

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, 13 February 2017.

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 Reverend William Parsons, Pastor of Redeemer Lutheran Church, and the Pledge of Allegiance was recited. Councilmember Boone moved to approve minutes of the 23 January 2017, regular meeting; minutes of the 23 January 2017, work session; and minutes of the 23 January 2017, agenda meeting. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Mayor Wilson addressed the City Council and mentioned the first Town Hall Meeting which will be focused on the First 90 Days of being in Office and Looking Forward. She also mentioned the Team Building Retreat scheduled for March 20, 2017; will have the review of her proposed budget in a few weeks.

Mayor Wilson presented a Proclamation to Pat Lee who founded Children of the World here in Fairhope; and declared Saturday, February 4, 2017 as Children of the World Day. Mayor Wilson said Children of the World is internationally known and will be celebrating its 20th anniversary. She said Ms. Lee is an amazing woman and has been responsible for an incredible amount of adoptions; right at 2,000.

The following individuals spoke during Public Participation for Agenda Items:

- 1) Ron Allen, 6612 Willow Bridge Drive, addressed the City Council regarding Agenda Items No.12 and No. 13: a resolution to award bid for Sludge Removal Services for the Waste Water Treatment Plant; and a resolution that the City Council approves the selection of Goodwyn Mills Cawood, Inc. to perform Professional Architectural Services for Repairs to Library Structure. Mr. Allen requested to state how many cubic yards of sludge is being removed; and what structural repairs will be done at the library.

Councilmember Robinson recognized the Tree Committee and the City for Arbor Day which was a great event.

Councilmember Conyers thanked the Tree Committee for his business receiving an award and reminded everyone of the upcoming Mardi Gras parades.

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Councilmember Brown also mentioned the kickoff of Mardi Gras. He thanked Sherry Sullivan and Tom Kuhl for the Manley Road Soccer Complex. Councilmember Brown read the following letter to the City Council:

I want to address recent online blogs and other issues people have approached me about in recent weeks. Several of our Councilmen have been accused of being privy to information because of positions they serve in. Just because they are privy to information doesn't mean they have shared that information or that they are corrupt. When I see comments on social media asking what are the other Councilmembers' positions on items involving the Airport Authority, my first thought is why I am wasting my time on social media. My second is I am not going to get in a debate on social media. For several reasons; the main reason is my perspective. You can't tell whether someone is angry, asking a serious question or just trying to get people roused up. Call me, my number is available, and I will personally take your call.

As I mentioned campaigning, I am going to make my decisions based on facts and what I believe is best for the City of Fairhope as a whole. That means listening to those who don't show up voicing their opinions in public; some who are third or fourth generation Fairhophians.

I have lived in Fairhope for the last 33 years minus military service and time at Auburn. It is a matter of time before I will be labeled a good ole boy. By the nature of living here for over three decades I have crossed paths with many people; both through business and socially. I will recommend and vote for some of these people and their businesses. Does that mean I am corrupt because I recommended someone I trust?

As the City leaders, we must hold everyone accountable and make sure the correct process is followed in every circumstance. It is also our job to move the City forward in a positive direction. You can be part of the problems or part of the solutions. That's your choice. But me personally, I am looking forward not backwards; and will pray on every decision before I make it.

In closing I want to say, myself along with the other four Councilmen and Mayor Wilson were elected to serve all of Fairhope. If you agree or disagree with what is being done in our town, I encourage you to let us know. Call me; don't ask me on social media because I won't take that call.

Councilmember Boone commented he attended the Library's Chocolate and Champagne Event which was a great event; and encouraged everyone to attend next year's event.

Council President Burrell said he also attended both the Arbor Day Celebration and the Chocolate and Champagne Event. He stated these were both great events for the City; and told everyone to go out and enjoy the City.

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A Public Hearing was held as advertised on a proposed ordinance to Amend Zoning Ordinance No. 1253. Councilmember Conyers introduced an ordinance to rezone the property of Cliff Pitman from RA Residential/Agriculture District to R-2 Medium Density Single Family Residential District. This property is generally located at 19940 County Road 13, Fairhope, Alabama. Parcel No. 05-46-05-22-0-000-001.565. The Planning Commission gave a favorable recommendation of this ordinance. Councilmember Brown recused himself from this agenda item.

Council President Burrell read the proposed ordinance. Planning Director Wayne Dyess briefly explained the proposed ordinance.

