

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, 9 October 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 A. B. Sawyer, Associate Pastor of First Baptist Church, and the Pledge of Allegiance was recited.

Council President Burrell stated there was a need to add on two agenda items after Agenda Item Number 22: a resolution that the City Council approves the selection of PPM Consulting, Inc., for RFQ No. PS002-18, Professional Environmental Consulting Services relating to the Installation of Fuel Tanks and the Preparation of the Spill Containment Plan at Fairhope Docks; and hereby authorizes mayor Karin Wilson to establish a fee schedule; establish a not-to-exceed limit of \$3,700.00; and execute the associated contract; a resolution that the City Council authorizes the City to sweep the Grand Hotel's main roadway to accelerate the entity's ability to open to help the City's prosperity.

Councilmember Brown moved to add on the above-mentioned items not on the **printed** agenda. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Councilmember Conyers moved to approve minutes of the 25 September 2017, regular meeting; minutes of the 25 September 2017, work session; and minutes of the 25 September 2017, agenda meeting. The motion was seconded by Councilmember Robinson. Councilmember Boone stated he would abstain since he was not in attendance at the September 25, 2017 City Council meeting. The motion passed by the following voice votes: AYE – Burrell, Robinson, Conyers and Brown. NAY – None. ABSTAIN - Boone.

Mayor Wilson addressed the City Council regarding the following items:

- 1) Thanked City employees and Management Team for hard work through Hurricane Nate. She said for any damage to be reported to damage@fairhopeal.gov;
- 2) Grant for Fairhope Docks and will have a "Clean and Resilient" status with green infrastructure;

9 October 2017

- 3) Christmas Tree lights are 85% complete;
- 4) Golf Course: Wine and Dine;
- 5) Winter Flowers will be soon planted;
- 6) Three employees introduced: City Treasurer Michael Hinson, Public Works Director Richard Johnson, and Marina Manager Drew Craze.

The following individuals spoke during Public Participation for Agenda Items:

- 1) Elmer Vick, 102 Ingleside Terrace Circle, addressed the City Council regarding Agenda Item Number 6: an Ordinance to rezone William Wright property from R-1 Low Density Single Family Residential District to B-1 Local Shopping District. Mr. Vick said his biggest issue is traffic on Edwards and the children use Edwards as a corridor.

Councilmember Robinson thanked the City employees, the Police Department, and the Fairhope Volunteer Fire Department for being on call all weekend. He mentioned Charlene Lee and her work with the Walking School Bus; last year there were 55 students and this year 110 students. Councilmember Robinson said Happy Birthday to his son Jay Nick.

Councilmember Conyers said we prepare for the worse and hope for the best for a storm. He said we have great employees and were fortunate with this storm. He mentioned the FEEF Phantasy of the Arts event was postponed to October 21, 2017.

Councilmember Brown thanked City staff and employees for their work with the storm. He stated if Agenda Item Number 6 is adopted, he asked if the City would consider a sidewalk on Edwards.

Council President Burrell also thanked City staff for their work during Hurricane Nate.

Councilmember Robinson moved for final adoption of Ordinance No. 1601, an ordinance to amend Zoning Ordinance No. 1253 to rezone the property of Kelley Lyons from R-A Residential/Agriculture to R-2 Medium Density Single Family Residential District. This property is generally located at 10143 Windmill Road, Fairhope, Alabama. Tax PPIN No. 14463. (Introduced at the September 25, 2017 City Council Meeting) The motion was seconded by Councilmember Conyers. Planning Director Wayne Dyess briefly explained the proposed ordinance. After further discussion, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, Brown, and Boone. NAY - None.

9 October 2017

Planning Director Wayne Dyess briefly explained the proposed ordinance. Larry Smith, on behalf of the applicant, addressed the City Council and said his client had agreed to self-impose deed restrictions on the property excluding it being used for a restaurant, dry cleaner, laundry, automobile repair shop, or service/gas station.

Councilmember Conyers said his concern is what happens after bank. He did say banks are usually open Monday through Friday. Mr. Dyess mentioned the landscape buffer that is required. Councilmember Robinson said he understands minimizing traffic in the area, but something will be built. He asked if the concessions by owner would continue like restrictions on property. Council President Burrell reiterated something will be zoned in the future; and said he was cognizant of the traffic concern. He said a bank would have minimum traffic concerns; and also stated he was anxious about the Site Plan Review amendment.

Councilmember Robinson moved for final adoption of Ordinance No. 1602, an ordinance to amend Zoning Ordinance No. 1253 to rezone the property of William H. Wright from R-1 Low Density Single Family Residential District to B-1 Local Shopping District. This property is generally located at 861 Edwards Avenue, Fairhope, Alabama. Tax PPIN No. 47397 subject to the deed restrictions by the property owner. (Introduced at the September 25, 2017 City Council Meeting) Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, Brown, and Boone. NAY - None.

Council President Burrell stated City Clerk Lisa Hanks said that the changes made to the proposed ordinance were significant, so this ordinance will have to be introduced for Council to consider.

Councilmember Conyers introduced in writing Ordinance No. 1603, an ordinance to amend Ordinance No. 1398 known as the Fairhope Erosion and Sediment Control Ordinance to amend and add to Article VII. Erosion and Sediment Control; specifically, Sections 7-154, 7-155, 7-156, 7-158, 7-159, and 7-164. Building Official Erik Cortinas briefly explained all of the changes. Councilmembers Brown and Boone liked the proposed changes.

