



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, April 19, 2021

4:00 PM

Foley Civic Center

Work Session/Council Meeting

Public Hearing

[21-0212](#)

PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF FOLEY REGARDING THE REGULATION OF SMALL CELL TECHNOLOGY FACILITIES IN THE CITY OF FOLEY, ALABAMA

Council President Wayne Trawick opened the public hearing at 4:00 pm. He asked for comments from the public. Hearing no comments, he closed the public hearing.

Call to Order

President Trawick called the meeting to order at 4:01 pm.

Roll Call

All Council Members were present. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Thurston Bullock, Joey Darby, Rachel Keith, Jo Hellmich, Janay Dawson, Kathy Dupre, Joe Davis, Brenda Shambo, Chad Christian, Taylor Davis, Darrelyn Dunmore, Jack Martinez, Shanna Harville, Valerie Miller, Sylvia Smith, Ephra Kudisl, Courtney Coutinho, Olivia Savell, Darrell Russell, Eddie Tyler, Billie Jo Underwood, Frieda Busic, Ron Busic, Suzanne Kellams, Kena Williams, Frances Holk-Jones, LaDonna Hinesley, Torrey Berny, David Thompson, Shannon McCurdy, Bill Swanson, Dan McDuffie, Donna Watts, Bertha Gibbs, Jesse Bodiford Tribble and press representative Jessica Vaughn.

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

Pledge of Allegiance

Presentation

[21-0214](#)

Beautification and Revitalization Awards Presentation

Attachments: [Awards](#)

Mayor Hellmich presented the Beautification and Revitalization Awards.

Discussion Items

[21-0199](#)

Foley Main Street 2021 Plan of Action: Darrelyn Dunmore

Darrelyn Dunmore presented Council with a finished plan of action for Foley Main Street. Mrs. Dunmore reported that there are 4 focus areas with this plan: economic vitality, design, promotion, and organization. Mrs. Dunmore reported that Foley is on the Distrx Mobile App and is being promoted to 400,000 tourist defining Foley as a destination spot. There was no further discussion on this item.

[21-0206](#)

Butterfly Garden Update: Brenda Shambo

Brenda Shambo reported to Council that the walkway and boulders are in place and that the riverbed rock, soil, composite, and flowers are next to be installed. There was no further discussion on this item.

[21-0193](#)

DISCUSS FY 2021 PROPOSED STREET RESURFACING PROJECT

City Engineer Chad Christian asked Council to review the proposed project plan by districts and to get back to him with any questions or concerns. Mr. Christian reported that they would like to start the paving process by the end of May. There was no further discussion on this item.

Consent Agenda

[21-0192](#)

April 5, 2021 Work Session/Council Meeting Minutes

Attachments: [04-19-2021 Work Session.Council Meeting Agenda-Draft](#)

A motion was made by Charles Ebert, III, seconded by Rick Blackwell, to approve the Work Session/Council meeting Minutes of April 5, 2021. The motion carried by an unanimous vote.

[21-0197](#)

Report of March, 2021, Approved/Paid Bills for Entry into the Records

Attachments: [2021-03 Approved & Paid Bills.Expense Approval Report](#)

A motion was made by Charles Ebert, III, seconded by Rick Blackwell, that this Agenda Item be approved. The motion carried by an unanimous vote.

21-0213

Departmental Reports

Attachments: [Marketing Department Report Jan, Feb and March 2021](#)
[Tax Collection Report MARCH 2021](#)
[FY 2021 Building Permit Analysis](#)
[March 2021 CDD Report](#)
[March 2021 PD Report](#)

City Administrator Mike Thompson reported to Council that Revenue is exceeding in Sales, Lodging, and Rental tax and that he is anticipating this trend to continue. There was no further discussion on this item.

A motion was made by Charles Ebert, III, seconded by Rick Blackwell, that this Agenda Item be approved. The motion carried by an unanimous vote.

Additions/Removals/Carry-Overs

A motion was made by Charles Ebert, III, seconded by Vera Quaite, to add item 21-0215 to the agenda. The motion carried by an unanimous vote.

