



Meeting Minutes - Draft

City Council

Monday, October 7, 2024

4:00 PM

Council Chambers

Work Session/Council Meeting

Public Hearing

[24-0591](#)

Public Hearing to Declare Weeds to be a Public Nuisance and to Order its Abatement Located at 410 Oakleigh Cr.

Council President Wayne Trawick opened the Public Hearing at 4:00 pm. He asked for comments from the public. Hearing no comments, he closed the Public Hearing. This property was abated by the owner.

[24-0594](#)

Public Hearing to Consider the Rezoning of Property Owned by JBW Investments, LLC from B1A-Extended Business District and PDD-Planned Development District to PUD-Planned Unit Development

Council President Wayne Trawick opened the Public Hearing at 4:01 pm. 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 4:01 pm.

Roll Call

All Council Members were present. Also present: Mayor Ralph G. Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Christi Watkins, Phillip Knuckey, Wynter Metz, David Wilson, Glenn Hartensen, Tracy Wilhelm, Logan Eberly, Mitch Nelson, Lisa Yeater, Guy Busby, Frances Holk-Jones, James Bratton, David Thompson, Angela Sherman, Justin Blackwell, Larry Dearing, Jason Wolton, LaDonna Hinesley, Jamie Smith, Stuart Smith, Chad Watkins, Eric Johaysten, Joey Darby, Darrell Russell, Jeff Phillips, Wayne Dyess, and Cian Harrison.

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

Moment of Reflection

Pledge of Allegiance

Proclamation

[24-0619](#)

Proclamation: Sister Cities International Day

Attachments: [Proclamation](#)

Mayor Hellmich presented the Proclamation declaring October 14, 2024 as Sister Cities International Day in the City of Foley.

Work Session Discussion

Additions/Removals/Carry-Overs

There were no carry-overs to report.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to remove item 24-0607 from the agenda due to the property being abated by the owner. The motion carried by an unanimous vote.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to add item 24-0624 to the agenda. The motion carried by an unanimous vote.

Consent Agenda

[24-0593](#)

Work Session/Council Meeting Minutes of September 16, 2024

Attachments: [9-16-24 Council Meeting Minutes](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, to approve the September 16, 2024 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

Ordinances

[24-0523](#)

(Second Reading) AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY CLUB RV, LLC

Attachments: [Club RV, LLC](#)

Executive Director of Infrastructure Wayne Dyess reported this ordinance will allow for the petition for annexation and to bring property into the corporate limits of the City of Foley for Club RV, LLC. He reported that the he and Club RV, LLC has met with the annexation committee to insure that it meets the City's standards.

He also reported that part of the Club RV, LLC business model is to sell some of

the rv lots. He reported that it is not something the City typically allows for but they are trying to work with Club RV, LLC to meet the City's standards and designs to allow for the sell of these lots.

City Administrator Mike Thompson reported that the current ordinance allows for a maximum stay of 90 day rentals for rv lots and the idea is to modify it to where anyone who owns a lot can stay up to a period of six months at a time. He reported that one of the issues is lodging tax is required by state law and if a state breaks the 90 day stay then lodging tax cannot be applied therefore, creating an issue with renters then wanting to rent spaces beyond the 90 days allowing them to not be obligated to pay the lodging tax.

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

[24-0598](#)

(Second Reading) An Ordinance Adopting Zoning Ordinance Amendments - Greenbelt Zones

Attachments: [Zoning Amendments Ordinance](#)
 [Attachment for Council.pdf](#)

Executive Director of Infrastructure Wayne Dyess reported that this ordinance will allow for an aesthetic measure by adding trees and shrubs that will allow for more pleasant views by the traveling public and will also provide a sound barrier for neighborhoods.

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

[24-0613](#)

(Second Reading) An Ordinance to Rescind Ordinance 24-2020 and to Declaring Certain Real Property Surplus and No Longer Needed for Municipal Purposes and Authorizing the Sale of the Same

Attachments: [24-2020 ORD](#)

City Administrator Mike Thompson reported that the approval of this ordinance will allow for a recension of a previous ordinance approved by Council and a new ordinance will be written that meets the requirements of the title company.

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

[24-0533](#)

(Second Reading)ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY JBW INVESTMENTS, LLC FROM B1A - EXTENDED BUSINESS DISTRICT AND PDD - PLANNED DEVELOPMENT DISTRICT TO PUD - PLANNED UNIT DEVELOPMENT

Attachments: [Backup for S Juniper St Rezoning.pdf](#)
[20240904085053215](#)

Executive Director of Infrastructure Wayne Dyess reported the approval of this ordinance will allow for a Planned Unit Development of apartments and townhomes. He reported that JBW Investments, LLC have met the City's multi-family design standards as well as the green space standards.

A motion was made by Council Member Richard Dayton, seconded by Council Member Vera Quaites, that this Ordinance be adopted. The motion carried by the following vote: President Trawick, aye; Council Member Quaites, aye; Council Member Dayton, aye; Council Member Blackwell, aye; and Council Member Ebert, III, nay. The motion carried by a majority vote.

Aye: 4 - President Wayne Trawick, Council Member Vera Quaites, Council Member Rick Blackwell and Council Member Richard Dayton

Nay: 1 - Council Member Charles Ebert III

Enactment No: 24-2031-ORD

[24-0582](#)

(Second Reading) An Ordinance Approving A Deed Correction For the Conveyance of Property to Baldwin County

Attachments: [Correction Deed - City of Foley to Baldwin County](#)
[21-2019 ORD](#)

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

Enactment No: 24-2032-ORD

Resolutions and Other Business

[24-0618](#)

ABC License: 140 - Special Events Retail for BLOOMS 4 YOU, Inc., applicant operating under the trade name Burgers Brats and Beer Fest located at 200 N McKenzie St. Foley, AL.

Attachments: [ABC Application - Blooms 4 You, Inc.](#)

Foley Fire and Police Departments made a recommendation to move forward with the ABC License.

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

[24-0236](#)

A Resolution to Approve the 2024 Baldwin Heart Walk Sponsorship

Attachments: [BHW 2024 City of Foley Sponsor Agreement](#)
 [Attachment A - City of Foley BHW](#)
 [AHA 2024 Pledge Invoice 590921](#)

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: 24-1393-RES

[24-0556](#)

A Resolution Approving the Purchase of a Knuckleboom Loader for the Sanitation Department.

Attachments: [letter of intent EPG knuckleboom 2025](#)
 [2025 City of Foley AL Petersen TL3 Peterbilt 537 6.18.24](#)
 [Wynter-Metz-Residential-Sanitation](#)

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: 24-1394-RES

[24-0557](#)

A Resolution Approving Two (2) ASL Trucks for the Sanitation Department.

Attachments: [Letter of Intent](#)
 [SECQ7333](#)
 [Wynter-Metz-Residential-Sanitation \(1\)](#)
 [Wynter-Metz-Residential-Sanitation \(2\)](#)

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: 24-1395-RES

[24-0558](#)

A Resolution Approving the Purchase of a 2024 RC Mower for the Street Department

Attachments: [Letter of Intent - Robert Smith](#)
 [RC Mower Quote](#)
 [Wynter-Metz-Street-Department \(4\)](#)

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: 24-1396-RES

[24-0559](#)

A Resolution Approving the Purchase of a Mainline Inspection Camera System for the Street Department

Attachments: [SECQ6677](#)
 [Wynter-Metz-Street-Department \(5\)](#)

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: 24-1397-RES

[24-0560](#)

A Resolution Approving the Purchase of a Skid Steer for the Street Department

Attachments: [4973293130 CITY OF FOLEY 299D3XE B6202443](#)
 [4973293130 CITY OF FOLEY 299D3XE B6202443 \(1\)](#)
 [Wynter-Metz-Street-Department \(1\) \(1\)](#)

There was no 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: 24-1398-RES

[24-0581](#)

A Resolution to Approve Police Department Vehicles to be Deemed Surplus

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: 24-1399-RES

[24-0584](#)

Resolution Approving USDA's Cooperative Service Agreement for Beaver Management

Attachments: [City of Foley CSA 24-25](#)
 [Daisha-Barnes-09-12-2024 \(1\)](#)

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: 24-1400-RES

[24-0585](#)

A Resolution Approving the Ralph Schumacher Soccer Complex Lighting Upgrade Capital Project.

