



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, March 20, 2023

4:00 PM

Council Chambers

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. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, Leslie Gahagan, Jeff Lee, Jeff Phillips, Tony Fuqua, John Jackson, Logan Eberly, Taylor Davis, Guy Busby, Darrelyn Dunmore, Angie Eckman, Russell Ware, Mark Wright, David Thompson, Larry Dearing, Police Chief Thurston Bullock, Fire Chief Joey Darby, Brandon Mothershed, David Wilson, and Wayne Dysess.

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

Moment of Reflection

Pledge of Allegiance

Work Session Discussion

Consent Agenda

[23-0132](#)

Report of February, 2023, Approved and Paid Bills for the Record

Attachments: [2023-02 Approved & Paid Bills.Expense Approval Report](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Richard Dayton, to approve the Report of paid bills for February 2023. The motion was carried by an unanimous vote.

[23-0149](#)

Departmental Reports

Attachments: [Tax Report and Permit-Plan Review Feb 23](#)
[February 2023 CDD Report](#)
[February 2023 PD Report](#)
[February 2023 FD](#)

Foley Fire Chief Joey Darby reported to Council that the Alabama Association of Fire Chiefs have developed a Mutual Aid Agreement. Chief Darby reported that this will better serve municipalities during an emergency disaster situation. Chief Darby also reported that once the agreement is completely drafted, he will bring it back to Council for approval.

A motion was made by Council Member Vera Quaites, seconded by Council Member Richard Dayton, to approve Departmental Reports for February 2023. The motion was carried by an unanimous vote.

[23-0148](#)

Work Session/Council Meeting Minutes of March 6, 2023

Attachments: [3-6-2023 Work Session Council Meeting Minutes](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Richard Dayton, to approve the March 6, 2023 Work Session/Council Meeting Minutes. 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 Rick Blackwell to add item 23-0161 to the March 20, 2023 Council Meeting Agenda. The motion was carried by an unanimous vote.

Ordinances

[23-0111](#)

(Second Reading) AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY DAVID GREEN

Attachments: [Green Annexation](#)
[Creek Ridge LLC Valuation](#)

Mayor Ralph Hellmich reported to Council that the lots in this development will include one to two acres for each dwelling. 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 Ordinance be adopted. The motion carried by an unanimous vote.

Enactment No: 23-2004-ORD

Resolutions and Other Business

[23-0127](#)

A Resolution to Appropriate Funds and Approve the Sportsplex Ditch Improvement Project.

Attachments: [Capital Project Worksheet & Budget Increase Form](#)

Parks and Recreation Director Jeff Lee reported to Council that this planned ditch improvement project is for the west side of the Sportsplex and this will assist the water to flow out into the retention pond. 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: 23-1081-RES

[23-0129](#)

A Resolution Memorializing Entering into a Training Reimbursement Agreement with Southwest Alabama Partnership for Training and Development (SWAPTE)

Attachments: [Alabama Workforce Stabilization Program - CDL Training and Certification Award](#)
[Budget Increase Form - SWAPTE](#)

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: 23-1082-RES

[23-0131](#)

A Resolution to Accept the National Fish and Wildlife Foundation Grant for Wolf Creek Headwaters Restoration Improvement Project - Phase II

Attachments: [77051 Draft Funding Agreement 2023 02 28 \(2\)](#)
[Budget Increase Form](#)

Environmental Director Leslie Gahagan reported to Council that this project will begin in January of 2024 due to the processing of permits that can take up to eight months. 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: 23-1083-RES

[23-0134](#)

A Resolution Approving Monthly Bids - February 2022

Attachments: [February 2023 Bid Awards](#)

Logan Eberly presented to Council the list of bids for February of 2023. 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: 23-1084-RES

[23-0135](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING 621 EAST WALKER AVENUE TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT

Attachments: [SKM_C250i23030808410](#)

Environmental Manager Angie Eckman reported to Council that as of March 20, 2023 the weeds are still overgrown and the property is vacant. Mrs. Eckman reported that she performed a title search and was informed by neighbors that the property owners moved away, possibly out of state. Mrs. Eckman reported that she has included all lines of communication and has not had a response from the property owners. There was no further 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: 23-1085-RES

[23-0137](#)

A Resolution Approving a One Day CATalyst Event

Attachments: [CATalyst Special Event 03.08.2023 Application](#)

Darrellyn Dunmore reported to Council that Foley Main Street will have a fundraising event for Cat Alley and a percentage of the proceeds will go to Safe Harbor. Mrs. Dunmore also reported that during this event, an artist known as RC will spray paint a mural in our beautiful city. 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: 23-1086-RES

[23-0138](#)

A Resolution Authorizing the President of the Alabama Municipal Insurance Corporation to Act as Proxy for the City of Foley at the Regular Annual Membership Meeting

Attachments: [Proxy Form](#)
[AMIC By-Laws](#)

There was no discussion on this item.

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: 23-1087-RES

[23-0139](#)

A Resolution to Accept and Use Unbudgeted Donation Money Issued to the Foley Police Department.

Attachments: [American Aluminum K9 Crate Purchase](#)
 [K9 Equipment Increase Budget Dollars](#)
 [K9 crate Email approval](#)

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: 23-1088-RES

[23-0140](#)

A Resolution to Memorialize the Application Submitted for Representative Carl's FY2024 Community Project Funding Grant

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: 23-1089-RES

[23-0141](#)

A Resolution Approving the Application for Senator Tuberville's FY2024 Congressionally Directed Spending Request

Logan Eberly reported to Council that Leisure Services Department requested permission to submit an application for this item to be utilized for renovations for the Armory. 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: 23-1090-RES

[23-0143](#)

A Resolution to Memorialize the Submission to the FY2023 Community Project Funding and Accept the Grant Award

Attachments: [Grant Agreement B-23-CP-AL-0023](#)
 [Budget Increase Form - Library](#)

Logan Eberly reported to Council that this grant award would be utilized towards the library construction project. 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: 23-1091-RES

[23-0144](#)

A Resolution approving the purchase of a 2023 Ram 1500 Quad Cab 4x4 for the Engineering Department.

Attachments: [2023 Ram 1500 quad cab 4x4](#)
 [Capital Budget Increase](#)
 [23-0144 Capital Budget Increase](#)

Project Director Jeff Phillips requested from Council to approve the additional \$5,000 for emergency equipment and installation. There was no further discussion on this item.

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: 23-1092-RES

[23-0145](#)

A Resolution accepting The Capstone Engineering Group's Professional Services proposal for the East Verbena Avenue Parking Improvements project.

Attachments: [Capstone Professional Svcs](#)
 [Capital Project Worksheet](#)
 [23-0145 Capital Project Worksheet](#)

Deputy Engineer Taylor Davis reported to Council that this item is for professional services that include parking improvements, road resurfacing and adding green spaces. There was no further 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: 23-1093-RES

[23-0146](#)

A Resolution Approving Going to Bid and Purchasing of (10) Vehicles and Related Emergency Equipment

Attachments: [2023 EQUIPMENT SPEC SHEET](#)
 [SIGNED CAPITAL PURCHASE FORM](#)

Logan Eberly requested from Council to move forward on the bidding process to purchase ten vehicles for the Foley Police Department. 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: 23-1094-RES

[23-0150](#)

A Resolution to Reappoint JaNay Dawson to the Foley Historic

Commission.

Attachments: [JaNay Dawson](#)

There was no discussion on this item.

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: 23-1095-RES

[23-0151](#)

A Resolution to approve and memorialize John G Walton's change order in the amount of \$27,025.25 for the County Road 12 Turn Lane Widening project.

Attachments: [Budget Increase Capital Projects](#)

[Invoice John G Walton Application #6 \(Final - Retainage\) CR 12 Turn Lane EDG](#)

[23-0151 Budget Increase Capital Projects](#)

Deputy Engineer Taylor Davis requested from Council to approve the change order due to additional undercutting and under drain piping. There was no further 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: 23-1096-RES

[23-0153](#)

A Resolution to Appoint Steve Bailey as an Alternate Member of the Board of Adjustments and Appeals.

Attachments: [Steve Bailey](#)

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: 23-1097-RES

[23-0154](#)

A Resolution Approving the Facade Grant for Mark Wright / 118 W Laurel Avenue

Attachments: [Facade Grant 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 Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 23-1098-RES

[23-0161](#)

A Resolution Approving the Application for Senator Britt's FY2024 Congressionally Directed Spending Request

Logan Eberly requested permission from Council to submit this application to be utilized for five intersection improvements. 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: 23-1099-RES

Mayor's Comments

Mayor Hellmich reported to Council of the importance the three Congress requested items and how this would make a positive impact on the infrastructure in the City of Foley. He also reported that several road projects are moving forward, that include Juniper Street and Pecan Street. The details are being worked out for the alley way of the Methodist Church.

He reported that he's excited for the National League of Cities Congressional City Conference in Washington DC. that is planned for next week. He also reported that several cities in Baldwin County are planning to attend this event.

He also reported that a solar panel farm is being placed on the west side of County Road 65 to assist the Alabama Power grid.

City Administrator Mike Thompson reported to the Mayor and Council that the FEMA appeal from Hurricane Sally is under a reassessment. Mr. Thompson reported that this does not mean that the appeal was denied but they are looking further into it. Mr. Thompson reported that he is hopeful that the city will have a positive conclusion.

Visitor Comments

There were no visitor comments to report.

Executive Session

City Administrator Mike Thompson reported the need to go into executive session to discuss certain aspects of two possible real estate transactions. Mr. Thompson reported the executive session will take approximately 20 minutes and Council will not be coming back to 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; Council President Trawick, aye; Council Member Blackwell, aye; Council Member Ebert, III, aye. The vote was unanimous to go

into executive session.

The Council meeting recessed at 4:52 p.m.

The Council meeting reconvened at 5:26 p.m.

All Council Members were present. Also present: Mayor Ralph G. Hellmich, City Administrator Mike Thompson.

There was no further business to discuss.

Adjournment

A motion was made by Council Member Richard Dayton, seconded by Council Member Charles Ebert, III, to adjourn the meeting.

The meeting was adjourned at 5:26 p.m.