



# City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

## Meeting Minutes - Final

### City Council

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Tuesday, September 8, 2020

4:00 PM

Foley Civic Center

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#### Work Session/Council Meeting

#### Call to Order

Council President Wayne Trawick called the meeting to order at 4:01 pm.

#### Roll Call

All Council Members were present with Council Member Rick Blackwell arriving at 4:09 pm. Also present: Mayor John Koniar, City Administrator Mike Thompson, City Clerk Katy Taylor, Wynter Metz, Thurston Bullock, Joey Darby, Richard Dayton, Darrelynn Dunmore, Miranda Bell, Leslie Gahagan, Chad Brewer, Chad Christian, Miriam Boone, Todd Karlar, Nolan Donald, Alec Conner, Craig Johnson, Lorenzo Johnson, Shirley Johnson and press representative Jessica Vaughn.

**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

#### Discussion Items

[20-0394](#)

Foley Main Street Update

Darrelyn Dunmore gave an update on the Foley Main Street projects.

#### Mayor's Presentation

[20-0409](#)

Proclamation: Constitution Week

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

Mayor Koniar presented the proclamation.

## Additions/Removals

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to add item 20-0425 to the Resolutions portion of the agenda and to carry over item 20-0403. The motion carried by an unanimous vote.

## Consent Agenda

### [20-0419](#)

Work Session/Council Meeting Minutes of August 17, 2020

**Attachments:**     [08-17-2020 Work Session & Council Meeting Minutes](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Minutes be approved. The motion carried by an unanimous vote.

### [20-0420](#)

Special Called Council Meeting-Canvassing Election Results Minutes of September 1, 2020

**Attachments:**     [09-01-2020 Special Called Council Meeting](#)

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Minutes be approved. The motion carried by an unanimous vote.

### [20-0379](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT BETWEEN 808 AND 810 E VERBENA AVE

**Attachments:**     [Vacant Lot 800 Block E Verbena Weeds](#)

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: 20-1239-RES

### [20-0380](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 9270 BAY POINTE DRIVE

**Attachments:**     [9270 Bay Pointe Dr Weed Abatement](#)

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: 20-1240-RES

[20-0388](#)

A Resolution Authorizing Certain Accounts to be Written off as Uncollectible

**Attachments:**     [Misc AR-Write off FY2020](#)  
                              [Write Offs FY 19 - 20](#)

**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: 20-1241-RES

[20-0389](#)

**A Resolution Waiving Fees for the Use of Heritage Park and Pavilion for Pastor Nolan Donald of Foley United Methodist Church**

**Attachments:**     [Foley United Methodist Church](#)

**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: 20-1242-RES

[20-0405](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 26210 JUNIPER STREET S

**Attachments:**     [Weed Abatement 26210 Juniper St](#)

**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: 20-1243-RES

[20-0406](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT LOT 14 CYPRESS POND

**Attachments:**     [Weed Abatement Lot 14 Cypress Pond Subdivision](#)

**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: 20-1244-RES

[20-0407](#)

A RESOLUTION SETTING A PUBLIC HEARING DECLARING WEEDS TO BE A PUBLIC NUISANCE AND ORDERING ITS ABATEMENT AT 1021 N HICKORY ST

**Attachments:**     [Weed Abatement 1021 N Hickory](#)

**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: 20-1245-RES

[20-0418](#)

A Resolution to Set Public Hearing to Consider the Passage of an Ordinance Approving Petition for Annexation and Bringing Property into the Corporate Limits of the City of Foley (Miriam Gordon Jones)

**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: 20-1246-RES

[20-0423](#)

A Resolution Approving the Re-filling of Two Budgeted Position Vacancies.

**Attachments:** [20-1116](#)

[Pay Classification Plan - Effective 08-17-20](#)

**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: 20-1247-RES

## Ordinances

[20-0400](#)

An Ordinance Approving Zoning Ordinance Amendments

**Attachments:** [Zoning Ordinance Amendments](#)

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Vera Quaites, that this Ordinance be approved on first reading. The motion carried by an unanimous vote.**

Enactment No: 20-2019-ORD

[20-0401](#)

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY MIRIAM GORDON JONES

**Attachments:** [Annexation PPIN# 69307](#)

[PPIN# 69307 Map](#)

[2020-09-15 Plot Layout - Wolf Bay Connection \(1\)](#)

[Infrastructure Valuation](#)

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Rick Blackwell, that this Ordinance be approved on first reading. The motion carried by an unanimous vote.**

Enactment No: 20-2020-ORD

## Resolutions and Other Business

### [20-0384](#)

A Resolution Approving an Agreement with Mobile County Commission's SWARHSO/ADECA (Southwest Alabama Regional Highway Safety Office) Community Traffic Safety Program (CTSP) for reimbursement of Overtime for the FY 2020-2021.

