



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, April 17, 2023

4:00 PM

Council Chambers

Work Session/Council Meeting

Call to Order

Council President Wayne Trawick called the meeting to order at 4:00 pm.

Roll Call

All Council Members were present with the exception of Council Member Vera Quaite and City Administrator Mike Thompson, whom were out of town. Also present: Mayor Ralph Hellmich, City Clerk Katy Taylor, Fay Krehling, David Thompson, Yolanda Johnson, Leslie Gahagan, Police Chief Thurston, Deputy Fire Chief Chad Brewer, Police Lieutenant Larry Dearing, Logan Eberly, Miranda Bell, Wayne Dyess, J.H. Risnar, Sydney Cody, Sharon Vest, Mildred Cargle, Pat Sims, John Jackson, Kate Norris, Angie Eckman, LaDonna Hinesley, Guy Busby, L.D. Ralph, and Darrell Russell.

Present: 4 - Wayne Trawick, Rick Blackwell, Charles Ebert III and Richard Dayton

Absent: 1 - Vera Quaite

Moment of Reflection

Pledge of Allegiance

Proclamations

[23-0196](#)

Proclamation: Mental Health Month

Attachments: [Proclamation-Mental Health Month](#)

Mayor Ralph Hellmich presented the Proclamation for Mental Health Month. Mayor Hellmich reported to Council that May 1st -3rd the over pass bridge will be illuminated in blue to show awareness to the community of mental health and how this impacts so many of us.

[23-0193](#)

Proclamation: National Small Business Week

Attachments: [Proclamation-Small Business Week](#)

Mayor Hellmich presented the Small Business Week Proclamation to Yolanda Johnson. Ms. Johnson is the Business Advisor for Alabama Small Business Development Center.

Ms. Johnson introduced L.D. Ralph Deputy Director of Alabama District U.S. Small Business Administration. Ms. Johnson and Mr. Ralph reported to Council that 99% of businesses in Alabama are consider small businesses. They also reported that small businesses contribute to our communities and economy.

Presentation

[23-0180](#)

Presentation: National Small Business Week Awards

Deputy Director of Alabama District U.S. Small Business L.D. Ralph and Yolanda Johnson of Alabama Small Business Development Center presented awards to Christina Woerner of AgriTech Corporation and Sydney Cody of Vanguard Pacific that are small businesses owners in Foley.

Work Session Discussion

Consent Agenda

[23-0194](#)

Departmental Reports

Attachments: [Tax Report and Permit-Plan Review March 2023](#)
[March 2023 CDD Report](#)
[March 2023 FD Report](#)
[March 2023 PD Report](#)
[Marketing Quarterly Report](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton, to approve Departmental Reports for March 2023. The motion carried by an unanimous vote.

[23-0195](#)

Work Session/Council Meeting Minutes of April 3, 2023

Attachments: [4-3-23 Work Session Council Meeting Minutes](#)

The motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton to approve the April 3, 2023 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

[23-0201](#)

Report of March, 2023, Approved and Paid Bills for the Record

Attachments: [2023-03 Approved & Paid Bills.Expense Approval Report](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton, to approve the Report of Paid Bills for March 2023. The motion was 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 23-0223 to the April 17, 2023 Council Meeting Agenda. The motion was carried by an unanimous vote.

Ordinances

Resolutions and Other Business

[23-0189](#)

A Resolution Approving the Capital Purchase of a Commercial Washer and Dryer for the Corrections Division and Approve Surplus of the Old Units.

Attachments: [Washer dryer jail quote-capital purchase worksheet](#)
[Email Approval for agenda item](#)

Police Lieutenant Larry Dearing reported to Council that this item is to replace the older set that is beyond repair. 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: 23-1122-RES

[23-0190](#)

A Resolution Declaring and Authorizing Disposal of Timber at Graham Creek Nature Preserve

There was no 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: 23-1123-RES

[23-0191](#)

A Resolution to Reappoint Randy Arp to the Construction Board of Adjustments and Appeals.

Attachments: [Construction Board of Adjustments and Appeals](#)

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: 23-1124-RES

[23-0197](#)

Approves Lease Agreement with Boss Hawg Investments, LLC for the

Ice Distribution Center

Attachments: [Boss Hawq Contract exp 04.01.2024](#)

Executive Director of Leisure Services David Thompson reported to Council that this lease agreement will carryover to the new owners. 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: 23-1125-RES

[23-0198](#)

Resolution Approving Street Light Installation Along South Juniper Street between East Pride Drive and County Road 20.

Attachments: [City of Foley Juniper St Lighting Install Estimate](#)
[Map New Street Lights on Juniper St](#)

Mayor Ralph Hellmich reported to Council that this item is for twenty new street lights on existing wooden poles that will illuminate the dark area of Juniper Street, East Pride Drive and County Road 20. 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: 23-1126-RES

[23-0199](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AT 303 North Beech Street AND ORDERING ITS ABATEMENT

Attachments: [SKM_C250i23032809530](#)

Environmental Assistant Angie Eckman reported to Council that this property is vacant. 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: 23-1127-RES

[23-0200](#)

A Resolution to Amend Resolution 23-1074 A Resolution Approving the Purchase of Four Dehumidifiers for the Justice Center

Attachments: [Sylvane Inc Quotation Justice Center](#)

Logan Eberly asked Council to approve changing vendors due to supply issues. 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: 23-1128-RES

[23-0202](#)

A Resolution Adopting an Investment Policy

Attachments: [City of Foley Investment Policy](#)

Deputy Finance Director Miranda Bell reported to Council that this item is a formal written policy in accordance with state law. 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: 23-1129-RES

[23-0203](#)

A Resolution Memorializing a Project Submission to the Community Forest and Open Space Conservation Program

Attachments: [Conservation Program](#)

Environmental Director Leslie Gahagan reported to Council that this grant would be utilized to assist with obtaining the Barber property. 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: 23-1130-RES

[23-0205](#)

A Resolution Amending The Pay Classification Plan In The Nature Parks Department

Attachments: [Pay Classification Plan - Effective 02-06-23](#)

Kate Norris reported to Council that this is a budget neutral item and would accommodate the demand of the Nature Parks Department. 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: 23-1131-RES

[23-0206](#)

A Resolution Approving Monthly Bids - March 2023

Attachments: [March 2023 Bid Awards](#)

Logan Eberly reported to Council that this item is for the three bids for the Month of March 2023. 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: 23-1132-RES

[23-0207](#)

A Resolution Amending The Pay Classification Plan In The Finance Division Of General Government

Attachments: [Pay Classification Plan - Effective 02-06-23](#)

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: 23-1133-RES

[23-0208](#)

A Resolution to Reappoint Donald Wenzel Jr. to the Museum Archives Board.

Attachments: [Museum Archive Board](#)

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: 23-1134-RES

[23-0209](#)

A Resolution Requesting Approval of the Application for the FY2024 LSTA Grant

Library Director John Jackson reported to Council that if approved, this item will be utilized to purchase a self check machine and computers. 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: 23-1135-RES

[23-0210](#)

A Resolution Approving Volkert, Inc Contract for Environmental Assessment for New Library Building

Attachments: [City of Foley Library HUD Scope and Fee Proposal 4 4 23](#)
 [Budget Increase Form](#)

Logan Eberly reported to Council that HUD requires the city to perform an environmental assessment in order to be eligible for HUD Project Funding. 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: 23-1136-RES

[23-0211](#)

A Resolution to Approve Four Purchases for the Street Department-Sidewalk Maintenance.

Attachments: [Mini Track Loader Quote](#)
[Ranger Quote](#)
[Ventrac Quote](#)
[Blower Quote](#)
[Capital Purchase - Stand on Blower.xlsx - Capital Purchase](#)
[Capital Purchase - Mini Track Loader.xlsx - Capital Purchase](#)
[Capital Purchase - Ranger](#)
[Capital Purchase - Ventrac and edger](#)

Public Works Director Darrell Russell reported to Council to move forward on the purchase of this equipment for the sidewalk projects. 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: 23-1137-RES

[23-0212](#)

A Resolution Proposing the Annexation of Certain Territory to the Corporate Limits of the City of Foley, Alabama

Attachments: [Local Bill](#)
[Annexation Map](#)

Mayor Ralph Hellmich reported to Council that this item is for the annexation of the Mills Community and this will allow the city to have a referendum. Mayor Hellmich also reported to Council that 97% of the Mills Community approves the annexation. 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: 23-1138-RES

[23-0213](#)

A Resolution Approving the Application to the Community Oriented Policing Services (COPS) FY23 Law Enforcement Agency De-Escalation Grant

Logan Eberly reported to Council that if approved for this grant, it would be utilized for VR/Ar de-escalation training technology to maintain officer's de-escalation techniques. 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: 23-1139-RES

[23-0214](#)

A Resolution Approving a Consent to Assignment of Sublease

Attachments: [Consent to Assignment](#)
[RES 20-1376 Renewed Coffee Shop Lease exp 9.30.23](#)

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: 23-1140-RES

[23-0223](#)

An Ordinance Amending Ordinance No. 23-2003 Pertaining to the Declaration of Certain Real Property Surplus and No Longer Needed for Municipal Purposes and the Authorization of the Sale of the Same.

Attachments: [Addendum to Purchase Agreement - OP Zone 1 LLC Darby](#)
[23-2003 ORD](#)

City Clerk Kathryn Taylor reported to Council that Ordinance 23-2003 did not coincide with the purchase agreement. The amendment rectifies the discrepancies of the total dollar amount and changes the deed from a Quit Clam Deed to a Warranty Deed. She reported Council may choose to suspend the rules. There was no further discussion on this item.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton to suspend the rules for the immediate adoption of this ordinance.

Mrs. Taylor took the following Roll Call vote: Council Member Richard Dayton, aye; Council President Wayne Trawick, aye; Council Member Rick Blackwell, aye; and Council Member Charles Ebert, III, aye. Of those present, the vote was unanimous to suspend the rules. A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton to adopt the ordinance. Of those present, the motion carried by an unanimous vote.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton to adopt the ordinance. Of those present, the motion carried by an unanimous vote.

Enactment No: 23-2005-ORD

Mayor's Comments

Mayor Hellmich reported to Council that the Volunteer Appreciation was a huge success and wanted to extend a thank you for everyone that was involved.

Mayor Hellmich reported to Council that the North Pecan Street is open. He also reported that the Kids Park is on schedule and he is looking forward to seeing that project completed. He also reported that the water park at OWA had a grand opening event.

Visitor Comments

There were no visitor comments to report.

Adjournment

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

The meeting was adjourned at 4:54 p.m.