



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, November 1, 2021

4:00 PM

Council Chambers

Work Session/Council Meeting

Public Hearing

[21-0649](#)

Public Hearing To Consider Approving An Ordinance Amending The Zoning Ordinance For Portable Billboards

Council President Wayne Trawick opened the Public Hearing at 4:00p.m. He asked for comments from the public. Hearing no comments, he closed the Public Hearing.

[21-0650](#)

Public Hearing To Consider Planning Commission's Recommendation To Adopt An Ordinance Approving The Rezoning Of Property Owned By Janet Smith From B-1A (Extended Business District) And R-4 (Residential Single Family & Duplex) To RV Park

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.

[21-0651](#)

Public Hearing To Consider Adopting An Ordinance Approving The Petition For Annexation For Property Owned By Pamela And Anneas Moses Jr.

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

[21-0652](#)

Public Hearing To Consider Adopting An Ordinance Approving The Petition For Annexation For Property Owned By Wachter Family.

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.

Call to Order

Council President Trawick called the meeting to order at 4:02 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, Pam Harris, Leslie Gahagan, Angie Eckman, John Jackson, LaDonna Hinesley, Logan Eberly, Rachel Keith, Suzanne Kellams, Chad Christian, David Thompson, Miriam Boone, Joey Darby, Dan Sellers, Thurston Bullock, Ginny Barnes, Joe Aldete, Donna Watts, and Linda Spangrud.

Present: 4 - President Wayne Trawick, Council Member Vera Quaites, Council Member Vera Quaites and President Wayne Trawick

Moment of Silence

A moment of silence was observed.

Pledge of Allegiance

Discussion Items

[21-0662](#)

Discuss Foley Housing Authority Board Vacancy

Mayor Ralph Hellmich reported that the Foley Authority Board is looking to fill a current vacancy. Mayor Hellmich also reported that the Authority Board has a multi- million dollar project in the near future that will take multiple years to complete. City Clerk Katy Taylor stated that she will email Council Member Vera Quaites a recommendation list. There was no further discussion on this item.

[21-0641](#)

A Resolution to Appropriate Funds to the Miracle League of Coastal Alabama

Attachments: [ML Flyer Revised](#)

Ginny Barnes with Miracle League of Coastal Alabama reported to Council how beneficial this project is for Baldwin County. Ms. Barnes reported that the town of Summerdale donated the property, will maintain the fields, and will also be responsible for keeping the complex and fields insured. Ms. Barnes stated that cities and towns around Baldwin County have donated to the Miracle League and that the playground equipment is complete. Ms. Barnes explained that surfacing, fencing, restrooms, and the pavilion are the next part of this project and that the league needs \$200,000. Ms. Barnes informed Council that the Miracle League is accepting donations and their goal is to have the project completed in 2 years. There was no further discussion on this item.

[21-0646](#)

A Resolution Approving the City of Foley Joining the Sister Cities International Program

Attachments: [Sister Cities APP](#)
[Sister Cities How to Build 10 21](#)
[Budget Increase Capital Projects \(Sister Cities\)](#)

John Jackson reported that the Foley Library is working with Linda Spangrud from Sister Cities International Program. Mr. Jackson stated that Sister Cities links other cities internationally for cultural exchange. Mayor Ralph Hellmich recommended a establishing a committee in the near future. Mayor Hellmich stated having Foley High School involved would be beneficial. 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: 21-1429-RES

Consent Agenda

[21-0671](#)

Work Session/Council Meeting Minutes of October 18, 2021.

Attachments: [10-18-2021 WS Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert III, seconded by Council Member Rick Blackwell, to approve the October 18, 2021 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

[21-0655](#)

Public Projects Recommendation from Planning Commission

Attachments: [recommendation public project](#)
 [Public Projects.pdf](#)

A motion was made by Council Member Charles Ebert III, seconded by Council Member Rick Blackwell, to approve the Public Projects Recommendation from Planning Commission. The motion carried by an unanimous vote.

