



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Final

### City Council

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Monday, July 19, 2021

4:00 PM

Council Chambers

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#### Work Session/Council Meeting

#### Public Hearings

##### [21-0327](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 208 W Marigold Ave.

**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.**

##### [21-0328](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 321 W Orange Ave.

**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.**

##### [21-0400](#)

Public Hearing to Consider the Passage of an Ordinance Approving a Baldwin County Lease Termination, Sale of City Owned Property and Parking Agreement

**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.**

##### [21-0405](#)

Public Hearing to Discuss the City's Submission of an Application for the Fiscal Year 2021 Community Development Block Grant (CDBG) Program to Make Park Improvements Within the Aaronville Community.

**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. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, Chad Christian, Sue Steigerwald, Darrell Russell, John Graham, Leslie Gahagan, LaDonna Hinesley, Rachel Keith, Thurston Bullock, Kevin Carnley, Reese Wiley, Debbie Williams, David Thompson, Reid Cavnar, Heyward Hosch, Joey Darby, Dick Craig, Annie Shoots, Chad Breland, Logan Eberly, Becky Kendrick, Darrelyn Dunmore, Glenda Coppedge, Homer Coppedge, Helen Luckett, Ashley Copas, Louis Dinkins, Jan Whitten, Leo and Linda Bochnia, Booker Heard, Jimmy Stangel, Rebecca Breland, Juanita Houston, Riley Houston and press representative Jessica Vaughn.

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

## **Moment of Silence**

A moment of silence was observed.

## **Pledge of Allegiance**

## **Discussion Items**

There were no discussion items.

## **Consent Agenda**

### [21-0398](#)

Work Session/Council Meeting Minutes of July 6, 2021

**Attachments:** [7-06-2021 Work Session.Council Meeting Minutes](#)

A motion was made by Council Member Richard Dayton, seconded by Council Member Rick Blackwell, to approve the Work Session/Council Meeting Minutes of July 6, 2021. The motion carried by an unanimous vote.

### [21-0396](#)

Report of June, 2021, Approved and Paid Bills for the Record

**Attachments:** [2021-06 Approved & Paid Bills.Expense Approval Report](#)

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

### [21-0399](#)

Departmental Reports

**Attachments:**    [June 2021 Bid Awards](#)  
[Tax Report July 2021 and Building Report](#)  
[June 2021 CDD Report for Council](#)  
[June 2021 PD Report](#)  
[Marketing Report 2021 April, May and June \(1\)](#)

A motion was made by Council Member Richard Dayton, seconded by Council Member Rick Blackwell, that this Agenda Item be approved. 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 Rick Blackwell, to add items 21-0418 and 21-0420 to the agenda and to remove item 21-0329 from the agenda. The motion carried by an unanimous vote.

## Ordinances

### [21-0311](#)

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 Charles Ebert, III, seconded by Council Member Vera Quaites, that this Ordinance be adopted. The motion carried by an unanimous vote.

Enactment No: 21-2019-ORD

## Resolutions and Other Business

### [21-0329](#)

A Resolution Authorizing Employees to Enter Upon the Property at 208 W Marigold Ave for the Purpose of Abating the Public Nuisance.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to remove item 21-0329. The property was abated by the owner and no further Council action was required. The motion carried by an unanimous vote.

Enactment No: 21-1237 RES

### [21-0330](#)

A Resolution Authorizing Employees to Enter Upon the Property at 321 W Orange Ave for the Purpose of Abating the Public Nuisance.

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: 21-1238-RES

[21-0334](#)

A Resolution Approving the Temporary Street Closure of Jessamine Street for the 2021 Witches Ride Charity Event

**Attachments:**     [2021 Witches Ride Request](#)  
                                 [2021 Witches Ride Route](#)

**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: 21-1239-RES

[21-0352](#)

A Resolution Approving the Use of Heritage Park for the 2021 Witches Ride Charity Event After Party

**Attachments:**     [Mell Davis - Society of Black Hats Heritage Park After Party Event](#)

**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: 21-1240-RES

[21-0382](#)

**A Resolution Waiving Fees for the Use of Heritage Park for Fred Steiner and the National Sojourners, Inc. to host a 1st Responder/Military Personnel Appreciation**

**Attachments:**     [Fred Steiner National Sojourners Inc](#)

**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: 21-1241-RES

[21-0391](#)

A Resolution to Accept and Use Unbudgeted Donation Money Issued to the Foley Police Department.

**Attachments:**     [BUDGET INCREASE PAPERWORK K9 UNIT PURCHASE](#)

**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: 21-1242-RES

[21-0397](#)

A Resolution for the Support and Commitment for a Baldwin County Recycling Cooperative

**City Administrator Mike Thompson reported this is a resolution to support the plan that the County has for recycling. The City currently takes recyclables to Pensacola and Baldwin County is interested in creating a recycling facility**

here in Baldwin County that would be an option for the City to use.

