



**Meeting Minutes - Final**

**City Council**

---

Thursday, September 6, 2018

5:30 PM

Council Chambers

---

**Council Meeting**

**Public Hearing**

[18-0449](#)

Public Hearing To Consider Passage Of An Ordinance To Rezone Property Owned By Wilson Trailer Sales and Service

**Council President Wayne Trawick opened the public hearing at 5:31 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.**

[18-0450](#)

Public Hearing To Consider Passage Of An Ordinance Approving The Petition For Annexation And Bringing Property Into The Corporate Limits Of The City Of Foley Owned By Vickey French And To Consider Planning Commission's Recommendation To Adopt An Ordinance Approving The Pre-Zoning Of The Said Property. The Proposed Pre-Zoning Is A-0 (Agricultural Open Space).

**President Trawick opened the public hearing at 5:32 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.**

[18-0451](#)

Public Hearing to consider Planning Commission's recommendation to adopt an ordinance approving the rezoning of property owned by The Housing Authority of the City of Foley from R-1A (Residential Zone) to R-3 (Residential Zone - Multi Family).

**President Trawick opened the public hearing at 5:32 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.**

[18-0452](#)

Public Hearing to consider the initial zoning of R-1D (Residential Single Family) for property owned by Oscar and Kay Payne.

**President Trawick opened the public hearing at 5:33 p.m. He asked for**

comments from the public. Hearing no comments, he closed the public hearing.

## Call to Order

President Trawick called the meeting to order at 5:34 p.m.

## Roll Call

All Council Members were present with the exception of Council Member Ralph Hellmich, who was absent due to an illness and Council Member Vera Quaites, who was absent due to a schedule conflict. Also present: City Administrator Mike Thompson, City Clerk Katy Taylor, Shelly Oliver, Shawn Miller, LaDonna Hinesley, Pamela Chavez, Marcel Chavez, Joey Darby and press representative Jessica Vaughn (Gulf Coast Media).

**Present:** 3 - President Wayne Trawick, Council Member Rick Blackwell and Council Member Charles Ebert III

**Absent:** 2 - Council Member Vera Quaites and Council Member Ralph Hellmich

## Pledge of Allegiance

## Mayor's Presentation

[18-0455](#)

Proclamation: Family Week

**Attachments:** [Family Week Proclamation \(2\)](#)

No one was present to accept the proclamation.

## Presentation

[18-0467](#)

Government Finance Officer's Association Awards

**Attachments:** [GFOA News Release & Instructions](#)

This item was carried over to the September 17, 2018 Council Meeting due to a schedule conflict in the Finance Department.

## Approval of the Minutes

[18-0444](#)

Work Session Minutes of August 20, 2018

**Attachments:** [08-20-2018 Work Session Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to approve the August 20, 2018 Work Session

Minutes. The motion carried by an unanimous vote.

[18-0445](#)

Council Meeting Minutes of August 20, 2018

**Attachments:** [08-20-2018 Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to approve the Council Meeting Minutes of August 20, 2018. The motion carried by an unanimous vote.

## Additions/Removals

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to carry over items 18-0467 and 18-0463 to the Council Meeting of September 17, 2018 and to carry over item 18-0459 to the October 1, 2018 Council Meeting. The motion carried by an unanimous vote.

## Ordinances

[18-0360](#)

Rezoning Wilson Trailer Sales & Service from R1A to B3

**Attachments:** [Wilson Trailer Sales Rezone.pdf](#)

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

Enactment No: 18-2024-ORD

[18-0369](#)

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY (Vicky French)

**Attachments:** [Annexation Petition and Map-Vicky French](#)  
[Infrastructure Valuation](#)

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

Enactment No: 18-2025-ORD

[18-0371](#)

PREZONING VICKY FRENCH PROPERTY

**Attachments:** [Prezoning Recommendation](#)

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

Enactment No: 18-2026-ORD

[18-0372](#)**REZONING PROPERTY OWNED BY THE HOUSING AUTHORITY OF THE CITY OF FOLEY FROM R1A TO R3****Attachments:**     [Housing Auth Rezone Recommendation.pdf](#)

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

Enactment No: 18-2027-ORD

[18-0381](#)**ORDINANCE APPROVING INITIAL ZONING OF PROPERTY OWNED BY OSCAR & KAY PAYNE.****Attachments:**     [Payne Initial Zoning Recommendation](#)

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

Enactment No: 18-2028-ORD

[18-0439](#)**(Second Reading) An Ordinance to Provide for the Conveyance of Certain Real Property of the City of Foley, Alabama****Attachments:**     [PPIN 217165.pdf](#)[PPIN 093966.pdf](#)

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

**Resolutions and Other Business**[18-0437](#)**Approval of a Special Event ABC License for the South Baldwin Chamber of Commerce 2018 Festival of Flavor****Attachments:**     [2018 Festival of Flavor - ABC License App](#)

The Police and Fire Departments made recommendations to move forward with the ABC License.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to recommend the ABC Board move forward with this ABC License. The motion carried by an unanimous vote.

[18-0454](#)**ABC License: 010-Lounge Retail Liquor for Our Place and Sports Bar LLC, applicant operating under the trade name Our Place and Sports Bar located at 1157 South McKenzie Street Foley, Alabama.****Attachments:**     [Our Place and Sports Bar ABC Application](#)[Our Place and Sports Bar Map](#)

The Police and Fire Departments made recommendations to move forward with the ABC License.

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to recommend the ABC Board move forward with this ABC License. The motion carried by an unanimous vote.

[18-0328](#)

A resolution to accept the Firehouse Subs Public Safety Foundation Grant Award of \$15,507.00

**Attachments:**     [Grant Approval email Firehouse Subs](#)  
[SIGNED MOU ATVS](#)  
[Updated quote ATV](#)  
[20180831085031083](#)

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: 18-1223-RES

[18-0433](#)

Request from Baldwin County Home Builders Association to place directional signs for their Parade of Homes.

**Attachments:**     [Parade of Homes](#)

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: 18-1224-RES

[18-0434](#)

Request to Lower Speed Limit In Riverside Subdivision

**Attachments:**     [Speeding Complaints](#)

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: 18-1225-RES

[18-0435](#)

A resolution waiving fees for Heritage Park Pavilion for Foley High School's Homecoming Community Pep Rally on September 20, 2018.

**Attachments:**     [20180822160554678](#)

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: 18-1226-RES

[18-0436](#)

Resolution Requesting To Waive Fees To Minimum For East-Foley  
Congregation of Jehovah's Witnesses Kingdom Hall Construction

**Attachments:**     [Congregation of Jehovah's Witnesses Letter](#)

**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: 18-1227-RES

[18-0438](#)

A Resolution to Clean Up Police Department Grant Accounts

**Attachments:**     [PD Grants](#)

**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: 18-1228-RES

[18-0440](#)

A Resolution Approving the Hosting of 2018 Creek Crawl

**Attachments:**     [Creek Crawl 2018](#)

**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: 18-1229-RES

[18-0442](#)

JUNIPER STREET S. EXTENSION ROUTE PLANNING

**Attachments:**     [HMR Agreement](#)  
                              [Checklist Juniper St \(1\)](#)

**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: 18-1230-RES

[18-0446](#)

Authorizing Certain Accounts to be Written off as Uncollectable

**Attachments:**     [WRITE OFFS 2018](#)

**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: 18-1231-RES

[18-0447](#)

A Resolution to Amend Resolution 18-1220 Ken Stabler XOXO  
Foundation Donation Request

**Attachments:**     [18-1220 RES](#)

**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: 18-1232-RES

[18-0448](#)

A Resolution to Reappoint Tommy Patterson to the Graham Creek Nature Preserve Board.

**Attachments:**     [Graham Creek Nature Preserve Board List](#)

**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: 18-1233-RES

[18-0453](#)

Accept unbudgeted donations from several sources

**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: 18-1234-RES

[18-0456](#)

A Resolution to Renew Performance Contract with Coastal Alabama Farmers' and Fishermen's Market, Inc.

**Attachments:**     [17-1131 RES](#)  
                              [CAFFM Performance Contract](#)

**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: 18-1235-RES

[18-0458](#)

Resolution adopting new Pay Classification Plan for the City of Foley.

**Attachments:**     [Res #18-1041.pdf](#)  
                              [Final Report - City of Foley.pdf](#)

**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: 18-1236-RES

[18-0459](#)

Rescind Resolution 16-1185 and terminate the lease contract for use of the property west of the 10-plex sports fields.

**Attachments:**     [16-1185 RES](#)

**A motion was made by Council Member Charles Ebert, III, seconded by Council**

Member Rick Blackwell, to carry over this item to the October 1, 2018 Council Agenda. The motion carried by an unanimous vote.

[18-0460](#)

## HERITAGE PARK SIDEWALK PROJECT

**Attachments:**     [Dwg-01 Corners](#)  
                              [Dwg-02 Welcome Ctr](#)  
                              [Dwg -03 Gazebo ramp](#)  
                              [EJ Builders' Proposal](#)  
                              [Estimate 1175 from Ortigas Landscape Services LLC \(2\)](#)  
                              [Fran's Proposal](#)  
                              [Cost Sheet](#)  
                              [Budget Increase and Transfer Request Form](#)  
                              [Checklists](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. Council Member Rick Blackwell amended his motion to approve the amount requested but for Engineering to seek out an alternative cost saving solution. The motion was seconded by Council Member Charles Ebert, III and carried by an unanimous vote.

Enactment No: 18-1237-RES

[18-0461](#)

## A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 905 PEACHTREE AVE W

**Attachments:**     [Weed Abatement 905 Peachtree Ave West](#)

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: 18-1238-RES

[18-0462](#)

## A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT NORTH SIDE OF CROWN WALK ENTRANCE

**Attachments:**     [Weed Abatement Crown Walk Dr at Hickory St S](#)

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: 18-1239-RES

[18-0463](#)

## A resolution Adopting Fiscal Year 2019 Budgets

**Attachments:**     [~FY 2019 Budget Book-reduced](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to carry over this item to the September 17, 2018 Council Agenda. The motion carried by an unanimous vote.

Enactment No: 18-1246-RES

[18-0464](#)

**A Resolution Declaring an Emergency Purchase and Approving the Purchase of an AC Unit**

**Attachments:**     [CDD AC Quotes.pdf](#)

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: 18-1240-RES

[18-0465](#)

Resolution to approve purchase of a sports turf renovation machine.

**Attachments:**     [Turf Renovation Machine](#)

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: 18-1241-RES

[18-0466](#)

A Resolution to Reappoint Montie Clark to the Board of Adjustments and Appeals

**Attachments:**     [M. Clark BAA Email](#)  
                              [BAA Board List](#)

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: 18-1242-RES

[18-0468](#)

A Resolution to Amend FY 2018 City Budgets

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: 18-1243-RES

**Mayor's Comments**

No comments to report.

**Visitor Comments**

No comments to report.

## **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 5:55 p.m.