



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, May 15, 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, Brandon Mothershed, Jeff Phillips, Police Chief Thurston Bullock, Wayne Dyess, Fire Chief Joey Darby, LaDonna Hinesley, John Jackson, Brad Wallace, Angie Eckmen, Angela Ray, Terry Woodard, Logan Eberly, Guy Busby, Kelly O'Donnell, David Thompson, Kate Norris, Kate Embry, Wesley Ray, Tommy Gebhart, Rachel Keith, Suzanne Kellams, Jeff Lee, Trey Moore, Luis Alvaree, Colin Ray, Brett Brown, Chris Thomas, Amy Barker, Roddy Burkle, Brenda Shambo, Deborah Mixon, Forrest Mixon, Darrelyn Dunmore, Lisa Way, Sara Knight, Gregg Knight, Erin Mims, Wynter Metz, Angela Shook, Randell Price, Seth Till and Darrell Russell.

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

Moment of Reflection

Pledge of Allegiance

Proclamation

[23-0282](#)

Proclamation: Teacher of the Year, Amy Barker

Attachments: [Proclamation-Amy Barker](#)

Mayor Ralph Hellmich presented the Proclamation to Amy Barker for Teacher of the Year.

[23-0283](#)

Proclamation: Teacher of the Year, Ursula Thompson

Attachments: [Proclamation-Ursula Thompson](#)

Mayor Ralph Hellmich presented the Proclamation to Ursula Thompson for Teacher of the Year.

Discussion Items

[23-0272](#)

Discussion Item: Street Dept. Employees Obtain Class A Commercial Drivers Licenses and Class B Commercial Licenses

Human Resource Director Suzanne Kellams reported to Council that the City of Foley partnered with Coastal Alabama Community College and Bishop State Community College. This partnership allows for the Street Department employees to obtain their Class A and Class B Commercial Licenses.

Dr. Josh Duplantis representing Coastal Alabama Community College and Brad Wallace representing Bishop State Community College were presenting to each employee their Class A and Class B Commercial Licenses. Dr. Duplantis and Mr. Wallace thanked the City of Foley for their positive support.

Consent Agenda

[23-0274](#)

Work Session/Council Meeting Minutes of May 1, 2023

Attachments: [May 1, 2023 Work Session Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to approve the May 1, 2023 Work Session/Council Meeting Minutes. The motion was carried by an unanimous vote.

[23-0275](#)

Departmental Reports

Attachments: [Tax Report and Permit-Plan Review April 2023](#)

[CDD April 2023 Report](#)

[April 2023 FD Report](#)

[April 2023 PD Report](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to approve Departmental Reports for April 2023. The motion carried by an unanimous vote.

[23-0284](#)

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

Attachments: [2023-04 Approved & Paid Bills.Expense Approval Report](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to approve the Report of Paid Bills for April 2023. The motion was 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 23-0293 to the May 15, 2023 Council Meeting Agenda. The motion carried by an unanimous vote.

Ordinances

[23-0217](#)

(Second Reading) AN ORDINANCE AMENDING ORDINANCE 18-2018 AN ORDINANCE PERMITTING AND REGULATING THE OPERATION OF APPROVED GOLF CARTS AND LICENSED LOW SPEED VEHICLES ON CERTAIN PUBLIC STREETS WITHIN THE CITY OF FOLEY UNDER CERTAIN RULES AND REGULATIONS

Attachments: [18-2018 ORD](#)

Public Safety Director David Wilson reported to Council that the proposal of the additional streets which would include Azalea Street, Oak Street and Pine Street, Azalea Street would be in accordance to State Law. These additional streets would also include the alley ways. Mr. Wilson reported that the speed limit would be lowered to 25mph for street legal golf carts. 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 Ordinance be approved on first reading. The motion carried by an unanimous vote.

Enactment No: 23-2009-ORD

[23-0219](#)

(Second Reading) An Ordinance Setting a Speed Limit of 25 Miles Per Hour on Portions of Oak Street, Pine Street, and West Roosevelt Street

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

Enactment No: 23-2010-ORD

[23-0251](#)

An Ordinance Amending Zoning Ordinance

Attachments: [Zoning Ord Amend Recommendation.pdf](#)

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 carried by an unanimous vote.

