



## Meeting Minutes - Draft

### City Council

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Monday, October 4, 2021

4:00 PM

Civic Center

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#### Work Session/Council Meeting

#### Public Hearings

##### [21-0606](#)

Public Hearing to Consider Planning Commission's recommendation to adopt an ordinance approving the rezoning of property owned by South Baldwin Healthcare Authority from PUD (Planned Unit Development) to PO (Preferred Office District)

**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.**

##### [21-0506](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 12630 Briarwood Drive.

**President Trawick opened the public at 4:01 pm. He asked for comments from the public.**

**Shannon Dill who resides at 12630 Briarwood Drive reported that she is currently working on getting the weeds and grass mowed. She reported she works sixteen hour shifts in the medical field and she has not had time to properly mow her property. She also reported she can not afford to hire a lawn service.**

**President Trawick reported that the weed abatement process will continue to completion. He also reported that the City has the authority to allow more time for her to get the property cleaned up and Environmental Manager Leslie Gahagan will work with her to allow more time.**

**Hearing no further comments, President Trawick closed the public hearing.**

##### [21-0507](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 409 East Myrtle Ave.

**President Trawick opened the public hearing at 4:03 pm. He asked for comments from the public. Hearing no comments, he closed the public hearing.**

##### [21-0508](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order

is Abatement at the Dam Berm on Lakeview Drive.

**President Trawick opened the public hearing at 4:03 pm. He reported that this property has been abated by the owner and no further Council action is required. He asked for comments from the public. Hearing no comments, he closed the public hearing.**

[21-0511](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 210 N Beech St.

**President Trawick opened the public hearing at 4:03 pm. He asked for comments from the public. Hearing no comments, he closed the public hearing.**

[21-0512](#)

Public Hearing to Consider the Dilapidated Building to be a Public Nuisance and to Order is Abatement at 122 West Walnut Ave.

**President Trawick opened the public hearing at 4:04 pm. He asked for comments from the public. Melanie Schnieders reported she has hired a contracted who recently got the permit to tear down the building.**

**President Trawick reported that the abatement process will continue to completion. He also reported that the City has the authority to allow more time so the building can be tore down and Environmental Manager Leslie Gahagan will work with her to allow more time.**

**Hearing no further comments, President Trawick closed the public hearing.**

## **Call to Order**

**President Trawick called the meeting to order at 4:05 pm.**

## **Roll Call**

**All Council Members were present. Also present: Mayor Ralph Hellmich, City Administrator Mike Thompson, City Clerk Katy Taylor, Fay Krehling, David Thompson, John Jackson, David Wilson, Thurston Bullock, Jeff Phillips, Joey Darby, Miriam Boone, Judy Dayton, Leslie Gahagan, Angie Eckman, Donna Watts, Melanie Schnieders, Michael Schneiders, Kelly O'Donnell, Kate Embry, Allana Chris, Shannon Dill, LaDonna Hinesley, Logan Eberly, Jamie Smith, Rachel Keith, Mitchell Lee, Brandon Nelson, Darrell Russell, Wendy and Robert Knauff, Chad Brewer, Darrelyn Dunmore 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**

## Discussion Items

[21-0574](#)

Discuss South Baldwin Literacy Council's Learn To Earn - Work Force Development

**Attachments:**    [City of Foley Funding Request](#)  
[SBLC July 2021 YTD Statement of Activity](#)  
[SBLC Logic Model](#)

Donna Watts from the South Baldwin Chamber of Commerce reported that the South Baldwin Literacy Council does an outstanding job helping people get their GED and those you need a helping hand. She reported Mitchell Lee and his volunteers are helping put many people into the workforce.

Mitchell Lee from the South Baldwin Literacy Council reported that they provide a variety of educational programs. He reported they work with children and adults with providing tutoring and classes. He also reported they are on track to serve 700 students this year with a budget of under \$250,000.00, which is substantial because they use volunteers to perform the majority of tutoring. There are currently 149 adults in the adult education program that help adults get their GED, help them to learn how to read and write or to teach them how to use Facebook, set up their cell phones or use Zoom.

Mr. Lee reported that their workforce development efforts have helped people, who have received their GED and have put them out into the workforce with the help of the South Baldwin Chamber of Commerce. Mr. Lee reported they provide their services free of charge and the lack of funding is holding them back. He asked Council to invest in the South Baldwin Literacy Council.

