



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Draft

City Council

Monday, February 18, 2019

5:30 PM

Council Chambers

Council Meeting

Public Hearings

[19-0116](#)

Public Hearing to Consider Planning Commission's Recommendation to Adopt an Ordinance Approving the Rezoning of Property Owned By Calvary Chapel Fellowship from M-1 (Light Industrial District) to B-2 (Neighborhood Business District).

Council President Wayne Trawick opened the public hearing at 5:30 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 5:30 pm.

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Emmanuel Seals, David Wilson, Kevin Carnley, and Joey Darby.

Present: 5 - President Wayne Trawick, Council Member Vera Quaites, Council Member Ralph Hellmich, Council Member Rick Blackwell and Council Member Charles Ebert III

Pledge of Allegiance

Departmental Reports

[19-0100](#)

Department Reports

Attachments: [January 2019 Bid Awards](#)
[January 2019 Tax Reports](#)
[January 2019 CDD Report](#)
[December 2018 FD Report](#)
[January 2019 FD Report](#)
[Jan 2019 PD Report](#)

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

Audit the Accounts

[19-0101](#) Audit the Accounts of January, 2019

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, to approve the accounts for payment. The motion carried by an unanimous vote.

Approval of the Minutes

[19-0102](#) Work Session Minutes of February 4, 2019

Attachments: [02-04-2019 Work Session Minutes](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, to approve the Work Session Minutes of February 4, 2019. The motion carried by an unanimous vote.

[19-0103](#) Council Meeting Minutes of February 4, 2019

Attachments: [02-04-2019 Council Meeting Minutes](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Rick Blackwell, to approve the Council Meeting Minutes of February 4, 2019. The motion carried by an unanimous vote.

Additions/Removals

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to remove item 19-19-0076 from the agenda. The motion carried by an unanimous vote.

Ordinances

[18-0620](#)

Rezoning of property owned by Southern Lifestyle Development from AO - Agricultural Open Space to PUD - Planned Unit Development

Attachments: [river oaks recommendation.pdf](#)
[Appendix E - Location Map and Legal Description \(2-5-19\) \(1\)](#)
[Appendix F - Site Plan & Data Table](#)
[Appendix H - Open Space Exhibit](#)

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

Enactment No: 19-2003-ORD

[19-0004](#)

An Ordinance Rezoning Calvary Chapel Fellowship of Foley from M1 to B2

Attachments: [Calvary recommendation](#)

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.

Enactment No: 19-2004-ORD

[19-0079](#)

(First Reading) AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY ALABAMA ARMADA, LLC (Grand Riviera RV Resort)

Attachments: [Annexation Petition Grand Riviera RV Resort](#)
[RV Resort Map](#)
[PIN 026102 & 367206 Grand Riviera Resort](#)

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

[19-0080](#)

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

Attachments: [Majestic Manor Annexation](#)
[PIN 376873 Majestic Manor LLC](#)

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.

[19-0090](#)**(First Reading) AN ORDINANCE AMENDING ORDINANCE 13-1044
PERTAINING TO FLOOD DAMAGE PREVENTION.****Attachments:** [2019 Flood ord Draft](#)

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

Resolutions and Other Business[19-0072](#)

A Resolution Accepting Costs for Weed Abatement at 905 W. Peachtree Avenue and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [Costs -905 W Peachtree - 50 Ft Buffer \(1\)](#)

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

Enactment No: 19-1040-RES

[19-0076](#)

A Resolution Approving the Use of Foley Kids Park for an Easter Egg Hunt.

Attachments: [20190128150424268](#)

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

[19-0081](#)

A Resolution Accepting Costs for Weed Abatement at 308 N. Hickory Street and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [Costs -308 N. Hickory St \(1\)](#)

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: 19-1041-RES

[19-0082](#)

A Resolution Accepting Costs for Weed Abatement at 905 W. Peachtree Avenue (Parcel 2) and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [Costs -905 W Peachtree \(Parcel 2\) - 50 Ft Buffer \(1\)](#)

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: 19-1042-RES

[19-0083](#)

A Resolution Accepting Costs for Weed Abatement at the Field Behind Bellingrath Drive and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [Costs -Bellingrath Dr - 50 Ft Buffer \(2\)](#)

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: 19-1043-RES

[19-0084](#)

A Resolution Accepting Costs for Weed Abatement at 608 W. Marigold Avenue and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [Cost -608 W Marigold \(1\)](#)

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: 19-1044-RES

[19-0085](#)

A Resolution Accepting Costs for Weed Abatement at 7510 Helton Drive and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [Costs - 7510 Helton Dr \(1\)](#)

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: 19-1045-RES

[19-0087](#)

A Resolution Accepting Costs for Weed Abatement at 19578 County Road 20 and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

Attachments: [costs - 19578 Co. Rd. 20 - 50 Ft Buffer](#)

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: 19-1046-RES

[19-0088](#)

A Resolution Waiving Civic Center fees for South Baldwin Regional Medical Center, Infirmary Health and Cardiology Associates

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: 19-1047-RES

[19-0089](#)

A Resolution to Accept Volkert Inc.'s Supplemental Agreement No. 4 for Engineering Services to Rehabilitate Access Taxiways at the Foley Municipal Airport

Attachments: [FAA Initiation of Work - Rehabilitate Access Taxiways.pdf](#)
[Volkert Supplemental Agreement No 4.pdf](#)
[Approved Capital Project Worksheet - Rehab Access Taxiways.pdf](#)

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: 19-1048-RES

[19-0091](#)

A Resolution to Consider Voting Delegate for the ALM Annual Business Session

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: 19-1049-RES

[19-0093](#)

A Resolution Approving the Transfer of Funds from Capital Purchases to Operations

Attachments: [Content Hosting funds transfer Request](#)

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

Enactment No: 19-1050-RES

[19-0094](#)

A Resolution to Transfer Project Funds for Painting of the Interior of the Library

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: 19-1051-RES

[19-0096](#)

A Resolution to Set a Public Hearing to Consider Passage of an

Ordinance to Amend Ordinance 13-1044 pertaining to Flood Damage Prevention

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: 19-1052-RES

[19-0097](#)

A resolution to set a public hearing to consider passage of an ordinance approving petition for annexation and bringing property in the Corporate Limits of the City of Foley owned by Majestic Manor, LLC.

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

Enactment No: 19-1053-RES

[19-0098](#)

A Resolution Amending Pay Classification Plan (PCP) for Job Title Changes within the Recreation and Sports Tourism Departments.

Attachments: [PCP \(4\)](#)

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: 19-1054-RES

[19-0099](#)

A resolution to set a public hearing to consider passage of an ordinance approving petition for annexation and bringing property in the Corporate Limits of the City of Foley owned by Stacey Ryals (Grand Riviera RV Resort)

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

Enactment No: 19-1055-RES

[19-0105](#)

A Resolution Authorizing Residential Sanitation Write Offs as Uncollectible in the Amount of \$852.16

Attachments: [January Sanitation Write Offs](#)

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

Enactment No: 19-1056-RES

[19-0106](#)

A Resolution amending the Sick Leave Donation Bank Program Policy to include regular, part-time employees.

Attachments: [City of Foley Sick Leave Bank Policy Updated 02-2019](#)

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: 19-1057-RES

[19-0108](#)

A Resolution to Declare Christmas Light Bulbs Surplus and Donate Them to the Town of Elberta

Attachments: [Christmas Lights Surplus - Brenda Email](#)

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

Enactment No: 19-1058-RES

[19-0109](#)

A Resolution Approving the Purchase of a Playground Boulder

Attachments: [Budget Increase Form.Boulder.2019](#)
 [Capital Purchase Request for Boulder](#)
 [Mike and Wayne Approval Email](#)
 [Playground Boulders Product Info](#)
 [Entre Prises Boulders](#)
 [NatureRocks Small Sandstone](#)
 [quote boulder](#)

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: 19-1059-RES

[19-0115](#)

A Resolution to Approve a One Time Payment of Support to the Foley High School Girl's Basketball Team

Attachments: [Elite Eight - FHS Request](#)

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: 19-1060-RES

[19-0075](#)

ABC License: 020- Restaurant Retail Liquor for Rosabelle Quiles, applicant operating under the trade name Taqueria El Mariachi located at 201 East Michigan Avenue, Suite 205.

Attachments: [Taqueria El Mariachi - ABC License](#)
 [Taqueria El Mariachi - Map](#)

The Police and Fire Departments both recommended for the ABC Board to move forward with the ABC License.

A motion was made by Council Member Rick Blackwell, seconded by Council Member Ralph Hellmich, that this Agenda Item be approved. The motion carried by an unanimous vote.

19-0104

ABC License: 140 - Special Events Retail License for The Park at OWA, LLC. , applicant operating under the trade name Young Professionals located at 1501 South OWA BLVD.

Attachments: [Young Professionals ABC License](#)
[ABC License - Young Professionals - Map](#)

The Police and Fire Departments both recommended for the ABC Board to move forward with the ABC License.

A motion was made by Council Member Quaites, seconded by Council Member Ebert, III, that this Agenda Item be approved. The motion carried by the following vote: Council Member Quaites, aye, Council Member Hellmich, abstained, President Trawick, aye, Council Member Blackwell, aye and Council Member Ebert, III, aye. The motion carried by a majority vote.

Aye: 4 - President Trawick, Council Member Quaites, Council Member Blackwell and Council Member Ebert III

Abstain: 1 - Council Member Hellmich

Mayor's Comments

There were no comments to report.

Visitor's Comments

There were no comments to report.

Adjournment

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

The meeting was adjourned at 5:50 pm.