



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Draft

### City Council

---

Monday, September 20, 2021

4:00 PM

Civic Center

---

#### Work Session/Council Meeting

#### Public Hearings

[21-0549](#)

Public Hearing to Consider the Passage of an Ordinance Approving Petition for Annexation and Bringing Property into the Corporate Limits of the City of Foley (Flowers)

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.

[21-0550](#)

Public Hearing to Consider the Passage of an Ordinance Approving Petition for Annexation and Bringing Property into the Corporate Limits of the City of Foley (Stewart)

President 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

President Trawick called the meeting to order at 4:01 pm.

#### Roll Call

All Council Members were present. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, Daniel and Sara Thompson, Tom DeBell, Jamie Smith, LaDonna Hinesley, Leslie Gahagan, Sue Steigerwald, Prisila Hughes, Christian Thompson, Darrelyn Dunmore, Brad Perry, Kelly Bruhl, Maya Bruhl, Bill Ciestin, Lee and Linda Bochnia, Wayne Hall, Darrell Russell, Chad Christian, Forrest Mixon, Deborah Mixon, Joey Darby, David Thompson, David Wilson, Denise Wilson, police officers from several jurisdictions and several fire fighters, Mike Dasinger and press representative Jessica Vaughn.

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

## Moment of Silence

A moment of silence was observed.

## Pledge of Allegiance

## Swearing In Ceremony

### [21-0495](#)

Appointment of Executive Director of Leisure Services

**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: 21-1326-RES

### [21-0496](#)

Appointment of Executive Director of Public Safety

**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: 21-1327-RES

### [21-0497](#)

Oath of Office - Executive Director of Leisure Services

**Judge Mike Dasinger performed the swearing in ceremony of David Thompson as Executive Director of Leisure Services.**

### [21-0498](#)

Oath of Office - Executive Director of Public Safety

**Judge Mike Dasinger performed the swearing in ceremony of David Wilson as Executive Director of Public Safety.**

## Presentations

### [21-0539](#)

Presentation: Foley Main Street, Inc

**Foley Main Street, Inc. Executive Director Darrelyn Dunmore gave a presentation on Foley Main Street being recognized at the Main Street Alabama Annual Conference in Gadsden, Alabama. Mrs. Dunmore also presented LaDonna Hinesley with the Main Street Alabama Promotion Award of Excellence.**

## Discussion Items

**President Trawick recognized Scout Troop 77, who were present.**

## Consent Agenda

[21-0547](#) Work Session/Council Meeting Minutes of September 7, 2021

**Attachments:** [Work Session.Council Meeting Minutes of Septemebr 7, 2021](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to approve the September 7, 2021 Work Session/Council Meeting Minutes. The motion carried by an unanimous vote.

[21-0543](#) Report of August, 2021, Approved and Paid Bills for the Record

**Attachments:** [2021-08 Approved & Paid Bills.Expense Approval Report](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, that this Agenda Item be approved on the Consent Agenda. The motion carried by an unanimous vote.

[21-0548](#) Departmental Reports

**Attachments:** [August 2021 Bid Awards](#)  
[Tax Report and Permit-Plan Review Aug 2021](#)  
[August 2021 CDD Report](#)  
[August 2021 PD Report](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, that this Agenda Item be approved on the Consent Agenda. The motion carried by an unanimous vote.

## Additions/Removals/Carry-Overs

There were no additions, removals or carry-overs.

## Ordinances

[21-0440](#) AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY LILY FLOWERS STEWART

**Attachments:** [Stewart Annexation](#)  
[Stewart Valuation](#)

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

an unanimous vote.

Enactment No: 21-2027-ORD

[21-0441](#)

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY JAMES A. FLOWERS

**Attachments:**     [Flowers Annexation](#)  
                              [Flowers Valuation](#)

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

Enactment No: 21-2028-ORD

[21-0545](#)

(First Reading) AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY FLOWERS 8, LLC

**Attachments:**     [Flowers 8, LLC Petition and Maps](#)  
                              [Valuation](#)

**A motion was made by Council Member Rick Blackwell, 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

[21-0540](#)

ABC License: 020 - Restaurant Retail Liquor for Tasty M N INC, Applicant, operating under the trade name Ichiban Hibachi and Sushi located at 2167 S McKenzie St Foley, Alabama 36535.