Ordinances

21-0170

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF FOLEY REGARDING THE REGULATION OF SMALL CELL TECHNOLOGY FACILITIES IN THE CITY OF FOLEY, ALABAMA

Attachments: [Clean Version of Small Cell Ordinance](#)
[Redline of Small Cell Ordinance](#)

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

Enactment No: 21-2006-ORD

Resolutions and Other Business

21-0188

A Resolution Approving the Installation of a Street Light on Carmel Circle

Attachments: [Map](#)
[EMC Quote Bella Vista](#)

City Engineer Chad Christian reported to Council that this is for the installation of a street light at the entrance of the Bella Vista subdivision. 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: 21-1121-RES

[21-0189](#)

A Resolution Approving the Retirement of K9 Xedhor

Police Chief Thurston Bullock reported to Council that Xedhor has been a good K9 for the police department and is at the age where they are asking for him to be able to be retired to his handler. There was no further 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: 21-1122-RES

[21-0194](#)

A Resolution Approving Wedgewood Storm Drain Modification Project

Attachments: [Budget Increase Storm Drain Mod](#)
 [Capital Project Worksheet Wedgewood](#)

City Engineer Chad Christian reported to Council that the next phase of this subdivision is being built, making this a good opportunity to install 2 storm drains and pipes. 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: 21-1123-RES

[21-0195](#)

A Resolution to Enter into a Ground Lease at the Foley Municipal Airport with the Stapleton Volunteer Fire Department for the Purpose of Providing Jet-A Fuel to Med Trans Air Ambulance Service

Attachments: [Stapleton VFD Lease Agreement - Foley Municipal Airport.pdf](#)

Project and Risk Manager Rachel Keith reported to Council that MedTrans relocated a medical helicopter to Foley from Stapleton in March of this year. Mrs. Keith reported that the helicopter requires the use of Jet A fuel, which the Foley Municipal Airport does not have at this time. Mrs. Keith reported that the Stapleton VFD has a 3k gallon truck that they previously used to fuel the aircraft, and they are asking if Foley would consider a ground lease to relocate it to the Foley Municipal Airport. Mrs. Keith reported that Foley plans to obtain their own truck and offer Jet A fuel in the future, but until then asks if Council would consider this ground lease. 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 the following vote: Council Member Quaites, aye; Council member Dayton, aye; President Trawick, aye; Council Member Blackwell, aye and Council member Ebert, III, abstained.

Aye: 4 - Trawick, Quaites, Blackwell and Council Member Dayton

Abstain: 1 - Ebert III

Enactment No: 21-1124-RES

[21-0196](#)

A Resolution Approving Submittal of Alabama Department of Transportation (ALDOT) Grant Application for an Airport Improvement Project for the Purpose of Installing a Jet A Fuel Tank for the Foley Municipal Airport

Attachments: [FOLEY - TRAFFIC REPORT \(2015-2021\).pdf](#)
[Jet A Fuel System.pdf](#)
[JET A SKETCH.pdf](#)

Project and Risk Manager Rachel Keith reported to Council that this would be a 50% grant with a 50% match and would be used to install and provide Jet A fuel for the MedTrans helicopter as well as allow the Foley Municipal Airport expand their services to fuel other helicopters and large aircraft. 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: 21-1125-RES

[21-0198](#)

A Resolution Approving the Sponsorship for Lemonade Day Coastal Alabama

Attachments: [Lemonade Day Sponsorship](#)

Mayor Hellmich reported to Council that he recommends the City doing a "Safe Stand" sponsorship for \$150. There was no further 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: 21-1126-RES

[21-0200](#)

A Resolution Approving 2021 OWA Fireworks Display Calendar

Attachments: [OWA City Council Fireworks Request](#)

Fire Chief Joey Darby reported to Council that OWA has submitted 3 dates for firework displays, and may add a Christmas and New Years Eve show if they can obtain those contracts. There was no further discussion on this item.

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: 21-1127-RES

[21-0201](#)

Resolution amending the Pay Classification Plan to convert and create certain positions in the Street Department

Attachments: [JOB ANALYSIS SUMMARY - CREW LEADER-EQUIP OP IV CONST MAINT](#)
[JOB ANALYSIS SUMMARY-CREW LEADER-EQUIP OP IV ROAD CONST](#)
[JOB ANALYSIS SUMMARY-EQUIPMENT OP III-CONST MAINT](#)

Human Resource Director Suzanne Kellams reported to Council that this item is budget neutral and will add and convert job titles. 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: 21-1128-RES

[21-0204](#)

A Resolution Approving the Revitalization and Beatification Board's Recommendation For a Mural

Attachments: [Mural Pictures](#)

Brenda Shambo reported to Council that the Beautification Board and the Foley Art Center have picked a mural of poppy's and butterflies to be painted on the fence by the Foley Art Center. Mrs. Shambo reported that the Foley Historic Commission has approved Foley native, Jessica Kinsey, to paint the mural. Mrs. Shambo reported that the Foley Art Center is paying the labor costs of \$1,920 and that the Beautification Board is purchasing all of the paint, so no money is being requested for this project. There was no further 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: 21-1129-RES

[21-0205](#)

Resolution Approving an Increase of Funds for Three (3) Sidewalk Projects.

