

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, 22 September 2016.

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

There being a quorum present, Council President Burrell called the meeting to order at 6:06 p.m. The invocation was given by Deacon George Yeend of St. Lawrence Catholic Church and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 8 September 2016, regular meeting; minutes of the 8 September 2016, work session; and minutes of the 8 September 2016, agenda meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council and said he had presented the budget during the Work Session/Budget meeting; and if you have any questions please contact him. He commented this is a good starting point for the newly elected Mayor and City Council.

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

1. John Johnson, Bunker Loop, addressed the City Council regarding Agenda Item Number 6 an ordinance declaring a moratorium on the filing of subdivision applications within the City limits and the five-mile planning jurisdiction for a period of six (6) months. Mr. Johnson stated he loves Quail Creek and his neighbors. The Building Department needs to be well staffed and educated. There are drainage easement issues. He lives on the bottom of a hill and there is no drainage easement on lot lines.
2. Lynn Maser, Chestnut Ridge in Rock Creek, addressed the City Council regarding Agenda Item Number 6. She commented this moratorium does not include Planned Unit Developments; and mentioned the new administration comes on board November 7, 2016.
3. John Avent, Dewberry/Preble-Rish, addressed the City Council regarding Agenda Item Number 6. Mr. Avent said he was not against the moratorium; and it is the Council's choice for it. He said his clients have purchased land and have been approved for development; and also have bank loans on the property. He requested the City Council to look at the moratorium; and requested to allow his clients to prepare for this moratorium.

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Mr. Avent said he would like to be part of the process. He said this will affect a great deal of people if adopted tonight.

4. Trae Corte, Fairhope Realty Group, LLC, addressed the City Council regarding Agenda Item Number 6. Mr. Corte said he has large property outside City limits he wants to develop. He commented these issues should be addressed continuously. He said the City has worked on this and has kept up. He request before the City Council puts a moratorium on subdivisions; you need to get with five or six developers for their opinions.

Councilmember Ford said he appreciates everyone for their prayers and concerns; and also said he hopes to walk by Christmas.

Council President Burrell thanked Mayor Kant for preparing the budget; and thanked staff for their input. He commented it is vital to have a continuum. Council President Burrell thanked the Department Heads for their input as well. He thanked Mayor Kant again for the framework he has given the City Council.

Councilmember Brewer introduced in writing Ordinance No. 1586, an ordinance to Repeal and Replace Ordinance No. 674, Ordinance No. 961, Ordinance No. 1113, and Ordinance No. 1268, Code of Ordinances to alter the Schedule of Fees for Construction and Building Permits. In order to take immediate action, Councilmember Brewer moved for immediate consideration. Seconded by Councilmember Boone, motion for immediate consideration passed unanimously by the following voice votes: AYE – Burrell, Brewer, Ford, and Boone. NAY - None. Building Official Erik Cortinas explained why the ordinance was being updated and said this is effective beginning October 1, 2016. Councilmember Brewer then moved for final adoption of Ordinance No. 1586. Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Brewer, Ford, and Boone. NAY - None.

Councilmember Brewer introduced in writing an ordinance relating to the subdivision regulations, declaring a moratorium on the filing of subdivision applications within the City limits and the five-mile planning jurisdiction for a period of six (6) months to address the following items: to evaluate public utility availability, address traffic issues, review and amend the City's drainage regulations, review requirements to protect sensitive environmental areas, review of existing subdivision regulations and zoning ordinance, access management on major corridors and other traffic related concerns.

Planning Director Jonathan Smith explained the need for staff to regroup and for this ordinance. He said in 2005 the City adopted the best drainage regulations in Alabama. We had 248 residential permits in 2005; and we have 400 plus already for this year. He explained that Planned Unit Developments are zoning issues; but the City Council has the authority to allow or disallow these. The moratorium will affect our five mile planning jurisdiction.

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He also explained the exemptions from the moratorium. The plan will allow input from development community for revising these regulations. He commented the last time we had professionals to help. Council President Burrell stated there is no intention of the Council adopting tonight, but wants the City Council's opinion and to debate this issue.

Councilmember Brewer said the crux of the moratorium is to review existing subdivision regulations and the zoning ordinance. This is the life of the City, yet handle the growth. Small lots and growth outside the City limits were questioned. Mr. Smith stated we have increased lot area requirements; but need something for family subdivisions. We need to update how to calculate drainage systems. He said low impact development have been a great idea, yet hard to comply. Mr. Smith stated the tree ordinance and landscape ordinance need revisions.

