



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Draft

### City Council

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Monday, December 4, 2023

4:00 PM

Council Chambers

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#### Work Session/Council Meeting

#### Call to Order

Council President Wayne Trawick called the meeting to order at 4:00 pm.

#### Roll Call

All Council Members were present. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Mike Powers, Thurston Bullock, Larry Dearing, Glenn Hartenstein, Tony Fuqua, Wayne Dyess, Cian Harrison, Jeff Phillips, Miranda Bell, Logan Eberly, Guy Busby, Angie Eckman, Carlos Lizzarga, Curtis Ricks, Mark Whorton, David Thompson, Roni Criswell, Joey Darby, Jeff Lee, Miriam Boone, Chad Christian, LaDonna Hinesley, Erica Thomas, Eugene Brick, Sueann Brick, Troy Crum, Grant McCaleb and Renee Naveam.

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

#### Moment of Silence

#### Pledge Of Allegiance

#### Proclamations

[23-0677](#)

Proclamation: 52nd Annual USPCA K9 Nationals

**Attachments:** [USPCA K9 Nationals](#)

Mayor Hellmich presented the proclamation to Foley Police Chief Thurston Bullock, Sergeant Carlos Lizzaraga, Officer Curtis Ricks and Officer Mark Whorton.

#### Presentation

[23-0675](#)

Fiscal Year 2024 Budget Award Presentation

**Attachments:** [FY2024 City of Foley Budget Award Presentation](#)

Miranda Bell presented the Fiscal Year 2024 Budget Award to Council.

## Work Session Discussions

[23-0673](#)

Discuss a Summary of Hurricane Sally

Logan Eberly reported that the City of Foley submitted a total of 17 projects to FEMA in response to Hurricane Sally in September of 2020 totaling over \$14.5m. Of the \$14.5m, 13 projects and \$13.9m were approved and \$650k was rejected. This means that the City was successful in recouping 95% of the total dollars requested for reimbursement. On this disaster, FEMA was responsible for paying 90% of the approved projects (\$12.6m) while the State and the City were both responsible for 5% each. The City is waiting on \$730k from FEMA and \$200k from the State to close out the remaining amounts due.

On the insurance side between AMIC and VFIS, the City submitted 59 claims for hurricane damages. There has been 57 claims closed and the City has received over \$3.7m from insurance carriers.

In addition to the above, the City qualified to apply for a grant for a Safe Room facility which was ultimately approved. This will provide the City with \$5m of a \$5.5m anticipated project to build a facility for first responders to be in while waiting for the storm to pass. When emergencies are not active, the facility will be used for a training space for first responders and other city training needs.

## Additions/Removals/Carry-Overs

There were no additions, removals or carry-overs.

## Consent Agenda

[23-0676](#)

Work Session/Council Meeting Minutes of November 20, 2023

**Attachments:**     [11-20-2023 Work Session Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton, to approve the November 20, 2023 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

## Ordinances

[23-0666](#)

(First Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY SCP BPG MAGNOLIA HOLDINGS, LLC FROM PDD - PLANNED DEVELOPMENT DISTRICT TO PDD - PLANNED DEVELOPMENT DISTRICT

**Attachments:**     [Backup for Rezoning.pdf](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, that this Ordinance be approved on the first reading.

The motion carried by an unanimous vote.

## Resolutions

### [23-0678](#)

ABC License: 020 - Restaurant Retail Liquor for Cozumel Bar and Grill of Foley LLC. applicant, operating under the trade name Cozumel Bar and Grill located at 104 S Owa Blvd Ste A, Foley, Alabama 36535.

**Attachments:** [Cozumel Bar and Grill](#)

The Foley Police and Fire Departments made a recommendation to move forward with the ABC License Application.

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

### [23-0661](#)

A Resolution to Approve entering into the FBI's Safe Street's Task Force (SSTF) overtime reimbursement agreement for FY 2024.

