



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, August 17, 2020

5:00 PM

Foley Civic Center

Work Session/Council Meeting

Public Hearings

[20-0362](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order its Abatement located at 1605 McKenzie Street.

Council President Wayne Trawick opened the public hearing at 5:00 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[20-0364](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order its Abatement located at 308 N. Hickory Street.

Council President Wayne Trawick opened the public hearing at 5:00 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

Call to Order

President Wayne Trawick called the August 17, 2020 Work Session/Council Meeting to order at 5:01 p.m.

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Wynter Plaski, David Wilson, Denise Wilson, Thurston Bullock, Richard Dayton, LaDonna Hinsley, Ruby Bullock, Claudia Bullock, Berton Bullock, Robert Bullock, Tony Nelson, Shawn Miller, C. Medders, Rachel Spear, Brandy Springsteen, Joe Aldete, Anthony Dotson, Kevin Carnley, Melanie Carver, Kenny Carver, Reese Wiley, Miranda Bell, Huey Hoss Mack, Jessica Vaughn, Scott Carrier, Suzanne Kellams, Jo Hellmich, Joey Darby, Dan Bodiford, Krystal Bodiford, Brandi Wittman, Sandra Vines, Bryan Battaglia, Boc Schreiber, Michael Dasinger, David White, Tony Fuqua, JP Wilson, Robert Wilters and Darrelyn Dunmore.

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

Pledge of Allegiance

Discussion Items

There were no Discussion Items.

Additions/Removals

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to add item 20-0386 to the agenda and to remove item 20-0363 from the agenda. The motion carried by an unanimous vote.

Consent Agenda

[20-0382](#)

Work Session/Council meeting Minutes of August 3, 2020

Attachments: [08-03-2020 Work Session & Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaites, that the Minutes from the August 3, 2020 Council Meeting be approved. The motion carried by an unanimous vote.

[20-0361](#)

Report of Prior Month Approved/Paid Bills for the Records, July, 2020.

Attachments: [2020-07 Approved & Paid Bills.Expense Approval Report](#)

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 Agenda Item be approved. The motion carried by an unanimous vote.

[20-0383](#)

Departmental Reports

Attachments: [July 2020 Bid Awards](#)
 [Tax Report July 2020](#)
 [July 2020 CDD Report for Council](#)
 [July 2020 PD Report](#)

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 Agenda Item be approved. The motion carried by an unanimous vote.

[20-0354](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 3278 BELLINGRATH DRIVE

Attachments: [3278 Bellingrath Dr 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: 20-1222-RES

[20-0360](#)

A Resolution Approving the South Baldwin Chamber of Commerce's Chicago Street Supper Club Request

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: 20-1223-RES

Ordinances

[20-0359](#)

An Ordinance Declaring Certain Real Property Not Presently Needed For Municipal Purposes And Authorizing The Lease Of The Same To Wagon Express, LLC

Attachments: [Lease Agreement - Truck Parking](#)
 [Exhibit A](#)

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

Enactment No: 20-2017-ORD

Resolutions and Other Business

[20-0171](#)

Resolution Amending the Pay Classification Plan to Adjust Pay Grades of Corrections Officers and Communications Officers

Attachments: [Communications Pay Rates](#)
 [Corrections Pay Rates](#)

Suzanne Kellams reported to Council that the Police Department has struggled to recruit and obtain new hires over the past few years. Mrs. Kellams reported that a market study was done and Foley's starting salary is much lower than the starting salaries at surrounding cities. Mrs. Kellams is requesting a position upgrade which would use approximately \$3,800 from the current budget, which can be transferred from the overtime salaries account. There was no further discussion on this item.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1224-RES

[20-0353](#)

Resolution Creating a Regular, Part-Time, Training Specialist Position in

the General Government / HR Division.

Attachments: [Summary of JAT Scoring](#)

Sandra Pate reported to Council that Human Resources is requesting to create a part-time position for Retiring Police Chief David Wilson to hold leadership training within the City of Foley. Ms. Pate reported that this request is budget neutral. There was no further discussion on this item.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1225-RES

[20-0356](#)

A Resolution Approving County Rd 20 Drainage Improvements Project

Attachments: [Capital Project Worksheet CR20 Drainage](#)
 [Budget Increase Capital Projects CR20 Drainage](#)

Council Member Ralph stated that this drainage project will help with the drainage at County Road 20 and Ashford Park. Council Member Charles Ebert, III, thanked all of the property owners that donated the easements that allowed this to happen. There was no further discussion on this item.

A motion was made by Council Member Vera Quaites, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1226-RES

[20-0363](#)

A Resolution Authorizing Employees to Enter Upon the Property at 1605 McKenzie Street, PPIN# 28758, for the Purpose of Abating the Public Nuisance.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be removed. The motion carried by an unanimous vote.

[20-0365](#)

A Resolution Authorizing Employees to Enter Upon the Property at 308 N. Hickory Street, PPIN# 65579, for the Purpose of Abating the Public Nuisance.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1227-RES

[20-0366](#)

Resolution amending the Pay Classification Plan (PCP) for certain position changes and fill an anticipated vacancy within the Foley Police Department. These actions are budget neutral.

Suzanne Kellams reported to Council that this is a budget neutral housekeeping item. There was no further discussion on this item.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1228-RES

[20-0367](#)

A Resolution Amending the City FY 2020 Budgets

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: 20-1229-RES

[20-0369](#)

A Resolution Modifying the Personnel System Policy (PSP) to Clarify Maximum Accrual on Part-Time Employee's Sick and Vacation Hours.

Sandra Pate reported to Council that this is a housekeeping item. There was no further discussion on this item.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1230-RES

[20-0370](#)

A Resolution Approving the Re-filling of Four Upcoming Budgeted Position Vacancies.

Attachments: [Pay Classification Plan - Effective 05-18-20](#)
[20-1116](#)

Sandra Pate reported to Council that funds are still frozen due to COVID-19 so this is a request to use funds for filling budgeted positions. There was no further discussion on this item.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1231-RES

[20-0371](#)

A Resolution Approving the Transfer of Original Operation Funds to a Capital Projects Account to Install New Sidewalks at the Model Train Exhibit

Attachments: [worksheet](#)

Council Member Wayne Trawick stated that this item will allow the installation of a sidewalk for the handicapped at Model Train Exhibit. There was no further discussion on this item.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1232-RES

[20-0385](#)

A Resolution to Apply for the FY2021 Alabama Historic Commission Historic Sites Grant Program

Attachments: [2021 ETF Grant Application Fillable PDF \(2\)](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1233-RES

[20-0368](#)

ABC License: 010 - Lounge Retail Liquor - Class I - Foley Cigar Company LLC, Applicant operating under the trade name Downtown Cigars Foley located at 1013 North McKenzie Street Foley, Alabama.

Attachments: [Downtown Cigars Foley ABC License](#)

Foley Police Department and Fire Department recommend moving forward with this item.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to recommend to the ABC Board to move forward with the license. The motion carried by an unanimous vote.

[20-0386](#)

A Resolution Declaring Surplus Chief David Wilson's Backup Service Weapon

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1234-RES

Presentation

Mayor Koniar presented a Proclamation and a key to the city plaque in honor of Police Chief David Wilson's retirement. Sheriff Hoss Mack presented Chief David Wilson with a plaque and thanked him for his service and friendship. Baldwin County District Attorney Robert Wilters presented Chief David Wilson with a plaque. Former Police Chief James Miller said a few kind words about Chief Wilson. Deputy Police Chief Thurston Bullock presented Chief David Wilson with both of his service weapons. Chief David Wilson thanked his wife, Denise Wilson, as well as the friends, family, and staff of the City of Foley and the Foley Police Department. Chief Wilson asked the Color Guard to come in and hold a Change of the Guard Ceremony with himself and Thurston Bullock to signify the change in chain of command.

[20-0339](#)

A Resolution for the Appointment of a New Police Chief

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 20-1235-RES

Swearing In Police Chief

Judge Mary Murchison swore in Police Chief Thurston Bullock.

[20-0381](#)

Oath of Office - Police Chief

Municipal Judge Murchison asked Thurston Bullock to step forward to be sworn in.

Mayor's Comments

The Mayor had no comments at this time.

Visitor Comments

Council President Wayne Trawick and Council Member Vera Quaites both spoke kind words about Chief David Wilson.

Executive Session

City Administrator Mike Thompson reported the need to go into Executive Session to discuss with the City Attorney legal ramifications of and legal options for possible litigation if the governmental body pursues a proposed course of action. Mr. Thompson reported the Executive Session will last approximately 20 minutes.

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to recess the meeting.

Mr. Thompson took the following roll call vote: Council Member Quaites, aye; Council Member Hellmich, aye; President Trawick, aye; Council Member Blackwell, aye and Council Member Ebert, III. The vote was unanimous to go into executive session.

The meeting recessed at 5:53 p.m.

The meeting reconvened at 6:20 p.m.

All Council Members were present. Also present: City Administrator Mike Thompson.

Adjournment

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to adjourn the meeting.

The meeting adjourned at 6:20 pm.