

STATE OF ALABAMA)
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 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 Monday, 22 August 2016.

Present were Council President Jack Burrell, Councilmembers: Rich Mueller, Diana Brewer, and Kevin Boone, Mayor Timothy M. Kant, City Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks. Councilmember Michael A. Ford was absent.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Dr. Ed Glaize, Senior Pastor of Fairhope United Methodist Church, and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 8 August 2016, regular meeting; minutes of the 8 August 2016, work session; and minutes of the 8 August 2016, agenda meeting. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council and reminded everyone to go vote tomorrow. He asked Coach Carter and the Fairhope High School Football Team to come forward.

Coach Tim Carter addressed the City Council and thanked Mayor Kant and the City Council for their support. Coach Carter introduced the "Senior Players" from the Fairhope Football Team that were in attendance. He then introduced the coaching staff: Ryan Mueller, Mark Seeley, Coach Blake McDonald, Coach Keith Trimew, Coach Nelson, Coach David Beverly, and Coach Vaughn Maceina. Coach Carter said there are 96 total players on the team with 26 being seniors.

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

1. Anthony Ghilardi, 586 Musket Avenue, addressed the City Council regarding Agenda Item Number 10: An Ordinance to amend Ordinances No. 1253 and No. 1279 known as Huntington Subdivision PUD to be known as Old Battles Village, Phase II Planned Unit Development (PUD). He said that Truland Homes is building Phase II; and it is landlocked. The City accepted the bond years ago; and the streets are 10 or 11 years old and in tough shape. Mr. Ghilardi said he met with Nathan Cox and Grant last week; and the one option is to use Queensgate instead of Garrison. He said one of their main concerns is the 90 degree turn that will have to be made; and this too could cause more damage. Truland has assured them that they will help remedy any damage. He just wanted the City to remember this conversation.

22 August 2016

2. Bonnie Gulsby, Bartlett Avenue, addressed the City Council regarding Agenda Item Number 10: An Ordinance to amend Ordinances No. 1253 and No. 1279 known as Huntington Subdivision PUD to be known as Old Battles Village, Phase II Planned Unit Development (PUD). She stated at the last meeting the Mayor was going to write a letter to Alabama Power regarding the Right of Way easement. Mayor Kant replied that the letter had been written along with Burrell's signature, but did not know if it had been mailed yet. She mentioned John Avent stating he would take pictures during the development if the City requested them too. She had requested for the Truland to look for other avenues; and Mr. Avent was to ask Truland; i.e. other properties around subdivision. She also mentioned Councilmember Brewer who asked for the owner/developer to exhaust all avenues for accessing this subdivision. She said another comment was this issue was due to no connectivity which is required by the Comprehensive Plan.

Councilmember Boone reiterated Mayor Kant and asked everyone to come out and vote tomorrow.

Council President Burrell asked John Racciatti and the Lakewood Club's Golf Director "Neal" to come forward for a special presentation. Council President Burrell announced that John Racciatti is the 2016 Alabama Boys State Junior Champion. He said Mr. Racciatti won the 71st Alabama Boys State Junior Championship of the Alabama Golf Association which was hosted by The Lakewood Club (Dogwood) in Point Clear, Alabama on July 28, 2016. Council President Burrell said Mr. Racciatti had an eleven under par; and he also won the 16-18 age division title. Mr. Racciatti is ranked 368 in North America.

A Public Hearing was held as advertised on a proposed ordinance to Amend Zoning Ordinance No. 1253. Councilmember Brewer introduced in writing an ordinance to rezone the property of Cynthia R. McBrearty from B-3A Tourist Resort Lodging District to R-2 Medium Density Single Family Residential District. This property is generally located at 20 Fels Avenue, Fairhope, Alabama. Parcel No. 05-46-03-37-0-010-013.502.

The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance. Planning Director Jonathan Smith briefly explained the proposed ordinance.

Council President Burrell opened the Public Hearing at 6:26 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:26 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the September 12, 2016 City Council meeting.

22 August 2016

A Public Hearing was held as advertised on a proposed ordinance to Amend Zoning Ordinance No. 1253. Councilmember Brewer introduced in writing an ordinance to zone the property of the Fairhope Airport Authority to M-1 Light Industrial District concurrent with annexation. This property is generally located on the west side of County Road 13 just south of County Road 32, Fairhope, Alabama. Parcel Nos. 05-56-02-04-1-001-005.000 and 05-56-02-04-4-001-001.000. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance. Planning Director Jonathan Smith briefly explained the proposed ordinance.

Council President Burrell opened the Public Hearing at 6:29 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:29 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the September 12, 2016 City Council meeting.

A Public Hearing was held as advertised on a proposed ordinance to Amend Zoning Ordinance No. 1253. Councilmember Brewer introduced in writing an ordinance to rezone the property of the Fairhope Airport Authority from R-1 Low Density Single Family Residential District to M-1 Light Industrial District. This property is generally located on the west side of County Road 13 along County Road 32 and Bishop Road, Fairhope, Alabama. Parcel Nos. 05-46-08-33-0-000-009.001, 05-46-08-33-0-000-020.000, 05-56-02-04-1-001-005.001, 05-56-02-04-4-001-001.001, 05-56-02-04-4-001-003.001, 05-56-02-09-0-001-003.001, 05-56-02-09-0-001-004.001, and 05-56-02-09-0-001-010.001. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance. Planning Director Jonathan Smith briefly explained the proposed ordinance.