City Administrator Mike Thompson asked for clarification on how much funding Mr. Lee is asking for and how much funding he is asking from the City of Foley and other cities. Mr. Lee reported their offices are in the City of Foley and they serve a larger majority of Foley residents. He further reported Foley is the first city he has approached. He further reported that the City of Foley is the only city that has financially supported them with \$500 annually and that has increased to \$1500.00 annually but that only covers a week and half to two weeks of operating expenses. He reported he is hoping for more than \$1500.00 and they will ask the same of other cities.

Enactment No: .

[21-0581](#)

A Resolution Approving a Sponsorship of Kiwanis Club's Annual Radio Day

**Attachments:**    [Kiwanis Club Sponsorship](#)

John Jackson reported the Kiwanis Club receives \$500 from the City every year to help with the expenses of the Christmas parade. He reported the costs to put on the parade is approximately \$1200.00 to \$1500.00. He reported the Kiwanis Club is asking for an additional \$1000.00 to help purchase candy for the kids and to build Santa's sleigh.

There was a consensus from the Council to add this item to the agenda for a vote.

Enactment No: 21-1382-RES

[21-0583](#)

Discuss The Little Tree Project's Anti-Human Trafficking After Care Program and Facility

**Attachments:**     [The Little Tree Project](#)

Allana Chris reported The Little Tree Project is a local anti-human trafficking organization. She reported they are currently working on building a facility to help victims of human trafficking. She reported she is not seeking city funding at this time.

[21-0568](#)

A Resolution Approving Hamburg Building Roof Repairs

**Attachments:**     [Amerson Roof Quote Option 1](#)  
                              [Amerson Roof Quote Option 2 TO CODE](#)  
                              [Mr HQ Roofs TO CODE](#)

Jeff Phillips reported there are two options for repairing the roof of the Hamburg Building. The first option is repair the roof to bring it up to code. The second option is to make repairs needed to match the section the City repaired in the past but it will not be up to code.

City Administrator Mike Thompson reported that the section of the roof the City already repaired stood up very well against Hurricane Sally. What needs repaired now is the back section of the roof. He also reported in order to repair the roof to meet the code, the roof trusses would have to be modified, which would go against the historic building guidelines.

President Trawick reported the City's insurance will cover the repairs but not to code.

There was a consensus to add this item to the agenda for a vote.

Enactment No: 21-1383-RES

[21-0570](#)

A Resolution to Approve the Baldwin Heart Walk Sponsorship

**Attachments:**     [2021 Baldwin Heart Walk Sponsorship Packet](#)

Kate Embry reported the Baldwin Heart Walk will be held at Owa this year and they are asking for a \$1500.00 sponsorship.

Mayor Hellmich reported that the City of Foley is the host city for this event this year and that is why this sponsorship is before Council.

There was a consensus from Council to add this item to the agenda for a vote.

Enactment No: 21-1380-RES

[21-0578](#)

A Resolution to Approve the Change In Pharmacy Benefit Managers

**Attachments:**     [SOW TBX City of Foley \(McGriff\) 09.22.2021](#)  
[Pharmacy Benefit Procurement Summary](#)

Kate Embry reported the Human Resources Department would like to change the City's pharmacy benefit managers (PBM). Health care costs continue to rise, and pharmaceutical costs are a main cause. HR has been working with our benefit brokers to look into changing PBMs. An audit and RFP process was handled by an independent firm specializing in PBM oversight, Truveris. The Truveris RFP resulted in the identification of National CooperativeRx as the best option for the City of Foley. The projected savings for Foley over the next 3 years (starting 1/1/22) averages approximately \$230,000 per year, or a 19% reduction in the City's pharmacy costs. There will be a formulary (drug list) change resulting from the move away from ESI/RxBenefits, but there are always formulary changes during the year, whether or not the PBM changes. There will be no issues with pharmacy access, as most all pharmacies currently utilized are in-network (the audit identified one nominally utilized specialty pharmacy in Tampa as out-of-network). All fees for audit, RFP and PBM oversight by Truveris are to be paid by National CooperativeRx, not the City of Foley.

There was a consensus from the council to add this item to the agenda for a vote.

Enactment No: 21-1381-RES

[21-0584](#)

Discuss Vacancies on the Public Athletic and Sports Facilities  
Cooperative District and Public Cultural and Entertainment Facilities  
Cooperative District Boards

President Trawick reported there are two vacancies on the Public Athletic and Sports Facilities Cooperative District and Public Cultural and Entertainment Facilities Cooperative District Boards. He asked Council to make suggestions to fill the vacancies.

## Consent Agenda

[21-0582](#)

Work Session/Council Meeting Minutes of September 20, 2021

**Attachments:**     [September 20, 2021 Work Session Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to approve the Work Session/Council Meeting Minutes of September 20, 2021. The motion carried by an unanimous vote.

## Additions/Removals/Carry-overs

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Richard Dayton, to add items 21-0581, 21-0578, 21-0568 and 21-0578 to the agenda and to remove item 21-0516 from the agenda. The motion carried by an unanimous vote.

## Ordinances

### [21-0504](#)

(Second Reading) ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY SOUTH BALDWIN HEALTH CARE AUTHORITY AND SOUTH BALDWIN HOSPITAL BOARD FROM PUD, R1A & B1A TO PO

**Attachments:**     [SBRMC Rezoning Backup.pdf](#)

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

Enactment No: 21-2029-ORD

### [21-0591](#)

An Ordinance Amending Zoning Ordinance - Portable Billboard

**Attachments:**     [Recommendation Backup for Council.pdf](#)

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

### [21-0597](#)

AN ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY JANET SMITH FROM B1A & R4 TO RV PARK

**Attachments:**     [Janet Smith-Providence Recommendation.pdf](#)

**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.**

### [21-0600](#)

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY PAMELA MOSES AND ANNEAS MOSES JR.

**Attachments:**     [Moses Annexation](#)  
                              [Annexation Report for Mayor and Council Moses Wachter](#)  
                              [Moses Valuation](#)

**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.**

### [21-0601](#)

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY WACHTER FAMILY

**Attachments:**     [Wachter Family Annexation](#)  
[Annexation Report for Mayor and Council Moses Wachter](#)  
[Wachter Valuation](#)

**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

### [21-0514](#)

A Resolution Authorizing Employees to Enter Upon the Property at 12630 Briarwood Drive for the Purpose of Abating the Public Nuisance.

**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: 21-1346-RES

### [21-0515](#)

A Resolution Authorizing Employees to Enter Upon the Property at 409 East Myrtle Avenue for the Purpose of Abating the Public Nuisance.

**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: 21-1347-RES

### [21-0516](#)

A Resolution Authorizing Employees to Enter Upon the Property at the dam berm on Lakeview Drive for the Purpose of Abating the Public Nuisance.

**A motion was made by Council Member Richard Dayton, seconded by Council Member Rick Blackwell, that this Resolution be removed. The motion carried by an unanimous vote.**

### [21-0519](#)

A Resolution Authorizing Employees to Enter Upon the Property at 210 North Beech Street for the Purpose of Abating the Public Nuisance.

**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: 21-1348-RES

### [21-0520](#)

A Resolution Authorizing Employees to Enter Upon the Property at 122 West Walnut Avenue for the Purpose of Abating the Public Nuisance.

**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: 21-1349-RES

[21-0559](#)

A Resolution to Accept the Alabama Humanities Recovery Grant

**Attachments:**     [City of Foley -- Foley Railroad MuseumPacket](#)  
[Budget Increase Form](#)

**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: 21-1350-RES

[21-0560](#)

A Resolution to Reappoint Pat D'Agati and Steve Bailey to the Fire Code of Appeals Board

**Attachments:**     [Fire Code Board Terms](#)

**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: 21-1351-RES

[21-0562](#)

A Resolution To Waive the Fees for the Use of Max Griffin Park for Seventh-Day Adventist Church and Pastor Marco Estrada's Community Health Fair

**Attachments:**     [Pastor Marco Estrada & Seventh-Day Adventist](#)  
[21-0562 Marco Estrada changed date](#)

**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: 21-1352-RES

[21-0565](#)

A Resolution Approving the Sanitation Purchase of Three (3) 2023 Chassis & three (3) Bodies for three (3) ASL Garbage Trucks

**Attachments:**     [Letter of Intent & Quote for Bodies.pdf](#)  
[Letter of Intent & Quote for Chassis.pdf](#)  
[RES# 21-1289.pdf](#)

**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: 21-1353-RES

[21-0566](#)

A Resolution to Appoint Terry Hanson to the Graham Creek Nature Preserve Board.

