



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, October 2, 2023

4:00 PM

Council Chambers

Work Session/Council Meeting

Public Hearing

23-0556 Public Hearing to Consider Weeds to be a Public Nuisance and to Order Its Abatement at 619 West Marigold Avenue, Foley Alabama

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.

23-0557 Public Hearing to Consider Weeds to be a Public Nuisance and to Order Its Abatement at 311 West 5th Avenue, Foley Alabama

President Trawick opened the public hearing at 4:00 pm. He asked for comments from the public.

Stacey Watts reported that the weeds at this property has been abated. She also reported that she has applied for a grant to repair the house roof that was created by Hurricane Sally.

President Trawick reported that this item will be removed from the agenda.

23-0577 Public Hearing to Consider Adopting an Ordinance to Amend the City of Foley International Building (ICC) Codes

Council President Wayne 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. Mayor Ralph Hellmich was absent due to being out of town. Also present: City Administrator Mike Thompson, City Clerk Katy Taylor, Thurston Bullock, Tony Fuqua, Guy Busby, Jeff Phillips, Donna Watts, Ed Bushaw, Roni Criswell, Sue Steigerwald, Rachel Keith, Angie Eckman, Wayne Dyess, LaDonna Hinesley, Logan Eberly, Jeff Lee, Darrell Russell, Darrelyn Dunmore, Miriam Boone, David Thompson, Jamie Smith,

Angela Sherman, Nicole Blackwell, Lisa Yeater, Suzanne Kellams, Tim Lower, James Rowell, Sueann Barnwall, Eugene Brieck, Stacey Watts and Chis Slater.

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

Moment of Reflection

Pledge of Allegiance

Presentation

23-0546 Presentation: South Baldwin Chamber of Commerce Performance Contract Update by Donna Watts

Donna Watts gave a verbal report to update Council on the South Baldwin Chamber of Commerce's performance contracts with the City of Foley. Ed Bushaw gave a verbal report on that Gateway Workforce Development.

Work Session Discussion

There were no Work Session discussions.

Additions/Removals/Carry-Overs

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to add item 23-0567 to the agenda and to remove item 23-0559 from the agenda. The motion carried by an unanimous vote.

Consent Agenda

23-0563 Planning Commission Recommendation to Approve Public Projects

Attachments: [Public Projects Recommendation](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, to approve Planning Commission's recommendations for public projects. The motion carried by an unanimous vote.

23-0541 Work Session/Council Meeting Minutes of September 18, 2023

Attachments: [9-18-2023 Work Session.Council Meeting Minutes](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, to approve the Work Session/Council Meeting Minutes of September 18, 2023. The motion carried by an unanimous vote.

23-0573 Special Called Council Meeting Minutes of September 26, 2023

Attachments: [9-26-2023 Special Called Council Meeting Minutes](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, to approve the Special Called Council Meeting Minutes of September 26, 2023. The motion carried by an unanimous vote.

Ordinances

[23-0568](#)

An Ordinance to Amend Ordinance 13-1030 Ratifying Resolution 06-16-80 that Established the Library Advisory Board

Attachments: [13-1030 ORD](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell to suspend the rules for the immediate adoption of this ordinance. The motion carried by the following roll call vote:

Council Member Quaites, aye; Council Member Dayton, aye; Council President Trawick, aye; Council Member Rick Blackwell, aye and Council Member Charles Ebert, III, aye. The vote was unanimous to suspend the rules.

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: 23-2023-ORD

[23-0572](#)

An Ordinance to Rescind Ordinance 13-1031 An Ordinance Ratifying the Creation of and Defining the Operational Scope of the Recreational Activities Fund

Attachments: [13-1031-ORD](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Rick Blackwell to suspend the rules for the immediate adoption of this ordinance. The motion carried by the following roll call vote:

Council Member Quaites, aye; Council Member Dayton, aye; Council President Trawick, aye; Council Member Rick Blackwell, aye and Council Member Charles Ebert, III, aye. The vote was unanimous to suspend the rules.

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: 23-2024-ORD

[23-0497](#)

AN ORDINANCE AMENDING THE CODE AND FEE SCHEDULE FOR THE 2018 INTERNATIONAL BUILDING (ICC) CODES AND ATTACHED COASTAL SUPPLEMENTAL PROVISIONS TO UPGRADE THE VARIOUS CODES RELATING TO THE INSPECTION ACTIVITIES OF THE CITY OF FOLEY AND ENFORCEMENT OF THE BUILDING PROVISIONS AND FIRE SAFETY AS PROVIDED IN SAID

CODES

Attachments: [Building Code Marked Up Attachment.pdf](#)

[2021 Coastal Construction Code Supplement](#)

[Complete Clean Ordinance](#)

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: 23-2025-ORD

Resolutions

23-0518

A Resolution to Approve Police Department Vehicles to be Deemed Surplus

Foley Police Lt. Tony Fuqua reported there are seven vehicles that are no longer operational.

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: 23-1350-RES

23-0520

A Resolution to Approve the Rental of Heritage Park for Lisa Yeater to host the Gumbo & Alabama Slammer Festival and a Variance to Allow Alcohol to be Sold

Attachments: [Gumbo & Alabama Slammer Festival City Application 2024](#)

Director of Parks and Recreation Jeff Lee reported this event is scheduled for Saturday, January 27, 2025.

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: 23-1351-RES

23-0521

A Resolution to Approve the Rental of Heritage Park for Lisa Yeater to host the Mudbugs & Margaritas Festival and a Variance to Allow Alcohol to be Sold

Attachments: [Mudbugs & Margaritas Festival City Application 2024](#)

Council Member Charles Ebert, III reported that Mrs. Yeater donates back to the community in exchange for usage of Heritage Park, which makes for a great partnership.

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: 23-1352-RES

23-0535 A Resolution Approving the Foley High School Wrestling Team to Use Heritage Park for a Dual Meet.

Attachments: [Special Events Application-Foley wrestling \(1\)](#)

Director of Parks and Recreation Jeff Lee reported this event will showcase the wrestling program in Heritage Park for the first time on Thursday, December 7, 2023.

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: 23-1353-RES

23-0540 A Resolution Continuing Appointment of Municipal Judge and Assistant Municipal Judge

Human Resources Director Suzanne Kellams reported the City's Personnel Policy and the Alabama Code of Code state that part time judges serve two year terms

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: 23-1354-RES

23-0543 A Resolution Approving Two Planned Purchases for the Sanitation Departments.

Attachments: [2023 asl - LOI with Quote](#)
[2023 fel - LOI with Quote](#)
[Capital Project Worksheet .xlsx - Capital Purchase \(1\)](#)
[Capital Project Worksheet .xlsx - Capital Purchase](#)

Public Works Superintendent Darrell Russell reported these purchases will add sanitation trucks to their fleet that is needed to cover an additional route.

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: 23-1355-RES

23-0548 A Resolution to move forward with the Mel Roberts Park Improvements Project.

Attachments: [Capital Project Worksheet - Mel Roberts](#)

Director of Parks and Recreation Jeff Lee reported this project will replace the ball field lights with Musco LED lighting and to replace the restroom, concessions building and scoreboards.

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: 23-1356-RES

[23-0550](#) A Resolution to Reappoint Larry Engel to the Planning Commission Board

Attachments: [Larry Engel](#)

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: 23-1357-RES

[23-0551](#) A Resolution to Reappoint Linda Spangrud to the Public Athletic and Sports Facilities Cooperative District and the Public Cultural and Entertainment Facilities Cooperative District

There was no discussion on this item.

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: 23-1358-RES

[23-0553](#) A Resolution to Reappoint Ellen Dean, Deborah Mixon and Patricia Davis to the Foley Revitalization and Beautification Advisory Board.

Attachments: [Beautification Brd Member List](#)

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: 23-1359-RES

[23-0554](#) A Resolution to Reappoint Otis Gatlin and David Vosloh to the Fire Code Board of Appeals.

Attachments: [Fire Code Member List-Gatlin & Vosloh](#)

Fire Chief Joey Darby reported Mr. Gatlin and Mr. Vosloh have been involved with this Board since it was created in 2009.

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: 23-1360-RES

[23-0555](#)

A Resolution Approving the Upgrade of the Mathis Park Playground and applying for the Gametime Matching Funds Grant.

Attachments: [Capital Project Worksheet](#)

[Quote & Application](#)

Director of Parks and Recreation Jeff Lee reported this grant will help replace the playground equipment at Mathis Park.

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: 23-1361-RES

[23-0558](#)

A Resolution Authorizing Employees to Enter Upon the Property at 619 West Marigold Avenue for the Purpose of Abating the Public Nuisance.

Environmental Manager Angie Eckman reported the owner is working to clean up the property. She reported she was unable to see the back yard due to a privacy fence. She also reported she will be meeting with the owner to take a closer look at the property.

There was a consensus from Council to allow the owner two weeks from this date to abate the public nuisance.

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: 23-1362-RES

[23-0559](#)

A Resolution Authorizing Employees to Enter Upon the Property at 311 West 5th Avenue for the Purpose of Abating the Public Nuisance.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to remove this Resolution from the agenda. The property was abated by the owner. The motion carried by an unanimous vote.

Enactment No: 23-1363-RES

[23-0560](#)

A Resolution to Approve the Closure of Streets in Downtown Foley for Hometown Halloween on Oct. 26, 2023

Marketing Director LaDonna Hinesley reported she is seeking approval to close the following streets on October 26, 2023 from 5:15 to 8:30 p.m.: West Laurel Ave. (U.S.98) from Hwy 59 to Alston Ave., and West Orange Ave., from Hwy. 59 to Alston Street, and also, Alston Street, from US 98 to Orange Ave for this event.

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: 23-1364-RES

23-0561

Resolution Approving Additional Funding for the Purchase of a Truck for the Engineering Department.

Attachments: [Budget Increase Departmental](#)

Project Manager Jeff Phillips reported Resolution 23-1092 approved funding of \$40,000 for the purchase of a 2023 Ram 1500 Quad Cab 4x4 for the Engineering Department from Stivers. The vehicle became unavailable and due to supply and demand the Engineering Department was unable to purchase a new truck in FY23. Engineering has \$40,000 in the FY24 budget currently and they are requesting an additional \$10,000 due to price inflation.

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: 23-1365-RES

23-0562

A Resolution to Approve a Facade Grant Extension for Mark Wright at 118 W Laurel Avenue

City Planner Miriam Boone reported this request is for the Old Cactus Cafe building.

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: 23-1366-RES

23-0565

A Resolution Memorializing a Capital Project at Max Griffin Park and Increasing the Budget.

Attachments: [Budget Increase Form](#)

Director of Parks and Recreation Jeff Lee reported this item is for the concrete pads and paint for the artillery guns that were left at the armory.

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: 23-1367-RES

23-0566

A Resolution to Approve the Donation of Surplus Equipment To Another Agency

Attachments: [Surplus Equipment](#)

Fire Chief Joey Darby reported this equipment will be donated to the Winston County Volunteer Fire Department.

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: 23-1368-RES

[23-0567](#)

A Resolution Approving the Closure of Certain Bank Accounts and the Transfer of Budgets

Finance Director Sue Steigerwald reported the need to close the Museum-Archive, Library Fund and Recreational Activities Fund checking accounts in order to consolidate the payment of bills to the City's General Fund operations checking account. Purchases made from the Museum-Archive checkbook are currently being manually entered into General Fund general ledger accounts and this action will automate that process.

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: 23-1369-RES

[23-0570](#)

A Resolution Entering Into a Memorandum of Understanding as a Non-Certifying Partner for the Alabama Uniform Certification Program through ALDOT

Attachments: [ALABAMA UNIFORM CERTIFICATION PROGRAM \(ALUCP\) MOU](#)

Logan Eberly reported The Alabama Unified Certification Program (ALUCP) is a certification process mandated by 49 Code of Federal Regulation (CFR) paragraph 26.81(g). The ALUCP's purpose is to ensure that a business' DBE certification is accepted at member agencies that receive United States Department of Transportation funds and have authorized Disadvantaged Business Enterprise Programs. The ALUPC is updating their program agreement through the Federal Highway Administration (FHWA) and as part of the process must have new agreements signed by the non-certifying members. The City of Foley has previously participated as a non-certifying partner. The ALUPC is requesting the City of Foley to sign a new agreement as a non-certifying partner as part of the FHWA requirements.

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

Enactment No: 23-1370-RES

[23-0569](#)

A Resolution Amending The Pay Classification Plan In General Government

Attachments: [Pay Classification Plan - Effective 09-05-23](#)

Human Resources Director Suzanne Kellams reported that due to a vacancy in the Revenue Division and to accommodate the division's current needs. There is a need to amend the Pay Classification Plan by eliminating the vacant position of Revenue Specialist I (Grade 110) and authorize the position of Revenue Clerk (Grade 90). The RS-I position will be needed in the future and we will come back to council at that time.

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: 23-1371-RES

Mayor's Comments

There were no comments to report.

Visitor Comments

Eugene Brieck, who resides in the Ethos Subdivision asked what the weed abatements are that were on the agenda. President Trawick reported most of the abatements pertain to overgrown grass and weeds and sometimes it involves storm debris that has not been cleaned up. The City follows Alabama State Law in the weed abatement process and it takes at least a month from beginning to end. President Trawick also reported if City forces cleans the property, a lien is placed on the property tax bill to recover the City's costs of the abatement.

Fire Chief Joey Darby reported he and Deputy Fire Chief Chad Brewer traveled to Minnesota to perform a final inspection on the new pumper truck that has been on order. He further reported it is very close to being complete and delivered.

Police Chief Thurston Bullock gave an update on the recent National Police K-9 competition. He reported there were 80 teams from regions across the United States that participated. These teams are deemed the best of the best within their regions then they came to Foley to compete on the National level. Team Foley took first place in several categories. Chief Bullock also reported the teams received a warm welcome from the public and some teams had their meals paid for by members of the public as they dined at the various Foley restaurants.

Adjournment

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

The meeting was adjourned at 4:47 pm.