



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Draft

### City Council

---

Monday, May 4, 2020

4:30 PM

Foley Civic Center

---

#### Work Session/Council Meeting

#### Call to Order

Council President Wayne Trawick called the meeting to order at 4:30 p.m.

#### Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Wynter Plaski, Joey Darby, David Wilson, LaDonna Hinesley, David Thompson, Leslie Gahagan, Brad Hall, Chad Christian, Sandra Pate, Rachel Keith, Larry Dearing, Brent Vinson, Steve Solomon, Sue Steigerwald, Miranda Bell, Tim Beisel, Darrelyn Dunmore, Dan Blackburn, Ginny Barnes, Jim Owen, Mike Norden and press representative Jessica Vaughn.

**Present:** 5 - President Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell and Council Member Charles Ebert III

#### Pledge of Allegiance

#### Discussion Items

[20-0163](#)

Steve Solomon - To Discuss Funding for Safe Harbor Animal Coalition Spay-Neuter Clinic

Mr. Steve Solomon reported to Council that they are asking for Foley's support in funding the surgical suite for the Spay-Neuter Clinic that is in the final stages of construction. Mr. Solomon would be asking for approximately \$35,000.00 from each city to fund the surgical suite, which will cost \$130,000.00. The operation of this clinic will greatly reduce the number of feral cats in Foley and the surrounding areas.

#### Mayor's Presentation

[20-0202](#)

Building Safety Month Proclamation - May 2020

**Attachments:** [2020 BSM1](#)

Mayor Koniar presented the Building Safety Month Proclamation.

## Consent Agenda

[20-0199](#) Work Session/Council Meeting Minutes of April 20, 2020

**Attachments:** [04-20-20 Work Session and Council Meeting Minutes](#)

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to approve the Work Session Minutes of April 20, 2020. The motion carried by an unanimous vote.**

[20-0203](#)

A Resolution to Set a Public Hearing to Consider the Passage of an Ordinance to Amend Ordinance No. 387-87 Rezoning Property Owned by FB Express, LLC from PUD - Planned Unit Development to AO - Agricultural Open Space, B2 - Neighborhood Business District and R1C - Residential Single Family

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.**

Enactment No: 20-1114-RES

[20-0204](#)

A Resolution to Set a Public Hearing to Consider the Passage of an Ordinance to Amending the City of Foley Zoning Ordinance

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.**

Enactment No: 20-1115-RES

## Ordinances

[20-0195](#)

ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY FB EXPRESS LLC FROM PUD TO AO, B2 AND R1C

**Attachments:** [Recommendation docs for FB Express LLC](#)

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

[20-0196](#)

AN ORDINANCE AMENDING THE CITY OF FOLEY ZONING ORDINANCE

**Attachments:** [Recommendation Letter Zoning Amend](#)

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Ordinance be approved on the first reading.**

The motion carried by an unanimous vote.

## Resolutions and other Business

### [20-0210](#)

A Resolution Implementing Spending Reduction Measures

**Discussion:** Mr. Mike Thompson reported to Council that the City of Foley has already taken steps to cut back on spending due to loss of revenue during this pandemic. Mr. Thompson stated that this resolution highlights the measures that each department are using to reduce their spending. There was no further discussion on this item. It remained on the agenda.

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

Enactment No: 20-1116-RES

### [20-0197](#)

A Resolution to Accept Volkert Inc.'s Supplemental Agreement No. 1 - Amendment No. 1 for Rehabilitation of North Apron at the Foley Municipal Airport

**Attachments:** [1059401 - Letter Agreement \(Amdmt No 1\).pdf](#)  
[20-1052 RES.pdf](#)

**Discussion:** Mrs. Rachel Keith reported to Council that they have already approved for Volkert Inc. to start this project in FY2021. After the approval, the agreement went to the Alabama Department of Transportation for overhead labor costs. This year there was an overall increase of \$653. Mrs. Keith is requesting \$653 to cover this increase to allow this project to start. Mrs. Keith also reported that the CARES Act should fully reimburse this cost with their allowance for the Airport. There was no further discussion on this item. It remained on the agenda.

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

Enactment No: 20-1117-RES

### [20-0198](#)

A Resolution to Memorialize the Submission of the CARES Act Grant Application Requesting Federal Assistance for the Foley Municipal Airport in the Amount of \$30,000

**Attachments:** [Foley CARES Grant Application.pdf](#)

**Discussion:** Mrs. Rachel Keith reported to Council that the CARES Act granted the Foley Municipal Airport \$30,000.00 for operating expenses. The paperwork for this grant was due by April 28, 2020. Mrs. Keith stated she submitted the paperwork before this Council meeting in order for the paperwork to be done in a timely manner. There was no further discussion on this item. It remained on the agenda.

**A motion was made by Council Member Ralph Hellmich, seconded by Council**

Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1118-RES

### 20-0200

A Resolution Approving 2020 OWA Fireworks Display Calendar

**Attachments:** [OWA City Council Request 2020 revised](#)

**Discussion:** Fire Chief Joey Darby reported to Council that OWA has put together a calendar of all firework displays up until New Years Eve of 2020. OWA has also listed alternative make-up days in case of weather inclement. Mr. Darby reports that this causes for a smoother process when they apply for their safety process. There was no further discussion on this item. It remained on the agenda.

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 the following vote: Council Member Quaites, aye; Council Member Hellmich, abstained; President Trawick, aye; Council Member Blackwell, aye and Council member Ebert, III, aye. The motion carried by a majority vote.

**Aye:** 4 - President Trawick, Council Member Quaites, Council Member Blackwell and Council Member Ebert III

**Abstain:** 1 - Council Member Hellmich

Enactment No: 20-1119-RES

### 20-0201

(First Reading) A Resolution Approving the Vacation of Various Rights-Of -Way

**Attachments:** [Vacation Petition \(executed\)](#)  
[FB Express LLC ROW Vacation Map](#)  
[Overlay](#)

Mr. Dan Blackburn reported to Council that if the City of Foley were to vacate these right of ways, it will allow for more favorable conditions for a developer to proceed with a project plan. Council Member Ralph Hellmich asked Mr. Blackburn if he thought it was premature to vacate these rights of ways before there were any developers with intent develop. Mayor John Koniar suggested to Council that he advises against vacating right-of-ways without a current intent to proceed with a development on said land. There was no further discussion on this item. It remained on the agenda.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to not adopt this resolution. The motion carried by an unanimous vote.

### 20-0205

A Resolution to appoint LuAnne McCarley as an Alternate Member to the Board of Adjustments and Appeals

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: 20-1120-RES

[20-0206](#)

A Resolution Amending the Pay Classification Plan to Convert the position of Environmental Inspector & Initiatives Coordinator to the position of Environmental Inspector in the Environmental Department. Both positions are the same pay grade and therefore, this action is budget neutral.

**Attachments:**    [Pay Classification Plan - Effective 03-16-20](#)  
[JAT Analysis](#)

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

Enactment No: 20-1121-RES

[20-0207](#)

A RESOLUTION ACCEPTING SAWGRASS CONSULTING'S PROFESSIONAL SERVICES AGREEMENT

**Attachments:**    [Capital Project Worksheet Resurfacing](#)  
[Sawgrass Proposal Resurfacing](#)

**Discussion: Mr. Chad Christian reported to Council that this would allow the annual resurfacing agreement to be placed in motion. There was no further discussion on this item. It remained on the agenda.**

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

Enactment No: 20-1122-RES

[20-0208](#)

A Resolution Amending the Pay Classification Plan to Upgrade the position of Education Programs Coordinator in the Environmental Department to Environmental Programs Manager and authorizes a transfer of funds in support of this action.

**Attachments:**    [JAT Analysis - Env Programs Mgr](#)  
[Pay Classification Plan - Effective 03-16-20](#)

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

Enactment No: 20-1123-RES

[20-0209](#)

A Resolution Approving Application for the FY2020 Alabama Historical Commission Certified Local Government Grant

**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: 20-1124-RES

[20-0211](#)

A Resolution Approving a Bank Line of Credit for Emergency Preparedness

**Attachments:** [City of Foley-Request For Proposal-LOC-03.2020](#)  
[Summary of LOC RFP Received - NO NAMES](#)  
[RFP Analysis Spreadsheet - NO NAMES](#)

**Discussion:** Mrs. Sue Steigerwald reported to Council that having this line of credit with a local bank is similar to having a \$10,000,000.00 insurance plan. The line of credit is good for 36 months and can be used in case of a disaster or other emergency. There was no further discussion on this item. It remained on the agenda.

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

Enactment No: 20-1125-RES

[20-0212](#)

A Resolution Approving the Allocation and Purchase of a UV System for the HVAC in the Foley Event Center.

**Attachments:** [Capital Project Worksheet - Event Center UV](#)  
[P Foley Event Center UV Lights 4.23.20](#)  
[COVID-19 UV Article](#)

**Discussion:** Mr. David Thompson reported to Council that in response to the COVID-19 pandemic he would like to install a hospital grade HVAC UV system at the Event Center. The system kills 99.99% of pathogens once they enter the environment. The Event Center hosts numerous activities throughout the year and the purchase of this system would create a safe environment for people to come to. Mr. Thompson is asking for \$33,748.00 to purchase the system. There was a consensus to add this item to the agenda. There was no further discussion on this item.

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

Enactment No: 20-1126-RES

## Mayor's Comments

Mayor John Koniar urged everyone to avoid purchasing products and items made in China.

## Visitor Comments

Council Member Ralph Hellmich thanked Foley for their response to the 2020 Census.

Fire Chief Joey Darby gave an update on COVID-19.

## **Adjournment**

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

The meeting adjourned at 5:56 p.m.