Enactment No: 23-2012-ORD

[23-0252](#)

(Second Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87 PRE-ZONING PROPERTY OWNED BY TURF PROPERTIES LLC TO PID - PLANNED INDUSTRIAL DISTRICT

Attachments: [Recommendation Turf Properties.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.

Enactment No: 23-2011-ORD

[23-0266](#)

AN ORDINANCE AMENDING ORDINANCE NUMBER 964-06 (CODIFIED AT SECTIONS 5-50 THROUGH 5-59 OF THE CODE OF THE CITY OF FOLEY) TO CHANGE THE SALES AND USE TAX RATES OF CERTAIN TYPES OF TRANSACTIONS IN THE CORPORATE LIMITS AND POLICE JURISDICTION OF THE CITY OF FOLEY, ALABAMA.

Attachments: [964-06 ORD](#)
 [17-2004 ORD](#)
 [19-2021 ORD](#)

Council President Wayne Trawick reported Council may choose to suspend the rules. There was no further discussion on this item.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton to suspend the rules for the immediate adoption of this Ordinance.

City Administrator Mike Thompson took the following Roll Call vote: Council Member Quaites, aye; Council Member Dayton, aye; Council Member Blackwell, aye; and Council Member Ebert, III, aye. The vote was unanimous to suspend the rules.

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton to adopt the ordinance. The motion carried by an unanimous vote.

Enactment No: 23-2008-ORD

Resolutions and Other Business

[23-0268](#)

ABC License: 040 - Retail Beer (On Or Off Premises) and ABC License: 060 - Retail Table Wine (On Or Off Premises) for Captain Crazys Paradise LLC, applicant operating under the trade name Captain Crazys Paradise located at 2139 S McKenzie St. Foley, Alabama 36535.

Attachments: [ABC Application- Captain Crazys Paradise](#)

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

A motion was made by Council Member Richard Dayton, seconded by Council Member Vera Quaites, to make a recommendation to the ABC Board to move forward with the license. The motion carried by an unanimous vote.

[23-0218](#)

A Resolution Designating Certain Portions of Oak Street, Pine Street, and West Roosevelt Street as Cart Streets for Low Speed Vehicle Use

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 was carried by an unanimous vote.

Enactment No: 23-1166-RES

[23-0249](#)

A Resolution to Set a Public Hearing to Consider Adopting an Ordinance to Set Speed Limit

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: 23-1167-RES

[23-0253](#)

A Resolution to Go To Bid for Pavilions at Graham Creek

Attachments: [Capital Project for Pavilions.2023](#)
[Pavilion Bid Specifications](#)

Executive Director of Leisure Services David Thompson reported to Council that the new pavilions would be located near the archery section of Graham Creek. 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: 23-1168-RES

[23-0254](#)

A Resolution to Transfer Funds from Environmental Capital to Operating

Attachments: [Quote Form 15356](#)
[Transfer Request Forms.ENV. Capital. 2023](#)

Angie Eckman reported to Council that this is a budget neutral item to purchase beneficial monitoring equipment. 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: 23-1169-RES

[23-0255](#)

A Resolution to Appropriate Funds and Approve the Purchase of a Flag Pole For Veterans Memorial

Attachments: [US Flag Estimate for 40' FlagPole 2023](#)

Brenda Shambo reported to Council that the Revitalization and Beautification Board would like to upgrade the Veterans Memorial by purchasing a new 40" flag pole. Mrs. Shambo also reported to Council that they would like to donate the existing flag pole to the Foley Masonic Lodge. 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: 23-1170-RES

[23-0256](#)

A Resolution to Accept Amendment No. 1 to Volkert, Inc. Supplemental Agreement No. 6 to Construct Access Taxilane & 8-Unit T-Hangar at the Foley Municipal Airport

Attachments: [Letter Agreement \(Amdmt No 1\) - Supplemental Agreement No 6 - Foley Municipal Airport.pdf](#)

Rachel Keith reported that this item is to increase and allocate funds. 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: 23-1171-RES

[23-0257](#)

A Resolution Approving the Development of a Police Department Mobile App.

