

STATE OF ALABAMA)(
 :
 COUNTY OF BALDWIN)(

The City Council, City of Fairhope, met in regular session at 6:00 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Thursday, 11 February 2016.

Present were Council President Jack Burrell, Councilmembers: Rich Mueller, Diana Brewer, Michael A. Ford, and Kevin Boone, Mayor Timothy M. Kant, City Attorney Marion E. Wynne, and Jennifer Olmstead.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Assistant Pastor Rev. Andrew Lehman of Redeemer Lutheran Church and the Pledge of Allegiance was recited. Councilmember Boone moved to approve minutes of the 25 January 2016, regular meeting; minutes of the 25 January 2016, work session; and minutes of the 25 January 2016, agenda meeting. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Boone stated there was a need to add on one agenda item after Agenda Item Number 18: a Resolution to purchase Playground Equipment for Volanta Part (Upgrade Volanta Park Playground Equipment, Project No. REC 004-16) for the Recreation Department and the requested equipment is available for direct procurement through the U. S. Communities Buying Group Contract; and therefore does not have to be let out for bid. The cost is \$21,036.71. This project is being funded by the Rotary Club of Fairhope in an amount not to exceed \$25,000.00.

Mayor Kant addressed the City Council by recognizing the hard work of the City's Public Works and Utility departments during our Mardi Gras season. Everything went off without a hitch and clean-up was done in record time. Also, Mayor Kant spoke about the Get Fit Fairhope program.

The following individual addressed the City Council during Public Participation for Agenda Items:

- 1) Courtney Klotz, 23776 Montrose Woods Drive with the Zachary A. Moore Foundation addressed the City Council regarding Item Number 13: the request to use the street of Fairhope for their Race to Success on April 9, 2016 from 4:00 p.m. to 6:00 p.m. on North Beach Road and City Streets per Map; and use of South Park. Mrs. Klotz gave a background synopsis on the Zachary A. Moore Foundation and how the proceeds from this race will be used to fund their scholarship and grant programs.

11 February 2016

Jill Cabaniss, Finance Director, addressed the City Council and presented the second quarter financial report via a Power Point Presentation for the quarter ending December 31, 2015.

Councilmember Brewer moved for final adoption of Ordinance No. 1568, an Ordinance to Amend Zoning Ordinance No. 1253 and to approve the Zoning Map for the Colony at the Grand Tourism District which includes adding 1.9 acres as Low-Rise and changing 34.4 acres that was previously dedicated as Mid-Rise Zone to Low-Rise Zone to the Land Use Map for the Colony at the Grand. (Introduced at the January 25, 2016 City Council Meeting). Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Brewer moved for final adoption of Ordinance No. 1569, an Ordinance to Amend Zoning Ordinance No. 1253 and to zone the property of The Teachers Retirement Systems of Alabama to Tourism Resort District concurrent with annexation into the City of Fairhope. This property is generally located on the west side of Section Street just north of Battles Road, Fairhope, Alabama. Parcel No. 05-46-09-30-0-000-078.001. Azalea at the Colony. (Introduced at the January 25, 2016 City Council Meeting). Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Brewer introduced in writing an Ordinance to Establish Monthly Salary for the Mayor and Councilmembers; City of Fairhope Code of Ordinance (Section 2-21). The motion was seconded by Councilmember Mueller. Due to lack of a motion for immediate consideration, this ordinance will layover until the February 22, 2016 City Council meeting.

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute a contract between the City of Fairhope and Gulf South Pipeline Company, Inc. for the NNS and NNS-SCO Notice Agreement. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

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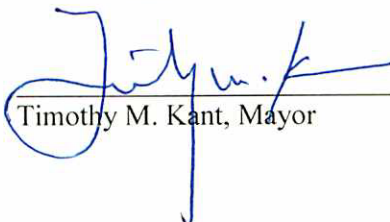
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11 February 2016

RESOLUTION NO. 2476-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a Contract between the City of Fairhope and Gulf South Pipeline Company, Inc., for the NNS and NNS-SCO No-Notice Agreement.

DULY ADOPTED THIS 11TH DAY OF FEBRUARY, 2016


 Timothy M. Kant, Mayor

Attest:

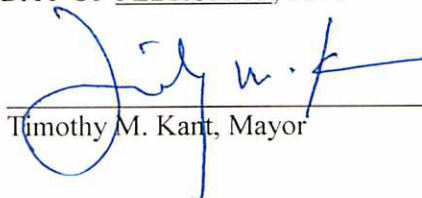


 Lisa A. Hanks, MMC
 City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Volkert, Inc. for Professional Engineering Services for RFQ No. PS004-16 (Project No. SEW001-16), Rehabilitation of Collection System; and hereby authorizes Mayor Timothy M. Kant to negotiate the fee schedule. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2477-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection of Volkert, Inc. for Professional Engineering Services for RFQ No. PS004-16 (Project No. SEW001-16), Rehabilitation of Collection System; and hereby authorizes Mayor Timothy M. Kant to negotiate the fee schedule.

DULY ADOPTED THIS 11TH DAY OF FEBRUARY, 2016


 Timothy M. Kant, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

11 February 2016

Dan McCrory, Water and Sewer Superintendent addressed the City Council about the need for the rehabilitation of the City's Collection System due to age.