Attachments: [Foley Sports Complex Soccer Fields 1-3 Retrofit with Parking Lot Lighting 210141 rev 9-11-24](#)
[Jeff-Lee-Parks-Recreation](#)

Executive Director of Leisure Services David Thompson reported that the lighting needs to be upgraded at the soccer fields to LED. He reported that this lighting will also help light the parking lots.

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: 24-1401-RES

[24-0587](#)

A Resolution Declaring Surplus Officer James "Mike" Powers' Badge and Service Weapon

There was no 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: 24-1402-RES

[24-0588](#)

Resolution Declaring Primary Source Vendors for the Foley Public Library

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: 24-1403-RES

[24-0589](#)

A Resolution to Reappoint Charles Ebert, III to the Public Athletic and Sports Facilities Cooperative District and to the Public Cultural and Entertainment Facilities Cooperative District

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: 24-1404-RES

[24-0590](#)

A Resolution Approving the Purchase of Robot Painters for the Sports Tourism and Parks and Recreation Departments.

Attachments: [Jeff-Lee-Parks-Recreation-Sports-Tourism](#)
[\[AL\] Foley Parks and Recreation - Plus Outright x2](#)

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: 24-1405-RES

[24-0596](#)

A Resolution Amending The Pay Classification Plan In the Public Works And Street Departments

Attachments: [Pay Classification Plan - Effective 09-16-24](#)
[Request To Transfer Departmental Budget Dollars - PW to Street](#)

Executive Director of Administration Cian Harrison reported the approval of this Resolution will allow for the amendments to the pay plan to transfer funds from the Street Department to the Public Works Department personnel account and that the item is budget neutral.

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: 24-1406-RES

[24-0597](#)

A Resolution Approving A Retirement Award

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: 24-1407-RES

[24-0599](#)

A Resolution to Set a Public Hearing to Consider Adopting an Ordinance to Amend the Zoning Ordinance for Greenbelt Zones

There was no discussion on this item.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to set a Public Hearing. The motion carried by an unanimous vote.

Enactment No: 24-1408-RES

[24-0600](#)

A Resolution To Waive Fees To Minimum For Habitat For Humanity Of Baldwin County

Attachments: [Habitat for Humanity Request Letter](#)

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: 24-1409-RES

[24-0601](#)

A Resolution Accepting FY2025 Gulf Coast Resource Conservation and Development Council Grant

Attachments: [Grant Agreement](#)
 [Budget Adjustment](#)

Logan Eberly reported that the Nature Parks Department was awarded \$15,000 to be used towards the purchase of a wheelchair accessible shuttle to be used during archery events. She reported that they are asking for the approval to accept this grant and amend the revenue account.

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: 24-1410-RES

[24-0602](#)

A Resolution to Move Forward with the Capital Purchases Related to the Byrne Discretionary Community Project Grant

Logan Eberly reported the Police Department was awarded \$726,000 from the Discretionary Community Project Grant Program and that the approval of this item will allow for the purchases related to this grant.

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: 24-1411-RES

[24-0604](#)

A Resolution to Approve the Closure of Streets in Downtown Foley for Hometown Halloween on Thursday, Oct. 24, 2024.

There was no 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: 24-1412-RES

[24-0605](#)

A Resolution Accepting Goodwyn, Mills & Cawood, LLC's Proposal for the Implementation of the Master Plan Design from Design Development, Construction Documents, and Bidding to overseeing Construction for Mills Community Park Improvements.

Attachments: [GMC - Mills Community Park Concept Plan](#)
[Foley Mills Community Park Proposal for CDs 2024-09-23](#)
[Approval - GMC Mills Community Park](#)

Executive Director of Leisure Services David Thompson reported that the approval of this item will allow for them to move forward with the design of the property.

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: 24-1413-RES

[24-0606](#)

Resolution to Appropriate Funds for the Professional Services from Goodwyn, Mills & Cawood, LLC for the Taylor Property

Attachments: [GMC-Taylor Property](#)
[David Thompson - 09-27-2024](#)

Executive Director Of Leisure Services David Thompson reported that the approval of this item will allow for them to have a land and boundary survey, a tree survey, and topographic survey to recently purchased property by the City.

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: 24-1414-RES

[24-0607](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT LOT 1 OF SUTE FARMS ESTATES

Attachments: [Lot 1 Sute Farms Estates Weed abatement](#)

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 item be removed for the agenda. The motion carried by an unanimous vote.

Enactment No: 24-1415-RES

[24-0608](#)

A Resolution approving GMC LLC's Professional Services Proposal for the James Road Extension Project

Attachments: [PSA - Extension of James Road](#)
[Wynter-Metz-Street-Department \(6\)](#)

Director of Public Works Darrell Russell reported that the approval of this item will allow for the design work to be done for the future James Road Extension Project.

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: 24-1416-RES

[24-0609](#)

A Resolution Appropriating Additional Funds for the Cedar St Sidewalk Phase I Project.

Attachments: [Cedar St Phase 1-A South \(1\)](#)
 [24-1294 RES cedar ph1 money](#)
 [Wynter-Metz-Street-Department \(7\)](#)

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: 24-1417-RES

[24-0624](#)

A Resolution of the City of Foley, Alabama, in Support of Hurricane Milton Victims in the State of Florida

Executive Director of Public Safety David Wilson reported that the approval of this item will allow up to \$1,500 in a one-time support payment for the victims of Hurricane Milton under to General Government Administration Public Relations account and will approve employee time and the use of equipment needed to conduct relief efforts in accordance with City policies and procedures.

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: 24-1419-RES

Mayor's Comments

Mayor Hellmich reported that the Chicago Street Supper Club is Friday, October 11, 2024.

He reported that Foley High School will host Homecoming Friday, October 11, 2024.

He also reported Haunted Halloween is being held at Graham Creek now through Halloween.

He reported that the Hometown Halloween event will be held Thursday, October 24, 2024.

Mayor Hellmich reported that Midday Melodies is being held at Heritage Park on Wednesdays from 11-1 pm.

He reported that German exchange students are here and they are having a successful visit and are very impressed with our local schools.

He also reported Foley High School Theater will have an upcoming production of Silent Sky that will be held over the next three nights at 6:30 pm here at the City Hall Event Center.

Visitor Comments

Tracy Wilhelm, who resides at 212 West Myrtle Avenue, Foley, reported that the traffic in his neighborhood has become increasingly more difficult and dangerous to manage and asked Council if they would consider approving to have a speed table to be installed to help slow traffic down as a short term solution until the City can complete road improvements that will allow for a more permanent solution.

Mayor Hellmich reported that the City is looking at how to upgrade the streets and making the neighborhood more pedestrian friendly. He reported that the City can also deploy traffic cameras to gather further data regarding traffic issues in the neighborhood to better help address the problems.

Executive Session

City Administrator Mike Thompson reported that there is a need to go into Executive Session to discuss certain aspects of a possible real estate transaction to discuss the consideration that Council would be willing to accept to receive to lease/or sell certain real property and a discussion of potential litigation. He further reported this discussion should take approximately one hour and there will be a need for a vote.

A motion was made by Council Member Rick Blackwell, seconded by Council Member Richard Dayton, to go into Executive Session.

Mr. Thompson took the following roll call vote:
Council Member Quaites, aye; Council Member Dayton, aye; President Trawick, aye; and Council Member Ebert, III, aye. The vote was unanimous to go into Executive Session.

The Council Meeting was recessed at 5:40 p.m.

The Council Meeting reconvened at 7:38 p.m.

Council President Pro Tem Charles Ebert, III called the meeting back to order. All Council Members were present with the exception of Council President Wayne Trawick. Also present: Mayor Ralph G. Hellmich and City Administrator Mike Thompson, City Clerk Katy Taylor and Christi Watkins.

[24-0622](#)

A Resolution Authorizing the Mayor and City Staff to Negotiate a Purchase Price for Certain Real Property

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: 24-1418-RES

Adjournment

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

The meeting was adjourned at 7:38 pm.