



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Tuesday, January 3, 2017

5:30 PM

Council Chambers

Council Meeting

Public Hearing

[17-0006](#)

Public Hearing to consider passage of an ordinance rezoning property owned by Allen and Wilma Burdine from R-1A (Residential Single Family) to PO (Preferred Office).

Council President Wayne Trawick opened the public hearing at 5:30 pm. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[17-0007](#)

Public Hearing to consider passage of an ordinance rezoning property owned by KJS Holdings, LP from R-3 (Residential Multi Family) to R-1D (Residential Single Family).

Council President Wayne Trawick opened the public hearing at 5:31 pm. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[17-0008](#)

Public Hearing to consider passage of an ordinance approving the initial zoning of PDD (Planned Development District) for property owned by Richard and Wynona Little.

Council President Wayne Trawick opened the public hearing at 5:32 pm. He reported the title on the agenda is incorrect but the ordinance and the advertisement that was placed in the newspaper are both correct. He asked for comments from the public. Hearing no comments, he closed the public hearing.

Call to Order

President Trawick called the meeting to order at 5:33 pm.

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, Katy Taylor, Richard Humphrey, Chad Christian, David Wilson, Allen and Wilma Burdine, Mary Murchison, Jared

Landry, Ron Taylor, William Sizemore, Geneva Sizemore, Zachary Taylor, Hannah Taylor, Krissy Akridge, Matt Akridge, Griffin Taylor and press representative Rebekah Hoeger and Desean Smith (Fox 10 News).

Present: 6 - President Wayne Trawick, Council Member Vera Quaite, Council Member Ralph Hellmich, Council Member Rick Blackwell, Council Member Charles Ebert III and Mayor J Koniar

Pledge Of Allegiance

Swearing In City Clerk

[16-0734](#)

Appointment of City Clerk

A motion was made by Council Member Charles Ebert, III to appoint Kathryn Taylor as City Clerk. The motion was seconded by Council Member Vera Quaite and carried by an unanimous vote.

Enactment No: 17-1000-RES

[16-0735](#)

Oath of Office - City Clerk

Municipal Judge Murchison asked Kathryn Taylor to step forward to be sworn in.

Additions/Removals

There were no additions or removals.

Approval of the Minutes

[17-0000](#)

Work Session Minutes of December 19, 2016

Attachments: [12-19-16 Work Session Minutes](#)

A motion was made by Council Member Ralph Hellmich to approve the Work Session Minutes of December 19, 2016. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

[17-0001](#)

Council Meeting Minutes of December 19, 2016

Attachments: [12-19-16 Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III to approve the Council Meeting Minutes of December 19, 2016. The motion was seconded by Council Member Vera Quaite and carried by an unanimous vote.

Ordinances

[16-0657](#)

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY RICHARD & WYNONA LITTLE

Attachments: [ANNEX LITTLES PETITION.pdf](#)
[ANNEX LITTLE.pdf](#)
[ANNEX 2020 LLC.pdf](#)
[Planner's Annexation Report for Mayor and Council Little.pdf](#)
[ENGINEER AND ENVIRONMENTAL REPORT.pdf](#)

A motion was made by Council Member Ralph Hellmich to approve the petition for annexation of property owned by Richard and Wynona Little. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 17-2000-ORD

[16-0707](#)

Burdine Rezoning from R1A to PO

Attachments: [Burdine Rezone Recommendation.pdf](#)

A motion was made by Council Member Charles Ebert, III to rezone property owned by Allen and Wilma Burdine from R-1A to PO. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 17-2001-ORD

[16-0708](#)

KJS Holdings LP rezoning from R3 & AO to R1D

Attachments: [KJS Rezone Recommendation Info.pdf](#)

A motion was made by Council Member Rick Blackwell to rezone property owned by KJS Holdings LP from R-3 and AO to R-1D. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 17-2002-ORD

[16-0732](#)

ORDINANCE APPROVING INITIAL ZONING OF RICHARD AND WYNONA LITTLE PROPERTY.

Sponsors: Planning Commission

A motion was made by Council Member Ralph Hellmich to approve the initial zoning of property owned by Richard and Wynona Little as PDD. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 17-2003-ORD

[16-0760](#)

AN ORDINANCE ENACTING AND LEVYING A TEMPORARY, ADDITIONAL ONE PERCENT (1%) MUNICIPAL SALES AND USE TAX ON CERTAIN TYPES OF TRANSACTIONS OR ACTIVITIES.

A motion was made by Council Member Ralph Hellmich to approve a temporary 1% increase on certain sales and use tax. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 17-2004-ORD

[16-0762](#)

ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY PARADISE CREEK LLC/DR. TODD EDMISTON FROM MH1 - MOBILE/MANUFACTURED DWELLING PARK TO B-1A EXTENDED BUSINESS DISTRICT

Attachments: [Paradise Creek Rezoning.pdf](#)
[Paradise Creek Rezoning](#)

A motion was made by Council Member Charles Ebert, III to approve the first reading of this ordinance. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 17-2008-ORD

[16-0679](#)

Amending GG001 Submittal of Agenda Items Implemented: June 1, 2011

Attachments: [Policy Number GG001 Amended 1A\(Revised-Final\)](#)

A motion was made by Council Member Ralph Hellmich to approve the first reading of this ordinance. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 17-2005-ORD

[17-0004](#)

AN ORDINANCE DECLARING CERTAIN REAL PROPERTY NOT PRESENTLY NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE DONATION OF THE SAME

Attachments: [Letter of Intent 12 29 16](#)

A motion was made by Council Member Vera Quaites to approve the first reading of this ordinance. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 17-2006-ORD

[17-0015](#)

AN ORDINANCE DECLARING CERTAIN REAL PROPERTY NOT PRESENTLY NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE OF THE SAME

Attachments: [Sale of City Property- Seller Comments 12-27-16](#)
 [Potential Property](#)
 [Email](#)
 [Appraisal of Lot 5](#)

A motion was made by Council Member Rick Blackwell to approve the first reading of this ordinance. The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 17-2007-ORD

Resolutions

[16-0692](#)

Request to Apply for Comprehensive Plan Grant

Attachments: [Comp Plan Grant for Council.pdf](#)

A motion was made by Council Member Ralph Hellmich to approve the application to ACDNR for a grant of \$25,000 to be used to update the City's Comprehensive Plan. If awarded, to approve a City match of \$30,000 consisting totally of in-kind services, and to approve removal of \$30,000 included in the FY17 Capital Plan which would no longer be needed. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 17-1001-RES

[16-0761](#)

Request to enter into a contract with Team Up Advisory Consultant, Christy Raley, for the Sports Tourism Complex for FY 2017

Attachments: [CHRISTY RALEY CONSULTANT CONTRACT \(1\)](#)

A motion was made by Council Member Rick Blackwell to approve the contract with Team Up Advisory Consultant, Christy Raley, for the Sports Tourism Complex for FY 2017 for the amount of \$1000 per month including travel expenses, for 6 months of consulting, for a total of \$6,000.00 for FY 2017. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 17-1002-RES

[17-0002](#)

Consider approving South Baldwin Chamber of Commerce's requests to hold a three-day Hot Air Balloon Festival at the Foley Sportsplex, May 5th, 6th and 7th, 2017.

Attachments: [17-Chamber Letter to City Council](#)

A motion was made by Council Member Charles Ebert, III to approve the annual Gulf Coast Hot Air Balloon Festival to be held at the Foley Sports Complex May 5th through 7th, 2017; to approve the Parks & Recreation Department to assist the South Baldwin Chamber of Commerce in the preparation of the grounds for the 2016 Gulf Coast Hot Air Balloon Festival; to approve the Foley Fire and Police Departments to assist during the Festival and to approve the South

Baldwin Chamber of Commerce to sell and serve alcohol beverages on the festival grounds. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 17-1003-RES

[17-0003](#)

Residential Sanitation Write Offs as Uncollectible in the Amount of \$64.00

Attachments: [Residential Sanitation Writeoffs](#)

A motion was made by Council Member Vera Quaites to write off certain residential sanitation accounts as uncollectible in the amount of \$64.00. The motion was seconded by Council Member Rick Blackwell and carried by an unanimous vote.

Enactment No: 17-1004-RES

[17-0005](#)

Rescinds Resolution No. 16-1244

Attachments: [16-1244 RES](#)

A motion was made by Council Member Ralph Hellmich to rescind Resolution 16-1244. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 17-1005-RES

[17-0009](#)

A resolution setting a public hearing to consider Planning Commission's recommendation to rezone property owned by Paradise Creek LLC/Dr. Todd Edmiston from MH1 (Mobile Home/Manufactured Dwelling Park) to B-1A (Extended Business District).

A motion was made by Council Member Ralph Hellmich to set a public hearing to consider Planning Commission's recommendation for re-zoning property owned by Paradise Creek LLC/Dr. Todd Edmiston from MH1 (Mobile Home/Manufactured Dwelling Park) to B-1A (Extended Business District). The motion was seconded by Council Member Vera Quaites and carried by an unanimous vote.

Enactment No: 17-1006-RES

[17-0014](#)

TAP Grant Funding Adjustment

A motion was made by Council Member Rick Blackwell to amend the expense budget and to accept value engineering of TAP grant project. The motion was seconded by Council Member Ralph Hellmich and carried by an unanimous vote.

Enactment No: 17-1007-RES

Mayor's Comments

Mayor John Koniar thanked all City Departments for their hard work during the

rain event over the weekend.

Visitor Comments

There were visitor comments to report.

Adjournment

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

The meeting adjourned at 5:47 pm.