Attachments: [Police APP Proposal](#)
 [email approval for agenda](#)
 [Request to increase Department Budget Dollars Police app](#)

Deputy Police Chief Kevin Carnley reported to Council that this mobile app would be utilized to communicate with the public and it also has the ability for the Police Department to share internal information. 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: 23-1172-RES

[23-0258](#)

A Resolution Requesting Permission to Apply for the FY2023 Impact 100 Grant

Library Director John Jackson reported to Council that if approved for this grant, it would be utilized for a laser cutter 3D printer and furniture for the new library. 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: 23-1173-RES

[23-0259](#)

A Resolution Approving Monthly Bids - April 2023

Attachments: [April 2023 Bid Awards](#)

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: 23-1174-RES

[23-0261](#)

A Resolution to Approve a Facade Grant for Terry Woodard & Richard Kuzmyak / Bungalow's

Attachments: [Bungalows Recommendation Backup.pdf](#)

Bungalow's owner Terry Woodard reported to Council that this facade grant would modernize the outside structure. 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: 23-1175-RES

[23-0262](#)

A Resolution to Appropriate Funds for the Demolition and Removal of Structures Located at 18840 Underwood Road (York Property)

Attachments: [Est 147948 from AMERSON ROOFING INC 10156.pdf](#)

Rachel Keith reported to Council that a company was located for the removal of asbestos from the structure before the demolition. 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: 23-1176-RES

[23-0263](#)

A Resolution Authorizing the Mayor to Sign a Contract with Advanced Correctional Health Care, Inc.

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: 23-1177-RES

[23-0264](#)

A Resolution Approving the Purchase of Equipment for the City of Foley Hot Air Balloon

Attachments: [City of Foley AL-Ground Tarp Invoice 5-2023](#)

Mayor Ralph Hellmich reported to Council that this purchase is for a ground tarp to prevent damage of equipment. 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: 23-1178-RES

[23-0265](#)

A Resolution Approving a One-Time Support Payment for the Vietnam Veterans Traveling Wall

Attachments: [Vietnam Traveling Wall Request](#)

Mayor Ralph Hellmich reported to Council that this entity is requesting financial support from all Baldwin County Municipalities to bring the traveling Vietnam Wall to Robertsedale.

Council Member Charles Ebert, III, reported to Council that he recommends that the City of Foley donates at lease \$2,000.00. 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: 23-1179-RES

[23-0267](#)

A Resolution Approving Riviera Utilities Installing an Electric Meter at the Northwest Corner of 106 N Alston Street

Project Director Jeff Phillips reported to Council that this would supply electric services for Cat Alley for lights and cameras for public safety. 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: 23-1180-RES

[23-0269](#)

A Resolution Authorizing Soliciting Request for Qualifications and Proposals for the Sale and Development of Real Estate

City Administrator Mike Thompson reported to Council that this item is for developers to purchase the vacant corner lot Southeast of Pine and Highway 98. Mr. Thompson also reported that developers will have to meet a criteria of detail concepts and design.

Executive Director of Infrastructure and Development Wayne Dyess reported to Council that this corner of property would include public restrooms. Mr. Dyess also reported that this property is located near the Historic Downtown section of Foley and we would follow the structure guidelines. He also reported that the revitalization of this property would have a positive impact for Downtown 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: 23-1181-RES

[23-0270](#)

A Resolution Authorizing the Mayor to Sign a Letter of Intent for the Purchase of a 2025 Ladder Truck for the Foley Fire Department

Foley Fire Chief Joey Darby reported to Council that due to the supply and demand issues, he requested permission to move forward with a Letter of Intent to insure the price point and availability for this item. 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: 23-1182-RES

[23-0271](#)

A Resolution requesting permission to bid for the new Public Works complex and appropriate funding for Engineering Design Technologies professional services proposal for CBMPP and ADEM site inspections.

Attachments: [Capital Budget Increase](#)
 [EDT ADEM Permits Proposal](#)

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: 23-1183-RES

[23-0276](#)

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

There was no 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: 23-1185-RES

[23-0277](#)

A Resolution to Set a Public Hearing to Consider the Pre-zoning of

Property Owned by Turf Properties, LLC

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: 23-1186-RES

[23-0278](#)

A Resolution to Set a Public Hearing to Consider Adopting an Ordinance to Amend Ordinance 964-06

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 removed. The motion carried by an unanimous vote.

Enactment No: 23-1187-RES

[23-0279](#)

A Resolution to Allocate Funds to the Parks & Recreation Department to Renovate the Dog Park.