**Attachments:**     [Ichiban Hibachi and Sushi ABC Application](#)

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

**A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to make a recommendation to the ABC Board to approve the ABC License. The motion carried by an unanimous vote.**

[21-0492](#)

Resolution modifying the City's Personnel System Policy (PSP) to update the Appointed City Officials and Certain Employee Benefits

**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: 21-1328-RES

[21-0533](#)

**A Resolution Waiving Fees for the Use of Heritage Park and Pavilion**

**for Pastor Bill Curtin of Foley United Methodist Church for Sunday Morning Community Worship Gathering**

**Attachments:**     [UMC - Heritage Park Rental Request](#)

**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: 21-1329-RES

[21-0535](#)

A Resolution Accepting Costs for Weed Abatement at 1817 East Candlestick Court and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

**Attachments:**     [1817 Candlestick Ct Costs](#)  
                              [Sun South LLC Invoice for #3012034 Mower](#)

**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: 21-1330-RES

[21-0536](#)

A Resolution Accepting Costs for Weed Abatement at Lot 3 Seacole Subdivision and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

**Attachments:**     [Lot 3 Seacole Costs](#)

**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: 21-1331-RES

[21-0537](#)

A Resolution Accepting Costs for Weed Abatement at the Lot North of 908 North Oak Street and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

**Attachments:**     [Lot N of 908 N Oak St Costs](#)

**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: 21-1332-RES

[21-0538](#)

A Resolution approving the survey proposal from Engineering Design Group (EDG) for area drainage improvements to the Magnolia Gardens Subdivision

**Attachments:**     [Capital Project Worksheet Magnolia Circle Ditch Proposal](#)  
[EDG Highway 98 Ditch Proposal](#)

**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: 21-1333-RES

[21-0541](#)

A Resolution to reappoint Joshua Roberts to the Foley Revitalization and Beautification Board.

**Attachments:**     [Joshua Roberts Term](#)

**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: 21-1334-RES

[21-0544](#)

A Resolution Approving Street Light Installation

**Attachments:**     [Riviera Utilities Application](#)  
[City of Foley Mail - Fwd Security light Quote Behind Magnolia Hotel](#)

**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: 21-1335-RES

[21-0546](#)

A Resolution to Set Public Hearing to Consider the Passage of an Ordinance Approving Petition for Annexation and Bringing Property into the Corporate Limits of the City of Foley (Flowers 8, LLC)

**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: 21-1336-RES

[21-0551](#)

A Resolution Amending City FY2021 Budgets

**Attachments:**     [FY21 BUDGET ADJUSTMENTS-HR](#)  
[Self-Insured Savings Reserve](#)

**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: 21-1337-RES

[21-0552](#)

Resolution Approving The Budget Transfer From The Senior Center To The Municipal Complex Department

**Attachments:**     [Budget Transfer Form](#)

**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: 21-1338-RES

[21-0553](#)

A Resolution To Authorize A Reciprocal Clinic Usage Agreement With The City Of Fairhope

**Attachments:**     [Foley Reciprocal Clinic Usage](#)

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

Enactment No: 21-1339-RES

[21-0554](#)

A Resolution to Appoint Janice Johnson to the Senior Center Advisory Board.

**Attachments:**     [Janice Johnson](#)

**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: 21-1340-RES

[21-0557](#)

A Resolution Rescinding Resolution 21-1316 for the Foley Fire Department

**Attachments:**     [21-1316 RES](#)

**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: 21-1341-RES

[21-0558](#)

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

**Attachments:**     [Montie Clark](#)

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

Enactment No: 21-1342-RES

[21-0561](#)

A RESOLUTION APPOINTING CHARLES EBERT, III TO THE BOARD OF DIRECTORS OF RIVIERA UTILITIES

**Attachments:**     [Riviera Brd Member List](#)

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

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

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

Enactment No: 21-1343-RES

### [21-0563](#)

A RESOLUTION AUTHORIZING THE EXECUTION OF THAT CERTAIN LOAN TERMINATION AGREEMENT AND CANCELLATION OF PROMISSORY NOTES.

**Attachments:** [City of Foley - Meeting Minutes - Cancellation of Notes](#)  
[Loan Termination Agreement and Cancellation of Promissory Note - CAFFM](#)

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: 21-1344-RES

### [21-0564](#)

A Resolution Approving the Reimbursement of Funds for Foley Main Street Office Relocation and Remodeling Expenses

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: 21-1345-RES

## Mayor's Comments

Mayor Hellmich congratulated Foley Main Street, Inc. He also reported the has been a lot of rain over the past few weeks but the City is making progress in the flooding areas. He further reported that the Covid-19 cases are starting to come down. He reported that the Rite Aid building has been torn down and a new Taco Bell will be built on that site as well as ground work has started on the Aldi's site.

## Visitor Comments

Linda Champion thanked Mayor Hellmich, Chad Christian and Darrell Russell for the work performed on the drainage ditch in Ashford Park behind the YMCA.

Stella Wesley, who resides at 1611 S. Cedar Street reported her house is getting flooded and would like someone to assess the area drainage. She reported she has replaced her whole flooring several times due to flooding



issues.

## **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 4:45 pm.