



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Final

### City Council

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Monday, October 15, 2018

5:30 PM

Council Chambers

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#### Council Meeting

#### Public Hearings

[18-0558](#)

Public Hearing to Declare Weeds to be a Nuisance and Order its Abatement at 905 West Peachtree Avenue (2nd Parcel).

Council President Wayne Trawick opened the public hearing at 5:30 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[18-0559](#)

Public Hearing to Declare Weeds to be a Nuisance and Order its Abatement at the Entrance of Crown Walk Subdivision

President Trawick opened the public hearing at 5:30 p.m. He reported the 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.

#### Call to Order

President Trawick called the meeting to order at 5:31 p.m.

#### Roll Call

All Council Members were present with the exception of Council Member Ralph Hellmich who was out of town. Mayor Koniar was absent due to an illness. Also present: City Administrator Mike Thompson, City Clerk Katy Taylor, Kevin Carnley, Emanuel Seals, Britton Bonner, Sue Steigerwald and Steve Griffin.

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

**Absent:** 2 - Council Member Ralph Hellmich and Mayor J Koniar

#### Pledge of Allegiance

#### Departmental Reports

[18-0567](#)

## Department Reports

**Attachments:**    [September 2018 Tax Reports](#)  
[CDD September 2018 Report w backup](#)  
[FY 2017\\_18 CDD Annual Report Reduced](#)  
[September 2018 FD Report](#)  
[September 2018 PD Report](#)

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

**Audit the Accounts**[18-0566](#)

## Auditing the Accounts of September, 2018

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaite, to approve auditing the accounts of September 2018. The motion carried by an unanimous vote.

**Approval of the Minutes**[18-0564](#)

## Work Session Minutes of October 1, 2018

**Attachments:**    [10-01-2018 Work Session Minutes](#)

A motion was made by Council Member Vera Quaite, seconded by Council Member Charles Ebert, III, to approve the Work Session Minutes of October 1, 2018. The motion carried by an unanimous vote.

[18-0565](#)

## Council Meeting Minutes of October 1, 2018

**Attachments:**    [10-01-2018 Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaite, to approve the Council Meeting Minutes of October 1, 2018. The motion carried by an unanimous vote.

**Additions/Removals**

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaite, to add items 18-0572, 18-0573 and 18-0574 to the agenda and to remove item 18-0557. The motion carried by an unanimous vote.

**Ordinances**

[18-0538](#)

ORDINANCE APPROVING INITIAL ZONING OF PROPERTY OWNED BY COTTON BAYOU DEVELOPMENT, LLC.

**Attachments:**     [Initial Zoning Recommendation](#)

**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: 18-2030-ORD

[18-0550](#)

**AN ORDINANCE PREZONING TOTSCH/MOORE PROPERTY**

**Attachments:**     [PPIN# 68039](#)  
                              [PPIN# 93449](#)

**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.**

Enactment No: 18-2032-ORD

## **Resolutions and Other Business**

[18-0519](#)

A Resolution Accepting the FY19 LSTA (Library Services and Technology Act) Grant

**Attachments:**     [FY19 LSTA Grant Award Letter](#)  
                              [Budget Transfer Request LSTA Grant FY19](#)  
                              [Request to Increase Budget LSTA FY19](#)  
                              [LSTA Grant -Budget Incr Approval Emails](#)

**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: 18-1284-RES

[18-0524](#)

A Resolution Approving Entering into the FBI's Organized Crime Drug Enforcement Task Force (OCDETF) Reimbursement Agreement for FY2019.

**Attachments:**     [FY19 SL Agreement FINESSE \(2\)](#)  
                              [FY19 SL Agreement HI-FI \(2\)](#)  
                              [FY19 SL Agreement ICE COAST](#)

**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: 18-1285-RES

[18-0539](#)

A Resolution to reappoint A. Clyde Abrams to the Foley Building Authority, Foley Library Authority, Foley Public Parks and Recreation Authority, and the Foley Redevelopment Authority.

**Attachments:**     [Clyde Abrams Email](#)  
                              [Bldg, Library, Park & Rec list - C. Abrams](#)

**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: 18-1286-RES

[18-0540](#)

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 and to consider Planning Commission's recommendation for initial zoning owned by Cotton Bayou, LLC

**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: 18-1287-RES

[18-0544](#)

Approval for Snook Youth Club to have fees waived for the use of the stage for their Hallow House Costume Contest on October 31st at their location on 1391 South Cedar Street.

**Attachments:**     [20180926081555076](#)

**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: 18-1288-RES

[18-0545](#)

Resolution Accepting Costs for Weed Abatement at Lot 149 Meadow Run and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

**Attachments:**     [149 in Meadow Run Weed Costs](#)

**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: 18-1289-RES

[18-0546](#)

Resolution Accepting Costs for Weed Abatement at SW Corner of HWY 98 and Cypress Street and Authorizing a Copy to be Sent to the Baldwin County Tax Collector

**Attachments:**     [SW Corner HWY98 & Cypress Weed 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: 18-1290-RES

[18-0547](#)

A Resolution Approving Entering into the FBI's Mobile Safe Street's Task Force (MSSTF) Reimbursement Agreement for FY2019.

**Attachments:**     [MSSTF cost agreement](#)  
[20180927103328703](#)

**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: 18-1291-RES

[18-0548](#)

**A RESOLUTION APPROVING THE WAIVING OF FEES FOR HERITAGE PARK PAVILION FOR WOMEN'S CARE MEDICAL CENTER'S WALK FOR LIFE**

**Attachments:**     [20180928133619648](#)

**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: 18-1292-RES

[18-0549](#)

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

**Attachments:**     [RES. 18-1149](#)

**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: 18-1293-RES

[18-0551](#)

A resolution to set a public hearing to consider Planning Commission's recommendation to pre-zone 5.605 +/- acres as B-3 (Local Business District) owned by Virginia Totsch and Beverly Moore

**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: 18-1294-RES

[18-0552](#)

Approve Capital Purchase of New Police Canine

**Attachments:**     [NEW K9 INVOICE](#)  
                              [K9 PURCHASE REQUEST](#)  
                              [K9 APPROVAL EMAIL](#)

**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: 18-1295-RES

[18-0553](#)

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LETTER OF SUPPORT FOR THE CITY OF GULF SHORES

**Attachments:**     [Mayor's Letter Supporting COGS Traffic Signal](#)

**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: 18-1296-RES

[18-0554](#)

A Resolution Setting a Public Hearing Declaring Weeds to be a Public Nuisance and Ordering Its Abatement at 1605 S. McKenzie St

**Attachments:**     [Weed Abatement 1605 S McKenzie St](#)

**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: 18-1297-RES

[18-0555](#)

A Resolution Setting a Public Hearing Declaring Weeds to be a Public Nuisance and Ordering Its Abatement at 1502 N Alston St

**Attachments:**     [Weed Abatement 1502 N Alston St](#)

**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: 18-1298-RES

[18-0556](#)

Resolution Authorizing Employees to Enter Upon the Property at 905 West Peachtree Avenue (2nd parcel) for the Purpose of Abating the Public Nuisance.

**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: 18-1299-RES

[18-0557](#)

Resolution Authorizing Employees to Enter Upon the Property at the Entrance of Crown Walk Subdivision for the Purpose of Abating the

Public Nuisance.

**A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaites, to remove this resolution from the agenda. The property was abated by the owner. The motion carried by an unanimous vote.**

[18-0560](#)

A Resolution to appoint a new member to the Revitalization and Beautification Board.

**Attachments:**     [Beautification Board List - P. Libby](#)

**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: 18-1300-RES

[18-0561](#)

A Resolution Approving Foley Municipal Airport FY19 Grant Pre-Application

**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: 18-1301-RES

[18-0562](#)

A Resolution Authorizing the Snook Family YMCA to Use a Portion of Performance Contract Funds For Facility Repairs

**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: 18-1302-RES

[18-0570](#)

A Resolution to Set a Public Hearing to Consider Entering Into A Sponsorship Agreement With the South Baldwin Chamber of Commerce for their Gateway Initiative

**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: 18-1303-RES

[18-0572](#)

A Resolution Authorizing the Mayor to Execute The First Amendment to the "Foley Beach Express" Agreement

**Attachments:**     [First Amendment Foley Beach Express Agreement](#)  
                              [Foley Beach Express Agreement](#)

**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: 18-1304-RES

[18-0573](#)

A Resolution of the City of Foley, Alabama, in Support of Hurricane Michael Victims Along the Florida Panhandle

**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: 18-1305-RES

[18-0574](#)

A Resolution in Support of State Funding Assistance for The Baldwin County Intracoastal Waterway (ICW) Boat Launch Project

**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: 18-1306-RES

## Mayor's Comments

## Visitor's Comments

## Executive Session

President Trawick reported there is a need for an Executive Session.

City Administrator Mike Thompson reported Council will discuss with the City's Attorney pending litigation and controversies not yet being litigated but imminently likely to be litigated, as authorized by the Open Meetings Act. He reported there will be no need to reconvene for a vote and the Executive Session will take approximately forty five (45) minutes.

A motion was made by Council Member Rick Blackwell to go into Executive Session. The motion was seconded by Council Member Charles Ebert, III and carried by the following roll call vote: Council Member Quaites, aye; Council President Trawick, aye; Council Member Blackwell, aye and Council Member Ebert, III, aye. Of those present, the vote was unanimous to go into Executive Session.

The meeting was recessed at 5:49 p.m.

The meeting was reconvened at 6:34 p.m.

All Council Members were present. Also present: City Administrator Mike Thompson, Britton Bonner and Emmanuel Seals.

There was no further business to conduct.

## Adjournment

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



unanimous vote.

The meeting adjourned at 6:35 p.m.