



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, November 16, 2020

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, Wynter Metz, Mike Dasinger, Joey Darby, Kevin Carnley, Chad Christian, Miriam Boone, Sue Steigerwald, Nancy Eiland, Rex Davis, Lana Mumman, Marina Simpson, Leslie Gahagan, Robin Fitzpatrick, David Vosloh, Suzanne Kellams, Christine Wilson, Jamie Smith, Anita Allen, Darrelyn Dunmore, Logan Eberly, Kathy Swearingen, Milvaline Thompson, Chad Brewer, Shellie Ronan, Mike Morrison, Tim Eiland, Rachel Keith, Lorenzo and Shirley Johnson and press representative Jessica Vaughan.

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

Pledge of Allegiance

Swearing In Ceremony

[20-0562](#)

Oath of Office - Finance Director/City Treasurer

The Honorable Michael Dasinger sworn in the Finance Director/City Treasurer Sue Steigerwald.

Discussion Items

There were no discussion items.

Additions/Removals/Carry-Overs

A motion was made by Council Member Charles Ebert, III to add items 20-0537 to the agenda. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Consent Agenda

[20-0553](#) Special Called Organizational Meeting Minutes of November 2, 2020

Attachments: [11-02-2020 Organization Meeting Minutes](#)

A motion was made by Charles Ebert, III, seconded by Council Member Richard Dayton, to approve the Special Called Organizational Meeting Minutes of November 2, 2020. The motion carried by an unanimous vote.

[20-0554](#) Work Session/Council Meeting Minutes of November 2, 2020

Attachments: [11-02-2020 WS.Council Meeting Minutes](#)

A motion was made by Charles Ebert, III, seconded by Council Member Richard Dayton, to approve the Work Session/Council Meeting Minutes of November 2, 2020. The motion carried by an unanimous vote.

[20-0555](#) Department Reports

Attachments: [October 2020 Bid Awards](#)
[Grant Status Report September 2020](#)
[Tax Report October 2020](#)
[Marketin Department Annual Report 2019-2020](#)
[October 2020 CDD Report](#)
[October 2020 PD Report](#)

LaDonna Hinesley reported to Council the proposed Christmas activities for 2020 with COVID-19 precautions in place. There was no further discussion on this item.

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

[20-0573](#) Report of Prior Month Approved/Paid Bills for the Records, October 2020.

Attachments: [2020-10 Approved & Paid Bills.Expense Approval Report](#)

City Administrator Mike Thompson reported to Council that despite the conservative budget, the FY21 has started off very well. There was no further discussion on this item.

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

[20-0545](#)

A Resolution to Appoint a New Member to the Housing Authority Board.

Attachments: [Housing Authority Board Members](#)
[George Parker Resignation](#)
[Gregg Knight Resume](#)

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

Enactment No: 20-1332-RES

[20-0538](#)

A Resolution to reappoint Joshua Roberts to the Foley Revitalization and Beautification Board.

Attachments: [Joshua Roberts](#)

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

Enactment No: 20-1333-RES

[20-0539](#)

A Resolution Reappointing Jeanette McDaniel to the Senior Center Advisory Board

Attachments: [Jeanette McDaniel](#)

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

Enactment No: 20-1334-RES

[20-0540](#)

A Resolution Reappointing Kathleen McVey to the Senior Center Advisory Board

Attachments: [Kathleen McVey](#)

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

Enactment No: 20-1335-RES

[20-0546](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 422 W ORANGE AVENUE

Attachments: [422 West Orange Ave](#)

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

Enactment No: 20-1336-RES

[20-0559](#)

A Resolution to Reappoint Frank Henning to the Fire Code of Appeals Board.

Attachments: [Frank Henning](#)

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

Enactment No: 20-1337-RES

[20-0560](#)

A Resolution to Reappoint George James to the Board of Adjustment and Appeals.

Attachments: [George James](#)

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

Enactment No: 20-1338-RES

[20-0574](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT THE VACANT PROPERTY ON LAKEVIEW DR N ON THE SE SECTION OF THE DAM OF GLENLAKES

Attachments: [Weed Abatement Lakeview Dr N at SE side of Dam](#)

Council Member Charles Ebert, III reported that he would like Engineering and Public Works to heavily document this process. There was no further discussion on this item.

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

Enactment No: 20-1339-RES

Ordinances

[20-0552](#)

(First Reading) AN ORDINANCE AMENDING CHAPTER 5, ARTICLE II OF THE CODE OF ORDINANCES FOR THE CITY OF FOLEY, ALABAMA ENTITLED "SALES TAX" TO REQUIRE ELECTRONIC FILING AND PAYMENT OF TAXES ONLINE

A motion was made by Charles Ebert, III, seconded by Vera Quaites, that this Ordinance be approved on first reading. The motion carried by an unanimous vote.

Resolutions and Other Business

[20-0535](#)

A Resolution Approving Main Street Branding in Historic Downtown

Attachments: [Budget Increase and Transfer Request Forms](#)

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

Enactment No: 20-1340-RES

[20-0541](#)

Resolution Approving Entering into the FBI's Organized Crime Drug Enforcement Task Force (OCDETF) Reimbursement Agreement for FY2021.

Attachments: [OCDETF FY2021 Finessse SE-ALS-0117](#)
 [OCDETF FY2021 HI-FI SI-SE-005-18](#)
 [OCDETF FY 2021 Ice-SE-ALS-0115](#)

Logan Eberly reported to Council that this grant is a reimbursement for over-time pay. There was no further discussion on this item.

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

Enactment No: 20-1341-RES

[20-0544](#)

A Resolution to Approve entering into the FBI's Mobile Safe Street's Task Force (MSSTF) overtime reimbursement agreement for FY 2021.

Attachments: [MOU MSSTF FY 2021](#)

Logan Eberly reported to Council that this grant is a reimbursement for over-time pay. There was no further discussion on this item.

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

Enactment No: 20-1342-RES

[20-0548](#)

A Resolution to Purchase a Bush Hog for the Nature Parks Department.

Attachments: [Capital Purchase Request for 15' Bushhog.2021](#)
 [Bush Hog Quote](#)

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

Enactment No: 20-1343-RES

[20-0550](#)

A Resolution Approving the Purchase of a New Vehicle for the Community Development Department

Attachments: [Capital Purchase CDD Vehicle](#)

A motion was made by Vera Quaites, seconded by Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1344-RES

[20-0551](#)

A RESOLUTION AUTHORIZING THE CITY OF FOLEY TO SELF-COLLECT SALES, USE, RENTAL AND LODGING TAXES

City Administrator Mike Thompson reported to Council that this item is in the FY21 budget. Mr. Thompson reported that this item will not change anything for the businesses in Foley. There was no further discussion on this item.

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

Enactment No: 20-1345-RES

[20-0556](#)

A Resolution Approving the Purchase of Sales Tax Module Software for the Revenue Department

Attachments: [Incode Foley AL - Sales Tax 2-28-2020](#)
 [Incode Capital Purchase Request-signed](#)
 [Incode Budget Transfer Request-Tyler Sales Tax Module](#)

Mike Approval

Wayne Approval

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

Enactment No: 20-1346-RES

[20-0557](#)

A Resolution to Accept the Grant Award from ADCNR for the Northeast Comp Plan Update

Attachments: [FOLEY-CZM-306-21-1](#)
 [Budget Increase Form](#)

Logan Eberly reported to Council that this project is estimated to cost \$60,000 and the grant will give \$30,000 towards it. Mrs. Eberly reported that \$27,500 would be in-kind, and \$2,500 would be paid in cash. There was no further discussion on this item.

A motion was made by Vera Quaites, seconded by Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1347-RES

[20-0558](#)

A Resolution to Declare Fire Department 2007 Ford F250 Surplus and Approves Going to Bid for a Replacement Vehicle

Attachments: [2007 Ford F250 - VFIS Declaration.pdf](#)
 [Capital Purchase Worksheet F-250 11-2020 \(2\).pdf](#)

Fire Chief Joey Darby reported to Council that insurance is willing to pay \$40,000 for the truck that was flooded and totaled during Hurricane Sally. Chief Darby reported that the fire department would like to purchase a new truck with the insurance payout of \$40,000. There was no further discussion on this item.

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

Enactment No: 20-1348-RES

[20-0561](#)

A Resolution to Accept FY21 LSTA (Library Service and Technology Act) Grant and to seek bids for equipment to fulfill the grant.

Attachments: [Resolution 20-1086 Scanner Grant](#)
 [APLS Letter Scanner Grant](#)
 [Budget Increase Form](#)

Logan Eberly reported to Council that this grant will be used for a scanner for Genealogy. There was no further discussion of this item.

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

Enactment No: 20-1349-RES

[20-0563](#)

A Resolution Approving Two Additional Firework Shows at OWA

Attachments: [OWA Request](#)

Fire Chief Joey Darby reported to Council that OWA would like to have a Christmas firework display on Saturday, November 21, 2020 at 7:00pm and a New Years Eve firework display on Thursday, December 31, 2020 at 8:00pm. There was no further discussion on this item.

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

Enactment No: 20-1350-RES

[20-0565](#)

A Resolution to Accept the Grant Award from ADCNR for the City of Foley Coastal Flood Response Plan

Attachments: [FOLEY-CZM-306-21-2](#)
 [Budget Increase Form](#)

Logan Eberly reported to Council that grant for \$37,500 is awarded to Foley for our Coastal Flood Response Plan. There was no further discussion on this item.

A motion was made by Charles Ebert, III, seconded by Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1351-RES

[20-0566](#)

Resolution To Approve Offering An Incentive To Employees To Participate In The 2021 United Way Campaign

Attachments: [C. Pipes Email](#)

Suzanne Kellams reported to Council that over the past few years donations for the United Way have dropped significantly. Mrs. Kellams reported that HR

would like to offer 4 hours of paid time off to employees that can donate at least \$5 per paycheck. United Way representative Marina _____ reported that 2020 has been a very challenging year and donations are greatly needed and appreciated. There was no further discussion on this item.

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

Enactment No: 20-1352-RES

[20-0567](#)

A Resolution Approving the Purchase of Automatic External Defibrillators (AEDs) & Lucas Compression Devices (Automated CPR machines)

Attachments: [Stryker Quote](#)
 [Capital Project Worksheet](#)

Fire Chief Joey Darby reported to Council that they were denied for a grant for the AED's and CPR machines. Chief Darby reported that those items are eligible for purchase with money from the CARES ACT funds with no match required. Chief Darby also reported the State has already approved this and they will not need to go to bid. There was no further discussion on this item.

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

Enactment No: 20-1353-RES

[20-0568](#)

A Resolution to Apply for the FY2021 Leadership in Community Resilience Grant Program

Attachments: [National League of Cities Application Manager - NLC's 2021 Leadership in Community Resilience \(LCR\) Grant Program](#)

Logan Eberly reported to Council that CDD would use this \$10,000 grant with no match required for Flood Response. There was no further discussion on this item.

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

Enactment No: 20-1354-RES

[20-0571](#)

A Resolution to Approve D&J Enterprises, Inc. Notice to Proceed Number 2020-02 Increasing Contract Not to Exceed Amount

Attachments: [Notice to Proceed 2020-02 - Debris Removal Services.pdf](#)

Rachel Keith reported to Council that D&J quoted the City of Foley \$8 million for debris clean up after Hurricane Sally but it has now increased to \$10.5 million. There was no further discussion on this item.

A motion was made by Vera Quaites, seconded by Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1355-RES

[20-0549](#)

ABC License: 020 - Restaurant Retail Liquor for Cactus Cantina of Foley LLC, Applicant, operating under the trade name Cactus Cantina located at 1605 South Mckenzie Street Foley, Alabama 36535.

Attachments: [Cactus Cantina ABC License](#)

The Fire and Police Departments made a recommendation to move forward with the ABC License.

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

[20-0537](#)

A Resolution to Amend Contract for Disaster Debris Removal & Disposal Services with D&J Enterprises to Add a Line Item and Cost for Stump Grinding

Attachments: [Contract Amendment - Stump Grinding - Oct 30 2020.pdf](#)

Rachel Keith reported to Council that this Resolution will add stump grinding into the D&J contract. There was no further discussion on this item.

A motion was made by Charles Ebert, III, seconded by Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1356-RES

Mayor's Comments

Mayor Hellmich reported that the COVID-19 case numbers are rising, but the City does have protocols in place.

Mayor Hellmich also urges citizens to support local businesses during this time and to enjoy all the wonderful Christmas decorations on display in the City of Foley.

Visitor Comments

Rex Davis reported to Council that he has discussed flood issues with Engineering for approximately five years now with no serious action taken on their part.

City Engineer Chad Christian reported that Engineering needs to do more, and will look into making drainage ditches larger and diverting the flow of the water.

Lorenzo and Shirley Johnson thanked Council for the prompt placement of the speed breaker in their neighborhood and is anxiously awaiting the second one.

Mike Morrison reported that the City needs to focus on taking care of the current residents and not the new residents that are coming to the area.

Executive Session

City Administrator Mike Thompson reported the need to go into Executive Session to discuss certain aspects of a possible real estate transaction. He reported the Executive Session will last approximately 15 minutes.

A motion was made by Council Member Charles Ebert, III and seconded by Council Member Vera Quaites to go into Executive Session.

City Administrator Mike Thompson took 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, aye. The motion carried by an unanimous vote.

The Council Meeting was recessed at 5:04 pm.

Council President Wayne Trawick called the meeting to order at 5:35 p.m.

All Council Members were present. Also present: Mayor Ralph Hellmich and City Administrator Mike Thompson.

There was no further business to conduct.

Adjournment

A motion was made by 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 5:35 pm.