Mayor Hellmich reported that Baldwin County is trying to get all cities to support this program. Mayor Hellmich asked Mr. Thompson to confirm that the County's fees for this program will be below the tipping fees. Mr. Thompson reported that was correct. Mayor Hellmich also reported there was an article in the newspaper last week that reported some cities are paying large amounts of money for recycling. The City is not in that situation but he hopes this is a successful effort.

Council Member Charles Ebert, III reported that he would like to publicly thank Public Works Superintendent Darrell Russell because recycling has been tough over the last three - four years. The City used to be paid to take recycling over to Florida but now the City has to pay them to take it.

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: 21-1243-RES

#### [21-0401](#)

A Resolution Amending The Pay Classification Plan To Convert A Position In General Government

**Attachments:**     [Pay Classification Plan - Effective 07-06-2021](#)  
[Job Analysis Summary - Exec Dir of Leisure Services](#)

City Administrator Mike Thompson reported during this fiscal year budget, one of the items Council approved was the position of an Assistant City Administrator to start mid-year during the fiscal year 2020-2021. Staff has been analyzing our organizational structure and what is proposed is to change the title of that position from Assistant City Administrator to Executive Director of Leisure Services. The idea is that this position will come in the next month or so. A certain number of departments will funnel up into that role. Mr. Thompson reported that over the next two weeks when he sits down with Council to go over the proposed budget, he will also go over a proposed modification to the City's organizational structure that will include another executive position or two over time. This is in preparation for the next decade of Foley's growth.

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: 21-1244-RES

#### [21-0404](#)

A Resolution to Rescind Resolution 21-1093, to Reappropriate Funds, and to Approve Four Capital Purchases in Street Department.

**Attachments:**     [RES #21-1093.pdf](#)  
[ST MAINT Cap Purch Wrsht & Quotes for Mower, Deck, & Gator.pdf](#)  
[ST MAINT Cap Purch Wrsht & Quotes for Mower, Deck, & Gator.pdf](#)  
[Req. to Trnsfr. \\$\\$\\$ frm ST CNST Cap Purch to ST MAINT & ST SDWLK Cap Purch .pdf](#)

Public Works Director Darrell Russell reported he can not procure the trucks that was approved in the original FY21 budget this fiscal year due to problems in the supply chain and computer chips. He reported that he would like to purchase these items instead.

Council Member Richard Dayton asked if there was a time frame that the vehicles that can not be procured will be available. Mr. Russell reported that he was told they will be available at the beginning of 2022.

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: 21-1245-RES

#### [21-0406](#)

A Resolution Approving the Downtown Area Resurfacing Project

**Attachments:**     [Budget Increase Capital - Downtown Resurfacing Project](#)  
[Sawgrass Proposal](#)  
[CITY STREET AND DRAINAGE IMPROVEMENTS FY2021](#)  
[MAPS](#)

City Engineer Chad Christian reported this project will add several parking lots and a couple of subdivisions around town and some streets that do not have any advocates but are used a lot.

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: 21-1246-RES

#### [21-0409](#)

A Resolution Approving Entering into an Agreement with ALDOT for Shoulder Widening, Super Elevation Correction, and Rumble Strips on Foley Beach Express

**Attachments:**     [HSIP Foley](#)

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: 21-1247-RES

#### [21-0410](#)

A Resolution to Accept the FY2021 Alabama Historic Commission Certified Local Government Grant

**Attachments:**     [AL-21-10017 City of Foley Staffing Grant Agreement](#)  
[Budget Increase Form](#)

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: 21-1248-RES

[21-0411](#)

A Resolution to Increase Budget for Hurricane Debris Stream Cleanout Project

**Attachments:**     [Budget Increase Form](#)  
                                 [CHANGE ORDER NO 1](#)

**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: 21-1249-RES

[21-0412](#)

A Resolution to Approve Outdoor Aluminum Bid for Recreation Bleachers

**Attachments:**     [Bid Tab - Recreation Bleachers](#)  
                                 [Budget Increase Form](#)

**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: 21-1250-RES

[21-0413](#)

A Resolution to Renew 5-Year Airport Franchise and License Agreement with Lightning Aviation LLC, Operating as Fixed Base Operator (FBO) at the Foley Municipal Airport

**Attachments:**     [2021 Lease Agreement - Lightning Aviation.pdf](#)

**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: 21-1251-RES

[21-0414](#)

Resolution Appropriating Funds for the purchase of portable bleachers for the Foley Event Center and permission to bid.

**Attachments:**     [SKM\\_C250i21071215310](#)

**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: 21-1252 RES

[21-0415](#)

A Resolution Amending City FY2021 Budgets

**Attachments:**     [FY2021 PC-Insurance Expense](#)

**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: 21-1253 RES

[21-0416](#)

**A RESOLUTION TO AUTHORIZE, AND PROVIDE FOR THE PAYMENT, OF GENERAL OBLIGATION WARRANTS (FEDERALLY TAXABLE), SERIES 2021-B**

**Attachments:** [Foley 2021. Series B Minutes - Authorizing Resolution \(06044651x80C68\)](#)

**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: 21-1254 RES

[21-0417](#)

A Resolution to Appoint John Koniar to the Foley Historical Commission.