Council President Burrell said we need to look at common areas and greenspace; and questionable areas used as green space. He commented we need to look at road widths in subdivisions and what could be done to mitigate damages. He said the City Council adopted a Site Plan for a PUD with conditions, but this went back to the Planning Commission for final review and approval if the conditions were complete. Council President Burrell said he was concerned about people who made sizeable investments and they should be given ample notice of this moratorium. Mr. Smith stated this would also give staff time to prepare their strategy.

Councilmember Ford questioned is there a grandfathering in on lot sizes and other items. He is concerned something like this could get out of hand; and is not one hundred percent in favor of the moratorium. Councilmember Ford said he agreed with Mr. Avent that we need to get input from developers on changes.

Council President Burrell questioned multiple occupancy projects. Mr. Smith stated this is 3 or more units. It was suggested to state the exact number would be included in a multiple occupancy project.

Councilmember Boone stated this should layover for 60 to 90 days. Councilmember Brewer said or we could agree on a date in the future for effective date. Mayor Kant suggested to layover until November when the Mayor-elect and the Councilmembers are in office.

Councilmember Boone moved to table until November 14, 2016. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

Councilmember Brewer thanked staff for all of the hard work put into preparing this ordinance.

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Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the revised Hydro Court fees for the Mike Ford Tennis Center at Fairhope Stimpson Park; and approves adding a line item for Hydro Court fees with a Recreation or Pool membership (\$15.00 per month for residents and \$25.00 per month for non-residents). Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 2581-16

WHEREAS, the City of Fairhope adopted on September 8, 2016 the Hydro Court fees for the Mike Ford Tennis Center at Fairhope Stimpson Park (attached as Exhibit A) via Resolution no. 2577-16; and

WHEREAS, the City of Fairhope hereby there is a need to revise the Senior Couple (60 and over) due to an error with the fee proposal; and

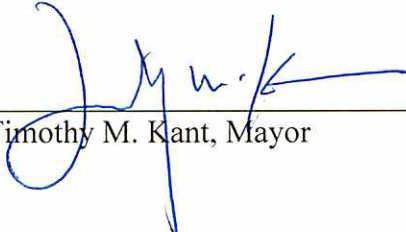
WHEREAS, the City of Fairhope is also desirous of adopting a line item for Hydro Court fees with a Recreation or Pool membership as follows:

\$15.00 per month per line item for residents

\$25.00 per month per line item for non-residents

NOW BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope approves the revised Hydro Court fees for the Mike Ford Tennis Center at Fairhope Stimpson Parks; and approves adding a line item for Hydro Court fees with a Recreation or Pool membership as stated above.

DULY ADOPTED THIS 22ND DAY OF SEPTEMBER, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

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"EXHIBIT A"
Memberships Plan
Hydro Courts Only

DAY-PASS (Single Day): \$5.00 for 1.5 hours

a) Single

• Resident	Monthly: \$30.00	Quarterly: \$75.00	Per Year: \$250.00
• Non-Resident	Monthly: \$50.00	Quarterly: \$125.00	Per Year: \$300.00

b) Couple

• Resident	Monthly: \$40.00	Quarterly: \$105.00	Per Year: \$300.00
• Non-Resident	Monthly: \$60.00	Quarterly: \$165.00	Per Year: \$350.00

c) Family (immediate family Members)

• Resident	Monthly: \$50.00	Quarterly: \$135.00	Per Year: \$350.00
• Non-Resident	Monthly: \$75.00	Quarterly: \$210.00	Per Year: \$400.00

d) Senior Single (60 and over)

• Resident	Monthly: \$25.00	Quarterly: \$65.00	Per Year: \$225.00
• Non-Resident	Monthly: \$40.00	Quarterly: \$105.00	Per Year: \$275.00

e) Senior Couple (60 and over)

• Resident	Monthly: \$30.00	Quarterly: \$85.00	Per Year: \$275.00
• Non-Resident	Monthly: \$50.00	Quarterly: \$120.00	Per Year: \$325.00

LEAGUE PLAY: \$5.00 Per Player (Home team players only)

***Resident: within the Fairhope city limits

***Non-Resident: outside the Fairhope city limits

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Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to award Bid for Jail Inmate Meals 2016 Rebid for the Police Department (Bid Number 032-16). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2582-16

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

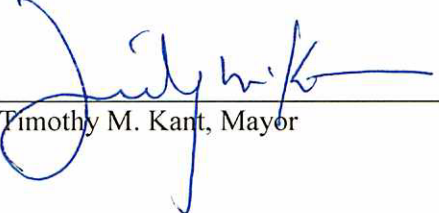
[1] That the City of Fairhope did request, receive, and open bids for Jail Inmate Meals 2016 Rebid for the Police Department (Bid Number 032-16) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, the following bids were opened and tabulated as follows:

A copy of Bid Tabulation for
Jail Inmate Meals 2016 Rebid
is on file in the City Clerk's Office

[3] After evaluating the bid proposals with the required bid specifications, American Wholesale Grocery, Inc., d/b/a American Foods, with cost in the amount of their unit bid prices, is now awarded the bid for Jail Inmate Meals 2016 Rebid.

