



Meeting Minutes - Final

City Council

Monday, March 4, 2024

4:00 PM

Council Chambers

Work Session/Council Meeting

Public Hearing

[24-0156](#)

Public Hearing to Declare Weeds to be a Public Nuisance located at Lot 1 East of Laurel Subdivision Phase 2

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 G. Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Christi Watkins, Leslie Gahagan, Jane Tyler, Miranda Bell, Kevin Carnley, Mike Hinkle, Jo Hellmich, Berkleigh Cirilli, Deborah Mixon, Jeff Lee, Daryl Weeks, LaDonna Hinesley, Logan Eberly, Tim Lower, David Thompson, Guy Busby, Darrell Russell, Tanya Fratto, David Blair, Whitney Leibold, Dianne Ballard, Jeff Phillips, Chuck Lay, Vernie Heard, Jr., Cian Harrison, Joey Darby, Ed Gutman and A.P. Marchand

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

Moment of Reflection

Pledge of Allegiance

Proclamation

[24-0153](#)

Proclamation: Monsignor Hay

Attachments: [Proclamation \(2\)](#)

Mayor Hellmich presented the Proclamation recognizing Monsignor Hay's 100th Birthday.

Presentation

[24-0129](#)

Presentation: National Guard

1st Sgt Vernie Heard, Jr. presented the City of Foley with a plaque recognizing the years of support given to the National Guard.

Work Session Discussion

[24-0152](#)

Discuss the City's Fiscal Year 2023 Popular Annual Financial Report

Attachments: [2023 Popular Annual Financial Report](#)

Additions/Removals/Carry-Overs

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to carry-over item 24-0138 to the next scheduled council meeting on March 18, 2024. The motion carried by an unanimous vote. There were no additions or removals to report.

Consent Agenda

[24-0154](#)

Work Session/Council Meeting Minutes of February 19, 2024

Attachments: [02-19-2024 WS.Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Richard Dayton, to approve the February 18, 2024 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

[24-0155](#)

Special Called Council/Audit Reading Minutes of February 19, 2024

Attachments: [02-19-2024 Special Called Council. Audit Reading Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Richard Dayton, to approve the February 18, 2024 Special Called Council/Audit Reading Meeting Minutes. The motion carried by an unanimous vote.

Ordinances

[24-0137](#)

(First Reading) An Ordinance Setting a Maximum Axle Limit for Kenny Stabler Avenue Between South Juniper Street and East Pride Boulevard

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to carry-over this item to the next scheduled council meeting on March 18, 2024. The motion carried by an unanimous vote.

Resolutions and Other Business

[24-0127](#)

A Resolution To Waive Community Development Fees To Minimum For Southside Baptist Church

Attachments: [Southside Baptist Church Request](#)

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: 24-1085-RES

[24-0128](#)

Resolution to Memorialize Amerson Roofing's Roof Moisture Survey for the Justice Center.

Attachments: [Amerson Roofing Estimate #148134 - Justice Center Scan](#)
[Budget Increase](#)

There was no 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: 24-1086-RES

[24-0130](#)

A Resolution to Approve and Appropriate Funding for the Aid to Construction and the Installation of New Light Poles and Monthly Service for the Public Works Complex.

Attachments: [Budget Increase](#)
[City of Foley Mail - Fwd_ Public Works Facility](#)
[RU Prop ELEC Path and Light Layout 2.21.24](#)

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: 24-1087-RES

[24-0131](#)

A Resolution Approving a Truck and Tractor in the Parks and Recreation Department to be Declared Surplus.

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: 24-1088-RES

[24-0132](#)

A Resolution Approving the Purchase of a Piece of Playground Equipment for Max Griffin Park.

Attachments: [104979-01-03_Quote](#)
[Capital Purchase Worksheet - Playground](#)
[104979 - Foley Net #2](#)

Parks and Recreation Director Jeff Lee reported that this Resolution is a budget neutral item. He also reported that it will be used to start replacing some older equipment on the West side of the park.