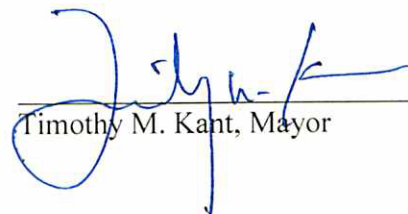
Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase a 2016 Freightliner 114SD Chassis with New Way Sidewinder XTR Automated 22 cubic yard Refuse Body for the Public Works (Sanitation) Department and the requested item is available for direct procurement through the National Joint Powers Alliance ("NJPA") Buying Group Contract; and therefore does not have to be let out for bid. The cost is estimated at \$211,351.00 to allow for freight cost. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 2478-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase a 2016 Freightliner 114SD Chassis with New Way Sidewinder XTR Automated 22 cubic yard Refuse Body for the Public Works (Sanitation) Department and the requested item is available for direct procurement through the National Joint Powers Alliance ("NJPA") Buying Group Contract; and therefore does not have to be let out for bid. The cost is estimated at \$211,351.00 to allow for freight cost.

Adopted on this 11th day of February, 2016


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Nanks, MMC
 City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase Single Phase Pad Mount Transformers for the Electric Department to replace Inventory (6 each 25 kVA, 10 each 50 kVA, and 8 each 100 kVA); and authorizes procurement without formal bid based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The cost will be \$45,412.00. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

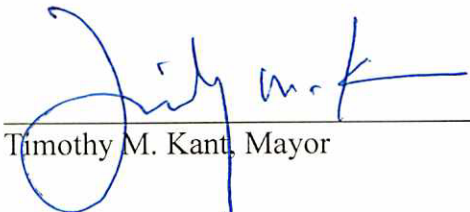
11 February 2016

RESOLUTION NO. 2479-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase Single Phase Pad Mount Transformers for the Electric Department to replace Inventory (6 each 25 kVA, 10 each 50 kVA, and 8 each 100 kVA); and authorizes procurement without formal bid based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The cost will be \$45,412.00.

Adopted on this 11th day of February, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Boone moved to grant the request of Courtney Klotz for The Zachary A. Moore Foundation requesting to use the streets of Fairhope for their Race to Success on April 9, 2016 from 4:00 p.m. to 6:00 p.m. on North Beach Road and City Streets per Map; and use of South Park. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Cojak Investments of Fairhope, Alabama, LLC, d/b/a Another Broken Egg Café, located at 300 Fairhope Avenue, Fairhope, Alabama. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

11 February 2016

City Council reviewed an application for a Non-Profit Tax Exempt License (Alcoholic Beverage License) by Teddy J. Faust, Jr. for Fairhope Sunset Rotary Club Charity, Inc., for the Fairhope BBQ and Brew Fest 2016 located at 701 Volanta Avenue (the green space north of the Fairhope Municipal Pool), Fairhope, Alabama on March 12, 2016 from 2:00 p.m. to 9:00 p.m. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

City Council reviewed an application for a Non-Profit Tax Exempt License (Alcoholic Beverage License) by Clay Swanzy for the Eastern Shore Art Association, Inc., for "Puttin' on the Gritz," a fundraiser to help the art center with its education programs, exhibits, and public art projects, located at 161 North Section Street, Fairhope, Alabama on April 2, 2016 from 7:00 p.m. to 10:00 p.m. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License Thyme and Sage, LLC, d/b/a Sage Lebanese Cuisine and Cafe, located at 319 Fairhope Avenue, Fairhope, Alabama. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Planning Director Jonathan Smith addressed the City Council to explain the Site Plan Review of property owned by Joan Moore of Two Moore, LLC located on the east side of Section Street, just south of Oak Avenue, at 152 North Section Street, Fairhope, Alabama for a proposed mixed use structure within the Central Business District. He said the Planning Commission approved the site plan. Councilmember Boone moved to approve the Site Plan property owned by Two Moore, LLC listed above. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase Playground Equipment for Volanta Part (Upgrade Volanta Park Playground Equipment, Project No. REC 004-16) for the Recreation Department and the requested equipment is available for direct procurement through the U. S. Communities Buying Group Contract; and therefore does not have to be let out for bid. The cost is \$21,036.71. This project is being funded by the Rotary Club of Fairhope in an amount not to exceed \$25,000.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

11 February 2016

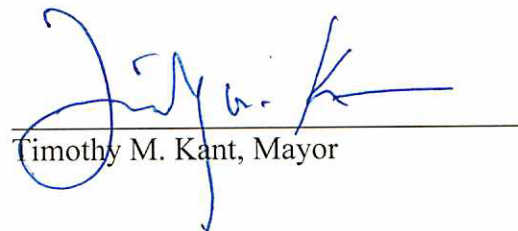
RESOLUTION NO. 2480-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to Playground Equipment for Volanta Park (Upgrade Volanta Park Playground Equipment, Project No. REC004-16) for the Recreation Department and the requested equipment is available for direct procurement through the U. S. Communities Buying Group Contract; and therefore does not have to be let out for bid. The cost is \$21,036.71.

This project is being funded by the Rotary Club of Fairhope in an amount not to exceed \$25,000.00 for the requested playground equipment and renovation at Volanta Park.

Adopted on this 11th day of February, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

The following individual spoke during Public Participation for Agenda Items:

- 1) Nader El Salibi, 319 Fairhope Ave, Fairhope AL addressed the City Council regarding the capability of smoking a Hookah Pipe at his restaurant on the outside patio.

Mayor Kant directed Mr. Salibi to see the City Clerk about the City's smoking Ordinance to see if this could be allowed.

11 February 2016

Councilmember Brewer moved to adjourn the meeting. Seconded by Councilmember Mueller motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:38 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk