



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, May 16, 2022

4:00 PM

Council Chambers

Work Session/Council Meeting

Call to Order

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

Roll Call

All Council Members were present with the exception of Charles Ebert, III, who was absent due to being out of town. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, Leslie Gahagan, David Wilson, Police Chief Thurston Bullock, Jeff Lee, David Thompson, Jeff Phillips, Fire Chief Joey Darby, Taylor Davis, Wayne Dyess, John Jackson, Brandon Mothershed, Suzanne Kellams, Angie Eckman, Tony Fuqua, Larry Dearing, Deborah Mixion, Forrest Mixion, Gary Schrader, Nicole Phillips, Pam Harris, Travis Smith, Brett Gaar, Chuck Lay, Brenda Shambo, Lisa Way, Frances Holk-Jones, Roddy Burkle, Phillip Hinesley, Dallas Wyatt, and Terry Burkle.

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

Moment of Reflection

Moment of reflection was observed.

Pledge of Allegiance

Presentation

[22-0272](#)

Proclamation: Building Safety Month

Attachments: [Building Safety Month](#)

Mayor Hellmich presented the Proclamation to City Inspector Chuck Lay and Fire Chief Joey Darby in observance of Building Safety Month. Mayor Hellmich reported to Council that the City of Foley ranks third in the nation for fortified building standards.

[22-0292](#)

Proclamation: Linda Koniar

Attachments: [Linda Koniar](#)

Mayor Hellmich presented the Proclamation to honor Linda Koniar for her many years of public service as a Board Member and Co Chairman for Art in the Park and cultural enrichment for the City of Foley.

Discussion Items

[22-0279](#)

Discussion of Mills Community Cleanup Day

Environmental Manager Leslie Gahagan reported to Council that on May 28, 2022 from 8:00 a.m. until 12:00 p.m. is the Mills Community cleanup day. Baldwin County will provide the dumpsters, Mobile Bay Estuary Program and Ecumenical Ministries along with Churches in the surrounding areas are participating during this clean up event. Mrs. Gahagan reported to Council that food and games will also be provided. Mrs. Gahagan also reported that she encourages the citizens of Foley to participate in this event.

Mrs. Gahagan also reported to Council that the National Estuary Program will be allocating funding from the Environmental Infrastructure Bill of \$250,000 for the city. The allocated funds will be utilized for drainage projects for the Beulah Heights and the Mills Communities. She further reported that she will present this as an agenda item when all of the information is available. There was no further discussion on the item.

[22-0289](#)

Discuss Partnership with Foley High School for Joint Use with High School Track and Practice Fields

Executive Director of Leisure Services David Thompson reported that he would like to establish a partnership with Foley High School to lease the property for youth football. Mr. Thompson reported that the youth football program has had to practice at the Cedar Street Baseball Fields. Mr. Thompson reported that he would like to look into having a 20 year lease with Foley High School, the city would own and maintain the track and practice fields. Mr. Thompson asked Council if he could move forward on this project. There was a consensus from Council to approve moving forward. There was no further discussion on this item.

Consent Agenda

[22-0296](#)

Work Session/Council Meeting Minutes of May 2, 2022

Attachments: [05-02-2022 Work Session. Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton, to approve the May 2, 2022 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

[22-0276](#)

Report of April, 2022, Approved and Paid Bills for the Record

Attachments: [2022-04 Approved & Paid Bills.Expense Approval Report](#)

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

[22-0293](#)

Departmental Reports

Attachments: [April 2022 Bid Awards](#)
 [Tax Report and Permit-Plan Review April 2022](#)
 [April 2022 CDD Report](#)
 [April 2022 PD Report](#)
 [April 2022 FD Report](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton, to approve Departmental Reports. The motion carried by an unanimous vote.

Additions/Removals/Carry-Overs

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton, to add item 22-0299 to the agenda. The motion was carried by an unanimous vote.

Ordinances

[22-0280](#)

(Second Reading) An Ordinance for Land Development and to Rescind Ordinances 371-86, No. 993-07, No. 1024-08, No. 15-1003, No. 17-2039 and 19-2023

Attachments: [371-86 ORD](#)
 [0993-07 ORD](#)
 [1024-08 ORD](#)
 [15-1003 ORD](#)
 [17-2039 ORD](#)
 [19-2023 ORD](#)
 [Proposed Land Development Ordinance](#)

Environmental Director Leslie Gahagan reported to Council that the this Ordinance would better assist and update land development standards. Mrs. Gahagan also reported that this item includes engineering, environmental, and fire code standards.

