



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Draft

### City Council

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Monday, July 16, 2018

5:30 PM

Council Chambers

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#### Council Meeting

#### Call to Order

Council President Wayne Trawick called the meeting to order at 5:30 p.m.

#### Roll Call

All Council Members were present with the exception of Council Member Rick Blackwell, who is out of town. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Michelle Oliver, Joey Darby, David Wilson, Gale Croft, Tyson Reed, Billy Nale, Rhonda Nale, LaDonna Hinesley, Otis Miller, Thurston Bullock, Tony Fuqua, Kevin Carnley, John Kovaldrick, Max Dearing and press representative Jessica Vaughn (Gulf Coast News).

**Present:** 4 - President Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich and Council Member Charles Ebert III

**Absent:** 1 - Council Member Rick Blackwell

#### Pledge of Allegiance

#### Presentations

[18-0329](#)

Presentation to Chaplain Billy Nale

Police Chief David Wilson presented Chaplain Billy Nale with a plaque for his dedicated service to the City and the Foley Police Department. Chaplain Nale served as Foley First Baptist Church's Pastor as well as the Chaplain for the Foley Police Department and he is moving out of the area.

[18-0340](#)

Proclamation: School Pride Month

Attachments: [School Pride Month](#)

Mayor Koniar present the School Pride Month Proclamation to Tyson Reed.

## Departmental Reports

[18-0334](#) Department Reports

**Attachments:**    [Marketing Report](#)  
[June 2018 Tax Reports](#)  
[June 2018 CDD Report](#)  
[June 2018 PD Report](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to accept the departmental reports as submitted. The motion carried by an unanimous vote.

## Audit of the Accounts

[18-0335](#) Audit of the Accounts of June 2018

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaite, that this Auditing Accounts be approved for payment. The motion carried by an unanimous vote.

## Approval of the Minutes

[18-0332](#) Work Session Minutes of July 2, 2018

**Attachments:**    [07-02-2018 Work Session Minutes](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to approve the July 2, 2018 Work Session Minutes. The motion carried by an unanimous vote.

[18-0333](#) Council Meeting Minutes of July 2, 2018

**Attachments:**    [07-02-2018 Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, to approve the Council Meeting Minutes of July 2, 2018 . The motion carried by an unanimous vote.

## Additions/Removals

There were no additions or removals.

## Ordinances

### [18-0282](#)

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

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

Council Member Charles Ebert, III thanked Chief Wilson and staff for working hard to get this ordinance finalized.

Enactment No: 18-2018-ORD

### [18-0325](#)

**(Second Reading) REZONE McMATH PROPERTIES LLC from R1D & B2 to PUD**

**Attachments:**     [McMath.pdf](#)

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.

### [18-0346](#)

(Second Reading) An Ordinance to Rescind Ordinance 810-04 An Ordinance Declaring Certain Property No Longer Needed For Municipal Purposes And Authorizing The Lease Of The Same To Habitat For Humanity Of Baldwin County, Inc.

**Attachments:**     [Ordinance 810-04](#)

A motion was made by Council Member Ralph Hellmich, 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

### [18-0265](#)

Memorializes the FY 2017 Bulletproof Vest Partnership Application and accepts award.

**Attachments:**     [BVP award email for FY 17](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 18-1162-RES

[18-0324](#)

Request to memorialize application for National Fish and Wildlife Foundation - Alabama Gulf Environmental Benefit Fund 2018, Full Proposal for the Bon Secour Water Quality Improvement Project

**Attachments:**     [NFWF.Bon Secour WQIP](#)

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

Enactment No: 18-1163-RES

[18-0330](#)

A Resolution approving a Ground Lease between the City of Foley and Alabama Municipal Electric Authority

**Attachments:**     [Solar Ground Lease AMEA \(1\)](#)

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. Council Member Ralph Hellmich made a motion to amend his motion to include approving the Mayor to sign the Ground Lease. The motion was seconded by Council Member Charles Ebert, III. The motion carried by an unanimous vote.**

Enactment No: 18-1164-RES

[18-0331](#)

Lowering Speed Limit on Alston Street

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

Enactment No: 18-1165-RES

[18-0336](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT SW CORNER HWY 98 & S CYPRESS ST

**Attachments:**     [SW Corner Hwy 98 & Cypress.Weeds.2018](#)

**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: 18-1166-RES

[18-0337](#)

Acceptance and Use of South Baldwin Chamber of Commerce, Riviera Utilities and Friends of Graham Creek Donation to Graham Creek Nature Preserve

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

Enactment No: 18-1167-RES

[18-0338](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE

A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 149  
MEADOW RUN LOOP

**Attachments:**     [149 Meadow Run Loop.Weeds.2018](#)

**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: 18-1168-RES

[18-0339](#)

Amend Resolution 18-1120 2018 OWA Fireworks Display Calendar

**Attachments:**     [18-1120 RES](#)  
                              [City of Foley Mail - Fireworks Amend](#)

**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 the following Roll Call Vote: Council Member Vera Quaites, aye; Council Member Ralph Hellmich, abstained; President Wayne Trawick, aye and Council Member Charles Ebert, III, aye. The motion carries by a majority vote.**

**Aye:**    3 -    President Trawick, Council Member Quaites and Council Member Ebert III

**Abstain:**    1 -    Council Member Hellmich

Enactment No: 18-1169-RES

[18-0341](#)

Residential Sanitation Write Offs as Uncollectible in the Amount of  
\$16.18

**Attachments:**     [Sanitation Write Off](#)

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

Enactment No: 18-1170-RES

[18-0342](#)

A resolution to set a public hearing to consider Planning Commission's recommendation to rezone 24.47 +/- acres from B-2 (Neighborhood Business District) and R-1D (Residential Single Family) to PUD (Planned Unit Development) owned by McMath Properties, LLC.

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

Enactment No: 18-1171-RES

[18-0344](#)

Surplus Vehicles to be Donated to Mt. Vernon, Alabama Police  
Department

**Attachments:**     [Request for Chief Wilson Mt Vernon PD](#)

**A motion was made by Council Member Ralph Hellmich, seconded by Council**

**Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.**

Enactment No: 18-1172-RES

[18-0345](#)

Police Department requests to declare bikes as surplus and donate them to Liberty Church

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

Enactment No: 18-1173-RES

[18-0347](#)

A Resolution To Rescind Resolution 2323-04 Authorizing Land Lease To Habitat For Humanity Of Baldwin County

**Attachments:**     [Resolution 2323-04](#)

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

Enactment No: 18-1174-RES

[18-0357](#)

A Resolution Amending Resolution 18-1149 Approving The Sale of the Cactus Cafe/Historic Foley Bakery Building

**Attachments:**     [Resolution 18-1149](#)

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted. The motion carried by an unanimous vote.**

Enactment No: 18-1175-RES

## Mayor's Comments

There were no comments to report.

## Visitor Comments

John Kovaldrick - 18815 County Road 12 reported that he is opposed to the rezoning of the McMath Property located next to his property because they are building a three story apartment building which he believes will lower the value of his property.

## Adjournment

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to adjourn the meeting. The motion carried by an unanimous vote.**

The meeting adjourned at 5:55 p.m.