



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Final

### City Council

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Monday, October 21, 2019

5:30 PM

Council Chambers

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#### Council Meeting

#### Public Hearings

[19-0552](#)

Public Hearing To Consider Approving The Vacation Of A Right-Of-Way On The Northwest Corner of Little Rock Road And County Road 65

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, Caleb Bibby, Kevin Carnley, Joey Darby, Debra Slaughter, Dorothy Ward, Roddy Burkle and Debra Clemon.

**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

[19-0561](#)

Department Reports

**Attachments:**    [Grant Status Report September 2019](#)  
[September 2019 Bid Awards](#)  
[Marketing Dept. Quarterly Report](#)  
[Tax Reports SEPT 2019](#)  
[September 2019 CDD Report](#)  
[CDD FY 2018-19 Annual Report](#)  
[Sept 2019 PD Report](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to accept the reports as presented. The motion carried by an unanimous vote.

## Audit of the Accounts

[19-0562](#)            Audit the Accounts of September 2019

**Attachments:**    [Report of Approved Bills 09-2019](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Ralph Hellmich, that this Auditing Accounts be approved for payment. The motion carried by an unanimous vote.

## Approval of the Minutes

[19-0567](#)            Work Session Minutes of October 7, 2019

**Attachments:**    [10-07-2019 Work Session Minutes - DRAFT](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Charles Ebert, III, to approve the Work Session Minutes of October 7, 2019. The motion carried by an unanimous vote.

[19-0568](#)            Council Meeting Minutes of October 7, 2019

**Attachments:**    [10-07-2019 Council Meeting Minutes](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Vera Quaites, to approve the Council Meeting Minutes of October 7, 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 add items 19-0555 and 19-0578 to the agenda and to carry over items 19-0559 and 19-0560 to the November 4, 2019 Council Meeting Agenda. The motion carried by an unanimous vote.

## Ordinances

## Resolutions and Other Business

### [19-0536](#)

A Resolution to Apply for the State Farm Good Neighbor Citizenship Company Grant.

**Attachments:** [Good Neighbor Citizenship Grants - State Farm®](#)

**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: 19-1321-RES

### [19-0545](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 500 S HICKORY ST

**Attachments:** [20190916110840715](#)

**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: 19-1322-RES

### [19-0547](#)

A Resolution to Apply for the ALDOT Rebuild Alabama Act Annual Grant Program.

**Attachments:** [2020 RA Grant Program Application](#)

**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: 19-1323-RES

### [19-0548](#)

A Resolution to Accept the FY2020 Gulf Coast Resource Conservation and Development Council Grant Award.

**Attachments:** [Cooperative Agreement](#)  
[Budget Increase Form - Environmental](#)

**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: 19-1324-RES

### [19-0549](#)

A Resolution to Accept the Grant Award from ADCNR for the Southwest Comp Plan Update

**Attachments:**     [FOLEY-CZM-306-20-1](#)  
                                 [Budget Increase Form - CDD](#)

**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: 19-1325-RES

[19-0550](#)

A Resolution to Accept the Grant Award from ADCNR for the Graham Creek Preserve Boardwalk and Trail

**Attachments:**     [FOLEY-CZM-306a-20-1](#)  
                                 [Budget Increase Form - Nature Parks](#)  
                                 [Capital Project Worksheet - Boardwalk](#)

**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: 19-1326-RES

[19-0551](#)

A Resolution Approving the Vacation of a Right-Of -Way on the Northwest Corner of Little Rock Road and County Road 65

**Attachments:**     [Declaration of Vacation](#)  
                                 [STS Holdings Source Deed](#)  
                                 [Proposed ROW Vacation 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: 19-1327-RES

[19-0553](#)

A Resolution Approving Foley Municipal Airport FAA/ALDOT FY20 Grant Pre-Application

**Attachments:**     [Foley Aiport - FY20 Pre-Application.pdf](#)

**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: 19-1328-RES

[19-0554](#)

A RESOLUTION APPROVING USDA'S COOPERATIVE SERVICE AGREEMENT FOR BEAVER MANAGEMENT

**Attachments:**     [COOPERATIVE SERVICE AGREEMENT](#)

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

by an unanimous vote.

Enactment No: 19-1329-RES

**19-0556**

A Resolution Accepting the 2020 LSTA Grant

**Attachments:** 19-1127 RES Library LSTA Grant

**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: 19-1330-RES

[19-0557](#)

A resolution amending the Pay Classification Plan for a position upgrade to the Events Specialist/Office Manager in the Environmental Department

**Attachments:** [JAT Scoring - Education Program Coord](#)  
[Pay Classification Plan - Effective 10-01-19](#)

**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: 19-1331-RES

[19-0558](#)

A resolution amending the Pay Classification Plan for a position upgrade to the Administrative Assistant II in General Government/HR.

