



Meeting Minutes - Draft

City Council

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Tuesday, September 5, 2023

4:00 PM

Council Chambers

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Work Session/Council Meeting

**Public Hearings**

[23-0493](#)

Public Hearing to Consider Adopting an Ordinance Amending the City of Foley Zoning Ordinance - PDD

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

[23-0494](#)

A Public Hearing to Consider Adopting an Ordinance to Rezone Property Owned by Gary Underwood from AO (Agricultural Open Space) to B1-A (Extended Business District)

**Council 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.**

[23-0495](#)

A Public Hearing to Consider Adopting an Ordinance to Rezone Property Owned by Various Owners and the Common Area of Sherwood Subdivision from B2 (Neighborhood Business District) to R1C (Resident Single Family)

**Council 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.**

**Call to Order**

**Council President Wayne Trawick called the meeting to order at 4:01 p.m.**

**Roll Call**

**All Council Members were present. Also present: Mayor Ralph G. Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, Wayne Dyess, David Thompson, Leslie Gahagan, Brandon Mothershed, Guy Busby, Darrell Russell, Angie Eckman, David Wilson, Chad Christian, Pam Harris, Priscilla Hughes, Randy Lee, Darrelyn Dunmore, Russell Ware, Rachel Keith, Miranda Bell, Sue Steigerwald, Whitney Leibold, Charles Weber, Miriam Boone, LaDonna Hinesley, Priscilla Anderson and Foley Fire Chief Joey Darby.**

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

### Moment of Reflection

### Pledge Of Allegiance

### Mayor's Presentation

[23-0472](#) Proclamation: Constitution Week

**Attachments:** [Constitution Week](#)

Mayor Ralph Hellmich presented the Proclamation in recognition of Constitution Week.

### Work Session Discussion

### Consent Agenda

[23-0490](#) Work Session/Council Meeting Minutes of August 21, 2023

**Attachments:** [08-21-2023 Work Session.Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton, to approve the August 21, 2023 Work Session/Council Meeting Minutes. The motion was carried by an unanimous vote.

### Additions/Removals/Carry-Overs

There were no additions, removals or carry-overs to report.

### Ordinances

[23-0406](#) (Second Reading) An Ordinance Amending the City of Foley Zoning Ordinance - PDD

**Attachments:** [Zoning Ordinance Recommendation.pdf](#)

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

Enactment No: 23-2020-ORD

[23-0421](#) (Second Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87

REZONING PROPERTY OWNED BY GARY UNDERWOOD FROM AO - AGRICULTURAL OPEN SPACE TO B1A - EXTENDED BUSINESS DISTRICT

**Attachments:** [Underwood Rezoning Recommendation.pdf](#)

There was no 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: 23-2021-ORD

[23-0422](#)

(Second Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY VARIOUS OWNERS AND THE COMMON AREA OF SHERWOOD SUBDIVISION FROM B2 - NEIGHBORHOOD BUSINESS DISTRICT TO R1C - RESIDENTIAL SINGLE FAMILY

**Attachments:** [Sherwood Rezone Recommendation.pdf](#)

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

Enactment No: 23-2022-ORD

[23-0497](#)

(First Reading) AN ORDINANCE AMENDING THE CODE AND FEE SCHEDULE FOR THE 2018 INTERNATIONAL BUILDING (ICC) CODES AND ATTACHED COASTAL SUPPLEMENTAL PROVISIONS TO UPGRADE THE VARIOUS CODES RELATING TO THE INSPECTION ACTIVITIES OF THE CITY OF FOLEY AND ENFORCEMENT OF THE BUILDING PROVISIONS AND FIRE SAFETY AS PROVIDED IN SAID CODES

**Attachments:** [Building Code Marked Up Attachment.pdf](#)  
[2021 Coastal Construction Code Supplement](#)  
[Complete Clean Ordinance](#)

Foley City Planner Miriam Boone reported to Council that the revised International Building Codes (ICC) from 2018 includes guidelines for tiny homes and partial roof coverings. Mrs. Boone also reported that there is an increase in the fees. 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 Ordinance be approved on the first reading. The motion was carried by an unanimous vote.**

## Resolutions and Other Business

[23-0480](#)

Resolution to Amend the East Verbena Avenue Parking Improvements Contract for Construction Services and Request Permission to Solicit Bids.

**Attachments:** [Capstone East Verbena Ave Improvements Contract Amendment](#)  
[Budget Increase Capital Projects](#)

City Engineer Chad Christian reported to Council that this will rescope the project and will also ensure the best practices to resolve any drainage issues for this project. 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: 23-1307-RES

[23-0481](#)

Resolution Approving the Monthly Riviera Utilities charges for New Lighting Being Installed for Ivan Jones Stadium on North Pine Street.

**Attachments:** [City of Foley Baldwin County Board of Education Ivan Jones Stadium Parking Lot Lighting 7.13.23 \(1\)](#)  
[Photometrics Layout1 \(4\) \(1\)](#)

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: 23-1308-RES

[23-0482](#)

A Resolution for Authorization to Advertise, Solicit Bids and Appropriate Electrical Funding for the New Public Works Complex Project.

**Attachments:** [CityofFoleySubmittal Electrical](#)  
[Budget Increase Capital Projects](#)

City Engineer Chad Christian reported to Council that this is to plan ahead and to avoid any supply chain delays. 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: 23-1309-RES

[23-0483](#)

A Resolution Approving the Jehovah Witness Community the Use of Heritage Park to Display Bible Literature Until January 1, 2024.

**Attachments:** [Heritage Park Application](#)

Executive Director of Leisure Services David Thompson reported to Council that this group has hosted this event in the past and has had a positive impact

at Heritage Park. Mr. Thompson also reported that due to another religious group showing similar interest he recommends that the City of Foley establish guidelines for similar events in the future. 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: 23-1310-RES

[23-0484](#)

A Resolution Approving the Professional Services Proposal from Thompson Engineering for Improvements needed at the Intersection of Michigan Avenue and Hickory Street.

**Attachments:** [Thompson Engineering Professional Services Proposal for Michigan & Hickory Intersection Design](#)  
[Budget Increase Capital Projects](#)

City Engineer Chad Christian reported that Council has funded 30% design at four different intersection locations. This project design will be funded at 100% and the trees will not be impacted from this road improvement project. Mr. Christian also reported that it was recommended in this design to improve the existing intersection by adding turn lanes and upgrading the signals with mast arms.

Mayor Hellmich reported the primary dysfunction at the intersection is the lack of turn lanes.

City Administrator Mike Thompson reported to Council that the City met with Baldwin County Engineers approximately two years ago due to this intersection being maintained by Baldwin County. Mr. Thompson reported that County Commissioner Skip Gruber reported that this project will be in the 2025 budget. 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: 23-1311-RES

[23-0486](#)

A Resolution Waiving Fees for the Use of Heritage Park and Pavilion for Adrian Hill and Golden Knight General Construction Annual Alzheimer's Remembrance Walk Fundraiser.

**Attachments:** [Adrian Hill - Alzheimers Walk Fundraiser](#)

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: 23-1312-RES

[23-0487](#)

A Resolution To Waive Rental Fees For Foley Professional Firefighters Union At The Coastal Alabama Farmers and Fishermen's Market

**Attachments:** [Foley Professional Firefighters Union](#)

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: 23-1313-RES

[23-0488](#)

A Resolution Approving a Sponsorship of the Sister City Program's 5K Fundraiser

Public Safety Director David Wilson reported to Council that this sponsorship will help purchase fruit and Gatorade for the 5K marathon. 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: 23-1314-RES

[23-0492](#)

Resolution Approving The Capstone Engineering Group Professional Services Proposal for the existing drainage issues along Parkwood Drive in the Parkwood Drive Subdivision.

**Attachments:** [Parkwood PS proposal\\_Capstone](#)  
[Budget Increase Capital Projects](#)  
[Capital Project Worksheet](#)

City Engineer Chad Christian reported to Council that Parkwood Subdivision has had drainage issues caused by the back property of the subdivision holding water. 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: 23-1315-RES

[23-0498](#)

Resolution Accepting the Planning Commission's Approval of Subdivision Regulation Amendments

**Attachments:** [Sub Reg Letter Mayor and Council Letter \(1\).pdf](#)

City Planner Miriam Boone reported to Council that these amendments will establish standards and procedures for the development of subdivisions that was approved by the Planning Commission. Mrs. Boone also reported that this will regulate the size of lots, drainage structures and the planning and construction of all streets.

Executive Director of Infrastructure and Development Wayne Dyess reported to Council that the Planning Commission Work Session was helpful and he thanked Chief Darby for discussing the importance of guidelines pertaining to lot size and structural density. 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: 23-1316-RES

### [23-0499](#)

A Resolution Adopting Fiscal Year 2024 Budgets

**Attachments:**    [FY 2024 Budget - Council Meeting](#)  
[FY 24 PASFCD Budget & Cash Flow](#)  
[FY 24 PCEFCD Budget & Cash Flow](#)  
[FY 24 PFCD Budget & Cash Flow](#)

City Administrator Mike Thompson gave a brief summary of the FY 2024 budget.

Mayor Hellmich reported to Council that this budget is designed to address the future growth of our city. Mayor Hellmich also thanked directors for their diligent work.

Council Member Richard Dayton reported to Council that while he attended the Chamber of Commerce Meeting, it was announced that the Tanger Outlet Mall had every retail store leased and this was for the first time since this mall was established. Mr. Dayton also reported that the City of Foley is prospering with new businesses and restaurants. 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: 23-1317-RES

### [23-0501](#)

A Resolution Rescheduling Council Meeting Dates Due To Holidays

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: 23-1318-RES

### [23-0502](#)

A Resolution Amending City FY2023 Budgets

**Attachments:**    [FY23 Personnel Budget Adjustments](#)

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: 23-1319-RES

[23-0503](#)

A Resolution to Accept an Equipment Bid and Installation Proposal for the City of Foley Public Safety Radio System

**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: 23-1320-RES

[23-0504](#)

A Resolution Appropriating Funds for Three Unbudgeted Capital Projects for School Crosswalk Improvements.

**Attachments:**     [School Crosswalks](#)  
                                 [Foley FES\\_Mathis](#)

**Public Works Director Darrell Russell reported to Council that the crosswalks at Mathis Elementary, Foley Elementary, and Foley Middle School are inadequate and have safety concerns.**

**Mr. Russell reported that all schools will include reconstructed sidewalks and illuminated signs. He also reported that the bridge that is located at Foley Elementary will be removed and this area will be excavated and reconditioned.**

**Council Member Charlie Ebert, III, reported to Council that he would like to see the vegetation on the north side of Cedar Street and Magnolia Street to be trimmed due to obstruction of vision and for the safety of children. 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: 23-1321-RES

[23-0505](#)

A Resolution Approving Submittal of FY24 FAA Grant Pre-Application and Application for an Airport Terminals Program (ATP) under the Bipartisan Infrastructure Law at the Foley Municipal Airport

**Attachments:**     [PreApp - Construct Terminal Building - ATP.pdf](#)

**Rachel Keith reported to Council that this grant application is for improvements for the airport. Mrs. Keith also reported that the airport will have an advantage to be awarded this grant if there is a modernized design of the terminal. Mrs. Keith reported that this is the third year for this application. 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: 23-1322-RES

[23-0506](#)

A Resolution Approving Submittal of FY24 FAA/ALDOT Grant Pre-Application and Application for an Airport Improvement Project (AIP) at the Foley Municipal Airport (Reimbursement of Access Taxilanes)

**Attachments:** [PreApp - Construct Access Taxilanes - AIP \(Reimbursement - Phase I\).pdf](#)

Rachel Keith reported to Council that this agreement will allow for the reimbursement of the exceeding costs for the improvement of the taxilanes. 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: 23-1323-RES

[23-0507](#)

A Resolution to move forward with the School Partnership Facilities Upgrade project.

**Attachments:** [SchoolPartnerApproval](#)

There was no 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: 23-1324-RES

[23-0508](#)

A Resolution Approving Submittal of FY24 FAA/ALDOT Grant Pre-Application and Application for an Airport Infrastructure Grant (AIG) at the Foley Municipal Airport (Reimbursement for Construction of T-Hangar Building)

**Attachments:** [PreApp- Construct 8-Unit T-Hangar - AIG \(Reimbursement - Phase I\) \(1\).pdf](#)

Rachel Keith reported to Council that this grant will reimburse the city for the construction of the T-Hangar building. 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: 23-1325-RES

[23-0509](#)

A Resolution to Set a Public Hearing to Consider Adopting an Ordinance to Amend the Code and Fee Schedule of the 2018 International Building (ICC) Codes

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: 23-1326-RES

### [23-0510](#)

A Resolution Accepting the Results of an Annexation Election - Mills Community

**Attachments:** [Election Results](#)

Mayor Hellmich reported to Council that Public Works and Riviera Utilities will be working towards transitioning the Mills Community into the City. He also reported that there is progress with the community park and street lights. 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: 23-1327-RES

### [23-0515](#)

Resolution Approving 55 New Street Light Installations and Monthly Service in the Mills Community Area Along Bodenhamer Road, Sandy Ridge Road, Angie Drive, Lymon Lane, and Pettibone Lane.

**Attachments:** [20230816\\_161220](#)  
[City of Foley Mills- Street Lighting 8.30.23](#)

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: 23-1328-RES

## Mayor's Comments

Mayor Hellmich reported to Council that he attended the dinner at Little Rock Church that honored the citizens that were involved in the Mills Annexation. He reported that the citizens took pride in their community and worked diligently during the annexation. Mayor Hellmich also reported that this group of citizens went door to door to give the community the correct information and the benefits of being annexed into the City of Foley. Mayor Hellmich applauded everyone that was involved in this process.

Mayor Hellmich reported to Council that for the next couple of months, there will be a road detour on South Juniper and County Road 20 for the installation of the mast arms. He also thanked Council for the approval of the pedestrian crosswalks, as this will assist in keeping our children safe during the school year.

Mayor Hellmich also reported to Council that he applauds Thompson Engineering for recognizing the areas in Beulah Heights that have drainage issues. This will also will consist of excavation of the retention pond.

Mayor Hellmich reported that Foley High School has an excellent football team this year and he encouraged everyone to go support the Foley Lions.

### **Visitor Comments**

Foley Main Street Executive Director Darrelyn Dunmore thanked Council for adopting the rezoning of Sherwood Subdivision.

### **Adjournment**

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

The meeting was adjourned at 5:18 p.m.