

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 Monday, 12 December 2016.

Present were Council President Jack Burrell, Councilmembers: Jay Robinson, Jimmy Conyers, Robert Brown, and Kevin Boone, Mayor Karin Wilson, City Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Dr. Ann Pearson, person in charge of the Congregational Care Ministry, Fairhope United Methodist Church, and the Pledge of Allegiance was recited. Councilmember Conyers moved to approve minutes of the 28 November 2016, regular meeting; minutes of the 28 November 2016, work session; minutes of the 28 November 2016, agenda meeting; and minutes of the 6 December 2016, special-called City Council meeting. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Mayor Wilson addressed the City Council and stated that the Department Heads will report on something good in future meetings. She mentioned the need for a full-time in-house attorney; and we have spent approximately \$120,000.00 per year on three attorneys. Mayor Wilson also stated we have spent approximately \$800,000.00 per year on engineering costs; and said we need an engineer of staff; maybe two. She told the City Council that we need to look at repealing the Fly Creek PUD; and we are supporting developers not our citizens.

Councilmember Robinson stated that our Christmas Parade was a great success; and thanked the City staff who helped with this event.

Councilmember Conyers said that he attended the Historic Preservation Committee and the Fairhope Environmental Advisory Board for the first time; and commented we have great volunteers.

Councilmember Brown stated he attended the Education Advisory Committee and we had a good collaboration with our principals. Councilmember Brown announced he would be the Pedestrian and Bicycle Committee liaison; and congratulated the Gas Department on being in the top 500 in the United States for Gas Departments. Gas Superintendent Robert Rohm stated the City's Gas Department is ranked 167 out of the top 500.

12 December 2016

Councilmember Boone commented we have the best tasting water in the Country. He said the Personnel Board next meeting will be in January. Councilmember Boone said the Harbor Board has an agenda item to begin fixing the seawall at the City's marina.

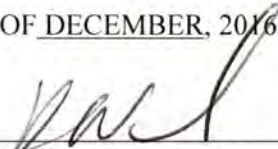
Council President Burrell thanked Mayor Wilson for having the Department Heads future good comments at the meetings. He thanked the IT Department for making it available to livestream the Work Sessions too. Council President Burrell said he wanted to straw poll the Councilmembers on the request for more Christmas lights and asked Community Affairs and Recreation Director Sherry Sullivan to come forward to explain the request. Ms. Sullivan mentioned the proposed Facebook page "Make our Lights Great Again" and that there are 37 trees on Section Street that need more lights. Council President Burrell said the cost is estimated at \$23,000.00 with a labor cost of approximately \$12,000.00 for a total of around \$35,000.00 to enhance these lights. Ms. Sullivan stated these lights remain on through Mardi Gras and the Fairhope Arts and Crafts Festival. Councilmembers Robinson, Conyers, Brown, and Boone said yes to fix the lights. Councilmember Boone commented he does not want this problem to happen next year. Council President Burrell said yes, but reluctantly. The consensus of the Councilmembers was to fix the lights.

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute a Contract for Professional Legal Services for Review of Pending Litigation for RFQ No. PS010-17, with Jones Walker, LLC with a cost not to exceed \$11,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.


**RESOLUTION NO. 2629-16**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** that Mayor Karin Wilson is hereby authorized to execute a Contract for Professional Legal Services for Review of Pending Litigation for RFQ No. PS010-17, with Jones Walker, LLP, of Mobile, AL, with a cost not to exceed \$11,000.00.

DULY ADOPTED THIS 12TH DAY OF DECEMBER, 2016

  
Karin Wilson, Mayor

Attest:

  
Lisa A. Hanks, MMC  
City Clerk



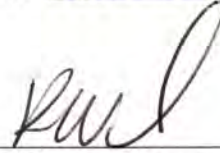
12 December 2016

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute a Contract for Professional Engineering Services, for RFQ No. PS001-17 (Project No. PW001-17) for Fly Creek Marina Seawall Improvements 2017, with FMS Engineering Services, Inc. with a cost not to exceed \$5,200.00. Seconded by Boone, motion passed unanimously by voice vote. Council President Burrell thanked the Harbor Board for saving the City money by helping with this issue.

