



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Final

### City Council

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Monday, January 7, 2019

5:30 PM

Council Chambers

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#### Council Meeting

#### Public Hearings

[19-0026](#)

Public Hearing to Declare Weeds to be a Nuisance and Order its Abatement at 7510 Helton Drive.

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, Joey Darby and Daniel Hudson.

**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

#### Approval of the Minutes

[19-0015](#)

Work Session Minutes of December 17, 2018

**Attachments:** [12-17-2018 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 December 17, 2018. The motion carried by an unanimous vote.

[19-0016](#)

Council Meeting Minutes of December 17, 2018

**Attachments:** [12-17-2018 Council Meeting Minutes](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, to approve the Council Meeting Minutes of December 17, 2018. The motion carried by an unanimous vote.

## Additions/Removals

There were no additions or removals.

## Ordinances

[19-0004](#)

(Second Reading) An Ordinance Rezoning Calvary Chapel Fellowship of Foley from M1 to B2

**Attachments:** [Calvary recommendation](#)

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

## Resolutions and Other Business

[18-0643](#)

A Resolution Approving Application for FY2019 Association for Library Services to Children (ALSC) Bookapalooza Grant Program.

**Attachments:** [BookapaloozaApp2019](#)  
[Commitment Form 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: 19-1000-RES

[18-0655](#)

A Resolution to accept a donation of \$1,500 from the Rikard Family Charitable Trust to the Foley Caboose Club.

**Attachments:** [Letter of Contribution from the Rikard Family Charitable Trust](#)  
[Mike and Wayne's Approval Caboose Club Donation](#)

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: 19-1001-RES

[19-0003](#)

A Resolution to Adjust FY19 Insurance Expense Account Budgets

**Attachments:**     [Insurance Expense Budget Correction](#)  
[Transfer Request](#)  
[City of Foley Mail - Fwd Budget transfer 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: 19-1002-RES

[19-0005](#)

A Resolution to Accept Offer to Purchase Real Property at the Appraisal Value

**Attachments:**     [0 Azalea Ave, Foley, AL 36535](#)  
[Azalea Ave Map](#)

**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: 19-1003-RES

[19-0007](#)

A Resolution Approving the Surplus and Disposal of Model Train materials not needed by the Caboose Club.

**Attachments:**     [Caboose Club items for surplus and disposal](#)

**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: 19-1004-RES

[19-0011](#)

A Resolution Amending Pay Classification Plan for certain position changes within the Marketing Department. This is a housekeeping item and is budget neutral.

**Attachments:**     [Pay Classification Plan \(2\)](#)

**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: 19-1005-RES

[19-0012](#)

A Resolution to Approve a Sponsorship of the Governor's Inauguration

**Attachments:**     [Gov Inauguration Funding](#)

**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: 19-1006-RES

[19-0013](#)

A Resolution Approving Lease Agreement with Verizon Wireless

**Attachments:**     [Land Lease.Verizon.FINAL](#)  
[MOL.Verizon](#)

**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.**

**Council Member Hellmich thanked City Administrator Mike Thompson and the City Attorneys for negotiating the terms of the agreement.**

Enactment No: 19-1007-RES

[19-0014](#)

A Resolution Deeming Fire Department Items as Surplus

**Attachments:**     [Fire Assets Surplus List](#)

**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: 19-1008-RES

[19-0017](#)

A resolution to set a public hearing to consider Planning Commission's recommendation to rezone 14.56 +/- acres from M-1 (Light Industrial District) to B-2 (Neighborhood Business District). Property is located south of Underwood Road. Applicant is Calvary Chapel Fellowship of Foley.

**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: 19-1009-RES

[19-0018](#)

A Resolution Amending Pay Classification Plan (PCP) for Job Title Changes within the Parks Department. This is a housekeeping item and is budget neutral.

**Attachments:**     [PCP \(3\)](#)

**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: 19-1010-RES

[19-0019](#)

A Resolution Approving Bid Award to Bill Patterson Construction and Appropriating Funds

**Attachments:**     [HMR Bid Tabs](#)  
[17-1315 RES](#)  
[18-1116 RES HMR ADD 1](#)  
[Request to Increase - 9th Ave Ext](#)

**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: 19-1011-RES

[19-0020](#)

A Resolution to Waive the Fees for the Foley Civic Center

**Attachments:**     [ACS - Civic Center Email](#)  
[American Cancer Society Email](#)

**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: 19-1012-RES

[19-0023](#)

A Resolution to Rescind Resolutions 18-1149-RES A Resolution Approving the Sale of the Cactus Cafe/Historic Foley Bakery Building, 18-1175-RES A Resolution Amending Resolution 18-1149 and 18-1293 A Resolution Amending Resolution 18-1149 Approving the Sale of the Cactus Cafe/Historic Foley Bakery Building

**Attachments:**     [18-1149 RES](#)  
[18-1175 RES](#)  
[18-1293 RES](#)

**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: 19-1013-RES

[19-0024](#)

A resolution to approve the sale of the Cactus Cafe/Historic Foley Bakery Building to Katapult Properties

**Attachments:**     [118 West Laurel Agreement](#)

**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: 19-1014-RES

[19-0025](#)

A Resolution Accepting an Unbudgeted Donation from Ascend Performance Materials for the Foley Fire Department

**Attachments:**     [20181228110159381](#)

**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: 19-1015-RES

[19-0027](#)

A Resolution Authorizing Employees to Enter Upon the Property at 7510 Helton Drive for the Purpose of Abating the Public Nuisance.

**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: 19-1016-RES

[19-0028](#)

A Resolution Authorizing Residential Sanitation Write Offs as Uncollectible in the Amount of \$137.41

**Attachments:**     [November Sanitation Write Offs](#)

**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: 19-1017-RES

## Mayor's Comments

There were no comments to report.

## Visitor's Comments

There were no comments to report.

## Executive Session

President Trawick reported the need for an Executive Session.

City Administrator Mike Thompson reported the need to discuss in Executive Session certain aspects of two possible real estate transactions.

The real estate discussion exception to the Open Meetings Act allows for the City to discuss in executive session the consideration that it would be willing to accept for the sale of certain real property and also the consideration that it

would be willing to pay to purchase certain real property. He also reported the executive session will be approximately 15 - 20 minutes and Council may return for one vote.

Council Member Hellmich made a motion to go into Executive Session. The motion was seconded by Council Member Quaites. The motion carried by the following roll call vote: Council Member Quaites, aye, Council Member Hellmich, aye, 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 was recessed at 5:46 pm.

The Council Meeting reconvened at 6:08 pm.

All Council Members were present. Also present were City Administrator Mike Thompson, City Clerk Katy Taylor and Daniel Hudson.

#### 19-0035

#### A Resolution to Purchase Real Property

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

The motion carried by a majority vote.

**Aye:** 4 - President Trawick, Council Member Quaites, Council Member Hellmich and Council Member Blackwell

**Abstain:** 1 - Council Member Ebert III

Enactment No: 19-1018-RES

## 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 6:09 pm.