



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Tuesday, July 6, 2021

4:00 PM

Council Chambers

Work Session/Council Meeting

Public Hearing

[21-0376](#)

Public Hearing to Consider Adopting an Ordinance Establishing Impact Fees on New Development in the City of Foley

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.

[21-0393](#)

Public Hearing to Consider Planning Commission's Recommendation to Adopt an Ordinance Approving the Pre-zoning of Property Owned by Breland Homes Coastal, LLC to PUD (Planned Unit Development). Property is located E. of S. Hickory Street and N. of County Road 20 S.

President Trawick reported there were three public hearing that were inadvertently left off the agenda and they will be held now.

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

[21-0394](#)

A Public Hearing to Consider Planning Commission's Recommendation to Adopt an Ordinance Approving the Rezoning of Property Owned by MTSC Land Development from R3 (Multi-Family) to PUD (Planned Unit Development). Property is located E. of S. Hickory Street and N. of County Road 20 S.

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

[21-0395](#)

Public Hearing to Consider Planning Commission's Recommendation to Adopt an Ordinance Approving the Rezoning of Property Owned by

Riebling T Family Limited from R-1D (Residential Single Family) to TH-1 (Residential Townhouse). Property is located S. of E. Michigan Avenue and W. of S. Pecan Street.

President Trawick 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 Trawick called the meeting to order at 4:02 pm.

Roll Call

All Council Members were present with the exception of Council Member Vera Quaites, who was absent. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Wynter Metz, Kevin Carnley, Suzanne Kellams, Miriam Boone, LaDonna Hinesley, Pam Harris, David Thompson, Tony Fuqua, Larry Dearing, Sue Steigerwald, Rachel Keith, Logan Eberly, Joey Darby, John Schaff, Tina Perry, Rachel Spear, Steve Carlton, Norman and Marge Moore, Jane Tyler, Tony Schachle, James Wallace, Robert Cummings, Frances Holk-Jones, Teresa Neese, Fred Steiner, Earl Richardson, and press representative Jessica Vaughn.

Present: 4 - Council Member Richard Dayton, Council Member Rick Blackwell, Council Member Charles Ebert III and Wayne Trawick

Absent: 1 - Vera Quaites

Moment of Silence

Pledge of Allegiance

Discussion Items

[21-0366](#)

Discuss Riviera's Desire To Drill A Test Well On City Owned Property Located On Park Avenue

Attachments: [Test Well Site](#)

Tony Schachle from Riviera Utilities reported that Riviera is asking permission to use property adjacent to Ashford Park subdivision to drill a test well to look for drinking water for the City. He further reported they will be testing for additional water capacity, quantity and quality. This will be a 4" diameter test well only, not a permanent well.

Consent Agenda

[21-0377](#)

A Resolution to Set a Public Hearing to Consider the Passage of an Ordinance to Approve the Rezoning of Property Owned by Gary Bullard From AO (Agricultural Open Space) To Recreational Vehicle (RV) Park District

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: 21-1219-RES

[21-0378](#)

A Resolution to Set a Public Hearing to Consider the Passage of an Ordinance to Approve the Rezoning of Property Owned by The Schlichting Family, LLC From AO (Agricultural Open Space) To B1A (Extended Business District)

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: 21-1220-RES

Additions/Removals/Carry-Overs

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to add items 21-0287, 21-02394, 21-0288, 21-0394, 21-0311, 21-0312, 21-0289, 21-0395 and 21-0392. The motion carried by an unanimous vote.

Ordinances

[21-0326](#)

An Ordinance Amending Ordinance 19-2012 Pertaining to Flood Damage Prevention

Attachments: [2021 Flood ord Draft](#)

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: 21-2014-ORD

[21-0358](#)

AN ORDINANCE CREATING IMPACT FEES TO BE CHARGED NEW DEVELOPMENTS TO FUND CITY PARK, RECREATION, AND TRANSPORTATION INFRASTRUCTURE

Attachments: [EXHIBIT A. IMPACT FEES SCHEDULE](#)
 [DRAFT Foley Fee Study](#)

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: 21-2015-ORD

[21-0287](#)

PRE-ZONING OF PROPERTY OWNED BY BRELAND HOMES COASTAL, LLC TO PUD

Attachments: [Breland Prezoning recommendation](#)

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

Enactment No: 21-2016-ORD

[21-0288](#)

REZONING OF PROPERTY OWNED BY MTSC LAND DEVELOPMENT FROM R3 TO PUD

Attachments: [MTSC rezoning recommendation \(3\)](#)

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: 21-2017-ORD

[21-0289](#)

REZONING PROPERTY OWNED BY RIEBLING T FAMILY LIMITED FROM R1D TO TH1

Attachments: [Memo Backup Reibling Rezoning 5 24 21 \(1\)](#)

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

Enactment No: 21-2018-ORD

[21-0367](#)

(Second Reading) REZONING PROPERTY OWNED BY GARY BULLARD FROM AO TO RV PARK

Attachments: [Gary Bullard Rezoning Recommendation](#)
 [Keller Road Rezoning Citizen Opposition Letter](#)

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.

