



Meeting Minutes - Final

City Council

Monday, December 2, 2019

5:30 PM

Council Chambers

Council Meeting

Public Hearing

[19-0630](#)

A Public Hearing To Consider Planning Commission's Recommendation To Adopt An Ordinance Approving The Rezoning Of Property Owned By The Housing Authority Of The City Of Foley From R1A (Single Family) & R3 (Multi-Family) To PUD (Planned Unit Development).

Avery Smith from Vision Driven Communities reported they have partnered with the Department of Housing and Urban Development. She reported the rezoning must be in place in order to submit the application for funding of the project. Council Member Ralph Hellmich asked when the application is due. Ms. Smith reported the application is due by the end of the year.

NAACP Representative Alec Barnett reported he is confused as to why there is a need to rezone the property when the original housing project had to be zoned in the first place. Council Member Hellmich asked Ms. Smith to speak about the application process to explain the rezoning. Ms. Smith reported they submitted an application at the beginning of the year for only three parcels on the Housing Authority site. They are now trying to get funding for the majority of the site. This rezoning is to include the remaining parcels that were not included in the previous rezoning. Regina Pettibone an Aaronville resident asked if the previous rezoning included the ditch. Ms. Smith said that was correct, the zoning of those parcels went through but the application did not because of the ditch and the state agency said the site was not contiguous. Ms. Smith also wanted to circle back to Mr. Barnett's question about the original zoning. She reported that when the public housing was originally built, zoning was not prevelant and because single family houses were built in the same area, a blanket zoning of single family was used for all the parcels in that area. That is why the zoning needs to be changed to multi-family for the funding. This in no way will change any of the private single family residential parcels, only the housing authority property.

Call to Order

President Trawick called the meeting to order at 5:38 p.m.

Roll Call

All Council Members were present. Also present: Mayor John Koniar, City Clerk Katy Taylor, Karla Smith, Cindy Hamrick, Joey Darby, Thurston Bullock, Alec Barnett, Elva Barnett, Gail Pettibone, Denise Wilson, David Wilson, Vivian Dickerson, Ellen Johnson, Mary Pacher, John Josckson, Charles Bierman, Jean Bierman, Darrelyn Dunmore. Jessica Vaughn, Whisper Edwards, LaDonna Hinesley, Gregg Knight, Jennifer Tait, Avery Smith and Jamie Scecco.

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

Gulf Coast Media Presentation

[19-0643](#)

Gulf Coast Media Presentation

Gulf Coast Media Editor Jessica Vaughn presented the following awards for the Best of Baldwin 2020 contest: Foley Public Library received the Best Public Library in Baldwin County; Foley Police Chief David Wilson received the Best Police Chief in Baldwin County; Foley Fire Department received the Best Fire Department in Baldwin County; Foley Dog Park received the Best Dog Park in Baldwin County and The Foley Museum Train Depot and Train Exhibit received the Best Museum in Baldwin County.

Approval of the Minutes

[19-0632](#)

Work Session Minutes of November 18, 2019

Attachments: [11-18-2019 Work Session Minutes - DRAFT](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, to approve the Work Session Minutes of November 18, 2019. The motion carried by an unanimous vote.

[19-0633](#)

Council Meeting Minutes of November 18, 2019

Attachments: [Council Meeting Minutes of November 18, 2019](#)

A motion was made by Council Member Vera Quaites, seconded by Council Member Charles Ebert, III, to approve the Council Meeting Minutes of November 18, 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 item 19-0622 from the agenda. 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 Charles Ebert, III, seconded by Council Member Rick Blackwell, that this Ordinance be adopted. The motion carried by an unanimous vote.

Enactment No: 19-2026-ORD

Resolutions and Other Business

[19-0614](#)

A RESOLUTION APPROVING THE CENTENNIAL FOUNTAIN AREA UPGRADES AND WALKING TRAIL CONNECTOR PROJECT

Attachments: [Capital Project Worksheet](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, that this Resolution be adopted excluding the proposal from Riviera Utilities in the amount of \$31,883.47 to remove a wooden power pole and replace with underground utilities for the walking trail connector project. The motion carried by an unanimous vote.

