



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Meeting Minutes - Final

City Council

Monday, November 4, 2019

5:30 PM

Council Chambers

Council Meeting

Public Hearings

[19-0584](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 12767 Springsteen Lane.

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

[19-0585](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at Property Located Off of Cedar Street and East of 5th Ave PPIN# 024901.

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

[19-0586](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 316 W. 3rd Ave.

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

[19-0587](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at Duplex Construction Sites off North Pine Street and Sinclair Street.

President Trawick open the public hearing at 5:31 p.m. He asked for comments from the public. Hearing no comments, he closed the public hearing.

[19-0588](#)

Public Hearing to Consider Weeds to be a Public Nuisance and to Order is Abatement at 1730-1734 N. Pine Street.

President Trawick open the public hearing at 5:31 p.m. 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 5:32. p.m.

Roll Call

All Council members were present. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Tommy Purdue, David Wilson, Joey Darby, Thurston Bullock, Leslie Gahagan, Kevin Carnley, Alec and Elva Barnett.

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

Mayor's Presentation

[19-0601](#)

Proclamation Private First Class Paola Y. Cerecedo Day

Attachments: [Private First Class Cerecedo Proclamation](#)

President Trawick read the proclamation for Private First Class Paola Y. Cerecedo that he presented to her on Tuesday, October 31, 2019 at the Foley High School. He also presented her with a key to the City.

[19-0604](#)

Proclamation Embrace the Gulf 2020

Attachments: [Embrace the Gulf Proclamation](#)

Mayor Koniar presented the proclamation to Environmental Manager Leslie Gahagan.

Approval of the Minutes

[19-0596](#)

Work Session Minutes of October 21, 2019

Attachments: [10-21-2019 Work Session Minutes - DRAFT](#)

A motion was made by Council Member Charles Ebert, III, seconded by Council Member Rick Blackwell, to approve the Work Session Minutes of October 21, 2019. The motion carried by an unanimous vote.

[19-0597](#)

Council Meeting Minutes of October 21, 2019

Attachments: [10-21-2019 Council Meeting Minutes](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, to approve the Council Meeting Minutes of October 21, 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 items 19-0591, 19-0592 and 19-0593 from the agenda and to add item 19-0609. The motion carried by an unanimous vote.

Ordinances

[19-0598](#)

AN ORDINANCE AMENDING ORDINANCE NO. 387-87 REZONING PROPERTY OWNED BY THE HOUSING AUTHORITY OF THE CITY OF FOLEY FROM R1A & R3 TO PUD

Attachments: [Housing Auth Recommendation](#)

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.

Enactment No: 19-2026-ORD

Resolutions and Other Business

[19-0602](#)

A Resolution Accepting Planning Commission's Recommendation to Deny Rezoning Property Owned by the Alabama Armada, LLC From PUD to B1A

Attachments: [Alabama Armada Rezone](#)

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: 19-1352-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 Rick Blackwell, seconded by Council Member Ralph Hellmich, that this Resolution be adopted. 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 Charles Ebert, III, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by an unanimous vote.

Enactment No: 19-1340-RES

19-0570

A RESOLUTION WAIVING FEES FOR HERITAGE PARK

Attachments: [20191015135004126](#)

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: 19-1341-RES

19-0574

A Resolution Approving the Purchase of a Community Service Smoker/Grill Trailer

Attachments: [Community Service Smoker-Grill trailer](#)
[Capital Purchase-Community Service Trailer](#)

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: 19-1342-RES

[19-0579](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 420 W MARIGOLD AVE

Attachments: [Weed Abatement 420 W Marigold](#)

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: 19-1343-RES

[19-0581](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT COMMON AREA OF LIVE OAK VILLAGE NORTH OF PEACHTREE AVE

Attachments: [Weed Abatement Live Oak Village](#)

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: 19-1344-RES

[19-0583](#)

A Resolution Approving the Sponsorship for the Ecumenical Ministries 50th Anniversary Gala Celebration

Attachments: [Ecumenical Ministries Sponsorship](#)

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: 19-1345-RES

[19-0589](#)

A Resolution Authorizing Employees to Enter Upon the Property at 12767 Springsteen Lane for the Purpose of Abating the Public Nuisance.

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: 19-1346-RES

[19-0590](#)

A Resolution Authorizing Employees to Enter Upon the Property at the Property Off of Cedar Street and East of 5th Avenue 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: 19-1347-RES

[19-0591](#)

A Resolution Authorizing Employees to Enter Upon the Property at 316 W. 3rd Street for the Purpose of Abating the Public Nuisance.

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

[19-0592](#)

A Resolution Authorizing Employees to Enter Upon the Property at Duplex Construction Sites off N. Pine Street and Sinclair Street for the Purpose of Abating the Public Nuisance.

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

[19-0593](#)

A Resolution Authorizing Employees to Enter Upon the Property at 1730-1734 Pine Street Duplex for the Purpose of Abating the Public Nuisance.

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

[19-0594](#)

A Resolution Approving the Transfer of Funds from Nature Parks to Environmental

Attachments: [Budget Increase and Transfer Request Forms.Content Hosting\(NP\) to Consulting\(ENV\).10.23.19](#)
[Payne Maintenance Plan Template Proposal](#)

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: 19-1348-RES

[19-0595](#)

A RESOLUTION APPROVING STREET LIGHTING ON EXISTING BALDWIN EMC'S POLE #449

Attachments: [EMC Proposal Pole #449](#)
[MAP](#)

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: 19-1349-RES

[19-0599](#)

A Resolution Approving OWA Tree Lighting Ceremony Fireworks Display

Attachments: [OWA Firework Letter](#)

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 the following vote:

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

Abstain: 1 - Council Member Hellmich

Enactment No: 19-1350-RES

[19-0600](#)

A Resolution to Reappoint Otis Gatlin and David Vosloh to the Fire Code Board of Appeals.

Attachments: [FIRE CODE OF APPEALS Board Member List](#)

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: 19-1351-RES

[19-0606](#)

ABC License: 040- Retail Beer (On Or Off Premises) and 060 - Retail Table Wine (On Or Off Premises) for Brick Oven LLC, applicant operating under the trade name The Brick Oven located at 21040 A Mifflin Road Foley, Alabama.

Attachments: [The Brick Oven ABC License Application](#)
 [The Brick Oven Map](#)

Fire Chief Joey Darby and Police Chief David Wilson made a recommendation to move forward with the ABC License.

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

[19-0609](#)

A Resolution to Set a Public Hearing to Consider the Passage of an Ordinance to Amending Ordinance No. 387-87 Rezoning Property Owned by the Housing Authority of They City of Foley From R1A & R3 to PUD

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: 19-1353-RES

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 adjourned at 5:48 p.m.