**Attachments:** [JAT Scoring - Human Resources Coord](#)  
[Pay Classification Plan - Effective 10-01-19](#)

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

Enactment No: 19-1332-RES

[19-0559](#)

A Resolution Approving the Purchase of Equipment for (7) Police Tahoes

**Attachments:**    [EQUIPMENT CAPITAL PURCHASE REQ](#)  
[AGENDA EMAIL APPROVAL](#)  
[030006005 SO 19-1373 Q 001](#)  
[030006005 SO 19-1374 Q 002](#)  
[030006005 SO 19-1376 Q 003](#)  
[Sole Source Letter AXON](#)  
[AXON QUOTE 2020](#)  
[CDW GOVT QUOTE](#)  
[STOP STICK QUOTE](#)  
[UPDATED HEARTSMART AED QUOTE](#)  
[HURRICANE ELECTRONICS QUOTE](#)  
[GULF STATES AR QUOTE](#)

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution carried over to the November 4, 2019 Council Meeting Agenda. The motion carried by an unanimous vote.**

Enactment No: 19-1339-RES

[19-0560](#)

A Resolution Approving FY19 Tahoe Equipment Not Received by Year End

**Attachments:**    [INCREASE APPROVAL WORKSHEET](#)  
[HAYNES 212 REPLACEMENT EQUIP](#)  
[INCREASE APPROVAL EMAIL](#)

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution carried over to the November 4, 2019 Council Meeting Agenda. The motion carried by an unanimous vote.**

Enactment No: 19-1340-RES

[19-0563](#)

A Resolution Approving Entering into the FBI's Mobile Safe Street's Task Force (MSSTF) Reimbursement Agreement for FY2020.

**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: 19-1333-RES

[19-0566](#)

A Resolution to Reappoint Kathryn Ford to the Museum Archive Advisory Board.

**Attachments:**    [Museum Board Member List - KFord](#)

**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: 19-1334-RES

[19-0569](#)

A Resolution Authorizing Residential Sanitation Write Offs as Uncollectible in the Amount of \$500.53

**Attachments:**     [October 2019 Sanitation Write Offs](#)

**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: 19-1335-RES

[19-0571](#)

A Resolution Requesting To Waive Fees To Minimum For Summit Church

**This item failed for lack of first and second motion.**

[19-0573](#)

A Resolution Approving Disposal of Courtroom Chairs

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

Enactment No: 19-1336-RES

[19-0572](#)

ABC License: 010- Lounge Retail Liquor - Class I for GIL DJR LLC applicant operating under the trade name The Office Lounge located at 122 County Road 20 West Foley, AL 36535.

**Attachments:**     [ABC Application - The Office Lounge](#)  
                              [The Office Lounge ABC Application Map](#)

**The Foley Police Department made a recommendation to move forward with the ABC License.**

**The Fire Department also made a recommendation to move forward with the ABC License. Fire Chief Joey Darby reported The Office Lounge is moving to the location that was once The Premier Lounge a number of years ago. The Office Lounge will need to meet some new fire code requirements and at this time, they will not be permitted to use the upstairs.**

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to make a recommendation to the ABC Board to move forward with the ABC License. The motion carried by an unanimous vote.**

**Council Member Ralph Hellmich reported he wanted to clarify that The Office Lounge is currently operating in a location along HWY 59 and is moving to this new location and he wanted to make sure the paperwork reflected Chief Darby's comments. City Clerk Katy Taylor reported the comments will be in the Council Meeting Minutes.**

[19-0565](#)

ABC License: 010- Lounge Retail Liquor - Class I for CLV Wines LLC

applicant operating under the trade name C Est Le Vin located at 104 C South OWA Blvd Foley, AL 36535.

**Attachments:**     [ABC Application - C Est Le Vin](#)

The Foley Police and Fire Departments made recommendations to move forward with the ABC License.

A motion was made by Council Member Ebert, III, seconded by Council Member Blackwell, to make a recommendation to the ABC Board to move forward with the ABC License.. 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

#### [19-0555](#)

A RESOLUTION APPROVING S. HICKORY ST. SPEED LIMIT ADJUSTMENT

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: 19-1337-RES

#### [19-0578](#)

A Resolution To Rescind Resolution 19-1318 A Resolution To Terminate the Purchase and Sale Agreement Between The City of Foley and Retail Markets Group, LLC

**Attachments:**     [19-1318 RES](#)

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: 19-1338-RES

### Mayor's Comments

There were comments to report.

### Visitor's Comments

Roddy Burkle reported he would like to be informed if the old Cactus Cafe building becomes for sale again. President Trawick reported the closing date for the purchase of the building is Friday, November 1, 2019.

Debra Clemons asked when the redistricting of the elementary school was going to take place. Council Member Hellmich reported that the Baldwin County Board of Education has scheduled a public meeting at the Foley Civic Center on November 14, 2019.



Debra Slaughter thanked the City Council for approving to make a favorable recommendation to the ABC Board for The Office Lounge ABC License.

## **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 adjourned at 5:46 pm.