Mayor Hellmich reported that this ordinance would assist the recurring problems and this will streamline the responsibility for the developer and contractor.

A motion was made by Council Member Vera Quaites, seconded by Council Member Richard Dayton, to approve the first reading of this Ordinance. The motion carried by an unanimous vote.

[22-0294](#)

An Ordinance to Impose a Temporary Moratorium on Land Disturbance Permits

Environmental Manager Leslie Gahagan reported to Council this temporary moratorium will assist with the overflow of developers using the old guidelines and standards. She asked for a temporary moratorium be put in place on land disturbance permits until the new rules go into effect. There was no further discussion on this item.

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton to suspended the rules for the immediate adoption of this Ordinance. City Administrator Mike Thompson took the following roll call vote: Council Member Quaites, aye; Council Member Dayton, aye; Council President Trawick, aye; Council Member Blackwell, aye. The vote was unanimous to suspend the rules.

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

Enactment No: 22-2023-ORD

[22-0244](#)

(Second Reading) AN ORDINANCE APPROVING PETITION FOR ANNEXATION OF A RIGHT-OF-WAY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY KEYSTONE DEVELOPMENT

Attachments: [Owner Authorization](#)
 [Petition for Annexation](#)
 [Vacation Exhibits](#)
 [Warranty deed](#)

There was no discussion on this item.

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

Enactment No: 22-2022-ORD

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: 22-2022-ORD

Resolutions and Other Business

[22-0265](#)

A Resolution to declare outdated Software & IT assets as Surplus

Attachments: [Assets to Surplus-clean up](#)

IT Director Gary Schrader requested from Council to approve surplusng old and outdated software. 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: 22-1159-RES

[22-0268](#)

Resolution accepting Baskerville-Donovan's proposal for Professional Services

Attachments: [Baskerville-Donovan Proposal](#)
[Capital Purchase - Fern Ave Turn Lane](#)

Deputy Engineer Taylor Davis requested from Council to approve professional services. Mr. Davis reported to Council that the services would include analysis of traffic count, traffic timing, survey, and turning lanes design. There was no further discussion on 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: 22-1160-RES

[22-0270](#)

A Resolution Approving the Application for the Walmart Foundation Community Grant

Attachments: [Walmart grant 2022](#)

Foley Police Chief Thurston Bullock requested permission from Council to apply for this grant. Chief Bullock reported that this grant award is \$1,000 in honor of Police Week given by Walmart. There was no further 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: 22-1161-RES

[22-0274](#)

A Resolution Authorizing The Transfer of Personnel Funds From The Street Dept. to the Public Works Department.

Attachments: [Request to Transfer Departmental Budget Dollars - Street to PW 05-2022](#)

Human Resource Director Suzanne Kellams requested permission from Council to approve the transfer of funds. Mrs. Kellams reported that this item is budget neutral in the amount of \$5,000 for part time salaries.

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: 22-1162-RES

[22-0275](#)

A Resolution Authorizing New Head Count And An Amendment To The Pay Classification In the Police Department

Attachments: [Pay Classification Plan - Effective 05-02-22](#)

Human Resource Director Suzanne Kellams requested Council to approve the support positions of the Police Department. Mrs. Kellams reported to Council that the new non-sworn officers will assist with traffic control, school zones, dog kennel maintenance, jail support, courtroom security and other support services. Mrs. Kellams also reported that this item is budget neutral and the Police Department will make a request to Council for an increase in the capital account for the purchasing of four vehicles.

Police Chief Bullock reported to Council that these positions could create an opportunity for future Police Officers. Chief Bullock reported that this support staff would be equipped with a different uniform since these positions are not sworn officer positions and they do not have arresting capabilities.

Mayor Hellmich reported to Council that this would be an excellent opportunity for the City of Foley to provide this service within the Police Department. Chief Bullock reported that other municipalities are providing this same service. There was no further 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: 22-1163-RES

[22-0277](#)

A Resolution Approving Bid Award for Foley Pride Pocket Park Project

Attachments: [Bid Comparison Foley Pride Pocket Park](#)
 [Stuart Construction LLC Proposal Foley Pride Pocket Park](#)
 [Capital Project Worksheet - Foley Pride Pocket Park](#)
 [Donations - Foley Pride Pocket Park](#)

Project Director Jeff Phillips requested from Council to approve the bid award. Mr. Phillips reported that the City is using value engineering and also the donation from Foley Main Street of \$20,000. Mr. Phillips reported that he would like to move forward on this project.