**Attachments:** [FY 2024 SSTF MOU](#)

Logan Eberly reported this grant offers a cost reimbursement agreement for overtime to outside law enforcement agencies assisting in SSTF investigations. FBI's Safe Street's Task Force has requested the Foley Police Department assist in those investigations and the overtime hours worked by Foley officers would be reimbursed through the cost reimbursement agreement. Foley Police Department requests to enter the agreement and accept cost reimbursement up to \$20,707.50 per year of available funds for FY 2024 beginning October 1, 2023 and ending September 30, 2024.

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

Enactment No: 23-1432-RES

### [23-0665](#)

A Resolution Approving a Budgeted Capital Purchase of a 2024 Ford Maverick

**Attachments:** [Capital Purchase Worksheet- Ford Maverick](#)

[Quotes](#)

[City of Foley Mail - Request for Agenda Item](#)

Officer Tony Fuqua reported that the Foley Police Department is requesting to purchase (1) 2024 Ford Maverick for the building custodian. After receiving three quotes, the vehicle will be purchased from Chuck Stevens Automotive, Inc. in Bay Minette for the purchase price of \$26,355.00

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: 23-1433-RES

[23-0667](#)

A Resolution to Set a Public Hearing to Consider the Rezoning of Property Owned by SCP BPG Magnolia Holdings, LLC.

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: 23-1434-RES

[23-0668](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AT LOT 1 OF EAST LAUREL SUBDIVISION PHASE 2 AND ORDERING ITS ABATEMENT

Attachments:     [0 EAST LAUREL WEED ABATEMENT](#)

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: 23-1435-RES

[23-0669](#)

A Resolution to Appropriate Funds and Approve the 10-Plex Improvements Capital Project.

Attachments:     [Capital Project Worksheet - Sportsplex Improvements](#)

Parks and Recreation Director Jeff Lee reported that Parks & Recreation is requesting approval for the planned 10-Plex Improvements capital project. The plan is to add lights and carpet to the batting cages at fields 6-10 as well as install a lightening suppression system at this complex. They would like to move forward now to ensure the work complete before the spring baseball/softball season. This will also provide a safer area for participants to warm up before games and practices. The cages are currently used frequently after dark and the limited light from the surrounding ball fields is not adequate.

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: 23-1436-RES

[23-0670](#)

A Resolution to Increase the Budget and Approve Going to Bid and Purchasing up to (8) 2024 Chevrolet Tahoes

Attachments:     [Capital Budget Increase- Tahoes](#)  
                          [Capital Purchase Worksheet- Chev Tahoes](#)  
                          [City of Foley Mail - Agenda Item Request](#)

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: 23-1437-RES

**23-0671**

**A Resolution Approving the Surplus & Disposal of 8 Ball Field Light Poles and Fixtures at Mel Roberts Park.**

**Parks and Recreation Director Jeff Lee reported Parks & Recreation requests to have 8 ball field light poles and their fixtures at Mel Roberts Park declared surplus and disposed of by the best means possible. The lights will be replaced with a new lighting system and these old and outdated lights and poles are no longer needed.**

**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: 23-1438-RES

**23-0674**

**A Resolution to Waive the Fees for the Foley Civic Center**

**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: 23-1439-RES

## **Mayor's Comments**

**Mayor Hellmich reported that the Baldwin Pops will be performing tonight in the Civic Center. He reported about upcoming Christmas events such as Toys for Tots, Farmer's Market Christmas Bazaar, Friday night is Christmas in the Park and tree lighting program, Saturday is the Christmas parade, Let it Snow and Main Street open house. he also reported that the Mayor's Christmas Party will be after the December 18th Council Meeting.**

## **Visitor Comments**

**There were no visitor comments.**

## **Executive Session**

**City Administrator Mike Thompson reported there is a need for Council to go into Executive Session to discuss certain aspects of possible real estate transactions. He reported the Executive Session would last approximately 20-25 minutes and that he did not believe Council will need to take 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 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 recessed at 4:33 pm.

The Council meeting reconvened at 5:39pm.

President Trawick called the meeting back to order. All Council Members were present. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson and Mike Powers.

There was no further business to conduct.

## **Adjournment**

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

The meeting was adjourned at 5:40 pm.