



Meeting Minutes - Final

City Council

Monday, April 18, 2022

4:00 PM

Council Chambers

Work Session/Council Meeting

Public Hearing

[22-0225](#)

Public Hearing to consider Planning Commission's recommendation to adopt an ordinance approving the rezoning of property owned by various owners from B-1A (Extended Business District), PO (Preferred Office District), AO (Agricultural Open Space) and R-2 (Residential Single Family and Duplex) to R-3 (Residential Multi-Family). Property is 17 +/- acres and located south of Michigan Ave. between Cypress and Bay Street. Applicant is Crimson Land Development LLC.

Council President Wayne Trawick opened the Public Hearing at 4:00 p.m. He asked for comments from the public. Nick Wilmott representing Crimson Land Development reported to Council that it was a pleasure to work with the Wenzel Family and the City of Foley. Mr. Wilmott reported that the property went from B-1A to R-3. Mr. Wilmott also reported that he would like to thank the City of Foley and everyone involved during this process.

Mayor Hellmich reported to Council that he would like to thank Crimson Land Development. Mayor Hellmich also reported that this property when its completed, will be a great asset to the citizens of Foley. Hearing no further comments, President Trawick closed the Public Hearing.

Call To Order

Council President Wayne Trawick called the meeting to order at 4:04 p.m.

Roll Call

All Council Members were present with the exception of Vera Quaites as she was attending a funeral. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, David Wilson, Wayne Dyess, Police Chief Thurston Bullock, Jamie Smith, Brenda Shambo, Jeff Lee, David Thompson, LaDonna Hinesley, Jeff Phillips, Chad Christian, Fire Chief Joey Darby, Darrell Russell, Rachel Keith, Miriam Boone, Frances Holk-Jones, Angie Eckman, Leslie Gahagan, Jeff Wilson, Greg Wood, Don Wenzel, Becky Paul, Doug Wilson, Jessica Wilson, Tommy Gebhart, Jo Hellmich, Gary Wenzel, Tom DeBell, James Wallace, Drew Windham, Will Potter, Ann Stevens, Jenna Stradley, Regena Gamble, Amanda Welsh, Amy Wilson, Jodie Pierce, Stephanie Rhodes, Austin Hynson, Angel Hayes, Lisa

Tidille, Russell Ware, Amy Barner, Pauline Smith, Rachel Spear, Kristy Storey, Shannon Keenan, Phuong Doffee, Michelle Monk, Charles Weber, and Becky Kendrick.

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

Moment of Silence

Moment of Silence was observed.

Pledge of Allegiance

Presentation

[22-0206](#)

Proclamation: Foley Elementary School

Attachments: [20220412145754887](#)

Mayor Hellmich presented the Proclamation to Foley Elementary School. Foley Elementary and Foley Middle School are the first feeder schools in the country to have the Leader In Me Program.

[22-0216](#)

Proclamation: 2022 Lemonade Day Coastal Alabama

Attachments: [20220412145821945](#)

Mayor Hellmich presented the Proclamation for Lemonade Day, which will be observed on May 7, 2022.

Discussion Items

[22-0201](#)

A Resolution Approving Sawgrass Consulting's Professional Services Proposal for the Wolf Bay Drive Extension Project

Attachments: [Route Map](#)
[Sawgrass Proposal WB Dr Ext](#)

City Engineer Chad Christian reported to Council that this item is a proposal from SawGrass. This proposal consist of field survey, route planning, structure design, and environmental permitting for Wolf Bay Drive Extension. Mr. Christian asked Council to consider funding for the proposal services for this project.

City Administrator Mike Thompson reported to Council that this project is in the budget. Mayor Hellmich recommends to Council to move forward. Mr. Thompson, Mayor Hellmich and Mr. Christian requested from Council if this item could be placed as an add on item to the April 18, 2022 agenda. Council accepted the request. There was no further discussion on this item.

Enactment No: 22-1133-RES

Consent Agenda

[22-0213](#)

Work Session/Council Meeting Minutes of April 4, 2022

Attachments: [04-04-2022 WS. Council Meeting Minutes](#)

A motion was made by Council Member Richard Dayton, seconded by Council Member Charles Ebert, III, at approve the April 4, 2022 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

[22-0202](#)

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

Attachments: [2022-03 Approved & Paid Bills.Expense Approval Report](#)

A motion was made by Council Member Richard Dayton, seconded by Council Member Charles Ebert, III, that is agenda item be approved. The motion carried by an unanimous vote.