Mayor Hellmich reported to Council that this park will be located near Foley Middle School and acknowledges the performing arts. Mayor Hellmich also reported to Council that this park will be an asset to the Foley Middle School and would like to move forward on this project. 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: 22-1164-RES

[22-0278](#)

A Resolution Approving Bid Award and Appropriations for Upgrades to

Centennial Fountain and the Rose Trail

Attachments: [Bid Comparison Downtown Improvements](#)
[Avery Bid Downtown Improvements](#)
[Capital Project Worksheet - Downtown Upgrades Centennial Fountain
Rose Trail Upgrades](#)

Project Director Jeff Phillips requested Council to approve the bid award and to move forward with the upgrades of this project. Mr. Phillips reported that this project bid award is at an excellent range considering the upgrades and the duration of this project.

Mayor Hellmich reported to Council that Jeff Phillips did an outstanding job. Mayor Hellmich also reported that this project will included upgrading the fountain and to refresh the surrounding areas. There was no further discussion on 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: 22-1165-RES

[22-0281](#)

A Resolution Approving a Project to Purchase, Install, and Configure new Server and Storage Infrastructure for the City's DataCenter.

Attachments: [Capital Project Worksheet with Wayne Trawick's Approved](#)
[Mike Thompson's Approval via email](#)
[Budget Transfer-Server Project](#)

IT Director Gary Schader requested approval from Council to purchase data servers. Mr. Schader reported to Council that this is a critical component of data server and storage infrastructure. Mr. Schader also reported that this item is budget neutral. There was no further discussion on 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: 22-1166-RES

[22-0282](#)

A Resolution Approving A Capital Purchase of AXON ICVS

Attachments: [AXON MASTER AGREEMENT](#)
[SIGNED AXON CAPITAL PURCHASE SHEET](#)
[2022 UPDATED AXON FLEET QUOTE](#)
[2022 AXON REQ TO INCREASE SHEET](#)
[EMAIL APPROVAL 2 FOR AXON](#)
[EMAIL APPROVAL FOR AXON](#)

Commander/Patrol Division Tony Fuqua requested Council to approve the purchase of car video systems. Mr. Fuqua requested an increase in the capital

purchase account due to the pricing increase and this item is to be installed in the new vehicles. There was no further discussion on this item.

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

Enactment No: 22-1167-RES

[22-0283](#)

A Resolution Authorizing Budget Dollar Transfers Between Departments And Amendment To The Pay Classification Plan

Attachments: [Budget Transfer Request Form - Muni Cplx to Nature Parks 05-2022\(2\)](#)
[Budget Transfer Request Form - Muni Cplx to Nature Parks 05-2022\(1\)](#)
[Pay Classification Plan - Effective 05-02-22](#)

Human Resource Director Suzanne Kellams requested from Council to approve the transfer of funds between two departments. Mrs. Kellams reported to Council that with the growth of the City, there is in need for a full time custodian for the Nature Park. Mrs. Kellams reported that the Municipal Complex has agreed to transfer one custodian to the Nature Park and this will require an amendment to pay plan and budget transfers. 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: 22-1168-RES

[22-0284](#)

A Resolution Awarding Bid for A New Jail Control System in the Jail Corrections Fund.

Attachments: [Budget Increase Request - Jail Control System](#)
[Capital Purchase - Jail Control System](#)

Police Lieutenant Larry Dearing requested from Council to accept the bid award for the jail control panel. Mr. Dearing reported to Council that the IT Department wanted a 10% contingency increase for this project, due to the cost increase and the contingency this item was over budgeted by \$51,008.35. Mr. Dearing asked if the general fund could appropriate the \$51,008.35 or temporarily cover the shortfall until it can be repaid. There was no further discussion on this item.

A motion was made by Council Member Vera Quaites, seconded by Council Member Richard Dayton, that this Resolution be adopted. A motion was made by Council Member Vera Quaites, seconded by Council Member Richard Dayton to amend the first motion to include the appropriation of funds from the general fund. The motion carried by an unanimous vote.

Enactment No: 22-1169-RES

[22-0285](#)

A Resolution to Purchase Vita Course Equipment for Nature Parks

Department

Attachments: [Outdoor Fitness Quote](#)
 [Exercise Equipment Quotes](#)
 [Capital Purchase Form.Vita Course](#)

Environmental Manager Leslie Gahagan requested Council to approve the purchase of outdoor exercise equipment. Mrs. Gahagan reported that this outdoor equipment would be located along the Memorial Trail with existing exercise equipment. There was no further 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: 22-1170-RES

[22-0287](#)

A Resolution Requesting Permission to Apply for the FY2022 Impact 100 Grant

Library Director John Jackson requested from Council permission to apply for the FY 2022 Impact 100 Grant. Mr. Jackson reported that if approved, this grant would allow the Library to purchase a van. He reported that the goal is to bring the Library to patrons that may not have the opportunity to visit the Library. Mr. Jackson reported that this would bring the world to their doorstep. 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: 22-1171-RES

[22-0288](#)

A Resolution Approving a Project to build two additional multipurpose fields at the highway 98 soccer complex..

Attachments: [MikeWayne Field Approval](#)
 [Additional Soccer Fields](#)
 [New Multipurpose Fields](#)

Executive Director of Leisure Services David Thompson requested Council to approve the expansion of the soccer fields for the Recreation Department. Mr. Thompson reported that soccer is the largest program and by having additional fields this would support the growth in the soccer program. Mr. Thompson reported that this item is budget neutral. There was no further discussion on 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: 22-1172-RES

[22-0290](#)

A Resolution Approving the Agreement Proposal for Professional

Services from Volkert for Foley School Zone Pedestrian Improvement Study

Attachments: [Volkert Agreement - School Zone Pedestrian Improvements Study](#)
[Capital Project Worksheet - Downtown Upgrades Centennial Fountain](#)
[Rose Trail Upgrades](#)

Deputy Engineer Taylor Davis requested from Council to approve professional services to improve school pedestrian zones. Mr. Davis reported to Council that this study will consist of markings, signage, lighting, pedestrian signals, pavement and existing crossing. Mr. Davis also reported that this study will include Foley Elementary, Foley Middle School and Mathis Elementary.

Mayor Hellmich reported to Council that the goal is to provide safe crossings at the schools and around the City. Mayor Hellmich also reported that this study is looking at all avenues for the safety of pedestrians. There was no further 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: 22-1173-RES

[22-0295](#)

A Resolution Amending The Pay Classification Plan In the Recreation Department

Attachments: [Pay Classification Plan - Effective 05-02-22](#)

Human Resource Director Suzanne Kellams requested from Council to approve the conversion of a position. Mrs. Kellams reported to Council to convert the position to properly assign job functions, Field Maintenance Worker I into Field Maintenance Worker II. Mrs. Kellams also reported that this item is budget neutral. 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: 22-1175-RES

[22-0298](#)

A Resolution Setting a Public Hearing to Consider Adopting a New Land Development Ordinance.

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: 22-1176-RES

[22-0291](#)

A Resolution Approving the Facade Grant for Hollis / Orange Blossom Square

Attachments: [Hollis Backup for Facade Grant.pdf](#)

There was no discussion on 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: 22-1174-RES

[22-0299](#)

A Resolution to Appropriate Funds for Post Office Roof Repair

Attachments: [Amerson Roofing Quote & Photos](#)

Municipal Complex Director Pam Harris requested Council to approve the appropriation for roof repairs for the Post Office. Mrs. Harris reported to Council that the Post Office roof is in need of repair. Mrs. Harris also reported that the many roof leaks has created significant damage and it causes disruptions during the day to day operations. There was no further 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: 22-1177-RES

Mayor's Comments

Mayor Ralph Hellmich wanted to thank everyone who was involved in the successful Balloon Festival. He thanked OWA for providing an excellent location.

Mayor Hellmich wanted to thank Council for moving forward on all of the infrastructure projects and wanted to thank the City staff for their diligent work.

Mayor Hellmich announce that Memorial Day will be observed on May 30, 2022. American Legion will be hosting an event at Max Griffin Park to honor our fallen service men and women on May 30, 2022.

Mayor Hellmich wanted to remind citizens that Saturday, May 28, 2022 is the Mills Community Cleanup Day. Council Member Rick Blackwell reported that he is working diligently to locate property to develop into a park for the Mills Community.

Mr. Blackwell also reported that while attending the Alabama League Of Municipalities, he received several compliments about the City of Foley and how positive of a role model Foley is for other cities.

Visitor Comments

Phillip Hinesley thanked Council for moving forward on the temporary moratorium for land disturbance. Mr. Hinesley also thanked Wayne Dyess, Leslie Gahagan, and Angie Eckman for their diligent work.

Frances Holk-Jones reported to Council that she wanted to remind everyone that May 24, 2022 is the Alabama Primary Election and to please go out and

vote.

Adjournment

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

The meeting adjourned at 5:21 p.m.