Attachments: [ST SDWLKS Cap Proj Wrksht, Request to Increase Budget Dollars, and 3 Quotes .pdf](#)

Public Works Director Darrell Russell reported to council that this item is approximately \$7k over budget. There was no further discussion on this item.

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: 21-1130-RES

[21-0207](#)

A Resolution Approving the Purchase & Installation of 2 New Fuel Pumps and a New Fuel Tank

Attachments: [PW Fuel Pumps & 500 gal Tank Cap Purch Wrksht & Quotes .pdf](#)

Public Works Director Darrell Russell reported to Council that the current fuel pumps were being used in 1999 and this purchase will be for 2 system compatible electronic pumps and for adding a non-ethanol option. Mr. Russell reported that this purchase is coming in under budget. 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: 21-1131-RES

[21-0208](#)

A Resolution appropriating funds for two new zero turn mowers for Foley Recreation.

Attachments: [Rec - Zero Turns](#)

Sports Tourism and Recreation Director David Thompson reported to Council that the purchase of these two mowers is coming in under budget. There was no further discussion on this item.

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: 21-1132-RES

[21-0209](#)

A Resolution appropriating funds for a replacement field drag for Foley Recreation.

Attachments: [Rec Field Drag](#)

Sports Tourism and Recreation Director David Thompson reported to Council that the current field drag is older and is having a constant need for maintenance, and the quoted new field drag is coming in under budget. There was no further discussion on this item.

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

Enactment No: 21-1133-RES

[21-0210](#)

A Resolution Approving a Budget Increase for the Foley Fire Department Due to Insurance Claim

Attachments: [Budget Increase and Transfer Request Forms \(3\) 4-2021.pdf](#)

Fire Chief Joey Darby reported to Council that an insurance check was received at the end of last fiscal year and he is requesting funds be moved to this fiscal year to get his accounts back in balance. There was no further 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: 21-1134-RES

[21-0215](#)

An Ordinance Re-Naming A Road

Attachments: [Exhibit A](#)

Community Development Director Miriam Boone reported to Council that E-911 is having addressing and road paving issues in the North East portion of town. Mrs. Boone reported that since this area is continuing to grow CDD would like to move forward with correcting this issue. There was no further discussion on this item.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaites, to suspend the rules for the immediate adoption of this Ordinance.

City Administrator Mike Thompson took the following roll call vote: Council Member Quaites, aye; Council Member Dayton, aye; President Trawick, aye; Council Member Blackwell, aye and Council Member Ebert, III, aye. The vote was unanimous to suspend the rules.

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

Enactment No: 21-2007-ORD

Mayor's Presentation

[21-0203](#)

Proclamation: Mental Health Awareness Month

Attachments: [Mental Health Proclamation](#)

Mayor Hellmich read the Mental Health Awareness Month Proclamation.

[21-0163](#)

Proclamation: Superintendent Eddie Tyler

Attachments: [Eddie Tyler Proclamation](#)

Mayor Hellmich presented the Proclamation to Baldwin County Public School Superintendent Eddie Tyler.

Mayor's Comments

There were no comments to report.

Visitor Comments

Ron Busic stated he has a concern for the Jet A fuel to be available at the Foley Municipal Airport. Mr. Busic stated that he is representing 86 homes in Abbey Ridge that are very close to the airport and they welcome any First Responders and Emergency Aircrafts, but they do not want commercial aircraft landing in their 'back yards'. Mr. Busic stated that he would like there to be a Public Hearing regarding this issue in the future before any action is taken towards expanding the airports fuel services.

Caroline Johnson asked Council for an update on the drainage and flooding issue on Wilson Road. City Administrator Mike Thompson reported that City Engineer Chad Christian has a plan to create a turn-a-round at the end of Wilson Road and that this drainage issue is the next step which will require obtaining drainage easements from private property owners. Mr. Christian stated he can meet with her this week to get started on the plan.

Kena Williams is having flooding issues and is wanting Councils help to resolve it. Mrs. Williams stated that Hurricane Sally caused 4ft of water inside of her home and that she has spoken to City Engineers and the Housing Authority with no success. Community Development Director Miriam Boone stated that she can try and speak with the Engineers working on the nearby development to see if they can coordinate a draining resolution.

County Commissioner Joe Davis stated that he wanted to report that FEMA is here from Atlanta to see Baldwin County and the County Commission is working really hard on this for Baldwin County.

Adjournment

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

The meeting was adjourned at 5:06 pm.