**Attachments:** [Hist. Comm. Member List](#)

**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: 21-1255 RES

[21-0418](#)

A Resolution Authorizing a Stream Cleanout Project West of River Trace Subdivision

**Attachments:** [Capital Project Form and Budget Adjustment](#)

**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: 21-1256 RES

[21-0420](#)

A Resolution to Appropriate Funds and Approve the Purchase and Installation of Tree Lighting on Pine Street

**Attachments:** [CoF Color Lights \(3\)](#)

**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: 21-1257-RES

## Mayor's Comments

Mayor Hellmich reported staff continues to work with FEMA everyday on the hurricane debris and other projects. He thanks staff for the stream clean out project, some of which are federal grants because they are out of the scope of



the City's normal operations. One of these projects was completed just south of County Road 12 that had storm debris in it. Removing the debris helped the Juniper Street drainage system to do what it was capable of doing. He also reported the safety grant for the Foley Beach Express has been needed for a long time. The City will continue to work with ALDOT and he will be meeting with Transportation Director John Cooper in the next month or so.

## Visitor Comments

Dick Craig reported to Council that the local billiards teams Chalk is Cheap and Family Traditions are both regional champions. Chalk is Cheap won the 8 ball championship and Family Traditions won the 9 ball championship. He reported both teams will be going to Las Vegas, Nevada to compete in the APA World Championship Tournament. They will be competing against other teams playing various types of billiards for a grand prize of \$25,000. They will be playing in a room that is set up with 300 billiards tables and 750 competitors. He reported all the players on the local teams are from Foley and they need a little financial help from the community to make the trip. They are taking donations and having a raffle to help pay their way to Las Vegas. All proceeds will go to support the teams. Mr. Craig reported they would appreciate it if their story was placed in the Foley Newsletter.

Leo Bochnia, who resides at 2534 W. Ashford Park addressed Council with his concerns of the water detention area behind his house.

Andrew Thomas, who resides at 21035 Doc McDuffie Road addressed Council with his concerns of the July 16, 2021 flooding event.

Adrian Jackson, who resides at 11070 Artwood Road addressed Council with his concerns of the July 16, 2021 flooding event.

Helen Lockett, who was representing her mother, who resides at 508 E. Myrtle Ave addressed Council with her concerns of the July 16, 2021 flooding event.

Ashley Coppas, who resides at 421 Verbena Loop addressed Council with her concerns of the July 16, 2021 flooding event.

Chad Breland, who resides at 620 W. Marigold Ave addressed Council with his concerns of the July 16, 2021 flooding event.

Rebecca Breland, who resides at 620 W. Marigold Ave addressed Council with her concerns of houses that are nuisances on the 500 and 600 block of W. Marigold Avenue. She reported there is a house with a lot of junk in the back and front yard and there are dilapidated houses that can not be lived in. She further reported there are dogs that run free all the time. She asked Council to drive down their street to see all the nuisances. Environmental Manager Leslie Gahagan reported she will canvass that area and send out nuisance letters to the homeowners.

Homer Coppedge, who resides at 1400 N. Alston Street addressed Council with his concerns of the July 16, 2021 flooding event.

Alec Barnett thanked the City Council for allowing the use of Heritage Park for Juneteenth.

Adrian Jackson thanked Foley Police Chief Thurston Bullock for helping with the problems Mobile Asphalt was creating.

Louis Dinkins, who resides at 905 S. Pecan Street addressed Council with his concerns of the July 16, 2021 flooding event.

Riley Houston, who resides at 720 E. Jefferson Avenue addressed Council with his concerns of the July 16, 2021 flooding event.

Crystal Jones who was representing Katie Fairley, who resides at 717 E. Michigan Ave addressed Council with her concerns of the July 16, 2021 flooding event.

Mayor Hellmich reported through the years, the City has improved a lot of the drainage issues. On July 16th, the official rain amount was 5.5 inches within two hours, which is equivalent to a 36 inch rain event over 24 hours. During the 2014 flood event, there was approximately 24 inches of rain in 24 hours. Hurricane Sally brought 19 inches of rain in 24 hours of which, 15 inches came within the first 15 hours of the storm. These were all strange events that are referred to as 500 year storms. Some people think that these storms only happen every 500 years but according to meteorologists, it does not work that way and through the years we have seen several storms that have brought a lot of rain. In 1972, there was a 16 inch rain event in 3 hours that almost washed Fairhope and Foley away. Unfortunately, Foley is flat but the City works hard to try and clear the drainage bottlenecks without causing more flooding downstream. Mayor Hellmich further reported that the City has a list of the problem areas brought before Council tonight and the City will work on them all. Engineering and Public Works will also be working on them and Environmental will work on the nuisance issues.

## Adjournment

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

The meeting was adjourned at 5:33 pm.