



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, December 6, 2021

4:00 PM

Civic Center

Work Session/Council Meeting

Public Hearing

[21-0703](#)

Public Hearing to Consider Planning Commission's Recommendation to rezone 3 +/- Acres Owned By Richard Lord Jr. from B-3 (Local Business District) to Recreational Vehicle (RV) Park District

Council President Wayne Trawick opened the Public Hearing at 4:01 p.m. He asked for comments from the public. Hearing no comments, he closed the Public Hearing.

[21-0704](#)

Public Hearing to Consider Planning Commission's Recommendation to Rezone 38.64 +/- Acres Owned By R.W. and Deloris Teem from AO (Agricultural Open Space) and R-1D (Residential Single Family) to TH-1 (Residential Townhouse)

President Wayne Trawick opened the Public Hearing at 4:02 p.m. He asked for comments from the public. Hearing no comments, he closed the Public Hearing.

[21-0705](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 1608 South Oak St.

President Wayne Trawick opened the Public Hearing at 4:02 p.m. Mr. Alec Barnett stated that a neighbor is dumping items on his property. Mr. Alec Barnett also stated that when the garbage was picked up, the truck pushed part of his fence down. President Wayne Trawick closed the Public Hearing.

[21-0707](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 312 West Marigold Ave.

President Wayne Trawick opened the Public Hearing at 4:04 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 4:04 p.m.

Roll Call

All Council Members were present. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Wynter Metz, Fay Krehling, Leslie Gahagan, Angie Eckmen, Kenneth Lord, Richard Lord, Thurston Bullock, Tommy Gebhart, David Thompson, Logan Eberly, Annie Gray, John Gray, Pam Harris, Alec Barnett, Darlrelyn Dumore, Jessica Vaughn, William Frankin, Darrell Russell, Fred Steiner, Jamie Smith, LaDonna Hinesley, Jeff Phillips, Elva Barnett, Kevin Carnley, Brandon Mothershed, and Miriam Boone.

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

The Pledge of Allegiance was led by the National Sojourners, who then performed The Toast to the Flag. National Sojourner Fred Stein presented Mayor Hellmich with a framed copy of The Toast to the Flag poem.

Discussion Items

[21-0698](#)

Discuss Foley Pride Pocket Park

City Engineer Jeff Phillips reported to Council that the process of this project is coming together and it is about 8% in design. Mr. Phillips presented pictures to the Council of several different designs. Mr. Phillips stated that he's anticipating to start the bidding process in the middle of January. Mrs. Darrellyn Dunmore reported to Council that she received a grant from AARP in the amount of \$20,000 to go towards musical instruments. Mrs. Darrellyn Dunmore also reported that this facility can also be used as a classroom. Mayor Ralph Hellmich stated that the Foley Pride Pocket Park will be a unique park for our community.

Consent Agenda

[21-0702](#)

Work Session/Council Meeting Minutes of November 15, 2021

Attachments: [11-15-21 WS.Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert III, seconded by Council Member Richard Dayton, to approve the November 15, 2021 Work

Session/Council Meeting Minutes. The motion carried by an unanimous vote.

Additions/Removals/Carry-overs

There no additions/removals or carryovers.

Ordinances

[21-0653](#)

ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY RICHARD LORD JR. FROM B3 - LOCAL BUSINESS DISTRICT TO RV PARK ZONE

Attachments: [Lord Backup for Council.pdf](#)

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: 21-2036-ORD

[21-0658](#)

AN ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY RW & DELORIS TEEM FROM AO - AGRICULTURAL OPEN SPACE & R1D - RESIDENTIAL SINGLE FAMILY TO TH1 - RESIDENTIAL TOWNHOME DISTRICT

Attachments: [Backup for Teem Rezoning](#)

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

Enactment No: 21-2037-ORD

[21-0673](#)

AN ORDINANCE APPROVING A STREET NAME (TANGER WAY) FOR AN EXISTING RIGHT-OF-WAY

Attachments: [City of Foley Mail - RE_ ROAD LEADING INTO TANGER OUTLET CENTER_ TURNAROUND.pdf](#)

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

Enactment No: 21-2038-ORD

Resolutions and Other Business

[21-0670](#)

A Resolution Rescheduling Council Meeting Dates Due To Holidays And

Conferences

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: 21-1449-RES

[21-0700](#)

A Resolution Memorializing the Purchase of a Savage Bullet Trap and Transfer of Funds

Attachments: [REQUEST TO TRANSFER SBT WORKSHEET](#)
[SBT CAPITAL PURCHASE WORKSHEET](#)
[Savage Bullet Trap](#)
[WAYNE AND MIKE EMAIL APPROVAL](#)

Deputy Police Chief Kevin Carnley is requesting Council to approve the purchase of a Savage Bullet Trap. Mr. Carnley reported that this an instrument used to safely collect bullet casing. Mr. Carnley also reported that the cost of this instrument increased from last year. There was no further 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: 21-1450-RES

[21-0701](#)

A Resolution To Waive Fees To Minimum For United Pentecostal Holiness Church

Attachments: [UNITED PENTECOSTAL HOLINESS CHURCH](#)

A motion was made by Council Member Vera Quaite, seconded by Council Member Richard Dayton, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 21-1451-RES

[21-0706](#)

A Resolution to Accept the Homeland Security Local Competitive Grant for Soft Target/Crowded Places Protection

Attachments: [COOPERATIVE AGREEMENT UPDATED NOV 2021](#)
[Budget Increase Form](#)

Logan Eberly reported to Council that the Foley Police Department was awarded a grant in the amount of \$50,000 to purchase strongwall barricades, and is requesting permission from the City Council to accept this grant. The Police Department's goal is to have enough barricades for Heritage Park and the surrounding areas for events. There was no further 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: 21-1452-RES

[21-0709](#)

A Resolution Authorizing Employees to Enter Upon the Property at 312 West Marigold Avenue for the Purpose of Abating the Public Nuisance.

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: 21-1453-RES

[21-0710](#)

Resolution Approving The Budget Transfer From The Revitalization & Beautification Board To The Municipal Complex Department

Attachments: [Budget Transfer Request 2021 - RBB to Municipal Complex](#)

City Administrator Mike Thompson reported to Council that this is a budget transfer from The Revitalization & Beautification Board to The Municipal Complex Department. This is to cover the cost of two employees working overtime to assist with installing Christmas decorations throughout the City. There was no further discussion on this item.

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

Enactment No: 21-1454-RES

[21-0712](#)

A Resolution to Increase Revenue Department Capital Equipment budgeted funds for the purchase of an Electric Vehicle

Attachments: [Request to Increase Budget Funds Rev](#)
 [Price Tesla](#)

Revenue Officer Jamie Smith reported to Council that the purchasing cost of the Tesla has increased since her last bid offer. Mrs. Smith is requesting from Council \$6,500 to cover the cost difference between the budgeted amount. Mrs. Smith stated that the estimated time of arrival is August thru September of 2022. There was no further 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 unanimous vote.

Enactment No: 21-1455-RES

[21-0713](#)

A Resolution Approving Senior Center's Ceiling Tile Replacement Project

Attachments: [Capital Project Work Sheet](#)
[MCS Quote](#)
[Cloud Painting Services Quote](#)
[Jose's Handyman Services Quote](#)

Municipal Complex Director Pam Harris is requesting approval for the ceiling tile project. Mrs. Harris reported that the north end of the Senior Center is in need of replacing ceiling tiles that have had water damaged. Mrs. Harris also reported that this project will also include a 4 inch drop ceiling. Mrs. Harris stated that she would like this project to begin before the end of December. There was no further discussion of 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: 21-1456-RES

[21-0714](#)

A Resolution appropriating funds and purchasing 2 John Deere Gators for Foley Recreation.

Attachments: [Gator Quotes](#)

Executive Director of Leisure Services David Thompson is requesting approval from Council to purchase two Gators. Due to supply issues last year, the City was unable to make this purchase and instead purchased a zero turn mower. Mr. Thompson stated that the estimated delivery is early summer. There was no further 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: 21-1457-RES

[21-0715](#)

Resolution to Approve Drainage Improvements from S. Chestnut to Pilgrim

Attachments: [Cap Proj Wrksht for S. Chestnut .pdf](#)
[Greenco Quote 1041-1001 for S. Chestnut .pdf](#)

Public Works Director Darrell Russell reported to Council that he would like to move forward on the drainage improvements project for South Chestnut to Pilgrim. Mr. Russell stated that this project has needed improvements for quite some time. Mr. Russell reported to Council that the City does have easements that run parallel to Michigan. Mr. Russell also stated that the most significant part this project is at the beginning of Chestnut. There was no further discussion on this item.

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried

by an unanimous vote.

Enactment No: 21-1458-RES

21-0716

Resolution to Approve Drainage Improvements to the ditch West of Cedar and South of Michigan through the field.

Attachments: [Cap Proj Wrksht for 5th Drainage.pdf](#)
[Greenco Quote 1041-1004 for 5th Ave.pdf](#)

Public Works Director Darrell Russell requested from Council to approve drainage improvement project. Mr. Russell reported that 3rd, 4th, and 5th Avenues drain into the ditch west of Cedar and south of Michigan. Mr. Russell reported that the City is working on obtaining easements from residents in this area so that this can be better maintained by the City. Mr. Russell stated that this ditch will be cleaned and graded so that it can operate properly. There was no further 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: 21-1459-RES

Mayor's Comments

Mayor Ralph Hellmich thanked the Council for approving the drainage projects. Mayor Hellmich announced that Pine Avenue and Ashford Park will be the next drainage project in the near future. He also announced that the Christmas Parade was a huge success and it was also was the largest parade the City has had. Mayor Hellmich thanked the Council for purchasing the candy and he also thanked the Kiwanis Club for their continue support. He also wanted to thank all City Employees for participating in the Christmas Parade. Mayor Hellmich announced that he would like to thank everyone that was involved in decorating the City and that it looks great. Mayor Hellmich thanked the Council for supporting the Beautification of Foley. Mayor Hellmich announced that Downtown Main Street is having an event that begins on December 11, 2021. This first time event is called Christmas Cheer. Mayor Hellmich encouraged everyone to shop local.

Visitor Comments

Public Works Director Darrell Russell stated that he wanted Council to be aware of the supply and demand issues and how it is affecting ordering equipment. Mr. Russell also stated that the surge charges and prices have went up. Mayor Hellmich stated that he has received positive compliments about the Christmas Trail at Graham Creek and how everyone has enjoyed the 1/2 mile trail.

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 4:53 p.m.