned at 4:42 p.m.