Council President Burrell opened the Public Hearing at 6:16 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:17 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the February 23, 2017 City Council meeting.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to approve Amendment No. 1 to the 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., at a cost of the amendment not to exceed \$3,800.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2675-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to approve Amendment No. 1 to the 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., at a cost of the amendment not to exceed \$3,800.00.

DULY ADOPTED THIS 13TH DAY OF FEBRUARY, 2017

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

13 February 2017

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to approve Amendment No. 1 to the Contract for Professional Engineering Services, for RFQ No. PS008-17, On-call for Planning Department Projects, with S.E. Civil Engineering, LLC, at a cost of the amendment not to exceed \$15,000.00. The motion was seconded by Councilmember Robinson. Planning Director Wayne Dyess explained the need for extending this contract partly due to moratorium issues. Building Official Erik Cortinas stated we use Larry Smith with S. E. Civil Engineering, LLC to help with reviews. Councilmember Brown stated in the future, he wants to track these annually. After further discussion, motion passed unanimously by voice vote.

RESOLUTION NO. 2676-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to approve Amendment No. 1 to the Contract for Professional Engineering Services, for RFQ No. PS008-17, On-call for Planning Department Projects, with S.E. Civil Engineering, LLC, at a cost of the amendment not to exceed \$15,000.00.

DULY ADOPTED THIS 13TH DAY OF FEBRUARY, 2017



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 to Award Bid for Lift Station Odor Control Chemicals for the Sewer Department (Bid No. 008-17) with an annual cost of \$224,475.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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RESOLUTION NO. 2677-17

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

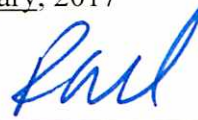
[1] That the City of Fairhope did request, receive, and open a bid for Lift Station Odor Control Chemicals for the Sewer Department (Bid Number 008-17) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for
Lift Station Odor Control Chemicals for the Sewer Department

[3] After evaluating the bid proposals with the required bid specifications, Biomagic, Inc., with the total bid proposal of \$6.00 per metered gallon, for an annual cost of \$224,475.00, is now awarded the bid for Lift Station Odor Control Chemicals for the Sewer Department.

Adopted on this 13th day of February, 2017



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

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CITY OF FAIRHOPE
 BID TABULATION and Recommendation
 BID NO: 008-17
 BID NAME: LIFT STATION ODOR CONTROL CHEMICAL
 BID OPENED: January 24, 2017 10:00 a.m.
 Note: Bid Bond REQUIRED


VENDOR	BID BOND SUBMITTED	Addenda 1 & 2	Bid Proposal Executed / Signed / Notarized	COST PER METERED GALLON	DOLLARS PER SITE PER YEAR	ANNUAL TOTAL
BioMagic, Inc.	yes	yes	yes			\$224,475.00
Twin Beech PS				\$6.00	\$37,230.00	
Carya Point PS				\$6.00	\$4,380.00	
Woodlands PS				\$6.00	\$32,850.00	
Quail Creek PS #1				\$6.00	\$28,470.00	
East of the Sun PS				\$6.00	\$15,330.00	
White Grove PS				\$6.00	\$15,330.00	
Thompson Hall PS				\$6.00	\$26,280.00	
Grand Hotel PS				\$6.00	\$21,900.00	
Baldwin 1 PS				\$6.00	\$10,950.00	
Point Clear Court PS				\$6.00	\$10,950.00	
Southland Place PS				\$6.00	\$9,855.00	
Rohr Street				\$6.00	\$10,950.00	
Evoqua Water Technologies, LLC	yes	yes	yes			\$ 364,166.70
Twin Beech #1				\$5.71	\$56,696.20	
Carya Point PS				\$5.71	\$9,377.50	
Woodlands PS				\$5.71	\$55,624.54	
Quail Creek PS #1				\$5.71	\$29,853.54	
East of the Sun PS				\$5.71	\$37,329.68	
White Grove PS				\$5.71	\$12,247.60	
Thompson Hall PS				\$5.71	\$46,362.28	
Grand Hotel PS				\$5.71	\$56,760.76	
Baldwin 1 PS				\$5.71	\$6,858.66	
Point Clear Court				\$5.71	\$3,827.38	
Southland Place				\$5.71	\$29,879.05	
Rohr PS Street				\$5.71	\$19,349.51	
USP Technologies, LLC						NO BID
Twin Beech #1						
Carya Point PS						
Woodlands PS						
Quail Creek PS #1						
East of the Sun PS						
White Grove PS						
Thompson Hall PS						
Grand Hotel PS						
Baldwin 1 PS						
Point Clear Court						
Southland Place						
Rohr PS Street						