Attachments: [Budget Increase - Dog Park](#)
 [Dog Park Renovation & Maintenance Plan](#)

Parks and Recreation Director Jeff Lee reported to Council that he would like to move forward on replenishing sod for the dog park due to the high volume of activity. Mr. Lee also reported that he hopes that with the addition of a new dog park next year, this will assist with the volume of activity. There is 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: 23-1188-RES

[23-0280](#)

A Resolution to Increase the Budget and Go to Bid for the Fence at the New Kids Park.

Attachments: [Budget Increase - Kids Park](#)

Parks and Recreation Director Jeff Lee reported to Council that he would like to add a four foot black aluminum fence for the Kids Park. Mr. Lee also reported that the Parks Department is planning to add a pavilion and a green space later in the summer. 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: 23-1189-RES

[23-0281](#)

A Resolution to Waive Fees and Approve Morning Star Church to Host a

May Day event at Beulah Heights Park on Saturday, May 20, 2023.

Attachments: [Beulah Heights Reservation - May Day](#)

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: 23-1190-RES

23-0293

A Resolution Authorizing the Mayor to Sign a License and Use Agreement with Baldwin County Board of Education

Attachments: [BCBE and City of Foley License for Athletic Field Improvements](#)

Executive Director of Leisure Services David Thompson reported to Council that this is a twenty year partnership with Baldwin County Board of Education to upgrade their fields. Mr. Thompson also reported that this partnership would have a positive impact on school teams and also support a future flag football program. 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: 23-1191-RES

Mayor's Comments

Mayor Ralph Hellmich reported to Council that there are several resurfacing projects that are planned for the near future. He reported that one of the resurfacing projects is the section of Roscoe Road and the Beach Express, and the intersection of County Road 12 and Highway 59. Mayor Hellmich also reported that the Baldwin County Commission voted at their Commission Meeting that County Road 4 and Roscoe Road will be turned over to the state as a state highway.

Mayor Hellmich reported to Council that he is hopeful that the tap grant sidewalk project will be completed before the new school year begins. He also reported that the Kids Park will open on Memorial Day and that will include a ribbon cutting ceremony on Saturday.

Mayor Hellmich reported that the fountain at Heritage Park is operating beautifully and he thanked Jeff Phillips for his diligent work. He reported that the progress for the public restrooms in Heritage Park is running accordingly.

Mayor Hellmich thanked Marketing Director LaDonna Hinesley for the new city web site "What's New in Foley" Mr. Hellmich reported that this new web site is an excellent tool to be utilized to find out information about the beautiful City of Foley.

Mayor Hellmich reported that the Juniper Street Extension will be delayed because of supply issues. He reported that the signal poles will not be

available until later in the summer.

Council Member Rick Blackwell inquired about the change of venue for the Foley Rodeo. Mayor Hellmich reported that the Foley Rodeo will temporarily be held in Robertsedale and that the property that was used for parking in Foley was recently sold. He reported that there were concerns of safety and adequate space. He also reported that those details are being worked out.

Mayor Hellmich reported that Foley High School Graduation Ceremony will be held for the first time at the Foley Event Center. Mayor Hellmich congratulated the Class of 2023.

Visitor Comments

Gregg Knight, who resides at 809 East Azalea Ave. is concerned about the damage of his driveway. Mr. Knight reported that when it rains, the water washes the ground out and causes ruts in the driveway. He reported that he has contacted Public Works several months ago.

Darrellyn Dunmore thanked everyone that was involved in Art in the Park. She reported that it was a beautiful event. She also thanked the City of Foley for the support during the Catalyst Event.

Executive Session

City Administrator Mike Thompson reported the need to go into executive session to discuss certain aspects of a potential economic development projects and a possible real estate transaction. Mr. Thompson reported the executive session will take approximately 30 minutes and Council will not be coming back to vote.

A motion was made by Council Member Charles Ebert, III, 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; Council President Trawick, aye; Council Member Blackwell, aye; and Council Member Ebert, III, aye. The vote was unanimous to go into executive session.

The Council meeting recessed at 5:39 p.m.

The Council meeting reconvened at 6:35 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 Charles Ebert, III, seconded by Council Member Rick Blackwell, to adjourn the meeting.

The meeting was adjourned at 6:35 p.m.