Adopted on this 22nd day of September, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution to award Bid for Perennial Ryegrass 3-wy Blend Seed for Sports Fields for the Recreation Department (Bid Number 033-16). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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RESOLUTION NO. 2583-16

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

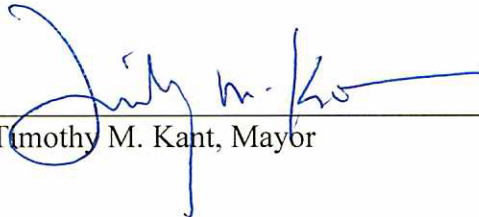
[1] That the City of Fairhope did request, receive, and open bids for Perennial Ryegrass 3-way Blend Seed for Sports Fields for the Recreation Department (Bid Number 033-16) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, the following bids were opened and tabulated as follows:

Please see attached Bid Tabulation for
Perennial Ryegrass 3-way Blend Seed for Sports Fields
for the Recreation Department

[3] After evaluating the bid proposals with the required bid specifications, SiteOne Landscape Supply, LLC, with a cost of \$57.00 per 50 lb. bag with an estimated 300 bags for a total bid proposal of \$17,100.00, is now awarded the bid for Perennial Ryegrass 3-way Blend Seed for Sports Fields for the Recreation Department.

Adopted on this 22nd day of September, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

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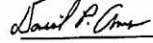
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CITY OF FAIRHOPE
 Bid Tabulation
 Bid No : 033-16
 Bid NAME: Perennial Ryegrass 3-way Blend Seed for Sports Fields
 Bid OPENED: September 12, 2016 9:00 a.m.
 No Bid Bond

VENDOR	Bid Response forms Executed / Signed /Notarized	Vendor Compliance YES OR NO	ARO (hours)	Addenda 1		Price per
SiteOne Landscape Supply, LLC	YES	YES	24-120		50 lb bag 15,000 lb (300 bags)	\$57.00 \$17,100.00
GULF COAST ORGANIC, Inc.	YES	YES	24	YES	50 lb bag 15,000 lb (300 bags)	\$57.50 \$17,250.00
RESIDEX			40		50 lb bag 15,000 lb (300 bags)	\$58.50 \$17,550.00
HELENA CHEMICAL	YES	No-not notarized		YES	50 lb bag 15,000 lb (300 bags)	\$59.00 \$17,700.00
KLEINSCHMIDT TURF FARMS	No Response					
PANHANDLE TURF	No Response					
HABER SOD FARMS, LLC	No Response					
CLEVERDON FARMS, INC.	No Response					
WOERNER TURF	No Response					
RIVER VIEW TURF FARM	No Response					
CURTIS LANDSCAPE, INC.	No Response					
INS CONSTRUCTION, INC	No Response					
JUBILEE LANDSCAPE, INC.	No Response					
RIEBELING FARMS, INC.	No Response					
SOUTHERN STATES Cooperative	No Response					
BWI—Semmes	No Response					
Joe Dennis Farms	No Response					
Southern Sod	No Response					
Corn Branch Sand & Clay	No Response					
Trojan Landscape, Inc	No Response					
Harms Turf	No Response					
Ben Oak Farms	No Response					

Recommendation: Award bid to SiteOne Landscape Supply, LLC in the amounts listed above.

 9/13/16
 Tom Kuhl
 Director of Parks

To my knowledge, this is an accurate bid tabulation.
 9/13/16
 Daniel P Ames
 Purchasing Manager

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution to award Bid for Turf Grass Sod for the Public Works Department (Bid Number 034-16) Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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RESOLUTION NO. 2584-16

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

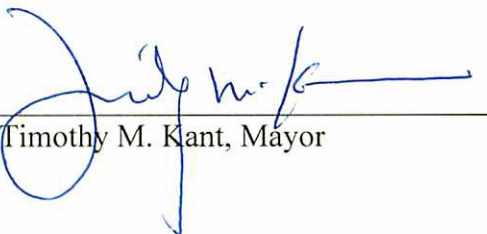
[1] That the City of Fairhope did request, receive, and open bids for Turf Grass Sod for the Public Works Department (Bid Number 034-16) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, the following bids were opened and tabulated as follows:

Please see attached Bid Tabulation for
Turf Grass Sod for the Public Works Department


[3] After evaluating the bid proposals with the required bid specifications, Chapman Company, LLC d/b/a Craft Turf Farms, with an itemized pricing on attached schedule with prices varying according to type; and delivered versus picked up, is now awarded the bid for Turf Grass Sod for the Public Works Department