Enactment No: 19-1367-RES

[19-0618](#)

A RESOLUTION APPROVING E-J BUILDERS' CHANGE ORDER #1 FOR HERITAGE PARK GAZEBO STEPS PROJECT

Attachments: [EJ Builders CO#1](#)
[Budget Increase Capital Projects Gazebo Steps](#)

A motion was made by Council Member Rick Blackwell, seconded by Council Member Vera Quaites, that this Resolution be adopted. The motion carried by the following vote: Council Member Vera Quaites, aye; Council Member Ralph Hellmich, aye; President Wayne Trawick, aye; Council Member Rick Blackwell, aye and Council Member Charles Ebert, III, abatained. 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: 19-1368-RES

[19-0620](#)

A RESOLUTION OF CONSENT TO ASSIGNMENT OF SPECIAL ECONOMIC DEVELOPMENT GRANT AGREEMENTS BY FOLEY SQUARE, LLC

Attachments: [Foley 2019. Minutes of City Council Re Assignments \(05116429x80C68\) \(3\)](#)

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: 19-1369-RES

[19-0622](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT VACANT LOT NORTH OF 1200 N PINE ST

Attachments: [Vacant Lot N of 1200 N Pine](#)

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.

[19-0628](#)

A Resolution Approving a Budget Neutral Transfer of Funds from Beautification to Municipal Complex

Attachments: [Budget Transfer Request Form RBB to Municipal Complex](#)

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: 19-1370-RES

[19-0629](#)

A Resolution Approving the Purchase of a 2019 Track Loader (Skid Steer)

Attachments: [ST CNSTR - 2019 JD 333G Skid Steer Track Loader Quote.pdf](#)
[ST CNSTR - 2019 JD 333G Skid Steer Track Loader Cap Purch Wksht.pdf](#)

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: 19-1371-RES

[19-0635](#)

A Resolution to Increase Depot Building/Maintenance Budget 100-5061-6010 Because of Increased Cost of Termite Bond.

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: 19-1372-RES

[19-0636](#)

A Resolution Modifying Positions and Titles Within the Municipal Complex Department

Attachments: [Pay Classification Plan - Effective 10-21-19](#)

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: 19-1373-RES

[19-0637](#)

A Resolution Approving the Purchase of a Compressed Air Foam System for the Foley Fire Department

Attachments: [Q12191120195](#)

[Enforcer 30 - Capital Purchase - Capital Project Worksheet 11-2019](#)

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: 19-1374-RES

[19-0639](#)

A Resolution appropriating funds for a zero turn mower for Foley Sports Tourism.

Attachments: [Zero Turn Sports Tourism Approval Request](#)

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: 19-1375-RES

[19-0640](#)

A Resolution appropriating funds for a Kubota Tractor for Foley Sports Tourism.

Attachments: [Tractor Approval Request Sports Tourism](#)

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: 19-1376-RES

[19-0642](#)

A Resolution Rescheduling Council Meeting Dates Due To Holidays And Conferences

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: 19-1377-RES

[19-0647](#)

A Resolution to Approve A Contract For the City's Reinsurance/Stop Loss For the 2020 Calendar Year

Attachments: [2020 Stop Loss Quotes - Final \(1\)](#)

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: 19-1378-RES

[19-0645](#)

ABC License: 140 - Special Events Retail for A Restaurant Group LLC, applicant operating under the trade name Celebration Catering located at 12615 A Foley Beach Express. Foley, Alabama.

Attachments: [ABC License Celebration Catering Map](#)
[ABC Application Celebration Catering](#)

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

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

Mayor's Comments

Mayor Koniar reported City Administrator Mike Thompson is recovering well and asked everyone to keep him in their prayers.

Visitor Comments

Council Member Hellmich reported the Christmas parade and the Let It Snow will be held Saturday, December 7, 2019.

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 was adjourned at 5:53 p.m.