[21-0368](#)**(Second Reading) REZONING PROPERTY OWNED BY SCHLICHTING FAMILY LLC FROM AO TO B1A****Attachments:** [Schlichting Family Rezone](#)

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

[21-0311](#)

(Second Reading) An Ordinance For County Lease Termination, Sale and Parking Agreement

Attachments: [CMOB210055-PLAT](#)
[Termination of Lease Agreement with Baldwin County](#)
[Reciprocal Easement Agreement with Baldwin County](#)
[SWD to Baldwin County](#)

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

Resolutions and Other Business[21-0357](#)

A Resolution to Appoint Mike McGowin to the Museum Archive Board.

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: 21-1221-RES

[21-0359](#)

A Resolution Amending The Pay Classification Plan For A Nature Parks Position

Attachments: [Job Analysis Summary - Part-Time Event Coordinator](#)

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: 21-1222-RES

[21-0360](#)

A Resolution Amending the Pay Classification Plan To Reinstate the Position of Administrative Assistant I - Public Works and Authorizing A Transfer of Funds To Support This Action

Attachments: [Request to Transfer Funds - Public Works 07-2021](#)

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: 21-1223-RES

[21-0362](#)

A Resolution to Reappoint Bill Schaffer to the Senior Center Board.

Attachments: [Bill Schaffer's Term](#)

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: 21-1224-RES

[21-0363](#)

A Resolution To Increase The Parks Department Budget To Replace A Mower Deck

Attachments: [Budget Increase Form](#)

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: 21-1225-RES

[21-0364](#)

A Resolution Requesting Permission to Submit a Project Proposal for GOMESA FY22 Request for Project Suggestions

Attachments: [2022 GOMESA Foley Nature Parks Expansion Project](#)

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: 21-1226-RES

[21-0365](#)

A Resolution Authorizing the Payoff of Certain Debts of the City of Foley

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: 21-1227-RES

[21-0369](#)

A Resolution Amending The Pay Classification Plan To Convert A Position In Sports Tourism

Attachments: [Pay Classification Plan - Effective 05-03-2021](#)

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: 21-1228-RES

[21-0371](#)

A Resolution Authorizing Advertisement of the Required Public Hearing for FY2021 CDBG Application

Attachments: [Foley FY21 Public Hearing Notice](#)

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: 21-1229-RES

[21-0372](#)

Resolution Appropriating Funds and Accepting Proposal from WAS Design for Foley Pride Pocket Park

Attachments: [Foley Pride Pocket Park](#)

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: 21-1230-RES

[21-0373](#)

A Resolution Amending Resolution 21-1214 A Resolution Approving the Purchase of a Tire Changer for the Maintenance Department

Attachments: [21-1214 RES](#)

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: 21-1231-RES

[21-0375](#)

A Resolution Approving the South Baldwin Chamber of Commerce's Chicago Street Supper Club Request

Attachments: [Chicago Street Supper Club Request](#)

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: 21-1232-RES

[21-0379](#)

A Resolution Establishing New Impact Fee Fund Within the City Accounting System

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: 21-1233-RES

[21-0381](#)

A Resolution Approving a Fire Ad Valorem Fund Budget Transfer for the Foley Fire Department

Attachments: [20210629152311217.pdf](#)

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: 21-1234-RES

[21-0312](#)

A Resolution to Set a Public Hearing to Consider Passage of an Ordinance for County Lease Termination, Sale and Parking

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: 21-1235-RES

[21-0392](#)

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: 21-1236-RES

Mayor's Comments

Mayor Hellmich reported the Downtown cleanup has finished and he thanked the Beautification Board, the City's Horticultural Department and all employees who worked hard on this project. He also reported the impact fee is a partial fee. The City is being proactive on the ten year road plan and this fee will also help with intersection improvements. He further reported the City is close to finalizing the GOMESA land purchase. He also reported the intersection work at County Road 12 and the Foley Beach Express is being delayed due to waiting on the new mast arm poles and the County Road 12 and State HWY 59 project is going into the design phase.

Visitor Comments

Members of the National Sojourners, Baldwin County Chapter #531 Fred Steiner and Earl Richardson thanked the City of Foley for supporting last year's ceremony honoring 1st Responders. Mr. Steiner reported the ceremony this year will honor 1st Responders as well as Military Veterans on October 23, 2021 from 12:00 pm until 2:00 pm at Heritage Park. He further reported he is planning to have mayors from local areas give appreciation remarks as well as police and fire chiefs. They are also planning to have a local donation box for police charity.

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 5:01 pm.