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: 24-1089-RES

[24-0133](#)

A Resolution Approving the Purchase of a Golf Cart for the Environmental Department

Attachments: [Photo of Golf Cart](#)
[Golf Cart Quotes 2024](#)
[Capital Purchase Request for Golf Cart. ENV](#)

There was no 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: 24-1090-RES

[24-0134](#)

A Resolution to Transfer Funds from Capital Purchases to Operating in Nature Parks

Attachments: [Rent.Fun x Foley, AL - Services Agreement 2024](#)
[Kayak Rental Proposal 2024](#)
[Budget Transfer. Kayak Rental 2024](#)

There was no 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: 24-1091-RES

[24-0135](#)

A Resolution to Accept the Alabama Legislature Appropriated Funds for the South Baldwin Regional Workforce Development Authority

Attachments: [Grant Agreement for the City of Foley \(Grant # AL-LI-24-027\)](#)
[Budget Increase Form](#)

Logan Eberly reported that the City of Foley received \$500,000 from the AL State Legislature Funding Appropriation that will be passed through to the South Baldwin Regional Workforce Development Authority for the Gateway Workforce Education Career Campus.

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: 24-1092-RES

[24-0136](#)

Resolution to Approve and Appropriate Funds for the Installation of the New Fence Around the Hamburg Building.

Attachments: [Cooper Fence Quote](#)
 [Hagan Fence Quote](#)
 [Budget Increase](#)

Project Manager Jeff Phillips reported that this Resolution is to approve the installation of a fence to secure the site around the Hamburg Building.

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: 24-1093-RES

[24-0138](#)

A Resolution to Set a Public Hearing to Consider an Ordinance Setting a Maximum Axle Limit for Kenny Stabler Avenue Between South Juniper Street and East Pride Boulevard

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to carry-over this item to the next scheduled council meeting on March 18, 2024. The motion carried by an unanimous vote. There were no additions or removals to report.

Enactment No: 24-1094-RES

[24-0139](#)

A Resolution Approving the Purchase of a Truck for the Sports Tourism Department

Attachments: [City of Foley Lightning](#)
 [Capital Purchase Worksheet](#)

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: 24-1095-RES

[24-0140](#)

Resolution Accepting Supplemental Agreement #1 for the ATRIP-II Intersection Improvements at SR-59 and CR 12.

Attachments: [Preliminary Eng fee increase 2-15-24](#)
[ATRIP Award Letter 1-31-24](#)
[Budget Increase](#)
[ATRP2-02-2021-213 FOLEY 100073291 SUP \(1\)](#)

There was no 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: 24-1096-RES

[24-0142](#)

A Resolution to Accept the FY2023 GOMESA Grant for Foley Nature Parks Expansion

Attachments: [GOMESA G-CFNPE-23-CF Foley Nature Park Expansion FTG](#)
[Budget Increase Form - GOMESA](#)
[Capital Project Worksheet - GOMESA](#)

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: 24-1097-RES

[24-0144](#)

A Resolution Approving the Purchase of Two Kayaks for Event Prizes in the Nature Parks Department

Attachments: [Kayak Quotes](#)

There was no 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: 24-1098-RES

[24-0145](#)

A Resolution to Approve Going to Bid and Purchase of a Truck for the Horticulture Department

Attachments: [CP Worksheet -Water Truck FY24](#)
Wayne's approval - Water Truck FY24
[Mike's approval - Water Truck FY24](#)

There was no 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: 24-1099-RES

[24-0146](#)

A Resolution Memorializing Entering into a Training Reimbursement Agreement with Southwest Alabama Partnership for Training and Development (SWAPTE)

Attachments: [Award Letter Chainsaw Training 2024.02.26](#)
[Budget Increase Form - SWAPTE](#)

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: 24-1100-RES

[24-0147](#)

A Resolution to Appointing Voting Delegate for the ALM Annual Business Session

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, appointing Vera Quaites as voting delegate, Rick Blackwell as the first alternate and Richard Dayton as the second alternate. The motion carried by an unanimous vote.

Enactment No: 24-1101-RES

[24-0148](#)

A Resolution Approving the Purchase of an Electric Truck for the Public Works Department

Attachments: [22-1012 RES EV Ford](#)
[City of Foley Lightning](#)
[Capital Purchase - EV Ford](#)

There was no discussion on this item.