**RESOLUTION NO. 2630-16**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** that Mayor Karin Wilson is hereby authorized to execute a Contract for Professional Engineering Services, for RFQ No. PS001-17 (Project No. PW001-17) for Fly Creek Marina Seawall Improvements 2017, with FMS Engineering Services, Inc. with a cost not to exceed \$5,200.00.

DULY ADOPTED THIS 12TH DAY OF DECEMBER, 2016



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC  
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for Crowd Control Barricades for the Public Works Department (Bid No. 003-17) to Friedrichs Custom Manufacturing, Inc. with a bid proposal of 186 units at \$91.00 each (not to exceed \$16,926.00 total). Seconded by Councilmember Brown, motion passed unanimously by voice vote.

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12 December 2016

**RESOLUTION NO. 2631-16**

**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 Crowd Control Barricades for the Public Works Department (Bid Number 003-17) 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 the  
Crowd Control Barricades

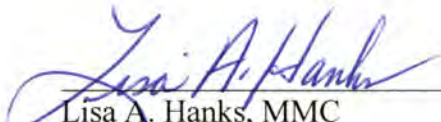
[3] After evaluating the bid proposals with the required bid specifications, Friedrichs Custom Manufacturing, Inc., with the bid proposal of 186 units at \$91.00 each (\$16,926.00 total), is now awarded the bid for Crowd Control Barricades for the Public Works Department.

Adopted on this 12th day of December, 2016



\_\_\_\_\_  
Karin Wilson, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

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12 December 2016

CITY OF FAIRHOPE

Bid Tabulation

Bid No : 003-17

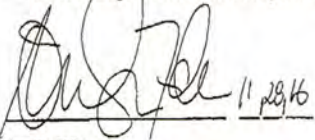
Bid Name: Barricades 2017

Bid OPENED: November 28, 2016 9:00 a.m.

VENDOR	Bid Response forms Executed / Signed / Notarized	Delivery Lead time ARO Days	Cost of each 8ft X 43 inch steel barricade ( F2-B-FF or equivalent)	Total for 186	Price breaks ea (if any)	Price breaks ea (if any)	Price breaks ea (if any)	Price breaks ea (if any)	Make / Model
Highlands Products Group, LLC dba The Park Catalog	yes	5-7 days	\$70.25 **** (includes shipping)	\$13,067.00					The Park Catalog / 543-6000****
Friedrichs Custom Mfg., INC	yes	5-10 days	\$93.00 up to 100	\$16,926.00*	\$91.00* 101-200	\$90.00 201-300	\$89.00 301-400	\$88.00 400-500+	Friedrichs / F-2-8FF 87"
Epic Solutions Worldwide dba Epic Solutions	yes	5 days	\$93.00 (includes shipping)	\$ 17,298.00					Epic solutions QS-BARR-2.5-Flat
Varsity Brands Holding Company, Inc. dba BSN SPORTS, LLC	yes	10-15 days	\$112.28	\$20,884.08					BSN / 1273885
The Tamis Group	yes	60 days	\$152.25	\$28,318.50					Blockader / Classic 8F FHhook

Recommendation: Award bid to Friedrichs Custom Manufacturing, Inc. in the amount of \$16,926.00.

\*\*\*\*The Park Catalog / 543-6000 did not meet specifications of the Bid.

  
Jennifer Fidler

Director of Public Works

  
Daniel P. Ames

Purchasing Manager



12 December 2016

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution to Approve leasing four (4) Multi-function Network Devices (Copier/Scanner/Fax) for the City of Fairhope off the Alabama State Department of Purchasing bid list with a cost of \$14,204.68 per year (\$42,614.04 per 3-Year Contract Life). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 2632-16**

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

[1] That the City of Fairhope has voted to approve the three (3) year lease of four (4) Multi-function Network Devices (Copier/Scanner/Fax) for the City of Fairhope and the type of equipment needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and