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Thornton, Musso, Bellemin	no response					
US Water Services, Inc.	no response					
US Filter Company, Inc	no response					
Water and Waste Specialties, LLC	no response					
ChemStation Gulf Coast	no response					
Industrial Chemical	no response					
PENCCO, Inc	no response					
F2 Industries, LLC	no response					
DPC Enterprises	no response					
Norit Americas, Inc.	no response					
J.H. Wright & Associates, Inc.	no response					
North American Commercial	no response					
Kemper Industries, Inc.	no response					
ACT Specialty Chemicals, Inc.	no response					
North American MANTEK	no response					
Thatcher Chemical of Florida	no response					
Water Treatment & Controls Company	no response					
ALTIVA Chemicals	no response					
NRP Group, Inc.	no response					
Harrington Industrial Plastics	no response					

RECOMMENDATION: Award Bid to BioMagic, Inc. in the amounts listed above.

 1/25/17
 Dan McCrory
 Superintendent Water and Sewer
 City of Fairhope

 1/25/17
 Daniel P. Ames, Purchasing Manager
 Purchasing Manager
 City of Fairhope

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase 25,000 feet of 2-inch Gas Pipe for the Gas Department; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain quotes. The total cost will be \$16,494.75. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

13 February 2017

RESOLUTION NO. 2678-17

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 25,000 feet of 2-inch Gas Pipe for the Gas Department; and authorizes procurement, from Southern Pipe & Supply, Inc. based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain quotes. The total cost will be \$16,494.75.

Adopted on this 13th day of February, 2017



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 Mayor Karin Wilson is hereby authorized to execute Extension No. 1 of the Contract with Galls, LLC for the Police Department Uniforms 2016 (Bid Number 019-16) for an additional one year as per the terms and conditions of the original contract. The approximate annual cost will be \$13,000.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2679-17


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to execute Extension No. 1 of the Contract with Galls, LLC in Lexington, KY for the Police Department Uniforms 2016 (Bid Number 019-16) for an additional one year as per the terms and conditions of the original contract. The approximate annual cost will be \$13,000.00.

Adopted on this 13th day of February, 2017



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

13 February 2017

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution to Award RFQ for Resurfacing Fairhope Library Entrance Walkway 2017 for the Fairhope Public Library (Project No. PW008-17), with a total proposal of \$16,261.50. The motion was seconded by Councilmember Conyers. Councilmember Brown explained the issue at the Library with the slate; and this is more durable than what is there now. Purchasing Manager Dan Ames commented that this is a non-skid surface. After further discussion, motion passed unanimously by voice vote.

RESOLUTION NO. 2680-17

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

[1] That the City of Fairhope did request and receive RFQs for Resurfacing Fairhope Library Entrance Walkway 2017, (Project No. PW008-17) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Renu Hard Surface Restorations	\$16,261.50
A+ Concrete Designs, LLC	\$17,321.00

[3] At the appointed time and place; after evaluating the RFQ proposal with the required specifications, Renu Hard Surface Restorations, LLC, of Fairhope, AL, with a total proposal of \$16,261.50, is now awarded the RFQ for Resurfacing Fairhope Library Entrance Walkway 2017.

Adopted on this 13th day of February, 2017



 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

13 February 2017

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for Sludge Removal Services for the Waste Water Treatment Plant (Bid No. 010-17), with a total bid proposal of \$85.00 per cubic yard. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

RESOLUTION NO. 2681-17

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 Sludge Removal Services for the Waste Water Treatment Plant (Bid Number 010-17) 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:

GreenSouth Solutions, LLC	\$85.00 per Cubic Yard
AmWaste, LLC	No Response

[3] After evaluating the bid proposals with the required bid specifications, Green South Solutions LLC, with the total bid proposal of \$85.00 per cubic yard, is now awarded the bid for Sludge Removal Services for the Waste Water Treatment Plant.

Adopted on this 13th day of February, 2017



Karin Wilson, Mayor

Attest:



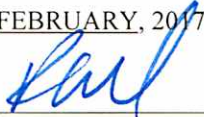
Lisa A. Hanks, MMC
City Clerk

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Goodwyn Mills Cawood, Inc. to perform Professional Architectural Services for (Project No. PW007-17) Repairs to Library Structure 2017, and hereby authorizes Mayor Karin Wilson to negotiate a fee schedule, and establish a not-to-exceed figure. The motion was seconded by Councilmember Conyers. Purchasing Manager Ames and Jim Walker with Goodwyn Mills and Cawood explained there would be three components being testing, design, and construction administration. After further discussion, motion passed unanimously by voice vote.