**Attachments:**     [GCNP Member List](#)

**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: 21-1354-RES

[21-0567](#)

A Resolution Approving Professional Services Proposals for the New Public Works/Engineering Facility

**Attachments:**     [EDT-THA Architecture Proposal](#)  
                              [GeoCon 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: 21-1355-RES

[21-0569](#)

A Resolution to Accept the Bid Submitted by S.C. Stagner Contracting, Inc. in the Amount of \$2,444,226.00 for the Demo and Replacement of the North Apron Hangars at the Foley Municipal Airport

**Attachments:**     [1059404 - Bid Results and Recommendation.pdf](#)  
                              [S.C. STAGNER PROPOSAL.pdf](#)

**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: 21-1356-RES

[21-0571](#)

A Resolution Appropriating Funds for the purchase of software for Revenue and Community Development and permission to bid and purchase.

**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: 21-1357-RES

[21-0572](#)

A Resolution to Appropriate Funds for Revenue Office Addition

**Attachments:**     [City of Foley office proposal](#)  
                              [Capital Project REV OFF Build](#)

**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: 21-1358-RES

[21-0573](#)

A Resolution to Approve the Purchase of Pure Air Personal Ionizers and PPE using ARPA Funds

**Attachments:**     [Mike's List Copy of ARP funds use proposal](#)

**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: 21-1359-RES

[21-0575](#)

A Resolution Approving Bid Solicitation for an Electric Vehicle for the Revenue Department

**Attachments:**     [Capital Purchase EV - Revenue](#)

**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: 21-1360-RES

[21-0576](#)

A Resolution to Approve Two Capital Purchases in Street Department and One Capital Purchase in Sanitation.

**Attachments:**     [2021 Ford F150 Quote.pdf](#)  
                          [ST MAINT \(3012\) 2021 F-150 Cap Purch Wrksht.xlsx](#)  
                          [ST SDWLKS \(3013\) 2021 F-150 Cap Purch Wrksht.xlsx](#)  
                          [SANI \(4011\) 2021 F-150 Cap Purch Wrksht.xlsx](#)

**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: 21-1361-RES

[21-0577](#)

A Resolution Approving the Sanitation Purchase of Recycle Truck

**Attachments:**     [SANI \(4011\) 2023 Recycle Truck Chassis Quote.pdf](#)  
                          [SANI \(4011\) 2023 Recycle Truck Body Quote.pdf](#)  
                          [SANI \(4011\) 2023 Recycle Truck Cap Purch Wrksht \(1\).xlsx](#)

**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: 21-1362-RES

[21-0579](#)

A Resolution Memorializing Entering into an On-the-Job Training (OJT) Reimbursement Agreement

**Attachments:**     [SWAPTE OJT Agreement 06.08.21-09.05.21](#)

**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: 21-1363-RES

[21-0580](#)

A Resolution to Reappoint LuAnne McCarley as an Alternate Member to the Board of Adjustments and Appeals

**Attachments:**     [BAA Member List \(2\)](#)

**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: 21-1364-RES

[21-0585](#)

A Resolution to Amend Section 3 of Resolution 14-0322 Creation of a Graham Creek Nature Preserve Advisory Board

**Attachments:**     [14-0322 RES](#)

**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: 21-1365-RES

[21-0587](#)

A Resolution Approving Project Submittal to RESTORE Portal for Grant Consideration

**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: 21-1366-RES

[21-0588](#)

A RESOLUTION AUTHORIZING AGREEMENT WITH GLOBAL PAYMENTS DIRECT, LLC TO PROVIDE CREDIT CARD PAYMENT PROCESSING SERVICES FOR SANITATION FUND

**Attachments:**     [ACH APP](#)  
                              [APP](#)

**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: 21-1367-RES

[21-0589](#)

Resolution Declaring Primary Source Vendors for the Foley Public Library

**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: 21-1368-RES

[21-0590](#)

A Resolution Requesting to Purchase (6) Chevrolet Tahoes with Safety Wiring Included, (4) Chevrolet Malibus, and (2) Chevrolet Colorados.

**Attachments:**     [CAPITAL PURCHASE WORKSHEET](#)  
[DONOHOO MALIBU AND COLORADO QUOTES AND AGREEMENT](#)  
[EMAIL APPROVAL CAPITAL PURCHASE](#)  
[DONOHOO TAHOES QUOTE AND AGREEMENT](#)

**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: 21-1369-RES

[21-0592](#)

A Resolution Approving Submittal of FAA/ALDOT FY22 Grant Application for an Airport Improvement Project at the Foley Municipal Airport

**Attachments:**     [FOLEY-CIP-2022-2027.pdf](#)  
[Foley - FY22 Pre-App.pdf](#)

**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: 21-1370-RES

[21-0593](#)

**A Resolution to waive the fees and Adrian Hill with Golden Knight General Konstruktion, LLC permission to host their Annual Alzheimer's Teams Shug Remembrance Walk and Fundraiser at Heritage Park.**

**Attachments:**     [Adrian Hill's Alzheimers Fundraiser](#)

**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: 21-1371-RES

[21-0594](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT VACANT LOT ON ELECIA LN

**Attachments:**     [property behind 206 madison lane](#)

**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: 21-1372-RES

[21-0595](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 1000 SUMMERTON DR

**Attachments:**     [1000 Summerton Dr Weed Abatement](#)

**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: 21-1373-RES

[21-0596](#)

A Resolution to Approve Application to Federal Communications Commission's Emergency Connectivity Fund Grant

**Attachments:**     [FCC Factsheet](#)

**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: 21-1374-RES

[21-0598](#)

A Resolution giving permission to go to bid and appropriating funds for a LED Board for the Foley Event Center.

**Attachments:**     [LED Board Capital Request](#)

**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: 21-1375-RES

[21-0602](#)

A Resolution to Set a Public Hearing to Consider the Passage of an Ordinance to Approve the Rezoning of Property Owned by Janet Smith from B-1A (Extended Business District) and R-4 (Residential Single Family & Duplex) to RV Park District

**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: 21-1376-RES

[21-0603](#)

A Resolution to Set a Public Hearing to Consider the Passage of an Ordinance to Approve the Zoning Ordinance Amendments: Portable Billboards

**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: 21-1377-RES

[21-0604](#)

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 (Moses)

**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: 21-1378-RES

[21-0605](#)

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 (Wachter Family)

**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: 21-1379-RES

[21-0570](#)

A Resolution to Approve the Baldwin Heart Walk Sponsorship

**Attachments:**     [2021 Baldwin Heart Walk Sponsorship Packet](#)

**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: 21-1380-RES

[21-0578](#)

A Resolution to Approve the Change In Pharmacy Benefit Managers

**Attachments:**     [SOW TBX City of Foley \(McGriff\) 09.22.2021](#)  
                              [Pharmacy Benefit Procurement Summary](#)

**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: 21-1381-RES

[21-0581](#)

A Resolution Approving a Sponsorship of Kiwanis Club's Annual Radio Day

**Attachments:**     [Kiwanis Club Sponsorship](#)

**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: 21-1382-RES

[21-0568](#)

A Resolution Approving Hamburg Building Roof Repairs

**Attachments:**     [Amerson Roof Quote Option 1](#)  
                              [Amerson Roof Quote Option 2 TO CODE](#)  
                              [Mr HQ Roofs TO CODE](#)

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: 21-1383-RES

## Mayor's Comments

Mayor Hellmich reported the high school's homecoming parade will be on Wednesday, October 13th; our local National Guard that has been deployed over seas is coming home this month and the City will sponsor an event to show them appreciation after the first of the year and there are currently 28 drainage projects in the works.

## Visitor Comments

Bob Knauff, who resides at 9625 Lakeview Drive reported there is water run off in his subdivision.

Mayor Hellmich reported he has received Mr. Knauff's email and a swell ditch needs to be constructed to keep water away from his home as well as finding out if there was a failure on the slope of the houses on the grading plan. He reported this issue has been passed on to the Engineering Department. He asked Mr. Knauff if he has received any response from Breland Homes, who is the developer and ultimately responsible for the grading plan.

Mr. Knauff reported he went through all the proper channels to resolve the issue by speaking with Breland Homes and they sent out a landscaper who did more harm than good by creating trenches in some areas between the houses. Breland Homes never responded directly, they just sent landscapers back. The contractor is now not returning calls.

Mayor Hellmich reported the Building Department and Engineering Department are going to work together to find exactly what this is and try to come up with a solution. He also reported the developer built a swell on top of a gas line and they can not dig on the gas line. A new swell ditch will have to be engineered around it. Swell ditches are a crucial component to keep water off the property but if it is not sloped just right, it will not solve the issue.

Building Inspector Doug Hayes reported he spoke with Breland Homes today. They have been in contact with the grading contractor and are working with Riviera Utilities to relocate the gas line.

City Planner Miriam Boone reported she will contact Riviera Utilities tomorrow and will touch base with the landscaper to coordinate some dates and they will be in contact with Mr. Knauff.

## Adjournment

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

The meeting adjourned at 5:45 pm.