



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Draft

### City Council

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Monday, June 17, 2024

4:00 PM

Council Chambers

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#### 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. Mayor Ralph Hellmich was absent due to being out of town. Also present: City Administrator Mike Thompson, City Clerk Katy Taylor, Christi Watkins, Thurston Bullock, Joey Darby, Leslie Gahagen, Larry Dearing, Corey Kirkwood, Rachel Parker, Kyle Parker, Debbie Schmidt, Glenn Hartensten, Mitch Nelson, LaDonna Hinesley, David Thompson, Angela Sherman, Jeff Phillips, Guy Busby, Hilton Kirkwood, Frances Likis, Rachel Keith, Logan Eberly, Deborah McGowan, Zan Blue, Taylor Jones, Renette McGowan, Brian Schwab, Lynn Schwab, Jeff Lee, Frances Holk-Jones, Chloe Salinas, Cian Harrison and Wayne Dyess.

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

#### Moment of Reflection

#### Pledge of Allegiance

#### Work Session Discussion

#### Additions/Removals/Carry-Overs

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

#### Consent Agenda

[24-0351](#)

Report of May, 2024, Approved and Paid Bills for the Record

**Attachments:** [2024-05 Approved & Paid Bills, Expense Approval Report](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Richard Dayton, that this Agenda Item be approved. The motion

carried by an unanimous vote.

[24-0357](#)

Departmental Reports

**Attachments:**     [Tax Report and Permit-Plan Review June 2024](#)  
                              [May 2024 CDD Report](#)  
                              [May 2024 PD Report](#)  
                              [May 2024 FD Report](#)

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

[24-0354](#)

Work Session/Council Meeting Minutes of June 3, 2024

**Attachments:**     [06-03-2024 Work Session.Council Meeting Minutes](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Richard Dayton, to approve the June 3, 2024 Work Session/Council meeting minutes. The motion carried by an unanimous vote.

**Ordinances**

[24-0364](#)

AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO SOUTHERN LIGHT, LLC, FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING FIBER-OPTIC TRANSMISSION LINES WITHIN THE PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF FOLEY, ALABAMA

**Attachments:**     [Ordinance and Uniti Group \(Uniti Fiber GulfCo Assignments\) Franchise Agreement - Foley \(00040531-2xA5C35\) \(3\)](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaites, to suspend the rules for the immediate adoption of this ordinance. The motion carried by the following roll call vote: Council Member Quaites, aye; Council member Dayton, aye; President Trawick, aye; Council Member Blackwell, aye; Council Member Ebert, III, aye.

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.

**Aye:**    4 -    Council Member Vera Quaites, Council Member Rick Blackwell, Council Member Charles Ebert III and Council Member Richard Dayton

Enactment No: 24-2019-ORD

[24-0326](#)

(Second Reading) AN ORDINANCE APPROVING AGREEMENT BETWEEN THE BALDWIN COUNTY COMMISSION, THE CITY OF FOLEY AND THE PLANNING COMMISSION OF THE CITY OF FOLEY CONCERNING THE EXERCISE OF SUBDIVISION REGULATIONS WITHIN THE PLANNING JURISDICTION OF THE CITY OF FOLEY PLANNING COMMISSION

**Attachments:**     [FoleyPJ Agreement Recommendation Docs.pdf](#)

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

Enactment No: 24-2018-ORD

## Resolutions and Other Business

### [24-0350](#)

ABC License: 010-Lounge Retail Liquor - Class I for Events at OWA, LLC applicant.

**Attachments:**     [Slappin Daks ABC Application](#)

Foley Police and Fire 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 Richard Dayton, to make a recommendation to move forward with the ABC License. The motion carried by an unanimous vote.

### [24-0365](#)

ABC License: 020 - Restaurant Retail Liquor for Superior Crab Seafood, LLC applicant.

**Attachments:**     [ABC Application - Superior Crab LLC](#)

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

A motion was made by Council Member Vera Quaites, seconded by Council Member Richard Dayton, to make a recommendation to move forward with the ABC License. The motion carried by an unanimous vote.

### [24-0333](#)

A Resolution Declaring Fencing as Surplus at Aaronville Park.

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: 24-1228-RES

### [24-0343](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AT 919 WEST MICHIGAN AVENUE AND ORDERING ITS ABATEMENT

**Attachments:**     [919 West Michigan Ave Weed Abatement](#)

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: 24-1229-RES

[24-0344](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AT COMMON AREA OF PHASE 3A LIVE OAK VILLAGE AND ORDERING ITS ABATEMENT

**Attachments:**     [Live Oak Common Area Weed Abatement](#)

**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: 24-1230-RES

[24-0346](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING 1810 SOUTH CEDAR STREET TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT

**Attachments:**     [1810 South Cedar Street](#)

**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: 24-1231-RES

[24-0347](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AT DRAINAGE EASEMENT ON NORTHWEST CORNER OF LOT 25 OF ELIZABETH PLACE AND ORDERING ITS ABATEMENT

**Attachments:**     [Elizabeth Place Drainage Easement Lot 25 weed abatement](#)

**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: 24-1232-RES

[24-0348](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AT CONSERVATION GREEN SPACE AT THE VILLAGE AT HICKORY STREET PHASE 2 AND ORDERING ITS ABATEMENT

**Attachments:**     [Hickory Village Conservation Green Space Weed Abatement](#)

**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: 24-1233-RES

[24-0349](#)

A Resolution Authorizing the Mayor to Sign a Letter of Intent for the Sanitation Department

**Attachments:**     [SECQ7333](#)  
[letter of intent SANSOM 2024 ASL TWO](#)

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: 24-1234-RES

[24-0352](#)

A Resolution Approving Monthly Bids - May 2024

**Attachments:**     [May 2024 Bid Awards](#)

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: 24-1235-RES

[24-0353](#)

A Resolution to Reappoint Pamela Monroe to the Housing Authority Board.

**Attachments:**     [Member List](#)

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: 24-1236-RES

[24-0355](#)

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

**Attachments:**     [Annual Alzheimers Fundraising Awareness Walk](#)

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: 24-1237-RES

[24-0356](#)

A Resolution Accepting Costs for the Weed Abatement at Lot 1 East Laurel Avenue and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

**Attachments:**     [Weed Abatement Costs](#)

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: 24-1238-RES

[24-0358](#)

A Resolution Approving the Capital Purchase of a K9 Dual Purpose Dog and declaring K9 Bronco as surplus.

**Attachments:**     [Capital Purchase Worksheet](#)  
[wayne email](#)

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: 24-1239-RES

[24-0359](#)

A Resolution to Approve Amendment 2 of the Airport Franchise And License Agreement

**Attachments:**     [Airport Franchis and License Agreement Amendment 2 Lightning Aviation.pdf](#)

Rachel Keith reported that Corey Kirkwood is now the sole owner of Lightning Aviation and that he is asking for the Council to approve a 10 year lease for his business.

**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: 24-1240-RES

[24-0361](#)

A Resolution Approving Estimate #1 from Riviera Utilities for a Light Pole on East Verbena Ave.

**Attachments:**     [City of Foley Mail - Damaged Light Pole Verbena Ave image001 \(2\)](#)  
[Capital Project Worksheet](#)

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: 24-1241-RES

[24-0362](#)

A Resolution Approving the Beulah Heights Drainage Project Design

**Attachments:**     [TE Proposal Michigan Ave Regional Detention Pond signed \(1\)](#)  
[Capital Project Worksheet Beulah Heights Regional Drainage](#)  
[Capital Purchase Worksheet](#)

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: 24-1242-RES

#### [24-0363](#)

A Resolution to Appoint Chloe Salinas to the Foley Revitalization and Beautification Advisory Board.

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: 24-1243-RES

### Mayor's Comments

There were no comments to report.

### Visitor Comments

Rachel Baker-Parker, who resides at 3909 Bella Lane, Foley, AL 36535, addressed the Council with concerns of flooding yards due to improper maintenance and drainage from retention ponds and an additional culvert needed to divert water at Glenlakes and County Rd. 20.

She reported that the culvert from the built pond is draining red dirt into Wolf Creek and mass drainage is flooding yards and homes at Clark Ridge Road - Glenlakes expansion.

She also reported that at Clark Ridge and County Rd. 12 development there has inadequate containment of storm water into Wolf Bay. It is causing shallow waters and increasing flooding issues, sediment run-off and grass depositing into the wetlands.

Brian Scwab, who resides at 23295 Dundee Cr. Foley, AL. 36535, addressed the Council with concerns of illegal immigrants here in the City with the potential to cause issues for residents. He reported that he would like for the City to address the issue of illegal immigrants through the City's monthly newsletter or another media outlet source.

Debbie Schmidt, who resides at 23196 Co. Rd. 20 reported that after the approval of houses and pools to be built in Glenlakes that she has had ongoing issues with her yard flooding due to the run-off from these builds. She reported that she has built three swells to prevent the flooding that has not

worked and asked that Council to provide help with the issues.

Project manager Jeff Phillips reported that he has been in touch with the County and has given some recommendations to address the drainage issues. He reported that the County is going to look into taking the measures to increase the pipe size of the culvert to help alleviate some of the drainage issues.

Zan Blue, who resides at 3922 Bella Lane Foley, AL. 36535 addressed Council with concerns of the environmental harm being caused to the wetlands, the bay and wildlife due to the run-off from improper sized culverts, retention ponds improperly retaining and silt curtains that are not working. He urged Council and the City engineers to work together on these issues.

Sustainability and Natural Resource Director Leslie Gahagan reported that the drainage issues have been reported to ADEM and the City has been working with the contractors at the sites in question to repair issues.

There were no further comments to report.

## Executive Session

City Administrator Mike Thompson reported that there is a need to go into Executive Session to discuss certain aspects of a possible real estate transaction to discuss the consideration that Council would be willing to accept to sell certain real property. He further reported this discussion should take approximately twenty minutes and there may be a need for Council to take vote.

A motion was made by Council Member Richard Dayton, seconded by Council Member Charles Ebert, III, to go into Executive Session.

Mr. Thompson took the following roll call vote:  
Council Member Quaite, aye; Council Member Dayton, aye; President Trawick, aye; Council Member Blackwell, aye; and Council Member Ebert, III, aye. The vote was unanimous to go into Executive Session.

The Council Meeting was recessed at 4:50 p.m.  
The Council Meeting reconvened at 5:17 p.m.

President Trawick called the meeting back to order. All Council Members were present. Also present: City Administrator Mike Thompson, City Clerk Katy Taylor, Christi Watkins and Joey Darby.

[24-0367](#)

(Second Reading) An Ordinance Declaring Certain Real Property Surplus and No Longer Needed for Municipal Purposes and Authorizing the Sale of the Same

Attachments:      [Map](#)

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



## **Adjournment**

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

The meeting adjourned at 5:18 p.m.