Adopted on this 22nd day of September, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

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22 September 2016

RESOLUTION NO. 2585-16

WHEREAS, the City of Fairhope, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Code of Alabama of 1975 authorizes the municipal governing body to dispose of unneeded personal property;

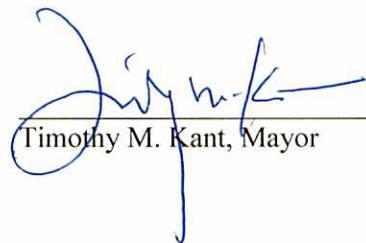
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FAIRHOPE, ALABAMA, AS FOLLOWS:

SECTION 1. That the following personal property owned by the City of Fairhope, Alabama, is not needed for public or municipal purposes, and is hereby declared surplus:

20 Year Old Gas Odorizer

SECTION 2. That the Mayor is hereby authorized and directed to dispose of the personal property owned by the City of Fairhope, Alabama, described in Section 1, above, by allowing the transfer of the existing Gas Odorizer Unit to Odorization Solutions Inc., as consideration for the services rendered in the old unit removal, and new unit installation, valued at \$6,000.00.

APPROVED THIS 22ND DAY OF SEPTEMBER, 2016



Timothy M. Kant, Mayor

ATTEST:



Lisa A. Hanks, MMC
City Clerk

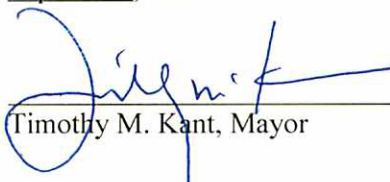
Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to spend up to \$5,000.00 for Recycling Containers to be placed in the 12 recommended places by the Recycling Committee throughout Fairhope; and The City of Fairhope accepts the deed for the parcel of land located adjacent to the Quail Creek Golf Course (known as sand trap parcel) from Bart Cox, a member of the Recycling Committee. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

22 September 2016

RESOLUTION NO. 2586-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to spend up to \$5,000.00 for Recycling Containers to be placed in the 12 recommended places by the Recycling Committee throughout Fairhope; and the City of Fairhope accepts the deed for the parcel of land located adjacent to the Quail Creek Golf Course (known as sand trap parcel) from Bart Cox, a member of the Recycling Committee.

Adopted on this 22nd day of September, 2016


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, MMC
 City Clerk

Councilmember Boone moved to approve the request and recommendation from the Street and Traffic Control Committee for the following:

- Requesting from the City Council authorization to install one or two speed calming device(s) with the correct miles per hour for Majestic Beauty Avenue to help with traffic.
- Requesting from the City Council authorization to install two speed calming devices in the North Station Subdivision on North Station Drive and Calibre Street to help with traffic.
- Requesting from the City Council authorization to have the intersection of Morphy Avenue and Bishop Road/Troyer-Booth Road become a permanent 4-Way Intersection.

The motion was seconded by Councilmember Brewer. Councilmember Ford asked Chief Petties if he approved all of these. Chief Petties replied he did approve all of the requests. Councilmember Brewer questioned the four-way and it being temporary. Chief Petties said it was better for traffic to remain permanent; especially during school hours. After discussion, motion passed unanimously by voice vote.

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City Council reviewed an application for Restaurant Liquor License by Salam S. Lama, Yak The Kathmandu Kitchen 2, LLC, d/b/a Yak The Kathmandu Kitchen, located at 400 Eastern Shore Shopping Center, Suite 13, Fairhope, Alabama. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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Councilmember Boone moved to grant the request as written of the Fairhope Volunteer Fire Department requesting to close Equality Street between North Section Street and North Bancroft for a BBQ Fundraiser to benefit the Fire Department on January 21, 2017 from 6:00 a.m. to 11:00 p.m. Services needed will be barricades, electric junction boxes, trash and recycling cans, possibly a trash truck to empty into and Police Officers during the closure. Also requesting permission to sell alcohol (beer) during the street closure time; and to have a live band from 9:00 p.m. to 11:00 p.m. Alcohol contingent upon ABC and City licenses and approval of same; and by adding request to use of City stage, to waive the street rental fees of \$75.00; and to grant a variance of the noise ordinance. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

Councilmember Brewer reminded everyone of the Mike Ford Tennis Center at Stimpson Park dedication on September 30, 2016 at 2:00 p.m. We all need to come out and recognize Mike Ford for his dedication to Recreation and being on the City Council.

Erik Cortinas announced the Fairhope Booster Pancake Breakfast that has been postponed two times will be held at the Fairhope Middle School Pancake Breakfast on October 1, 2016.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 7:23 p.m.


Jack Burrell, Council President


Lisa A. Hanks, MMC
City Clerk