



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, August 15, 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. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, David Thompson, Jeff Phillips, Wayne Dyess, Angie Eckman, Jeff Lee, Police Chief Thurston Bullock, Fire Chief Joey Darby, LaDonna Hinesley, David P. Thompson, Daniel Thompson, Gary Schrader, Zak Robertson, Judy Melvin, Belinda Johnson, Roddy Burkle, Leslie Gahagan, Joe Aldrete, Logan Eberly, Ursula Thompson, Chad Brewer, Pam Harris, Sara Harkins, Dave Downing, Brandon Mothershed and Darrell Russell.

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

Moment of Reflection

Pledge of Allegiance

Presentation

[22-0473](#)

Proclamation: Sara Thompson

Attachments: [Proclamation \(2\)](#)

Mayor Hellmich presented the Proclamation to the Thompson Family to honor Sara Alise Martin Thompson, for her many years of devotion to her community, family, teaching, and to her church. Mayor Hellmich reported that he would like to extend his condolences to the Thompson Family. Mayor Hellmich also reported that Mrs. Thompson was an exceptional lady and she will be greatly missed in the Foley Community.

Consent Agenda

This was approved

[22-0450](#)

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

Attachments: [2022-07 Approved & Paid Bills.Expense Approval Report](#)

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

[22-0474](#)

Departmental Reports

Attachments: [July 2022 Bid Awards](#)
 [Grant Status Report July 2022](#)
 [Tax Report and Permit-Plan Review Aug 2022](#)
 [July 2022 CDD Report for Council 3](#)
 [July 2022 PD Report](#)
 [July 2022 FD Report](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, to approve the Departmental Reports. The motion carried by unanimous vote.

[22-0481](#)

Work Session/Council Meeting Minutes of August 1, 2022.

Attachments: [8-1-2022 WS.Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, to approve the August 1, 2022 Work Session/Council Meeting Minutes. 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 item 22-0489 to the Council Meeting. The motion was carried by an unanimous vote.

Ordinances

Resolutions and Other Business

[22-0415](#)

A Resolution Approving North Alston Street LED Lights

Attachments: [Riviera Lighting Diagram](#)

Project Director Jeff Phillips reported to Council that the Engineering Department replaced six street lights with five Cobra head style LED street lights which will reduce the monthly bill by \$36.00. 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: 22-1264-RES

[22-0432](#)

A RESOLUTION AUTHORIZING CERTAIN AMENDMENTS TO THE TAX ABATEMENT AGREEMENT DATED JULY 5, 2016, AS AMENDED, BY THE CITY OF FOLEY, ALABAMA AND FOLEY HOLDINGS LLC

Attachments: [Foley Holdings 2022. Proceedings of Council to Approve Amendments \(06520030x80C68\)](#)
[Foley Holdings 2022. General Amendment of Tax Abatement Agreement \(06519433x80C68\)](#)
[Foley Holdings 2022. IRH Foley Amendment of Tax Abatement Agreement \(06519429x80C68\) \(2\)](#)
[2016 Abatement Amendment \(06519455x80C68\)](#)
[2017 Abatement Amendment \(06519456x80C68\)](#)
[2019 Abatement Amendment \(06519458x80C68\)](#)

City Administrator Mike Thompson reported to Council that this item is a tax abatement agreement for tourist destination. This tax abatement agreement has occurred in phases since 2016 and the city is adding another phase to this agreement. Mr. Thompson reported that the newest phase to this agreement is the J One Dormitory in which this facility will house students that will be employed with this tourist destination.

Mr. Thompson reported to Council that this resolution will identify the amendment for the IRH Foley which is its own entity that will build the J1 dormitory. Mr. Thompson also reported that the next part of this agreement is the general amendment which this creates the ten year abatement and lastly, because of amendments over the years, it will restate this agreement. 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: 22-1265-RES

[22-0433](#)

A Resolution Approving the South Baldwin Chamber of Commerce's Chicago Street Supper Club Request

Attachments: [Special Event License-Chicago St. Supper Club](#)

There was no discussion on this item.

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: 22-1266-RES

[22-0444](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS

TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT 305
SOUTH ALSTON STREET

Attachments: [305 S. Alston Weed Abatement](#)

There was 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: 22-1267-RES

[22-0445](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS
TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT
407 WEST MYRTLE AVE.

Attachments: [407 W. Myrtle Weed Abatement](#)

There was 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: 22-1268-RES

[22-0449](#)

A Resolution Amending The Pay Classification Plan In The Public Works
And Street Departments

Attachments: [Pay Classification Plan - Effective 08-01-22](#)

Public Works Director Darrell Russell reported to Council that this is a budget neutral and a house keeping 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: 22-1269-RES

[22-0451](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS
TO BE A PUBLIC NUISANCE AT WOERNER LOT 3 RE-SUBDIVISION
OF LOT 1 LOCATED ON SOUTH MCKENZIE STREET AND
ORDERING ITS ABATEMENT

Attachments: [Woerner Lot 3 re-subdivision of lot 1](#)

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: 22-1270-RES

[22-0453](#)

A Resolution to Approve Additional Application Costs Related to COVID-19 HMGP Grant Project

Attachments: [Foley Fire Station 1 HMGP Amendment 1](#)
 [Budget Increase - HMGP](#)

Logan Eberly reported to Council that the consulting firm is asking to increase the cost by \$5,000 for this project due to additional HMGP application assistance. There was 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: 22-1271-RES

[22-0456](#)

A Resolution Approving Entering into an Agreement with the Alabama Department of Corrections, Loxley C. W. C, for Inmate Labor

Attachments: [20220804150216190](#)

Public Works Director Darrell Russell reported to Council that this item is to utilize additional laborers for basic labor needs. Mr. Russell also reported that this service has been utilized by other municipalities. 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: 22-1272-RES

[22-0457](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT 210 NORTH BEECH STREET

Attachments: [210 N Beech Street](#)

There was no discussion on this item.

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: 22-1273-RES

[22-0458](#)

A Resolution Approving the Transfer of Funds Between Categories for the Foley Fire Department

Attachments: [City of Foley Mail - Budget transfer request.pdf](#)
 [22-0458 Transfer Sheet](#)

Foley Fire Chief Joey Darby reported to Council the need for the vehicle maintenance and communications account transfer to cover repairs to the fleet

and to purchase headsets for the pumpers. There was no further discussion on this item.

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: 22-1274-RES

[22-0459](#)

A Resolution to Accept and Use Unbudgeted Donation issued to the City of Foley from Glenlakes Golf Club, Inc. for the Walking Path at Glenlakes

Project Director Jeff Phillips asked Council to accept and use the donation for a walking path at Glen Lakes. Mr. Phillips reported that this path was destroyed during Hurricane Sally. 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: 22-1275-RES

[22-0462](#)

A Resolution to Appoint Anthony Dobson to the Graham Nature Preserve Board

Attachments: [Anthony Dobson Appointment Letter & Board List](#)

There was no 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: 22-1276-RES

[22-0463](#)

A Resolution to Approve the Re-subdivision of the Wilson Pecan Property, a Land Swap Between the PFCD and the City of Foley and the Transfer of Property to the PFCD

Attachments: [Wilson Pecan Plat Map](#)

City Administrator Mike Thompson reported to Council that to be able to sell the Moe's property the City had to sub divide the parcels of property. Mr. Thompson also reported that this will clean up some of the property lines and this item also addresses the right of ways along the road ways. 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: 22-1277-RES

[22-0465](#)

A Resolution to Accept a Real Property Transfer from the Public Facilities Cooperative District

Attachments: [Lot 8 Wilson-Pecan Property Map](#)

City Administrator Mike Thompson reported to Council that this item is the 2.19 acres that the PFCD Board approved to transfer to the City of Foley. 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: 22-1278-RES

[22-0466](#)

A Resolution to Approve a One-Time Payment of Support to the Dream Center of Baldwin County

Mayor Hellmich reported to Council that he supports the allocation of funds to the Dream Center. Mayor Hellmich also reported if other entities donate, the City of Foley would match it up to \$10,000.00. There was no further discussion on this item.

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: 22-1279-RES

[22-0467](#)

A Resolution to Approve the Closure of Streets in Downtown Foley for Hometown Halloween on Oct. 27, 2022.

Marketing Director LaDonna Hinesley reported to Council that this item pertains to closing roads at 5:15 p.m.-8:30 p.m. for West Laurel, Alston, and Orange Ave. 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: 22-1280-RES

[22-0468](#)

A Resolution Approving A One Day Members Only Pop Up Local Arts And Crafts Show

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: 22-1281-RES

[22-0469](#)

A Resolution Approving the Purchase of two Floodwater Rescue Boats & Other Rescue Equipment for the Foley Fire Department

Attachments: [Capital Purchase - Capital Project Worksheet - 2022 boat.xlsx](#)
[Southern Mud](#)
[Fire-Budget Transfer Request](#)

Foley Fire Chief Joey Darby asked Council to approve the transfer of \$6,000.00 from capital account to the equipment account. Chief Darby reported to Council that this item would assist with water rescue. There was no further discussion 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: 22-1282-RES

[22-0471](#)

A Resolution Approving the City of Foley Fiber System Expansion to Connect with the Aaronville Pool and Coastal Alabama Farmers and Fishermen's Market

IT Director Gary Schrader reported to Council that this item would extend the city owned fiber network and eliminate the need for the current internet circuit. 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: 22-1283-RES

[22-0472](#)

A RESOLUTION IN SUPPORT OF SOUTH BALDWIN REGIONAL WORKFORCE DEVELOPMENT AUTHORITY'S WORK TO CREATE, SUPPORT AND FACILITATE THE DEVELOPMENT OF A WORKFORCE TRAINING CAMPUS LOCATED IN THE CITY OF FOLEY

Attachments: [2022.08.09 \(A&R\) - PROJECT AGREEMENT - Foley - SBRWDA](#)

City Administrator Mike Thompson reported to Council that this item is a Resolution of Support that does not require any funding for this project. Mr. Thompson reported that the Chamber of Commerce has other financiers for the South Baldwin Regional Workforce Development Authority. 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: 22-1284-RES

[22-0475](#)

A Resolution Approving the Sponsorship for the Peace Lutheran Church's "Flags of Peace"

Attachments: [Peace Lutheran Church - 911 Flags of Peace Sponsorship](#)

Julie Melvin representing Peace Lutheran Church reported to Council that the "Flags of Peace" event is to memorialize September 11th and First Responders. Mrs. Melvin also reported that the U.S. Marines have partnered with Peace Lutheran Church, this event will benefit local school uniforms program and First Responder organizations.

Marketing Director LaDonna Hinesley suggested to Council to consider the purchase of ten flags for \$350.00. 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: 22-1285-RES

[22-0476](#)

A Resolution to Set a Public Hearing to Consider Passage of an Ordinance Prohibiting Camping in Certain Public Places

There was no discussion on this item.

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: 22-1286-RES

[22-0489](#)

A Resolution To Rescind Resolution 22-1207 A Resolution Authorizing And Confirming An Appropriation By The City Of Foley To The South Baldwin Regional Workforce Development Authority To Support Planning Efforts For The Development Of The South Baldwin Workforce Development Campus In An Amount Not To Exceed \$100,000.00.

Attachments: [22-1207 RES](#)

There was no 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: 22-1287-RES

Mayor's Comments

Mayor Ralph Hellmich thanked Council for the County Road 12 project, this clean out project was successful with no flooding during the two inches of rain that occurred on Sunday. Mayor Hellmich reported that the Engineering Department is working in conjunction with the beaver trapper to better assist in resolving the problems with the beavers.

Mayor Hellmich and Council Member Richard Dayton thanked everyone that attended the CBGER FEMMA Grant Meeting. Mayor Hellmich reported that this meeting consisted of different categories of qualifications. Council Member Dayton reported that he was extremely pleased how positive our city staff

represented Foley with how this grant would be utilized and beneficial for the City of Foley.

Visitor Comments

Pastor Joe thanked City Council for the support of the Dream Center.

Executive Session

City Administrator Mike Thompson reported the need to go into executive session to discuss certain aspects of two possible real estate sale transactions it is considering. Mr. Thompson reported the executive session will take approximately 40 minutes and Council will be coming back to vote.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaites to go into executive session.

Mr. Thompson took the following roll call vote: Council Member Quaites, aye; Council Member Dayton, aye; Council President Trawick, aye; Council Member Blackwell, aye; and Council Member Ebert, III, aye. The vote was unanimous to go into executive session.

The Council Meeting recessed at 4:56 p.m.

The Council Meeting reconvened at 5:47 p.m.

All Council Members were presented. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk, Katy Taylor, and Fay Krehling.

There was no further business to conduct.

[22-0486](#)

(Second Reading) An Ordinance Declaring Certain Real Property Surplus and No Longer Needed for Municipal Purposes and Authorizing the Mayor to Sign a Purchase Agreement

There was no discussion on this item.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, that this Ordinance be approved on the first reading. The motion carried by an unanimous vote.

Enactment No: 22-2037 ORD

[22-0487](#)

A Resolution to Set Public Hearing to Consider the Passage of an Ordinance Declaring Certain Real Property Surplus and No Longer Needed for Municipal Purposes and Authorizing the Mayor to Sign a Purchase Agreement

There was no discussion on this item.

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: 22-1288-RES

Adjournment

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton to adjourn the meeting.

The meeting was adjourned at 5:49 p.m.