



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Draft

### City Council

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Monday, December 20, 2021

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 4:01 p.m.

#### Roll Call

All Council Members were present. Also present : Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Wynter Metz, Fay Krehling, Leslie Gahagan, David Thompson, Pam Harris, Darrelyn Dumore, Jessica Vaughn, Darrell Russell, Jamie Smith, LaDonna Hinesley, Jeff Phillips, Kevin Carnley, Miriam Boone, Joey Darby, Suzanne Kellams, Sue Steigerwald, Chuck Lay, Chad Christian, Reece Willey, Meredith Harris, and Charlotte Hall.

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

#### Moment of Silence

A moment of silence was observed.

#### Pledge of Allegiance

#### Discussion Items

There were no discussion items.

#### Consent Agenda

[21-0728](#)

Work Session/Council Meeting Minutes of December 6, 2021

**Attachments:** [12-06-21 Work Session.Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert III, seconded by Council Member Vera Quaites, to approve the December 6, 2021 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

[21-0726](#)

Report of November, 2021, Approved and Paid Bills for the Record

**Attachments:** [2021-11 Approved & Paid Bills.Expense Approval Report](#)

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.

## Additions/Removals/Carry-Overs

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton to carry over item 21-0733 to the Council Meeting of January 3, 2022. The motion was carried by an unanimous vote.

## Ordinances

[21-0725](#)

### AN ORDINANCE APPROVING STREET NAMES FOR PRIVATE DRIVEWAYS CONNECTING TO EXISTING RIGHT-OF-WAYS

**Attachments:** [Backup for Aaronville Addressing.pdf](#)

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

[21-0733](#)

### (First Reading) An Ordinance Approving Zoning Ordinance Amendments

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

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, that this Ordinance be carried over to the City Council Meeting of January 3, 2022. The motion carried by an unanimous vote.

## Resolutions and Other Business

[21-0740](#)

ABC License: 010-Lounge Retail Liquor-Class I for Danmar Hospitality Group LLC, applicant operating under the trade name Scuttlebutt Pub transfer from GG Enterprises LLC to Danmar Hospitality Group LLC located at 319 A North McKenzie Street Foley, Alabama.

**Attachments:** [ABC License App](#)  
[Scuttlebutt Pub Map](#)

Fire Chief Joey Darby and Deputy Police Chief Kevin Carnley reported to Council that this location is approved and to move forward with the ABC License. There was no further discussion of this item.

A motion was made by Council Member Richard Dayton, seconded by Council Member Rick Blackwell to make a recommendation to the ABC Board to move forward with this license. The motion carried the following vote: Council Member Quaite; aye, Council Member Dayton; aye, President Trawick; aye, Council Member Blackwell; aye and Council Member Ebert III, abstained. The motion carried by majority vote.

**Aye:** 4 - Council Member Dayton, Council Member Blackwell, Quaite and Trawick

**Abstain:** 1 - Council Member Ebert III

[21-0717](#)

A RESOLUTION AUTHORIZING A FOURTH POLLING LOCATION IN THE CITY OF FOLEY CORPORATE LIMITS

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: 21-1460-RES

[21-0718](#)

A Resolution to Apply for Hazard Mitigation Grant Program (HMGP) DR-4503 Funds

**Attachments:** [Foley LOI - Generators](#)  
[Foley LOI - Fire Station #1](#)

Fire Chief Joey Darby reported to Council that this Grant Program will allow the City to purchase a generator for the Public Works Department. This generator will provide electric services for the fuel stations. Chief Darby reported that this grant will also be used to make structural improvements for Fire Station 1. He reported that the bay door needs to be replaced and this building had some structural roof damage from Hurricane Sally. There was no further discussion for this item.

A motion was made by Council Member Richard Dayton, seconded by Council Member Vera Quaite, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 21-1461-RES

[21-0720](#)

A Resolution to Approve Waiving the Fees for the Use of Heritage Park for the Gulf Shores Women's Club Scavenger Hunt Fundraiser.

**Attachments:** [GSWC Scavenger Hunt](#)

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

Enactment No: 21-1462-RES

[21-0721](#)

A Resolution Approving Volkert's Amendment No. 1 for Additional Professional Services

**Attachments:**     [Amendment No. 1](#)  
                              [Drawings](#)

City Engineer Chad Christian reported to Council that due to the drainage or other components in some areas, this sidewalk project along 9th Avenue between South Hickory Street and Pine Street may be outside of the right of ways. 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: 21-1463-RES

[21-0722](#)

A RESOLUTION ACCEPTING GOODWYN MILLS CAWOOD, LLC'S PROPOSAL FOR PROFESSIONAL SERVICES FOR THE REPLAT OF TAX PARCEL ID 05-54-07-35-0-000-001.018, 05-54-07-35-0-000-001.021 AND 05-54-07-35-0-000-001.006

**Attachments:**     [GMC Proposal](#)

City Engineer Chad Christian reported to Council that this replat is for the Foley Industrial Park and that it is an expansion of existing lots. 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: 21-1464-RES

[21-0724](#)

A RESOLUTION APPROVING EDT-THA ARCHITECTURE, LLC'S PROPOSAL FOR PROFESSIONAL SERVICES FOR THE NEW PUBLIC WORKS FACILITY COMPLEX

**Attachments:**     [EDT-THA Proposal PW](#)  
                              [Capital Project Worksheet PW](#)

Public Works Director Darrell Russell is requesting Council to approve the proposal from EDT-THA Architecture, LLC'S. Mr. Russell stated that this proposal is for the new Public Works Facility Complex and that he would like to move forward on this project. 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: 21-1465-RES

[21-0727](#)

A Resolution Amending The Pay Classification Plan For Sanitation Positions

**Attachments:**     [Job Analysis Summary - Administrative Assistant IV - Sanitation](#)

Human Resource Director Suzanne Kellams is requesting approval from Council to amend the pay classification for an Administrative Assistant III position that was approved in the FY 22 budget in the second quarter. Mrs. Kellams reported that when performing a job analysis, it resulted in upgrading the Administrative Assistant III position from a grade 80 to a grade 100, Administrative Assistant IV. Mrs. Kellams also reported that this item will amend job titles, Sanitation Supervisor to Residential Sanitation Supervisor and Sanitation Supervisor to Commercial Sanitation Supervisor. These items are budget neutral. 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: 21-1466-RES

[21-0731](#)

A Resolution Accepting Costs for Weed Abatement at 312 West Marigold Ave. and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

**Attachments:**     [Costs- 312 W. Marigold Ave](#)

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

Enactment No: 21-1467-RES

[21-0734](#)

A Resolution to Rescind Resolutions 21-1353 & 21-1289 and to Approve the Capital Purchase of three 2022 Front Loader Garbage Trucks for Commercial Sanitation.

**Attachments:**     [SANI \(4012\) Three Frnt Ldr Trucks Cap Purch Wrksht.xlsx](#)  
                              [SANI \(4012\) Sansom Quote for 3 Trucks.pdf](#)  
                              [RES# 21-1353 Approval to Purchase & Required Paperwork.pdf](#)  
                              [RES# 21-1289 Mayor Signature for Intent.pdf](#)

Public Works Director Darrell Russell reported to Council that the trucks weren't obtainable due to chassis issues. He reported that Sansom Equipment Company can guarantee delivery in April. There was no further discussion on this item.

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

Enactment No: 21-1468-RES

[21-0735](#)

A Resolution Approving the Purchase of Hydraulic Rescue Tools for the Foley Fire Department

**Attachments:**    [Capital Purchase - Capital Project Worksheet - hydraulic rescue tools - 12-2021.xlsx](#)  
[Q12211210641.pdf](#)  
[Q12211020996 \(2\).pdf](#)  
[Q12211020154 \(2\).pdf](#)  
[Q12211210535.pdf](#)

Fire Chief Joey Darby reported to Council that this purchase will allow the Fire Department to place older tools of 15 years in a reserve status and this battery operated tool would be placed with the shift commander response vehicle. He also reported to Council that the prices are projected to go up and he would like to move forward on purchasing this item before the price increase. There was no further discussion of 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: 21-1469-RES

#### [21-0736](#)

A RESOLUTION AUTHORIZING THE CITY OF FOLEY TO JOIN THE STATE OF ALABAMA AND OTHER LOCAL GOVERNMENTS AS PARTICIPANTS IN THE ENDO SETTLEMENT

**Attachments:**    [Endo Alabama Settlement Agreement](#)  
[Endo Sign-on Agreement with Final Exhibits](#)

City Administrator Mike Thompson reported to Council about that the State of Alabama has entered into a settlement agreement with Endo Heath Solutions Inc. and Endo Pharmaceutical. Mr. Thompson reported that this settlement is in the amount of \$25,000,000. The mathematical formula of 60% stays in the state and 40% is distributed to local governments. Mr. Thompson explained to Council that the net that will be issued to the City is approximately \$33,000. This formula would be different if the pharmaceutical company is going through the bankruptcy process. Mr. Thompson stated that the process of distribution of the settlement doesn't go by population but by federal or CDC numbers that show opioid deaths or the number of people that are struggling with opioid abuse within local governmental areas. He also reported that there are 10 -12 pharmaceutical companies that are going through settlements or bankruptcy and this could continue to build into a material dollar amount. Mayor Hellmich reported that he recommends looking into local other municipalities and to explore different avenues of utilization. Mr. Thompson reported that if municipalities didn't participate in this settlement that they would have to seek their own legal counsel and file a separate law suit. 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: 21-1470-RES

#### [21-0737](#)

A Resolution to Amend Resolution 21-1456 Approving Senior Center's

## Ceiling Tile Replacement

**Attachments:** [21-1456 RES](#)

Municipal Complex Director Pam Harris reported to Council that she failed to ask for funds to be appropriated, therefore Resolution 21-1456 needs to be amended. 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: 21-1471-RES

[21-0738](#)

A Resolution appropriating funds and purchasing a John Deere Field Drag for Foley Recreation.

**Attachments:** [Rec Field Drag \(2\)](#)

Executive Director of Leisure Services David Thompson reported that the field drag that they currently have is used on a regular basis and he would like to purchase an additional one to help with a couple of remote sites. 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: 21-1472-RES

[21-0739](#)

A Resolution transferring and appropriating funds for the purchase of a Reel Mower for Foley Sports Tourism Fields.

**Attachments:** [FST Reel Mower](#)  
[SKM\\_C250i21121317160](#)

Executive Director of Leisure Services David Thompson reported that two mowers that Sports Tourism currently have were broke down this past summer and they had to borrow mowers from the Recreation Department. He also reported that this item is over budget and would like to transfer from the small tools account to the capital account to cover the deficit. 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: 21-1473-RES

[21-0730](#)

A Resolution Approving Facade Grant for Charlotte Hall / Bougie Bama at 110 S Alston Street

**Attachments:** [Memo Recommendation Backup for Bougie Bama.pdf](#)  
[Bougie Bamas Grant Memo Corrected](#)

Chief Building Inspector Chuck Lay reported to Council that he resent the memorandum that included the reimbursement of 75% not 50% for the Facade Grant. 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: 21-1474-RES

## **Mayor's Comments**

Mayor Ralph Hellmich thanked everyone that was involved in decorating the City for Christmas. He announced that a destination writer visited Foley and wrote an article about how friendly and beautiful Foley is during the Christmas Season. In the article, the City was compared to a Hallmark Movie.

Mayor Hellmich thanked the Council for their support of the Facade Grant. This Grant helps supports local small business in downtown Foley, which is a vital part of our community.

He encouraged everyone to remember their neighbors during the Christmas Season. Mayor Hellmich also wanted to wished everyone a Merry Christmas.

## **Visitor Comments**

Darrellyn Dumore wanted to thank the Council for supporting the Facade Grant and she wanted to introduce Charlotte Hall who is the owner of Bougie Bama. Mrs. Dumore also introduced the new owners of Scuttlebutt Pub.

David Thompson reported Julio Jones and Lil Baby donated toys for our community. He also thanked the Police Department for an outstanding job on directing traffic from the toy giveaway.

Fire Chief Joey Darby reported that 911 Director Mr. Smith sent a update on the new jurisdiction changes and that the new jurisdiction changes begin January 19, 2022. He also reported that he attended the EMA Meeting and accepted an award on the behalf of the City of Foley. EMA presented Exemplary Service Award for the City of Foley. The EMA Director noticed at one of the meetings, a whole row of seats were filled with the Mayor and the Department Directors from the City of Foley. Mayor Hellmich thanked Chief Darby for attending the EMA meetings every month.

## **Adjournment**

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

The meeting was adjourned at 4:43 p.m.