Council President Burrell opened the Public Hearing at 6:30 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:30 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the September 12, 2016 City Council meeting.

Councilmember Brewer moved for final adoption of Ordinance No. 1580, an ordinance to amend Zoning Ordinance No. 1253, adopted 27 June 2005 and to rezone the property of Billy and Shirley Lewis from R-3 PGH High Density Single Family Patio/Garden Home Residential District to PUD (Planned Unit Development). This property is generally located at 8404 Morphy Avenue, Fairhope, Alabama. Parcel No. 05-46-05-16-0-000-028.643. (Introduced at the August 8, 2016 City Council Meeting)

22 August 2016

The motion was seconded by Councilmember Mueller. Jonathan Smith explained the proposed ordinance and stated this will be less density for the property. After further discussion, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, and Boone. NAY - None.

Councilmember Brewer moved for final adoption of Ordinance No. 1581, an ordinance to amend Zoning Ordinance No. 1253, adopted 27 June 2005 and to rezone the property of Liberty Church Eastern Shore Campus from R-2 Medium Density Single Family Residential District to PUD (Planned Unit Development). This property is generally located between Fairhope Avenue and Morphy Avenue, just east of Beecher Street, Fairhope, Alabama. Parcel Nos. 05-46-05-16-0-000-028.506, 05-46-05-16-0-000-028.514, and 05-46-05-16-0-000-028.815. (Introduced at the August 8, 2016 City Council Meeting) The motion was seconded by Councilmember Mueller. Jonathan Smith explained the proposed ordinance. Council President Burrell said he was concerned with this being a PUD at first. He said after seeing the site plan has comment requirements, he was okay with the rezone. Councilmember Brewer commented that this is not part of the Medical Overlay District, but is allowed in the Comprehensive Plan. Mr. Smith replied the property in the Medical Overlay District is allowed to keep its underlying zoning. After further discussion, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, and Boone. NAY - None.

Councilmember Mueller moved for final adoption of Ordinance No. 1582, an ordinance to amend Zoning Ordinance No. 1253, adopted 27 June 2005 and to Amend Ordinance No. 1279 known as Huntington Subdivision PUD to be known as Old Battles Village, Phase II Planned Unit Development (PUD). The property of Truland Homes, LLC is generally located on the north side of Old Battles Village, Phase I and west of Huntington Woods. (Introduced at the August 8, 2016 City Council Meeting) The motion was seconded by Councilmember Mueller. Councilmember Boone stated he would be abstaining due to his company working with Truland Homes. Jonathan Smith explained the proposed ordinance and staff's recommendations. He said that connectivity was mentioned; and at the time of the proposed initial development this property was farmland. Mr. Smith also said there is connectivity stub outs in Huntington Subdivision. Council President Burrell stated he did not know what the prospect for using Alabama Power, but said the City is responsible for streets' maintenance and repair. Steve Pumphrey with Dewberry\Preble-Rish addressed the City Council and said they were restricting access to Garrison Boulevard and will be taking the shortest route by using Queensgate. He said they would keep up the roads if damaged. Council President Burrell commented the ordinance and streets are not connected to street maintenance. Councilmember Mueller said we should recognize the developer for wanting to keep streets up for future development. Seconded by Councilmember Brewer, motion for final adoption passed by the following voice votes: AYE – Burrell, Brewer, and Mueller. NAY – None. ABSTAIN - Boone.

22 August 2016

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution to reject all Bids for Jail Inmate Meals for the Police Department due to only one bid received (Bid No. 031-016). Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2575-16

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

[1] That the City of Fairhope did request, receive, and open bids for Jail Inmate Meals for the Police Department (Bid No. 031-16) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

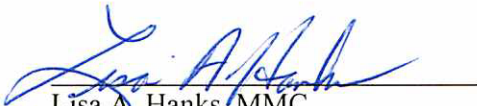
[2] After further consideration and only one bid received, the recommendation is to reject the one bid for Bid No. 031-16.

Adopted on this 22nd day of August, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Mueller moved to grant the request and recommendation to lower the speed limit in Bay Meadows from 35 mph to 25 mph. Councilmember Brewer said she would be abstaining due to her living in Bay Meadows. Seconded by Councilmember Boone, motion passed by the following voice votes: AYE – Burrell, Mueller, and Boone. NAY – None. ABSTAIN – Brewer.

City Council reviewed an application for a Non-Profit Tax Exempt License (Alcoholic Beverage License) by the Rileigh & Raylee Angel Ride Foundation, Inc., for the Rileigh & Raylee Angel Ride 2016 at Oak Hollow Farm, Inc. located at 14210 Greeno Road, Fairhope, Alabama on October 28, 2016 and October 29, 2016. Councilmember Boone moved to approve the issuance of the license. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

22 August 2016

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

1. Doug McCardle, 424 Craftsman Avenue, addressed the City Council and stated he was probably the newest citizen in Fairhope because he just moved into his home in Old Battles Village. Mr. McCardle said he “Believes in Fairhope” and brought up the expansion for Old Battles Village, Phase II. Mr. McCardle said he loves development; and we need to work together for a plan. He suggested the need to mitigate large pumper trucks; and then ended by stating he was proud to be a part of Fairhope.

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 6:55 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk