



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, June 5, 2023

4:00 PM

Council Chambers

Work Session/Council Meeting

Public Hearings

[23-0288](#)

Public Hearing To Consider Adopting An Ordinance to Amend Ordinance 18-2018 An Ordinance Permitting And Regulating The Operation Of Approved Golf Carts And Licensed Low Speed Vehicles On Certain Public Streets Within The City Of Foley Under Certain Rules And Regulations

Council President Pro Tempore Charles Ebert, III, open the Public Hearing at 4:00 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[23-0289](#)

Public Hearing To Consider Adopting An Ordinance To Set A Speed Limit Of 25 Miles Per Hour On Portions Of Oak Street And West Roosevelt Avenue

Council President Pro Tempore Charles Ebert, III, opened the Public Hearing at 4:01 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[23-0290](#)

Public Hearing To Consider Adopting An Ordinance Amending Ordinance No. 387-87 Pre-Zoning Property Owned By Turf Properties LLC To PID - Planned Industrial District.

Council President Pro Tempore Charles Ebert, III, opened the Public Hearing. He asked for comments from the public. Hearing no comments, he closed the public hearing.

Call to Order

Council President Pro Tempore Charles Ebert, III, called the meeting to order at 4:02 p.m.

Roll Call

All Council Members were present with the exception of Council President Wayne Trawick due to illness and Council Member Vera Quaites due to a death in the family. Also present: City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, Leslie Gahagan, Police Chief Thurston, Logan Eberly, Wayne Dyess, Angie Eckman, LeDonna Hinesley, Guy Busby, Darrell

Russell, Matthew Levine, David McGlothlin, Jeff Phillips, John Jackson, Sue Steigerwald, J H Risner, J Robertson, James Waterstrad, Darrelyn Dunmore, Jeff Lee, David Thompson, Lisa Yeater, Craig Hulsa, Roni Criswell, Miriam Boone, Brandon Mothershed, and Fire Chief Joey Darby.

Present: 3 - Rick Blackwell, Charles Ebert III and Richard Dayton

Absent: 2 - Wayne Trawick and Vera Quaites

Moment of Reflection

Pledge Of Allegiance

Work Session Discussions

Consent Agenda

[23-0294](#)

Work Session/Council Meeting Minutes of May 15, 2023

Attachments: [May 15, 2023 Work Session Council Meeting Minutes](#)

A motion was made by Council Member Richard Dayton, seconded by Council Member Rick Blackwell to approve the May 15, 2023 Work Session/Council Meeting Minutes. The motion was carried by an unanimous vote.

Additions/Removals/Carry-Overs

Ordinances

[23-0217](#)

(Second Reading) AN ORDINANCE AMENDING ORDINANCE 18-2018 AN ORDINANCE PERMITTING AND REGULATING THE OPERATION OF APPROVED GOLF CARTS AND LICENSED LOW SPEED VEHICLES ON CERTAIN PUBLIC STREETS WITHIN THE CITY OF FOLEY UNDER CERTAIN RULES AND REGULATIONS

Attachments: [18-2018 ORD](#)

There was no discussion on this item.

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

Enactment No: 23-2009-ORD

[23-0219](#)

(Second Reading) An Ordinance Setting a Speed Limit of 25 Miles Per Hour on Portions of Oak Street, Pine Street, and West Roosevelt Street

There was no discussion on this item.

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: 23-2010-ORD

[23-0252](#)

(Second Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87
PRE-ZONING PROPERTY
OWNED BY TURF PROPERTIES LLC TO PID - PLANNED
INDUSTRIAL DISTRICT

Attachments: [Recommendation Turf Properties.pdf](#)

There was no discussion on this item.

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: 23-2011-ORD

Resolutions and Other Business

[23-0286](#)

ABC License: 020 - Restaurant Retail Liquor, for COUS WE CAN LLC, applicant operating under the trade name Gussies located at 101 S. OWA BLVD. STE J Foley, Alabama 36535.

Attachments: [ABC Application-Gussies \(2\)](#)

Foley Police and Fire Departments made a recommendation to move forward with the license.

A motion was made by Council Member Richard Dayton, seconded by Council Member Rick Blackwell, to make the recommendation to the ABC Board to move forward with the license. The motion carried by an unanimous vote.

[23-0303](#)

ABC License: 020 - Restaurant Retail Liquor for Texas Roadhouse Holdings LLC, applicant operating under the trade name Texas Roadhouse located at 3311 S. McKenzie St. Foley, Alabama 36535.

Attachments: [ABC Application-Texas Roadhouse](#)

Foley Police and Fire Departments made a recommendation to move forward with the license.

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton, to make the recommendation to the ABC Board to move forward with the license. The motion was carried by an unanimous vote.

[23-0233](#)

A Resolution Requesting an Increase in Funds and Authorizing the Purchase of 3 Vehicles for Street Department.

Attachments: [Capital Purchase - 3 vehicles](#)
[increase in funds](#)

Public Works Director Darrell Russell reported to Council that due to the supply chain issues, he would like to purchase three vehicles of any automobile brand that is available. Mr. Russell also reported that depending on the automobile brand the typical repair service can be performed in his department, but some repair services may have to be done at the dealership. 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: 23-1192-RES

[23-0287](#)

A Resolution Memorializing Entering into a Training Reimbursement Agreement with Southwest Alabama Partnership for Training and Development (SWAPTE)

Attachments: [Alabama Workforce Stabilization Program - Award Letter](#)
[Budget Increase Form](#)

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: 23-1193-RES

[23-0295](#)

Resolution to Approve the Purchase of 2 Portable Message Board Signs for Street Department- Traffic Control.

Attachments: [Capital Purchase - Message Boards](#)
[K & K Systems Quote](#)

Public Works Director Darrell Russell reported to Council that this is a budget neutral item. 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: 23-1194-RES

[23-0296](#)

A Resolution to Reappoint Mike McGowin to the Museum Advisory Board.

Attachments: [Museum Archive Advisory Board](#)

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: 23-1195-RES

[23-0297](#)

A Resolution to Reappoint Robert Holiday to the Museum Advisory Board.

Attachments: [Museum Archive Advisory Board](#)

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: 23-1196-RES

[23-0298](#)

A Resolution to Reappoint Ralph G. Hellmich to the Public Facilities Cooperative District.

Attachments: [Public 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: 23-1197-RES

[23-0299](#)

A Resolution to Reappoint David J. Rauch to the Public Facilities Cooperative District.

Attachments: [Public Facilities Cooperative District](#)

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: 23-1198-RES

[23-0300](#)

A Resolution to Reappoint Billie Nardell to the Senior Center Advisory Board.

Attachments: [Senior Center-Billie Nardell](#)

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: 23-1199-RES

[23-0301](#)

A Resolution to Reappoint Julia Jones to the Library Advisory Board.

Attachments: [Library Advisory Board-Julia B. Jones](#)

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: 23-1200-RES

[23-0304](#)

A Resolution Accepting the Alabama Department of Environmental Management GOMESA Litter Trap Grant

Attachments: [Signed Grant Agreement ADEMLT-SA05](#)
 [Budget Adjustment](#)

Environmental Director Leslie Gahagan reported to Council that ADEM will install and maintain four litter traps, three of them are located on Bon Secour River headwaters and one is located on Wolf Creek. 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: 23-1201-RES

[23-0305](#)

A Resolution Accepting Costs for Weed Abatement at 621 East Walker Ave. and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [Property Abatement Cost Sheet-621 East Walker Ave.](#)

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: 23-1202-RES

[23-0306](#)

A Resolution Approving Change Order#1 for the Centennial Fountain Project

Attachments: [Budget Adjustment - Fountain](#)
 [Change Order Request 1 2023.05.23](#)

Project Director Jeff Phillips reported to Council that the original fountain pump was not operational and is now performing with a temporary pump. 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: 23-1203-RES

[23-0307](#)

A Resolution Authorizing BerryDunn to Develop a Strategic Plan for the City

Attachments: [Contract AL City of Foley Strategic Plan BD Signed](#)
[Budget Adjustment](#)

Executive Director of Infrastructure and Development Wayne Dyess reported to Council that this firm is working in conjunction with the Finance Department to define financial goals, and also to establish a decisive business plan for the City of Foley.

Mayor Hellmich reported to Council that in order to achieve the standards that are in place, the City was encourage by the financial organization to incorporate a strategic business plan. 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: 23-1204-RES

[23-0308](#)

A Resolution to Approve the Forestry Mowing of the Property Located at East Fern & North Cypress

Attachments: [Estimate E Fern North Cypress - Rodeo Arena Area \(#C-02-042123\)](#)
[Capital Project- Forestry Mowing](#)

Public Works Director Darrell Russell reported to Council that this is an unbudgeted project to clean up the property that is parallel to the Foley Horse Arena. 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: 23-1205-RES

[23-0309](#)

A Resolution To Waive Community Development Fees To Minimum For Redemption Church/Coastal Rehabilitation for Women

Attachments: [Redemption Church Letter](#)

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: 23-1206-RES

[23-0310](#)

A Resolution Setting A Public Hearing Declaring Weeds To Be A Public Nuisance At 2150 South McKenzie Street And Ordering Its Abatement

Attachments: [2150 South McKenzie Street](#)

Angie Eckman reported to Council that this property is the old Checkers Restaurant and they inquired about if the trees on the property were considered heritage trees. Mrs. Eckman reported to Council that the trees can be trimmed and she communicated this to the Checkers Corporation. Mrs. Eckman also reported that she inquired to Checkers about the grass exceeding 12" inches and that it needs to be cut or the abatement process will proceed. 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: 23-1207-RES

[23-0311](#)

A Resolution Setting A Public Hearing Declaring Weeds To Be A Public Nuisance At 209 West Roosevelt Avenue And Ordering Its Abatement

Attachments: [209 West Roosevelt](#)

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: 23-1208-RES

[23-0312](#)

A Resolution Memorializing Entering into a Training Reimbursement Agreement with Southwest Alabama Partnership for Training and Development (SWAPTE)

Attachments: [Alabama Workforce Stabilization Program - CDL Training and Certification Award](#)
[Budget Adjustment](#)

Logan Eberly reported to Council that the City has a second opportunity to provide CDL training and certification. 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: 23-1209-RES

[23-0313](#)

A Resolution Approving an Increase to the VISA Credit Card Limit and the Issuance of Five New Credit Cards

Attachments: [2023-05-26 Credit Card Limit Adjustments & Additions](#)

Finance Director Sue Steigerwald reported to Council that this item will

increase the City credit limit to accommodate the growth and assist with travel training expenses. 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: 23-1210-RES

[23-0314](#)

A Resolution to Approve use of Heritage Park for a Chocolate & Cheese Festival at Heritage Park hosted by Blooms 4 You, Inc./Lisa Yeater

Attachments: [Chocolate and Cheese Festival - Lisa Yeater](#)

Parks and Recreation Director Jeff Lee reported to Council that this successful third year event is planned for November 11, 2023. 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: 23-1211-RES

[23-0315](#)

A Resolution Approving Vesta911 Capital Project

Attachments: [Budget Increase Request](#)

Foley Police Chief Thurston Bullock reported to Council that this software is utilized by the Communications Dispatchers. Chief Bullock also reported that the software will allow the Foley Police Department to transfer calls between Baldwin County 911 and the surrounding agencies. 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: 23-1212-RES

[23-0316](#)

Resolution to Approve the Purchase of a Mini Ex Tamper and a Brush Cutter for Street Department- Construction.

Attachments: [City of Foley CVP16 4.11.23](#)
[Capital Purchase - Tamper](#)
[Capital Purchase - brush cutter](#)
[City of Foley Bradco Groundshark 4.11.23.doc](#)

Public Works Director Darrell Russell reported that this item is available and is budget neutral. 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: 23-1213-RES

[23-0318](#)

A Resolution Approving to Go to Bid and Purchase Loose Equipment for New Custom Fire Pumper for the Foley Fire Department

Fire Chief Joey Darby reported to Council that this is a budgeted item and will replace an older truck at Station One. Chief Darby also reported that the process in the supply chain has a positive outcome for loose 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: 23-1214-RES

[23-0319](#)

A Resolution Approving the 9th Ave at Cedar St Sidewalk Project

Attachments: [James Bros](#)
 [Capital Project- sidewalks](#)

Public Works Director Darrell Russell reported to Council that two sidewalks near the retention pond are in need of attention due to the location being adjacent to Mathis Elementary. There is 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: 23-1215-RES

[23-0320](#)

A Resolution Approving Updates to the Credit Card Policy

Attachments: [2023-05-26 redline-Credit Card Usage Policy](#)
 [2023-05-26 revised Credit Card Usage Policy](#)

Finance Director Sue Steigerwald reported to Council that this is a revision of the credit card usage policy.

City Administrator Mike Thompson reported to Council that every January the Directors and Council would modified the policy if adjustments need to be made. There was no further discussion on this item.

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

Enactment No: 23-1216-RES

[23-0321](#)

Acceptance and Use of Friends of the Library Donation.

Library Director John Jackson reported to Council that this donation will be utilized for the 2023 Summer Reading Program.

Mayor Hellmich reported to Council that the kick off for this event was excellent and the children enjoyed this special occasion. 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: 23-1217-RES

[23-0322](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AT 407 CEDAR COURT AND ORDERING ITS ABATEMENT

Attachments: [407 Cedar Court Weed Abatement](#)

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: 23-1218-RES

[23-0324](#)

Historic Commission CAMP training event serving a public purpose

City Planner Miriam Boone reported to Council that this item would be utilized to purchase lunch and snacks items for the CAMP training event. 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: 23-1219-RES

[23-0325](#)

A Resolution to Increase Funds in Nature Parks Department Operating Account

Attachments: [Budget Increase Request Form.2023. Timber Funds](#)

Environmental Director Leslie Gahagan reported to Council that the funds will be allocated from the sale of timber that was cleared off of the Graham Creek property. Mrs. Gahagan reported that the funds will be utilized to clean up debris and minor damage to the disc golf pads and throughout the property. There was no further discussion on this item.

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

Enactment No: 23-1220-RES

Mayor's Comments

Mayor Hellmich reported to Council that the trip to Germany for the Sister Cities Program was productive and educational. He also reported that Germany will visit Foley in the Fall of 2024. Mayor Hellmich reported that he is appreciative for the support of the Sister Cities Program.

Mayor Hellmich reported that it was a great day for the opening event of the Library Summer Reading Program. He also reported that everyone enjoyed all of the activities and the beautiful weather.

Mayor Hellmich reported the bid process for the Foley Beach Express is moving forward, and this project should begin in August or September. He also reported that the City is moving forward with several road projects. Mayor Hellmich reported that the Public Works facility is also moving forward and the plans are available for the public to view.

Visitor Comments

There were no visitor comments to report.

Adjournment

A motion was made by Council Member Richard Dayton, seconded by Council Member Rick Blackwell, to adjourn the meeting.

The meeting was adjourned at 4:57 p.m.