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

Enactment No: 24-1102-RES

[24-0149](#)

A Resolution to Allocate and Spend Capital Project Funds to Create Design Development and Construction Plans for the Armory

Attachments: [MikeWayne Armory Phase 2 Approval](#)
[Armory Phase 2 Proposal](#)

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: 24-1103-RES

[24-0150](#)

A Resolution to Allocate and Spend Capital Project Funds for Design and Construction Services for the Event Center Parking Lot.

Attachments: [CP Worksheet FST Parking Lot Resurface & Expand- FY 2324](#)
[TE Proposal 24-2121-0002 FST Event Center Parking Lot](#)

There was no 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: 24-1104-RES

[24-0151](#)

A Resolution to Approve Moving Forward with the Design and Construction Documents for Paving and Drainage Improvements for the Foley Sports Tourism Complex Gravel Parking Lots

Attachments: [FST Request for Increase - Parking Lot](#)
[CP Worksheet - FST Budget Increase - Fields Parking Lot](#)
[TE Proposal 24-2121-003 FST Fields Parking Lot](#)

Executive Director David Thompson reported that this Resolution is for the approval of a budget increase request so that he can start the design work for the paving and drainage improvements for the Foley Sports Tourism Complex gravel parking lots.

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: 24-1105-RES

[24-0157](#)

A Resolution to Ratify and Confirm Resolution 24-1035 Authorizing Employees to Enter Upon the Property at Lot 1 Laurel Ave. for the Purpose of Abating the Public Nuisance.

Attachments: [24-1035 RES](#)

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: 24-1106-RES

[24-0160](#)

A Resolution to Approve a One Time Donation of Support to Foley High School ACT Testing Attendees

There was no 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: 24-1107-RES

Mayor's Comments

Mayor Hellmich reminded everyone that Tuesday March 5, 2024 is Super Tuesday and he spoke on the importance of voting and urged everyone to get out and vote.

He reported that the Juniper Street project is nearing completion.

He also reported that Wolf Creek Park playground is now open.

Mayor Hellmich reported that the design work is completed and the road is nearing completion for the pickleball court.

He reported that the BBQ and Blues Festival is this weekend March 8th through the 9th 2024. He reported that himself and some council members will not be there to attend due to being at the Nation League of Cities Conference.

Visitor Comments

Dianne Ballard and service dog Daisy May, who resides at 2020 S McKenzie St. Foley, AL 36535, addressed the Council with her concerns that she and her service dog were discriminated upon per the ADA guidelines at a local church food pantry. She asked that the City of Foley uphold the statutes of having service animals within the City.

Mayor Hellmich reported that the City is aware of the benefits that service animals provide and the City is accepting and accommodating to services animals. He reported that the City cannot speak for any private businesses or the church but he suggested for her to contact the church and to address her concerns with them and also possibly write a letter to her local Congressman. He reported that the City adheres to the Federal ADA guidelines and laws of service animals and that the City recognizes her complaint.

Ed Gutman, who resides at 1118 Sloan Cove Foley, AL 36535, addressed Council with his concerns that his residence at Kennedy Park Subdivision is becoming increasingly more dangerous due to drugs. He stated that he would like to see more of a police presence in his neighborhood.

Mayor Hellmich reported that the City will have Director of Public Safety David Wilson contact him regarding the matter and that Director Wilson will have more of a knowledge to help him in answering his questions and concerns. He also reported that anytime anyone sees individuals breaking the law to contact the Foley Police Department.

Executive Session

City Administrator Mike Thompson reported that there is a need to go into

Executive Session to discuss certain aspects of a possible real estate transaction to discuss the consideration that Council would be willing to pay to purchase certain real property. He further reported this discussion should take approximately twenty minutes and there may be a need for Council to take vote.

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

Mr. 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 go into Executive Session.

The Council Meeting was recessed at 5:01 pm.

The Council Meeting reconvened at 5:31 pm.

President Trawick called the meeting back to order. All Council Members were present. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, Fire Chief Joey Darby, City Clerk Katy Taylor and Christi Watkins.

[24-0176](#)

A Resolution Authorizing the Mayor and City Staff to Negotiate a Purchase Price for Real Property

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: 24-1108-RES

Adjournment

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

The meeting was adjourned at 5:42 p.m.