**Attachments:**     [ADECA MOU FY 2021](#)

**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: 20-1248-RES

### [20-0392](#)

A Resolution Approving ALDOT's Traffic Signal Maintenance Agreements

**Attachments:**     [ALDOT Agreements](#)

**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: 20-1249-RES

### [20-0395](#)

A Resolution Accepting Unbudgeted Donations from Several Sources to the Foley Fire Department

**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: 20-1250-RES

### [20-0396](#)

A Resolution approving the renewal of the Ground Lease between the City of Foley and Peace Lutheran Church.

**Attachments:**     [Peace Lutheran Church Lease Agreement 08192020](#)

**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: 20-1251-RES

### [20-0398](#)

A Resolution Approving Orange Avenue Street Light Installation Project

**Attachments:**     [Jon Harrison - Rose Trail Light Addition Cost](#)  
                             [Map](#)  
                             [Budget Increase Departmental Street Light](#)

**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: 20-1252-RES

[20-0402](#)

Resolution Amending the Pay Classification Plan to Adjust Pay Grade and Job Title of one slot in the Part-Time Museum Attendant position in the Marketing Department.

**Attachments:**     [Pay Classification Plan - Effective After WC Code Audit](#)  
[PT Admin Asst II - Marketing Dept - JAT Summary Data](#)

**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: 20-1253-RES

[20-0403](#)

A Resolution to Appoint Donna Turbyfill and Sharon Knight as Regular Members to the Personnel Actions Committee.

**Attachments:**     [Donna Turbyfill Resume](#)  
[Sharon Knight Resume](#)

**A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to carry over this item. The motion carried by an unanimous vote.**

Enactment No: 20-1254-RES

[20-0404](#)

A Resolution to Accept the FY2020 GOMESA Grant for Foley Nature Parks Expansion and Enhancement

**Attachments:**     [GOMESA Project Foley Nature Parks Expansion 2020](#)

**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: 20-1255-RES

[20-0412](#)

A Resolution Approving A One Day Pop Up Local Arts And Crafts Show

**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: 20-1256-RES

[20-0414](#)

A Resolution Appropriating Funds To Complete Pine Street Corner Enhancement Project

**Attachments:**     [COF Pine Street Corner Enhancement Version 2](#)

**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: 20-1257-RES

[20-0415](#)

A Resolution Approving the Purchase of Portable LED lights for FFD and Other City Uses

**Attachments:**     [Budget Increase and Transfer Request Forms.xlsx](#)  
[Foley Fire Dept Lighting \(1\).pdf](#)  
[Q122091342.pdf](#)  
[Shopping Cart Tiger Supplies.pdf](#)  
[Shopping Cart.pdf](#)

**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: 20-1258-RES

[20-0417](#)

A Resolution to Purchase a Truck for Environmental

**Attachments:**     [Foley F150 X1E Line 9 v20.0](#)

**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: 20-1259-RES

[20-0387](#)

ABC License: 010 - Lounge Retail Liquor - Class I - Shree Sai Blessings LLC, Applicant operating under the trade name Legacy Spirits located at 2478 and 2482 South McKenzie Street Foley, Alabama 36535.

**Attachments:**     [Legacy Spirits ABC License](#)

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

**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.**

[20-0408](#)

ABC License: 020 - Restaurant Retail Liquor for Potters Wings Foley LLC, Applicant, operating under the trade name Buffalo Wild Wings located at 2600 South Mckenzie Street Foley, Alabama 36535.

**Attachments:**     [Buffalo Wild Wings ABC License](#)

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

**A motion was made by Council Member Charles Ebert, III, 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.

[20-0425](#)

Discuss a Proposed Capital Project for a Public Safety Radio Site for the Southeast Quadrant

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

Enactment No: 20-1260-RES

### **Mayor's Comments**

There were no comments to report.

### **Visitor Comments**

Lorenzo and Shirley Johnson addressed the Council with their continued concerns of vehicles speeding on Pecan Street. They reported there is also someone riding a dirt bike on the street at high rates of speed. Police Chief Bullock reported they will add more patrols in the area.

### **Adjournment**

A motion was made by Council Member Ralph Hellmich, seconded by Council Member Charles Ebert, III, to adjourn the meeting. The motion carried by an unanimous vote.

The meeting adjourned at 5:12 pm.