[22-0224](#)

Departmental Reports

Attachments: [Grant Status Report March 2022](#)

[March 2022 Bid Awards](#)

[2022 Jan - March Marketing Quarterly Report](#)

[Tax Report and Permit-Plan Review March 2022](#)

[March 2022 CDD Report](#)

[March 2022 PD Report](#)

[March 2022 FD Report](#)

A motion was made by Council Member Richard Dayton, seconded by Council Member Charles Ebert, III, to approve the Departmental Reports. The motion carried by an unanimous vote.

Additions/Removals/Carry-Overs

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Blackwell, to add item 22-0201 to the agenda. The motion was carried by an unanimous vote.

Ordinances

[22-0199](#)

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

Attachments: [Terry Grant Annexation Petition & Maps](#)

[Terry Grant Deed](#)

[22-2007 ORD Terry Grant Pre-zoning](#)

There was no discussion on this item.

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

Enactment No: 22-2020-ORD

[22-0203](#)

(Second Reading) An Ordinance to Rescind Ordinance 21-2024 An Ordinance Declaring Certain Property No Longer Needed For Municipal Purposes And Authorizing The Lease Of The Same To Terra Trucking

Attachments: [Ordinance 21-2024](#)

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 approved on first reading. The motion carried. by an unanimous vote.

Enactment No: 22-2021-ORD

[22-0129](#)

(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](#)
 [Deed 114869](#)

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.

Enactment No: 22-2014-ORD

[22-0155](#)

(Second Reading) An Ordinance for the Rezoning of Property from B1A, AO, R2 & PO to R3 - Residential Multi-Family

Attachments: [Backup for Council Agenda.pdf](#)

There was no discussion on this item.

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

Enactment No: 22-2015-ORD

[22-0171](#)

An Ordinance Approving Lowering Speed Limits within the City

City Administrator Mike Thompson reported to Council that this Ordinance is pertaining to the area around South Baldwin Hospital. 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 Ordinance be adopted. The motion carried by an unanimous vote.

Enactment No: 22-2016-ORD

Resolutions and Other Business

[22-0187](#)

ABC License: 050 - Retail Beer (Off Premises Only); 070 - Retail Table Wine (Off Premises Only) for Murphy Oil USA Inc, applicant, operating under the trade name Murphy USA 7820 located at 2180 S MCKENZIE ST in Foley, Alabama.

Attachments: [Murphy USA ABC Application-redacted](#)
 [Murphy's USA Map](#)

Foley Police and Fire Department made a recommendation to move forward with the license.

A motion was made by Council Member Richard Dayton, seconded by Council Member Rick Blackwell, to make a recommendation to the ABC Board to move forward with the license. The motion carried by an unanimous vote.

[22-0204](#)

ABC License: 040 - Retail Beer (On or Off Premises); 060 - Retail Table Wine (On or Off Premises) for Events At OWA LLC, applicant, operating under the trade name Valerios located at 100 F South OWA BLVD in Foley, Alabama.

Attachments: [Valerios ABC Application](#)

Foley Police and Fire Department made a recommendation to move forward with the license.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to make a recommendation to the ABC Board to move forward with the license. The motion carried by an unanimous vote.

[22-0152](#)

A Resolution to Reappoint Alton McCullough to the Museum-Archives Board.

Attachments: [Museum Archive](#)
 [Alton McCullough](#)

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: 22-1117-RES

[22-0153](#)

A Resolution to Reappoint Kathryn LeDrew to the Foley Historic

Commission Board.

Attachments: [Historic Commission](#)
 [Kathryn LeDrew](#)

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: 22-1118-RES

[22-0168](#)

A Resolution Approving the Temporary Street Closure of Jessamine Street for the 2022 Witches Ride Charity Event

Foley Police and Fire Department has made the recommendation to approve this item. 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: 22-1119-RES

[22-0181](#)

A Resolution Approving Thompson Engineering's Proposal for Professional Services

Attachments: [Capital Budget Increase Intersections](#)
 [Thompson Proposal Intersections Revised](#)

City Engineer Chad Christian requested from Council to approve this item. Mr. Christian reported that this proposal is to survey and design all intersections to 30% of plans and cost estimates. Mr. Christian also reported that this project will be done in phases to better determine the cost of the geo technical services and construction plans for each intersection. Mr. Christian reported that Thompson Engineering recommended that the intersection of Michigan Ave/Juniper St. be top priority. 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: 22-1120-RES

[22-0192](#)

A Resolution Accepting Yellowhammer Engineering's Proposal for Grant Assistance

Attachments: [Yellowhammer Proposal Grant Assist](#)
 [Budget Increase Departmental Yellowhammer](#)

City Engineer Chad Christian reported to Council that Mayor Hellmich asked the Engineering Department to have multiple consultants to assist with grant programs. Mr. Christian reported that the City has a contract with Thompson Engineering and Mr. Christian would like to move forward with this item.

Mayor Hellmich reported to Council that there is a vast opportunity of grant programs from the State and Federal Government. Also by obtaining multiple consultants this would optimize the process to accept grants. 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: 22-1121-RES

[22-0198](#)

A Resolution to Approve Volkert, Inc. Supplemental Agreement No. 5 - Amendment No. 1 for Professional Services Related to Master Plan / ALP Update at the Foley Municipal Airport

Attachments: [5-Letter Agreement - AMENDMENT - \(Master Plan - ALP\).pdf](#)
[22-1094 RES - Approving Supplemental Agreement 5.pdf](#)

Rachel Keith requested from Council to approve the service that was not included for the aerial survey. Mrs. Keith reported that this item will increase the project cost by \$1,050.00, but the Master Plan/ALP Update is covered by 95% of grant money. 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: 22-1122-RES

[22-0200](#)

A Resolution Approving New Street Light and EV Charging Station at 200 N Alston St Public Parking Lot

Attachments: [Street Light Map 200 N Alston](#)
[Riviera Quote](#)

Project Director Jeff Phillips requested from Council to approve the street light and electric vehicle charging station. Mr. Phillips reported to Council that the charging station is owned by Riviera Utilities. 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: 22-1123-RES

[22-0207](#)

A Resolution to Rescind Resolution 21-1178 Authorizing City of Foley Forces to Assist The South Baldwin Chamber of Commerce with the 2022 Annual Hot Air Balloon Festival

Attachments: [21-1178 RES](#)
[SBCC Request for Public Works Services](#)
[Balloon Festival City Contribution](#)

City Administrator Mike Thompson reported to Council that this Resolution is to replace Resolution 21-1178. Mr. Thompson reported that this new resolution contains more detailed items and includes each City Department's overtime costs that stems from this event. Mr. Thompson also reported that this new resolution will identify the Balloon Festival as a public good.

Rachel Spear from South Baldwin Chamber of Commerce also agreed with Mr. Thompson about this item consisting of more details. 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: 22-1124-RES

[22-0208](#)

A Resolution to Appoint Chad Watkins to the Foley Historic Commission Board.

Attachments: [Historic Commission](#)
 [Chad Watkins](#)

Mayor Hellmich reported to Council that Chad Watkins has agreed to serve on this board. Mayor Hellmich also reported that he'll offer knowledge on urban designs and the City is appreciative for Mr. Watkins serving on the Historic Commission Board. There was 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: 22-1125-RES

[22-0212](#)

A Resolution Approving Bid Award for Juniper Street South Extension Project

Attachments: [GMC Bid Award Letter](#)
 [Capital Budget Increase Juniper St Ext](#)

City Engineer Chad Christian requested from Council to accept the bid for this project. Mr. Christian reported that this extension will ease and redirect traffic at County Road 20 and Highway 59 intersection. Mr. Christian also reported that this extension project will also consist of upgrade signal lights and turning lanes.

Mayor Hellmich reported to Council that extension will be highly beneficial for the City of Foley's growth now and in the future. 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: 22-1126-RES

[22-0214](#)

A Resolution Approving the Street Department Purchases of 3 Flatbed Trucks

Attachments: [Cap Purch Wrksht for 3011 & 3013 Flatbeds.pdf](#)
[Outes for 3011 & 3013 Flatbeds.pdf](#)
[Approval Email for 3011 & 3013 Flatbeds.pdf](#)

Public Works Director Darrell Russell requested from Council to approve this item. Mr. Russell reported that this purchase is replacing one truck that is aged and damaged and also two additional trucks that are needed to keep up with the demand of the growth in the City. 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: 22-1127-RES

[22-0215](#)

A Resolution Transferring Funds from Vehicle Maintenance and Landscaping Improvement Accounts to Capital Purchase Account and Appropriating Funds for a 2022 Ford F-150 truck for the Parks Department.

Attachments: [Ford 150 - Parks](#)
[Pages from T191 complete vehicle doc 3-30-22](#)

Director of Parks and Recreation Jeff Lee requested from Council to reallocate funds from landscaping improvement and vehicle maintenance to the capital purchase account. Mr. Lee reported to Council that this is to purchase a much needed truck for the Parks Department. 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: 22-1128-RES

[22-0217](#)

A Resolution Approving Goodwin, Mills & Cawood LLC's Proposal for CE&I Services for Juniper Street Extension

Attachments: [GMC Proposal Juniper St Ext](#)
[Capital Budget Increase Juniper St Ext GMC](#)

City Engineer Chad Christian requested from Council to approve this item. Mr. Christian reported that this item includes inspection services and testing services for this project. 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: 22-1129-RES

[22-0222](#)

A Resolution to Approve the First Amendment to the Lease Agreement Between the City of Foley and Wagon Express, LLC

Attachments: [8-21-2020 Wagon Express LLC Lease Agreement](#)
 [Wagon Express Lease Amendment Exhibit A](#)
 [Wagon Express First Amendment to Lease](#)

City Administrator Mike Thompson reported to Council that Wagon Express, LLC. has leased this property for about two years from the City for semi-trucks. Mr. Thompson reported that this lease is month to month. 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: 22-1130-RES

[22-0223](#)

A Resolution to Declare City Hall Lobby Furniture as Surplus and to Appropriate Funds for the Purchase of New Furniture

Attachments: [New Lobby Furniture Photo and Quote from McAleer's](#)
 [State Contract Numbers Email](#)

Brenda Shambo requested from Council to surplus the City Hall lobby furniture. Mrs. Shambo requested from Council to approve the purchase of new furniture for the City Hall lobby. Mrs. Shambo also reported to Council that the furniture should arrive in about 8 to 10 weeks after the date of purchase. 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: 22-1131-RES

[22-0226](#)

A Resolution to Rescind Resolution #21-1361, Request an Increase in Funds, and to Approve Three Capital Purchases in Street Department.

Attachments: [Capital Purchase Forms](#)
 [Budget Increase Form](#)
 [RES 21-1361](#)
 [Stivers Ford Lincoln Quotes](#)

Public Works Director Darrell Russell requested from Council to approve the appropriation of funds due to increase of cost and availability. Mr. Russell reported that he would like to move forward on this item. 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: 22-1132-RES

[22-0201](#)

A Resolution Approving Sawgrass Consulting's Professional Services Proposal for the Wolf Bay Drive Extension Project

Attachments: [Route Map](#)
 [Sawgrass Proposal WB Dr Ext](#)

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: 22-1133-RES

Mayor's Comments

Mayor Hellmich wanted to thank Council for moving forward on all of the Engineering Projects. Mayor Hellmich announced that the first weekend of May is Art in the Park. Mayor Hellmich also reported that this Wednesday, April 20, 2022 the City is having an event to show how much the City appreciates the volunteers that serve on the City Boards. This event is from 3:30 p.m. to 5:00 p.m.

Visitor Comments

There were no comments to report.

Executive Session

City Administrator Mike Thompson reported the need to go into executive session to discuss the consideration that the City would be willing to receive, to sell or lease certain real property. He reported the executive session will take approximately 20 to 30 minutes. The Council will not be coming back for a 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 call vote: Council Member Dayton, aye; President Trawick, aye; Council Member Blackwell, aye and Council Member Ebert, III, aye. Of those present, the motion carried by an unanimous vote.

The Council Meeting recessed at 5:04 p.m.

The Council Meeting reconvened at 5:43 p.m. All Council Members were present with the exception of Vera Quaites. Also present were Mayor Ralph Hellmich and City Administrator Mike Thompson.

Adjournment

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, that this be adjourned. The motion carried by an

unanimous vote.

The meeting was adjourned at 5:43 pm.