



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Tuesday, January 17, 2023

4:00 PM

Council Chambers

Work Session/Council Meeting

Public Hearing

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

[23-0025](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order Its Abatement at 510 East Myrtle Ave.

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. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, David Thompson, Wayne Dyess, David Wilson, Logan Eberly, Darrlyn Dunmore, Jeff Lee, Angie Eckmen, LaDonna Hinesley, Rachel Spear, Larry Dearing, Brandon Mothershed, Deborah Mixon, Deputy Police Chief Kevin Carnley, and Foley Fire Chief Joey Darby.

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

Moment of Reflection

Pledge of Allegiance

Work Session Discussion

Consent Agenda

[23-0027](#)

Report of December, 2022, Approved and Paid Bills for the Record

Attachments: [2022-12 Approved & Paid Bills.Expense Approval Report](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to approve the Report of paid bills for December, 2022. The motion carried by an unanimous vote.

[23-0033](#)

Departmental Reports

Attachments: [Tax Report and Permit-Plan Review Jan 2023](#)
 [December 2022 CDD Report](#)
 [December 2022 FD Report](#)
 [December 2022 PD Report](#)
 [Grant Status Report December 2022](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to approve Departmental Reports for December, 2022. The motion was carried by an unanimous vote.

[23-0032](#)

Work Session/Council Meeting Minutes of January 3, 2023

Attachments: [01-03-23 Work Session. Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to approve the January 7, 2023 Work Session/Council Meeting Minutes. The motion was carried by an unanimous vote.

Additions/Removals/Carry-Overs

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell to add item 23-0042 to the January 17, 2023 Council Meeting Agenda. The motion was carried by an unanimous vote.

Ordinances

[23-0009](#)

An Ordinance Amending Ordinance 20-2005 to Update the Fire Codes to the International Fire Code, 2021 Edition

Attachments: [Fire Code Amendments Markup](#)
 [Fire Code Amendments - Clean Copy](#)

Foley Fire Chief Joey Darby reported to Council that the fire code update will be consistent with the State of Alabama Fire Codes. 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 Ordinance be adopted. The motion carried by an unanimous vote.

Enactment No: 23-2001-ORD

Resolutions and Other Business

[23-0002](#)

A Resolution to Declare Outdated Assets as Surplus and Authorize the Disposal of Same

Attachments: [Assets Surplus List](#)

Chief Joey Darby reported to Council that due to the items being outdated, he could not recommend donating the items. There was no further discussion on this item.

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

Enactment No: 23-1011-RES

[23-0019](#)

A Resolution Approving Monthly Bids - December 2022

Attachments: [December 2022 Bid Awards](#)

Logan Eberly reported to Council that the month of December consists of two bid awards, R&S Paving and Grading and Struthers Recreation. 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: 23-1012-RES

[23-0020](#)

A Resolution Waiving Fees for the Use of Heritage Park and Pavilion on Friday, March 10, 2023 and Saturday March 11, 2023 for South Baldwin Chamber Foundation's Annual BBQ & Blues Cook-off Fundraising Event.

Executive Director of Leisure Services David Thompson recommended moving forward with this 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: 23-1013-RES

[23-0021](#)

A Resolution Appointing Nedra Bell to the Foley Housing Authority Board

Attachments: [Housing Authority Board](#)

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: 23-1014-RES

[23-0022](#)

A Resolution Approving Budget Increase for Design Alabama's DesignPlace Program

City Administrator Mike Thompson reported to Council that this design program provides design planning and community identity assistance. There was no further 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: 23-1015-RES

[23-0024](#)

A Resolution Authorizing Employees to Enter Upon the Property at 510 East Myrtle Ave. for the Purpose of Abating the Public Nuisance.

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: 23-1016-RES

[23-0028](#)

A Resolution to Approve the Foley Justice Center Overflow Parking Expansion Project

Attachments: [THOMPSON EMAIL APPROVAL OVERFLOW LOT](#)
[PARKING LOT CAPITAL PROJECT SHEET](#)
[REQUEST TO INCREASE PROJECT PARKING LOT](#)
[REQUEST TO TRANSFER PROJECT PARKING LOT](#)

Logan Eberly reported to Council that the Foley Police Department requested to begin on the expansion of the parking lot and a budget increase of \$38,000 for additional drainage pipes and fencing for this project. 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: 23-1017-RES

[23-0029](#)

A Resolution Approving the Alley Enhancement Planned by Foley Main Street

Darrlyn Dunmore reported to Council that this item will be utilized for the beautification of the alley behind the Hotel Magnolia and the easement of the Centurylink property. 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: 23-1018-RES

[23-0030](#)

A Resolution Memorializing the Professional Services Proposal from Goodwyn Mills Cawood (GMC) for the Mills Community Annexation.

Attachments: [GMC Proposal Professional Service](#)

City Administrator Mike Thompson reported to Council that this item needs to move forward due to the deadline of the Legislative Annexation. 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: 23-1019-RES

Mayor's Comments

Mayor Ralph Hellmich reported to Council that the City of Foley had the ribbon cutting event for the Pine Street Park. Mayor Hellmich reported to Council that he is excited for the completion of Pine Street Park so that our children can enjoy this beautiful park for many years.

Mayor Hellmich reminded Council that the last weekend of January is the Gumbo Festival at Heritage Park. He also reported that the Kids Park Project is moving forward and he is excited to see it reopen.

Mayor Hellmich reported that residential building permits has decrease to 60% from last year. He also reported that the paving project for Pine Street and Oak Street will resume this week.

Visitor Comments

Marti Webster inquired about the recommendation of the ABC License for her business. Mrs. Taylor reported to Council that this item was inadvertently left off the agenda. Council Member Charles Ebert, III, made a motion to place this item as an add on for this Work Session/Council Meeting.

Fire Chief Joey Darby reported to Council about a Navy plane accident that occurred a few hours ago near Elsanor and Styx River area. Chief Darby reported that the two pilots survived this accident.

[23-0042](#)

ABC License: 020 - Restaurant Retail Liquor At Foley Brunch and Supper Club, LLC, applicant operating under the trade name Foley Brunch and Supper Club, LLC, located at 213 N. McKenzie St. Foley, Alabama 36535.

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

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. The motion carried by an unanimous vote.

Executive Session

City Administrator Mike Thompson reported the need to go into executive session to discuss certain aspects of possible real estate transaction. Mr. Thompson reported the executive session will take approximately 20 minutes and Council will be coming back to vote.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell to go into executive session.

Mr. Thompson took the following roll vote: Council Member Quaites, aye; Council Member Dayton, aye; Council President Trawick, aye; Council Member Blackwell, aye; Council Member Ebert, III, aye. The vote was unanimous to go into executive session.

The Council meeting recessed at 4:28 p.m.

The Council meeting reconvened at 4:50 p.m.

All Council Members were present. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, David Thompson, Wayne Dyess, Brandon Mothershed, LaDonna Hinesley, and Fire Chief Joey Darby.

[23-0038](#)

A Resolution Authorizing the Mayor to Sign Purchase Agreement for Real Property to be Used as a Public Park

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: 23-1020-RES

[23-0040](#)

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

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

Enactment No: 23-2003-ORD

Adjournment

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell to adjourn the meeting.

The meeting was adjourned at 4:52 p.m.