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RESOLUTION NO. 2682-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection of Goodwyn Mills Cawood, Inc. to perform Professional Architectural Services for (Project No. PW007-17) Repairs to Library Structure 2017, and hereby authorizes Mayor Karin Wilson to negotiate a fee schedule, and establish a not-to-exceed figure.

DULY ADOPTED THIS 13TH DAY OF FEBRUARY, 2017


 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 Mayor Karin Wilson is hereby authorized to execute and Extension of 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. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 2683-17

WHEREAS, the City Council adopted Resolution No. 2634-16 on December 12, 2016 which authorized the execution of the 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;


WHEREAS, Fairhope and Daphne Utilities desire to extend the Tolling Agreement an additional ninety (90) days.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to execute an Extension of 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 13th day of February, 2017


 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

13 February 2017

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 IT Services for the Police Department with Elias Technologies, a/k/a Cyber Forensics 360, with a cost not to exceed \$35,000.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 2684-17

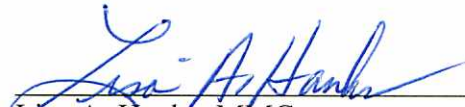
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to execute a Contract for Professional IT Services for the Police Department with Elias Technologies, a/k/a Cyber Forensics 360, with a cost not to exceed \$35,000.00.

DULY ADOPTED THIS 13TH DAY OF FEBRUARY, 2017



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Building Official Erik Cortinas explained the need for an additional Building Inspector position for current employee after filling the position of Planning Director. Council President Burrell stated this position is in the prior proposed budget as well as the Mayor's proposed budget to come. Councilmember Conyers moved to grant the request to approve a new position of Building Inspector for the Building Department with a Pay Grade of 21 (\$35,000.00 annually depending on qualifications). Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Fish River Grill by the Bay, LLC, located at 9270 Scenic Hwy 98, Fairhope, Alabama. Councilmember Robinson moved to approve the issuance of the license. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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City Council reviewed an application for a Restaurant Liquor License by Chive Talk'n Catering, LLC, located at 556 South Section Street, Fairhope, Alabama moving to 821 South Mobile Street, Fairhope, Alabama. Councilmembers Brown and Boone recused themselves. Councilmember Conyers moved to approve the issuance of the license. Seconded by Councilmember Robinson, motion passed by the following voice votes: AYE – Burrell, Robinson, and Conyers. NAY – None. ABSTAIN – Brown and Boone.

City Council reviewed an application for a Restaurant Liquor License by Agnes Henry Hospitality, LLC, d/b/a Fairhope's Grill and Bar, located at 210 Eastern Shore Shopping Center, Fairhope, Alabama. Councilmember Boone moved to approve the issuance of the license. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Conyers moved to appoint Tennant McWilliams (Class I) and Susan McWilliams (Class III) and to reappoint Ed Lamonte and Cindy Wilson (both Class III) to the Sister Cities Committee. Class I term will expire in February 2020 and Class III term will expire in February 2019. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

The following individuals spoke during Public Participation:

- 1) Dean Mosher, 456 Oak Avenue, addressed the City Council regarding his request to present a Power Point Presentation and twice was denied. He gave out a handout with questions to the City Council regarding the Airport Authority.
- 2) Councilmember Robinson announced the Downtown Business Association will be hosting its first annual Block Party on Fairhope Avenue between Section Street and Church Street from 2:00 p.m. to 4:00 p.m.
- 3) Paul Ripp, 22985 High Ridge Road, addressed the City Council regarding the request to repeal the Fly Creek Ordinance; Public Figure Doctrine, and social media won the election.
- 4) Reverend Larry Williams, 623 Middle Street, addressed the City Council regarding citizens feeding cats in his neighborhood. He requested the City Council look into this issue.

At the request of the City Attorney, Marion E. Wynne, the City Council will rise from the meeting to go into Executive Session based on Section 36-25A-7(a)(3) to discuss the legal ramifications of and legal options for pending litigation. The approximate time to be in Executive Session is 30 minutes. Councilmember Robinson moved to go into Executive Session. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Exited the dais at 6:52 p.m. Returned at 7:53 p.m.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 7:53 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk