



Meeting Minutes - Draft

City Council

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Monday, April 3, 2023

4:00 PM

Council Chambers

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Work Session/Council Meeting

**Public Hearing**

[23-0187](#)

Public Hearing to Consider Weed to be a Public Nuisance and to Order its Abatement at 9475 South Hickory St.

Council President Wayne Trawick opened the Public Hearing at 4:00 p.m. He asked for comments from the public. Hearing no comments, he closed the Public Hearing.

**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, Logan Eberly, Jeff Lee, Pam Harris, Guy Busby, Rachel Spear, Reagan Watkins, Robert Anderson, Tracy Watkins, Darrell Russell, Tom DeBell, Jeff Phillips, Tommy Gebhart, Brandon Mothershed, David Wilson, Wayne Dyess, David Thompson, Fire Chief Joey Darby and Police Chief Thurston Bullock.

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

**Moment of Reflection**

**Pledge of Allegiance**

**Presentation**

[23-0178](#)

Presentation: Foley High School 2022 Council for Leaders in Alabama Schools Award

**Attachments:** [20230327084728237](#)

Stephanie Cody and Stan Shotts representing Foley High School presented to Council information for an achievement program called Lion Pride Conference. Mrs. Cody reported that Foley High School was selected as a 2022 Council For Leaders In Alabama Schools of Distinction for Lion Pride Conference. This award recognized school programs that serves as an outstanding educational model from Council For Leaders In Alabama Schools. Mrs. Cody reported to Council that out of two hundred eight schools that were nominated, thirty two schools were selected for the 2022 CLAS Schools of Distinction.

Mrs. Cody and Mr. Shotts reported to Council that this program recognizes and encourages positive behavior. The core part of the Lion Pride Conference is attendance, achievements and behavior. Mrs. Cody also reported that this is the second year of Lion Pride Conference.

## Proclamation

[23-0184](#)

Proclamation: Child Abuse Prevention Month

**Attachments:** [Proclamation-Child Abuse Prevention](#)

Mayor Ralph Hellmich read the Proclamation for Child Abuse Prevention Month for the record.

## Work Session Discussion

## Consent Agenda

[23-0160](#)

Work Session/Council Meeting Minutes of March 20, 2023

**Attachments:** [03-20-2023 Work Session Council Meeting Minutes](#)

The motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to approve the March 20, 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 Richard Dayton to remove item 23-0186 from the April 3, 2023 Council Meeting Agenda. The motion was carried by an unanimous vote.

## Ordinances

[23-0170](#)

(First Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY 68V RIVERSIDE 2022 LLC FROM M1 - LIGHT INDUSTRIAL DISTRICT TO R1D - RESIDENTIAL SINGLE FAMILY

**Attachments:** [Arbor Walk Rezoning 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 Ordinance be approved on the first reading. The motion was carried by an unanimous vote.

[23-0171](#)

(First Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87 FOR PRE-ZONING OF PROPERTY OWNED BY CREEK RIDGE LLC TO PUD - PLANNED UNIT DEVELOPMENT

**Attachments:** [Wolf Ridge.pdf](#)

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 Ordinance be approved on the first reading. The motion carried by an unanimous vote.

## Resolutions and Other Business

[23-0152](#)

A Resolution Amending FY2023 City Budgets

**Attachments:** [Insurance Budget Clean up](#)  
[Freeman Collision Quote](#)

City Administrator Mike Thompson reported to Council that this item is the midyear adjustments from unexpected transactions or events. Mr. Thompson also reported that this is from prior years carryovers and transfer between departments. 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: 23-1100-RES

[23-0155](#)

A Resolution to Accept the FY22 Safe Streets and Roads for All (SS4A) Grant Award

**Attachments:** [Official Notice of Award](#)  
[Budget Increase Form](#)

Logan Eberly reported to Council that if approved, this item would be utilized to develop a safety plan. Mrs. Eberly reported that this could reduce injuries and fatalities in the City of Foley. 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: 23-1101-RES

[23-0158](#)

A Resolution Approving Anthony Dunn the Use of Aaronville Park to Host A Stop The Violence Fun Day

**Attachments:** [Anthony Dunn - Stop The Violence Fun Day](#)

Executive Director of Leisure Services David Thompson reported to Council that this event will be a positive environment with community leaders and role models. 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: 23-1102-RES

[23-0162](#)

A Resolution Authorizing City of Foley Forces to Assist The South Baldwin Chamber of Commerce with the 2023 Annual Hot Air Balloon Festival

**Attachments:** [Chamber Request](#)  
[GCHABF 2023 Special Events Application - COF](#)

South Baldwin Chamber of Commerce Director of Events Rachel Spear reported to Council that this event consists of the same request from the previous Balloon Festival. 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: 23-1103-RES

[23-0163](#)

A Resolution Approving the Planned Purchase of a 2023 John Deere Gator TX for Residential Sanitation.

**Attachments:** [Capital Purchase - 4011 Gator](#)  
[20230321141916810](#)

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: 23-1104-RES

[23-0164](#)

A Resolution Increasing Budget Dollars and Approving the Purchase of a 2023 John Deere Gator TX for Environmental/ Vector Control.

**Attachments:** [20230321141916810](#)  
[20230321133638530](#)  
[Capital Purchase - 2041 Gator](#)

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: 23-1105-RES

[23-0165](#)

A Resolution Approving the Purchase of a 2023 John Deere Gator TX for Street Maintenance.