[2] The following is the Alabama State Department of Purchasing contract information:

Alabama State Contract Number: T-190

Three (3) for City Hall, Public Utilities, and Purchasing; and

One (1) for Police Department

**Cost is \$14,204.68 per Year or \$42,614.04 per 3-Year Contract Life**

Adopted on this 12th day of December, 2016



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC  
City Clerk

12 December 2016

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution to Approve leasing one (1) Multi-function Network Devices (Copier/Scanner/Fax – Wide Format Color Copier) for the City of Fairhope off the U. S. Communities Buying Group with a cost of \$2,721.72 per year (\$8,165.16 per 3-Year Contract Life). Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 2633-16**

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

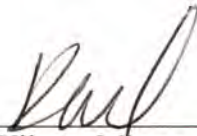
[1] That the City of Fairhope has voted to approve the three (3) year lease of one (1) Multi-function Network Device (Wide Format Color Copier) for the City of Fairhope and the type of equipment needed through the U.S. Communities buying group and therefore does not have to be let out for bid; and

[2] The following is the cost of renting the unit in a 36 month FMV Lease through U.S. Communities is estimated at:

One (1) Multi-function Network Device (Wide Format Color Copier) for IT Department

**Cost is \$2,721.72 per Year or \$8,165.16 per 3-year Contract Life**

Adopted on this 12th day of December, 2016

  
\_\_\_\_\_  
Karin Wilson, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

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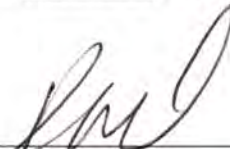
12 December 2016

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute an Agreement concerning Tolling of the Statute of Limitations between the Utilities Board of the City of Daphne and the City of Fairhope regarding jointly owned gas lines. The motion was seconded by Councilmember Brown. City Attorney Wynne explained the need for this resolution; and is regarding jointly owned gas lines and accounting issues that are complexed. He said that the Council President and the Daphne Utilities Board is trying to get this issue settled; and Daphne was worried about the time limits running out for any type of claim or lawsuit. He said this agreement tolls the statute of limitations for the time limits. After further discussion, motion passed unanimously by voice vote.

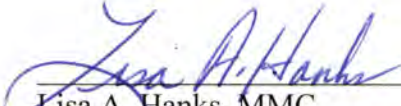
**RESOLUTION NO. 2634-16**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that Mayor Karin Wilson is hereby authorized to execute an Agreement concerning Tolling of the Statute of Limitations between the Utilities Board of the City of Daphne and the City of Fairhope regarding jointly owned gas lines.

Adopted on this 12th day of December, 2016

  
\_\_\_\_\_  
Karin Wilson, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing the Submission of an FY2017 Transportation Alternatives Program Grant to the Alabama Department of Transportation to Construct New Sidewalk Facilities for Pedestrians between U. S. Highway 98 and Baldwin County Road 13 along both Manley Road and Baldwin County Road 44; and authorizing Mayor Karin Wilson to sign all required grant application documents on behalf of the City. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.



12 December 2016

**RESOLUTION NO. 2635-16**

**AUTHORIZING THE SUBMISSION OF AN  
FY 2017 TRANSPORTATION ALTERNATIVES PROGRAM GRANT  
TO THE ALABAMA DEPARTMENT OF TRANSPORTATION  
TO CONSTRUCT NEW SIDEWALK FACILITIES FOR PEDESTRIANS**

WHEREAS, the Alabama Department of Transportation (ALDOT) is accepting applications from municipal governments for FY 2017 Transportation Alternatives Program (TAP) Grants; and

WHEREAS, the City of Fairhope has identified the need to provide new sidewalk facilities designated for use by pedestrians between US Highway 98 and Baldwin County Road 13 along both Manley Road and Baldwin County Road 44 in Fairhope; and

WHEREAS, the total project cost is estimated at \$383,267, and if funded, the grant will pay 80% or \$306,614 and the City of Fairhope will be responsible for providing 20% or \$76,653; and

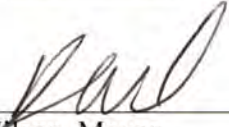
WHEREAS, if funded, the City will be responsible for paying 100% of engineering design fees; and

WHEREAS, if funded, the City will see this project through to completion and will be responsible for providing long-term maintenance of the new facilities;

THEREFORE, BE IT RESOLVED BY THE City of Fairhope, IN REGULAR SESSION ASSEMBLED, that by this Resolution the City of Fairhope authorizes submission of a TAP Grant to ALDOT requesting funds to construct new pedestrian facilities.

BE IT FURTHER RESOLVED that the City Council authorizes the Mayor to sign all required grant application documents on behalf of the City.

DULY ADOPTED THIS 12TH DAY OF DECEMBER, 2016

  
\_\_\_\_\_  
Karin Wilson, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

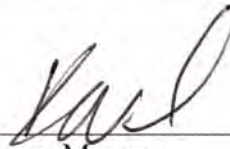
12 December 2016

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Jones Walker, LLP for Professional Legal Services for RFQ No. PS014-17, Professional Legal Services Restricted to those not covered under The City's Commercial Liability Policy, and hereby authorizes Mayor Karin Wilson to negotiate a fee schedule. The motion was seconded by Councilmember Boone. Council President Burrell stated he met with Matt McDonald and this is a good firm. Mayor Wilson commented the good thing is that his firm will not charge over what insurance will pay. After further discussion, motion passed unanimously by voice vote.

**RESOLUTION NO. 2636-16**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that the City Council approves the selection of Jones Walker, LLP, of Mobile, AL to perform professional legal services for RFQ No. PS014-17, Professional Legal Services Restricted to those not covered under The City's Commercial Liability Policy, and hereby authorizes Mayor Karin Wilson to negotiate a fee schedule.

DULY ADOPTED THIS 12TH DAY OF DECEMBER, 2016

  
\_\_\_\_\_  
Karin Wilson, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Elias Technologies, a/k/a Cyber Forensics 360, for Professional IT Services; and hereby authorizes Mayor Karin Wilson to negotiate a fee schedule. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.




12 December 2016

**RESOLUTION NO. 2637-16**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that the City Council approves the selection of Elias Technologies, a/k/a Cyber Forensics 360, for Professional IT Services; and hereby authorizes Mayor Karin Wilson to negotiate the fee schedule.

DULY ADOPTED THIS 12TH DAY OF DECEMBER, 2016

  
\_\_\_\_\_  
Karin Wilson, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Robinson stated he does not know this group and checked out references; and was concerned there were none for municipal government. Mayor Wilson stated Gary Cowles is the best. Councilmember Boone said this company is not familiar with our system. Mayor Wilson said there would be more opportunity to discuss, but wants the City to use different engineering firms than what we used in the past. Councilmember Boone said it would be more beneficial for the City to use someone who is familiar with our system; and it would speed things up. Mayor Wilson stated she wants fresh eyes on it. Councilmember Robinson said the firm must have experience in the field.

After further discussion, Councilmember Conyers introduced in writing, and moved for the adoption of a resolution that the City Council hereby authorizes Mayor Karin Wilson to negotiate a fee schedule and establish a not-to-exceed limit with Cowles Murphy Glover and Associates, LLC, for RFQ No. PS013-17 (Project No. SEW001-17), Professional Engineering Capacity Study for Gas, Water, and Sewer Utilities. Due to lack of a second, motion failed to adopt the above mentioned resolution.

12 December 2016

The following individuals spoke during Public Participation:

1. Lynn Maser, resident of Rock Creek, addressed the City Council and requested the City Council to repeal the Fly Creek PUD Ordinance. She mentioned cases from Birmingham and Mountain Brook.
2. Janet Hinton, 373 Francilla Circle, addressed the City Council regarding the Christmas lights and commented they looked great. She suggested citizens to sponsor a tree each year to pay for the lights. Ms. Hinton said design wise she never thought the tree lighting was incomplete.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 6:59 p.m.

  
Jack Burrell, Council President

  
Lisa A. Hanks, MMC  
City Clerk