



Meeting Minutes - Draft

City Council

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Monday, November 20, 2023

4:00 PM

Council Chambers

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Work Session/Council Meeting

**Public Hearing**

[23-0652](#)

Public Hearing to Consider Violations of the City's Repair and Demolition of Dilapidated Buildings and Structures that Constitute a Public Nuisance Ordinance 1076-08 and Amending Ordinance 19-2019 at 311 West 5th Avenue in Foley, Alabama.

President Pro-Tempore Charles Ebert, III opened the public hearing at 4:01 pm. He asked for comments from the public. Hearing no comments, he closed the public hearing.

**Call to Order**

President Pro-Tempore Charles Ebert, III. called the meeting to order at 4:01 pm.

**Roll Call**

All Council Members were present with the exception of Council President Wayne Trawick, who was out of town. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Kevin Carnley, David Thompson, Joey Darby, Jeff Phillips, Jeff Lee, Roni Criswell, Leslie Gahagan, Cian Harrison, David Wilson, Angie Eckman, Mike Dasinger, Rachel Keith, Logan Eberly, Miranda Bell, Wynter Metz, Darrelyn Dunmore, Suzanne Kellams, LaDonna Hinesley, Charlene Mortyn, Zoe Crobetz, Connie and Randy Caldwell, Ray and Rochelle Smith, Kim Ward, Carol Holman, Kenny Horton, Annelise Dodd, Drew Davis, Christina Cooley, Eugene Brick and Sue Barnes.

**Present:** 4 - Vera Quaites, Rick Blackwell, Charles Ebert III and Richard Dayton

**Absent:** 1 - Wayne Trawick

**Moment of Silence**

**Pledge Of Allegiance**

**Mayor's Presentation**

[23-0658](#)

Proclamation: Andrew James

**Attachments:** [Proclamation](#)

Mayor Ralph Hellmich presented the proclamation to the family of Andrew James.

## Work Session Discussion

There were no Work Session Discussions.

## Additions/Removals

There were no additions or removals.

## Consent Agenda

[23-0641](#)

Report of October, 2023 Approved and Paid Bills for the Record

**Attachments:** [2023-10 Approved & Paid Bills.Expense Approval Report](#)

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

[23-0648](#)

Departmental Reports

**Attachments:** [corrected Tax Report and Permit-Plan Review Nov 2023 \(2\)](#)[CDD October 2023 Report](#)[October 2023 PD Report](#)[October 2023 FD Report](#)

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

[23-0647](#)

November 6, 2023 Work Session/Council Meeting Minutes

**Attachments:** [11-6-2023 Work Session Council Meeting Minutes](#)

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

## Ordinances

[23-0544](#)

(Second Reading) AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE

LIMITS OF THE CITY OF FOLEY OWNED BY TURF PROPERTIES,  
LLC

**Attachments:**    [Annexation Petition](#)  
[23-2011 ORD](#)

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

Enactment No: 23-2026-ORD

[23-0575](#)

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

**Attachments:**    [Annexation Petition](#)  
[Mills Park Deed](#)

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

Enactment No: 23-2027-ORD

[23-0610](#)

(Second Reading) An Ordinance to Amend Ordinance #1029-08 Increasing the Project Threshold

**Attachments:**    [1029-08 ORD.pdf](#)

**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: 23-2028-ORD

[23-0636](#)

(Second Reading) An Ordinance to Amend Section 9 (a) of Ordinance 21-2015 An Ordinance Creating Impact Fees To Be Charged New Developments To Fund City Park, Recreation, And Transportation Infrastructure

**Attachments:**    [21-2015 ORD](#)

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

Enactment No: 23-2029-ORD

## Swearing In Ceremony

[23-0601](#)

A Resolution Appointing An Executive Director of General Government/Administration

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: 23-1415-RES

[23-0649](#)

Oath of Office - Executive Director of General Government Administration

Judge Michael Dasinger performed the swearing in ceremony of Adria Cian Harrison as Executive Director of General Government Administration.

## Resolutions

[23-0644](#)

ABC License: 040 - Retail Beer (On or Off Premises) and 060-Retail Table Wine (On or Off Premises) for Magnolia Meat and Grocery LLC.

**Attachments:** [ABC License Application](#)

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

A motion was made by Council Member Richard Dayton, seconded by Council Member Vera Quaites, to make a recommendation to the ABC Board to move forward with the ABC License.

[23-0626](#)

A Resolution Approving the Purchase of a Barricade Trailer for the Parks & Recreation Department.

**Attachments:** [Capital Purchase Worksheet - Barricade Trailer](#)

[Bye Rite Barricade Trailer - 2023](#)

[Klein Quality Trailers-Quote](#)

[Best Choice Trailers Quote](#)

Parks and Recreation Director Jeff Lee reported this item is to purchase a new trailer for barricades to add to the current inventory. The trailer is custom made to accommodate the barricades. Parks and Recreation are requesting \$9,983 of the budgeted \$11,000 for the trailer.

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: 23-1416-RES

[23-0637](#)

A Resolution to Accept an Evidence Item as Donated Equipment.

**Attachments:** [Email from Doyle family](#)

Deputy Police Chief Kevin Carnley reported that in 2019, Foley Police Department worked a case where a 2017, 82 inch Samsung TV was seized as evidence. In August of 2023, notification was made to the daughter of the victim that the TV had been released from evidence back to the family, at

which time the daughter decided to release the TV back to Foley Police Department as a donation. The Foley Police Department asks approval to accept this TV as a donation, per the request of the family member. Estimated Value \$1,000.00.

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: 23-1418-RES

[23-0638](#)

A Resolution Naming the Bon Secour River Headwater Project

Sustainability and Natural Resources Director Leslie Gahagan reported the Environmental and Nature Parks Departments would like the council to consider naming the Bon Secour River Headwater Project to the "Andrew James Wetland Park." This is to honor the design engineer from Volkert who poured his heart into multiple projects throughout Foley. Andrew James was the mastermind of the city's (as well as many coastal Alabama) major restoration projects. In time, this project will become a wetland park for the community.

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: 23-1419-RES

[23-0639](#)

A Resolution Accepting the Community Oriented Policing Services (COPS) FY23 Law Enforcement Agency De-Escalation Grant

**Attachments:** [City of Foley Mail - Fwd\\_ FY2023 CPD De-Escalation Award Announcement](#)  
[Budget Increase Form & Capital Purchase Worksheet](#)

Logan Eberly reported the Foley Police Department requested Council's approval to submit an application to the Community Oriented Policing Services (COPS) FY23 Law Enforcement Agency De-Escalation Grant to purchase VR/AR de-escalation training technology to support and maintain officers' de-escalation techniques. The City of Foley Police Department requested \$119,493, but was awarded \$90,105.00 towards this purchase. The VirTra training system was included in the FY24 capital purchase budget for \$130,000. The police department requests to accept the grant award, amend the revenue budget, and to move forward with the capital purchase not to exceed \$130,000.

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: 23-1420-RES

[23-0640](#)

A Resolution Approving Monthly Bids - October 2023

**Attachments:** [October 2023 Bid Awards](#)

There was no 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: 23-1421-RES

[23-0642](#)

A Resolution to Waive the Fees for the Foley Civic Center

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: 23-1422-RES

[23-0645](#)

A Resolution Updating the Signatories and Main Contact for Banks Established With the City

Miranda Bell reported this item will provide sufficient time to obtain and execute new signature cards and update the accounting software in advance of Finance Director Sue Steigerwald's retirement.

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: 23-1423-RES

[23-0646](#)

Resolution Authorizing an Unplanned Capital Project in the Street Department and Increasing Departmental Dollars

**Attachments:**     [Estimate Meadow Run to Co. Rd. 12 Ditch Cleanout \(#C-02-110323 Meadow\) \(1\) pictures](#)  
[Budget Increase - meadow run loop](#)  
[Capital Project Worksheet .xlsx - meadow run ditch](#)

Wynter Metz reported the Street Department has identified a ditch in need of being cleaned along the west side of Meadow Run Loop, due to erosion, debris, and sediment causing drainage blockages. The ditch is in need of re-grading, tree trimming, re-shaping and erosion control. GreenCo LLC has provided a quote to perform this work for \$128,843.50. The area targeted is the .5 mile of ditch that runs north from County Rd 12 parallel with Meadow Run Loop. The clearing of debris and sediment, as well as the re-shaping will protect residents private property as well as alleviate flooding issues.

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: 23-1424-RES

[23-0650](#)

A Resolution Approving the Purchase of a Chemical Monitor System for Environmental/ Vector Control.

**Attachments:** [frontier precision quote](#)  
[quote 2](#)  
[quote 3](#)  
[Capital Purchase- vector software](#)

Wynter Metz reported Environmental- Vector Control requests to purchase a chemical monitoring system through Frontier Precision for a total cost of \$6,507.95. The current system that is being used will no longer record information after December 31, 2023. This system is needed as it records acres sprayed and ounces/gallons used, which ADEM requires yearly reports on.

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: 23-1425-RES

[23-0651](#)

Resolution Approving the Professional Service Proposal from Volkert for the School Zone and Downtown Crosswalk Improvements Project.

**Attachments:** [Budget Increase Capital Projects](#)  
[Capital Project Worksheet](#)

Project Manager Jeff Phillips reported Volkert submitted a professional services proposal for survey, design, environmental permitting, ALDOT permitting, and construction inspection services for the pedestrian crossing improvements along US 98 at the intersections of Cedar Street, Oak Street, Pine Street, and the Rose Trail. The proposal provides professional services for field surveys, environmental permitting, engineering roadway plans, and construction observation and inspection.

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: 23-1426-RES

[23-0653](#)

A Resolution Authorizing Employees to Enter Upon the Property at 311 West 5th Avenue for the Purpose of Abating the Public Nuisance.

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: 23-1427-RES

[23-0654](#)

Resolution Approving the Professional Services Proposal from Kimley Horn for the Highway 59 and Myrtle Avenue Pedestrian Crossing Features Project.

**Attachments:**     [Proposal AL 59 at Myrtle Signal Study](#)  
[Budget Increase Capital Projects](#)

Project Manager Jeff Phillips reported Kimley Horn submitted a Professional Services proposal in the amount of \$12,000.00 for the pedestrian crossing features at the signalized intersection of Highway 59 and Myrtle Avenue. The signal currently operates with Highway 59 as the mainline and provides a single phase for vehicular demand on the side-street (Myrtle Avenue). The signal is part of ALDOT's Regional Traffic Operations Program (RTOP) and operates as part of a coordinated signal system along Highway 59 throughout Baldwin County. The nearest signal is Highway 59 and Highway 98, approximately 800 feet to the north. The nearest signal to the south is Highway 59 and Azalea Avenue, approximately 1,750 feet away.

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: 23-1428-RES

[23-0655](#)

Resolution Awarding the Construction Contract for the FY21 Transportation Alternative Set-Aside Program (TAP) for Bicycle and Pedestrian Improvements Grant.

**Attachments:**     [Volkert - L&K Construction](#)  
[Budget Increase Capital Projects](#)  
[Capital Project Worksheet](#)

Project Manager Jeff Phillips reported this item is to accept the ALDOT TAP Grant Award to L&K Construction LLC in the amount of \$1,045,548.81.

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: 23-1429-RES

[23-0660](#)

Resolution Approving Additional Funding for the New Comfort Station at John B Foley Park.

**Attachments:**     [Budget Increase Capital Projects](#)

Project Manager Jeff Phillips reported Resolution 22-1082 approved \$450,000.00 for the new Comfort Station at John B Foley Park. The bid from RH Deas Building Co LLC came in at \$484,616.00 and the Engineering Department is requesting an additional \$50,000.00 to complete the Comfort Station project.

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: 23-1430-RES

[23-0664](#)

A Resolution Authorizing the Mayor to Sign an Agreement with ALDOT



for Project # STPUC-0224( ), Formerly Project No. ST-022-999-011, Widening, Super-Elevation Correction and Resurfacing of Foley Beach Express, City of Foley

**Attachments:** [STPUC-0224](#)

Project Manager Jeff Phillips reported this project is for the widening and resurfacing of the Foley Beach Express.

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: 23-1431-RES

## Mayor's Comments

Mayor Hellmich reported that the NLC Cit Congressional Conference in Washington, DC will be held March 11 - 13, 2024. He asked Council is they would like to attend to let City Clerk Katy Taylor know so she can take care of the registrations.

He reported there will be a ground breaking ceremony for the construction of the new Public Works and Engineering facility on December 4, 2023 at 2:15 pm.

He also reported there will be a Strategic Planning update on December 2, 2023.

## Visitor Comments

Municipal Judge Michael Dasinger reported the Foley Municipal Court has disposed of 5,000 cases.

## Adjournment

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

The meeting was adjourned at 4:53 pm.