**Attachments:** [Capital Purchase - 3012 Gator](#)  
[20230321133638530](#)

Public Works Director Darrell Russell requested from Council to approve the increase to the budget for the purchase of this item. 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: 23-1106-RES

[23-0166](#)

A Resolution to Approve and Memorialize MCS Contracting Inc's Change Order in the Amount of \$3,500.00 for the Revenue Office Addition Project

**Attachments:** [MCS Contracting Inc Change Order](#)

There was no 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: 23-1107-RES

[23-0167](#)

A Resolution Authorizing the Mayor to Sign Two Letters of Intent for the Purchase of Two New Garbage Trucks

**Attachments:** [SAMSON ASL Quote](#)  
[SAMSON FEL Quote](#)  
[letter of intent SANSOM 2023 FEL](#)  
[letter of intent SANSOM 2023 ASL](#)

Public Works Director Darrell Russell reported to Council that this item will assist in the growth and high demand for the City of Foley. 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: 23-1108-RES

[23-0168](#)

A Resolution Approving Payment for Boundary Survey and Subdivision from Engineering Design Group and Amends Budget for Costs Associated With a Land Sale

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

City Administrator Mike Thompson reported to Council that part of the survey cost would be reimbursed back to the city after the closing of the property. 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: 23-1109-RES

[23-0169](#)

A Resolution to Waive the Fees for the Use of the Foley Civic Center

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: 23-1110-RES

[23-0172](#)

A Resolution to Appropriate Funds and Approve the Beulah Heights Park Upgrade Project.

**Attachments:** [Beulah Heights Worksheet & Budget Increase Form](#)  
[CXT Dakota Quote](#)

Parks and Recreation Director Jeff Lee reported to Council that this project is to upgrade and replace the existing bathroom facility due to its poor condition.

Mayor Ralph Hellmich reported to Council that this project is part of the restoration within the Parks and Recreation Department. There was no further discussion on this item.

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

Enactment No: 23-1111-RES

[23-0173](#)

A Resolution to Set a Public Hearing to Consider the Rezoning of Property Owned by 68V RIVERSIDE 2022 LLC.

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: 23-1112-RES

[23-0174](#)

A Resolution Approving the Use of Restricted Federal Forfeiture Cash Held to Make an Unbudgeted Capital Purchase of a Computerized Polygraph Instrument and Accessories.

**Attachments:**     [Quote-Product letter](#)  
[Equitable sharing Guide Permissable Equipment.](#)  
[Capital Purchase worksheet and increase budget form polygraph](#)  
[Email form M.Thompson](#)

**Foley Police Chief Thurston Bullock requested from Council to approve the purchase of a computerized polygraph from the federal forfeiture account. 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: 23-1113-RES

**23-0175**

Resolution Approving the Installation of Three New Street Lights on South Commercial Drive.

**Attachments:**     Riviera S Commercial Drive Light Install Estimate  
Map location

**Council Member Charles Ebert, III, reported to Council that the initial request was for one street light but due to the alley way being extremely dark, Council Member Charles Ebert, III, suggested to add two additional lights. 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: 23-1114-RES

[23-0177](#)

A RESOLUTION TO ENTER INTO ALABAMA ASSOCIATION OF FIRE CHIEFS MUTUAL AID CONSORTIUM AGREEMENT

**Attachments:**     [ALABAMA ASSOCIATION OF FIRE CHIEFS MUTUAL AID CONSORTIUM AGREEMENT 2-2023](#)  
[AAFC Mutual Aid Consortium Rules and Procedures](#)

**Foley Fire Chief Joey Darby reported to Council that this agreement would provide for the coordination of sharing available resources across jurisdictions in the time of an emergency. Chief Darby also reported to Council that this agreement is not a contract. 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: 23-1115-RES

[23-0179](#)

A Resolution Approving the Application to Firehouse Subs Public Safety Foundation Grant

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: 23-1116-RES

[23-0181](#)

A Resolution Amending Resolution 23-1064 to Increase Amount for Emergency Equipment

**Attachments:** [Scan2023-03-16\\_164002 \(2\).pdf](#)

Foley Fire Chief Joey Darby requested from Council to approve this item due to not being able to repurpose the equipment because the new body style is not compatible. 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: 23-1117-RES

[23-0183](#)

A Resolution Approving the Use of Max Griffin Park on Saturday May 29, 2023 for the American Legion Post 99's Memorial Day Ceremony.

**Attachments:** [American Legion Memorial Day Ceremony](#)

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: 23-1118-RES

[23-0185](#)

A Resolution to Reappoint Virgil H (Rip) Christensen, Jr. to the Museum Archives Board.

**Attachments:** [Virgil Christensen, Jr.](#)

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: 23-1119-RES

[23-0186](#)

A Resolution Authorizing Employees to Enter Upon the Property at 9475 South Hickory St. for the Purpose of Abating the Public Nuisance.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to remove this item from the agenda. The motion carried by an unanimous vote.

Enactment No: 23-1120-RES

[23-0188](#)

A Resolution to Set a Public Hearing to Consider the Pre-zoning of Property Owned by Creek Ridge, LLC

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: 23-1121-RES

### Mayor's Comments

Mayor Hellmich reported to Council that the Pecan Street road project has begun and moving forward. Mayor Hellmich reported to Council that Spring Break is in full season and there is a high volume of activities for our citizens and visitors.

Mayor Hellmich reported to Council that he enjoyed attending the National League of Cities Congressional City Conference in Washington DC. along with Council Members, City Administrator Mike Thompson and Executive Director of Infrastructure and Development Wayne Dyess. He reported that it was a positive experience to interact with leaders that participated in this conference.

Mayor Hellmich thanked Executive Director of Leisure Services David Thompson and Parks and Recreation Jeff Lee on their excellent job for the revitalization of the parks.

### Visitor Comments

There were no visitors comments to report.

### Adjournment

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

The meeting was adjourned at 4:56 p.m.