There was no discussion on this item.

Additions/Removals/Carry-overs

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to add item 21-0646 to the agenda, and to remove item 21-0643 from the agenda. The motion carried by an unanimous vote.

Ordinances

[21-0591](#)

An Ordinance Amending Zoning Ordinance - Portable Billboard

Attachments: [Recommendation_Backup for Council.pdf](#)

Miriam Boone reported that this item has gone before the Planning Commission several times. Mrs. Boone stated that this is an electronic billboard for special events that is placed on the back of a non-mobile truck. Mrs. Boone also stated that the billboard would be very limited on its location and length of stay. 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 Ordinance be adopted. The motion carried by an unanimous vote.

Enactment No: 21-2031-ORD

[21-0597](#)

AN ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY JANET SMITH FROM B1A & R4 TO RV PARK

Attachments: [Janet Smith-Providence Recommendation.pdf](#)

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 Ordinance be adopted. The motion carried by an unanimous vote.

Enactment No: 21-2032-ORD

[21-0600](#)

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY PAMELA MOSES AND ANNEAS MOSES JR.

Attachments: [Moses Annexation](#)
 [Annexation Report for Mayor and Council Moses Wachter](#)
 [Moses Valuation](#)

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 adopted. The motion carried by an unanimous vote.

Enactment No: 21-2033-ORD

[21-0601](#)

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY WACHTER FAMILY

Attachments: [Wachter Family Annexation](#)
 [Annexation Report for Mayor and Council Moses Wachter](#)
 [Wachter Valuation](#)

There was no discussion on this item.

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

Enactment No: 21-2034-ORD

[21-0611](#)

AN ORDINANCE DECLARING CERTAIN REAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING

THE CONVEYANCE OF SAME TO THE SOUTH BALDWIN CHAMBER OF COMMERCE

Attachments: [Foley deed to Chamber for Engineering Building \(2\)](#)

City Administrator Mike Thompson reported to Council that this ordinance will allow The South Baldwin Chamber of Commerce to use the building once used by the Engineering Department as their new permanent location. 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 Ordinance be adopted on the second reading. The motion carried by the following roll call vote: Council Member Dayton, aye; Council Member Quaites, aye; President Trawick, aye; Council Member Blackwell, aye; and Council Member Ebert, III, abstained.

Aye: 5 - Trawick, Quaites, Dayton, Blackwell and Trawick

Abstain: 1 - Ebert III

Enactment No: 21-2035-ORD

[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](#)

There was no discussion on this item.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, that this Ordinance be approved on the first reading. 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](#)

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 approved on the first reading. The motion carried by an unanimous vote.

Enactment No: 21-2037-ORD

Resolutions and Other Business

[21-0633](#)

A Resolution Approving County Road 12 at Wolf Bay Drive Intersection Improvements

Attachments: [CP Worksheet CR 12 WBD](#)
 [EDG Proposal CR12 WB](#)

City Engineer Chad Christian reported to Council that this will fund the survey and the in house design for County Road 12 at Wolf Creek Drive Intersection. Mayor Ralph Hellmich reported that the improvements may help with speeding and create a safer intersection. 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 the following roll call vote: Council Member Blackwell, aye; Council Member Dayton, aye; Council Member Quaites, aye; President Trawick, aye and Council Member Ebert,III, abstained.

Aye: 4 - Trawick, Quaites, Dayton and Blackwell

Abstain: 1 - Ebert III

Enactment No: 21-1410-RES

[21-0635](#)

A Resolution to Approve entering into the FBI's Mobile Safe Street's Task Force (MSSTF) overtime reimbursement agreement for FY 2022.

Attachments: [MOU SSTF](#)

Logan Eberly reported to Council that this agreement will grant the Police Department reimbursement from the FBI for overtime. 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: 21-1411-RES

[21-0636](#)

A Resolution Authorizing the Mayor to Negotiate a Lease Agreement for Engineering Department

Attachments: [Lease from Alabama Credit Union](#)

City Engineer Chad Christian reported to Council that the Engineering Department has acquired office space in downtown Foley. Mr. Christian stated that the office property is 3,200 square feet and is positive about the new location. Mr. Christian also stated that he will need movers and has notified the IT Department for their services. Council Member Ebert stated that the office space is not to exceed \$34,000 annually, plus utilities and janitorial services. 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: 21-1412-RES

[21-0639](#)

A Resolution to accept (BJA) Bulletproof Vest Partnership (BVP) Grant

Award for the FY 2021

Attachments: [BVP FY 2021 Award email](#)

Logan Eberly reported to Council that the Police Department was awarded a \$5,107.50 grant with a 100% match. Mrs. Eberly stated that this is in the FY22 budget. 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: 21-1413-RES

[21-0643](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT THE SOUTHWEST CORNER CYPRESS ST AND LAUREL AVE

Attachments: [Corner of Cypress and CR 98 Grass complaint](#)

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

Enactment No: 21-1414-RES

[21-0645](#)

A Resolution to Approve the Purchase of Time Clocks using ARPA Funds

Attachments: [Mike's List Copy of ARP funds use proposal](#)

Human Resources Director Suzanne Kellams reported to Council that the City's current time clocks will be inaccessible in the near future. Mrs. Kellams stated that new time clocks will scan the iris. City Administrator Mike Thompson reported that this will reduce the spread of sickness. 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: 21-1415-RES

[21-0647](#)

A Resolution Approving the Application to Firehouse Subs Public Safety Foundation Grant

Attachments: [Firehouse Grants Application FAQ](#)

Logan Eberly reported to Council that this grant will supply the Police Department with 23 AEDs for their vehicles. Mrs. Eberly stated that the grant is for \$20k with no match. 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 the following roll call vote: Council Member Quaites, aye; Council Member Dayton, aye; President Trawick, aye; Council Member Blackwell, aye; and

Council Member Ebert, III, nay.

Aye: 4 - Trawick, Quaites, Dayton and Blackwell

Nay: 1 - Ebert III

Enactment No: 21-1416-RES

[21-0656](#)

A Resolution to Increase Budget and Move Forward with New Civic Center Door Lock Purchase

Attachments: [Budget Increase Form](#)
 [Aaron's Lock Estimate](#)
 [Purchase Order](#)

Pam Harris reported to Council that the budget needs to be amended to reflect the delay of purchase for locks for the Civic Center. 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: 21-1417-RES

[21-0657](#)

A Resolution to Waive the Fees for the Foley Civic Center

Pam Harris reported to Council that she is asking for the Civic Center fees to be waived for the Thanksgiving Day Dinner. Pastor Joe Aldete reported that this event served 400 Thanksgiving meals last year. 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: 21-1418-RES

[21-0659](#)

A Resolution Amending The Pay Classification Plan And Authorizing The Transfer Of Funds For Job Analysis In The Street Department

Attachments: [Pay Classification Plan - Effective 10-18-2021](#)
 [JOB ANALYSIS SUMMARY - EQUIPMENT OPERATOR](#)
 [I-CONSTRUCTION MAINTENANCE](#)

Human Resources Director Suzanne Kellams reported to Council that Operator I in the Street Department is budgeted to move from a Grade 60 position to a Grade 70 position. There was no further 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: 21-1419-RES

[21-0660](#)

A Resolution to Set a Public Hearing to Consider the Passage of an Ordinance to Approve the Rezoning of Property Owned by Richard Lord Jr. from B-3 (Local Business District) to Recreational Vehicle (RV) Park District

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: 21-1420-RES

[21-0661](#)

A Resolution to Set a Public Hearing to Consider the Passage of an Ordinance to Approve the Rezoning of Property Owned by R.W. & Dolores Teem from AO (Agricultural Open Space) and R-1D (Residential Single Family) to TH-1 (Residential Townhouse)

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: 21-1421-RES

[21-0663](#)

Resolution transferring funds from Capital Projects to Capital Purchase Account and appropriating funds for the purchase of portable volleyball net system for the Foley Event Center.

Attachments: [Budget Transfer Approval](#)
 [Capital Approval Volleyball Net System](#)

Recreation Director David Thompson reported to Council that the purchase of the portable volleyball net system was transferred into the Capital Projects Account. Mr. Thompson is asking Council for the funds to be transferred into the Capital Purchase Account. 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: 21-1422-RES

[21-0664](#)

A Resolution Approving the Sponsorship for the Mobile Bay National Estuary Program's 2021 Annual Breakfast Meeting

Attachments: [Mobile Bay National Estuary Program](#)

Mayor Ralph Hellmich reported to Council that the Mobile Bay National Estuary Program is having their annual breakfast meeting and is encouraging Council to attend. Mayor Hellmich stated that there will be a speaker at the event and it is planned in early December. 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: 21-1423-RES

[21-0665](#)

A Resolution Waiving Fees for the Use of Heritage Park and Pavilion for Foley High School Band's Christmas Concert

Attachments: [Foley High School Band Christmas Concert](#)

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: 21-1424-RES

[21-0666](#)

A Resolution Approving the Outdoor Classroom Improvements Capital Project

Attachments: [Capital Project for Outdoor Classroom Improvements.2022](#)

Environmental Director Leslie Gahagan reported to Council that the Haunted Forest was a huge success this year and is on its 7th year. 50% of attendees were local residents and 2,000 people attended over six nights. Mrs. Gahagan stated that her department was budgeted for \$10,000 and made \$35,000 during the Haunted Forest season. Mrs. Gahagan also reported that the Graham Creek Classroom was built in 2012 and is in need of improvements. There was no further discussion on this item.

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: 21-1425-RES

[21-0667](#)

A Resolution Accepting Costs for Weed Abatement at 210 North Beech St. and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [210 N. Beech St.](#)

There was no 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: 21-1426-RES

[21-0668](#)

A Resolution Accepting Costs for Weed Abatement at 409 East Myrtle Ave. and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [409 E. Myrtle Ave.](#)

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: 21-1427-RES

[21-0669](#)

A Resolution Approving to go to Bid and Purchase a Full-size 4WD Crew Cab Hybrid Pickup for the Foley Fire Department

Attachments: [Capital Purchase - Capital Project Worksheet - 2022 crew cab pickup.xlsx](#)

Fire Chief Joey Darby reported to Council that he would like to move forward on the purchase of a full size 4WD Crew Cab Hybrid Pickup Truck. Chief Darby stated that the estimated delivery time is six months and that it has a 7.2 generator that will be beneficial to the Department. Chief Darby also stated that this purchase is budgeted for \$50,000. 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: 21-1428-RES

Mayor's Comments

Mayor Ralph Hellmich announced that the Christmas Parade is on schedule for December 4, 2021. Mayor Hellmich also announced that the Veteran's Day Parade is November 11, 2021. Mayor Hellmich thanked the Council for the First Responder's Day Event in Heritage Park, several cities and Baldwin County Sheriff's Department attended the event. Mayor Hellmich also thanked South Baldwin Chamber for the decision of moving to down town Foley.

Visitor Comments

Donna Watts from South Baldwin Chambers thanked the Council and The City of Foley for their new building. Mrs. Watts also stated that she is excited to call downtown Foley home for The Chamber.

Fire Chief Joey Darby stated that Fire Station 3 has had condensation issues. Station 3 will be under repair for 3 to 4 days, during that time Station 3 will be working out of Station 2. Chief Darby also stated that the local residents will be notified.

Adjournment

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

The meeting was adjourned at 5:07 p.m.