In order to take immediate action, Councilmember Brown moved for immediate consideration. Seconded by Councilmember Conyers, motion for immediate consideration passed unanimously by the following voice votes: AYE – Burrell, Robinson, Conyers, Brown, and Boone. NAY - None. Councilmember Brown then moved for final adoption of Ordinance No. 1603. Seconded by Councilmember Conyers, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, Brown, and Boone. NAY - None.

9 October 2017

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing the signees of all City of Fairhope Accounts. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 2891-17

WHEREAS, two signatures are required on all monetary transactions of the City of Fairhope; and

WHEREAS, travel is sometimes required of the Mayor and of the Treasurer and provisions should be made to cover monetary requirements of the City in the absence of one or both; THEN, THEREFORE

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that all Financial Depositories where monies of the City are deposited, whether in checking, savings, or other type accounts, currently or in the future; be and hereby are advised that **any two of the following signees** are authorized to sign any monetary transaction between said Depositories and the City of Fairhope, Alabama. Attached is a list of all Depositories for the City of Fairhope;


- _____ Karin Wilson, Mayor
- _____ Jackey O. Burrell, Council President
- _____ Michael V. Hinson, City Treasurer
- _____ Lisa A. Hanks, City Clerk

BE IT FURTHER RESOLVED that Michael V. Hinson and Lisa A. Hanks are hereby authorized to use a facsimile signature for routine checks and paperwork:

BE IT FURTHER RESOLVED that Mayor Karin Wilson is hereby authorized to use computer generated signature for routine checks under One Thousand Dollars (\$1,000.00). All monetary transactions must have at least one true signature.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to all Depositories as authorization of, and as a record of, above signee signatures.

ADOPTED THIS 9TH DAY OF OCTOBER, 2017



 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

9 October 2017

Mayor Wilson stated the last study was done 10 years ago and State Law allows for a one percent impact fee. She mentioned partnering with the County for building schools. Mayor Wilson said we need to appropriately place percentages on certain areas; and this will be an extensive 3-month study. Council President Burrell questioned schools being part of the impact fee. Mayor Wilson commented the company said we could partner for building new schools with the County.

Building Official Erik Cortinas said this is a 2007 Ordinance and circumstances were different back then; and we need to reflect the current needs for our growth. Councilmember Conyers stated the \$68,000.00 can be paid out of the Impact Fees. Councilmember Brown said growth inside is minimal to outside the City. Mayor Wilson said we need to know how to use the money we collect and need the data to back it up. Council President Burrell asked if other companies were available for the study; and the amount is already known.

Councilmember Brown moved to table Agenda Item Number 9 to gather more information regarding the study: a resolution that the City Council approves the selection of TischlerBise, Inc. to perform Professional Financial Consulting Services to Study Update of Impact Fees for the City of Fairhope (RFQ No. PS001-18), and hereby authorizes Mayor Karin Wilson to establish a fee schedule; and to execute the associated contract with a not-to-exceed limit of \$68,000.00. Seconded by Councilmember Burrell, motion to table passed by the following voice votes: AYE – Burrell, Brown, and Boone. NAY – Robinson and Conyers.

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 Change Order No. 1 to Project No. PW001-17, Fly Creek Marina Seawall Improvements 2017, with an increase from the contract in the amount of \$11,400.00, and award the Change Order to MD Thomas Construction, LLC. The scope of work will be modified to exclude the fuel dock shelter (-\$17,850.00) and to include mobilization of fuel dock (\$29,250.00) for a total net change order value of (\$11,400.00) to the Contract. The motion was seconded by Councilmember Robinson. Operations Director Richard Peterson addressed the City Council to explain the changes to the scope of work: extend bulkhead, refurbish and mobilize deck pad for fuel dock, and remove fuel shelter. He recommended to leave the tanks next to fuel pumps. After further discussion, motion passed unanimously by voice vote.

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9 October 2017


RESOLUTION NO. 2892-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Karin Wilson is hereby authorized to execute Change Order No. 1 to Project No. PW001-17, Fly Creek Marina Seawall Improvements 2017, with an increase from the contract in the amount of \$11,400.00, and award the Change Order to MD Thomas Construction, LLC. The scope of work will be modified to exclude the fuel dock shelter (-\$17,850.00) and to include mobilization of fuel dock (\$29,250.00) for a total net change order value of (\$11,400.00) to the Contract.

Adopted on this 9th day of October, 2017


 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 that Mayor Karin Wilson is hereby authorized to execute an Agreement concerning a Transportation Planning Process for the Eastern Shore Urbanized Area between the County of Baldwin and the Municipalities of Daphne, Fairhope, Spanish Fort, and Loxley and the State of Alabama. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.


RESOLUTION NO. 2893-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Karin Wilson is hereby authorized to execute an Agreement concerning a Transportation Planning Process for the Eastern Shore Urbanized Area between the County of Baldwin and the Municipalities of Daphne, Fairhope, Spanish Fort, and Loxley and the State of Alabama (acting by and through the Alabama Department of Transportation).

ADOPTED THIS 9TH DAY OF OCTOBER, 2017


 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

9 October 2017

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Filing of Applications with the Federal Energy Regulatory Commission (FERC) by the Alabama Municipal Electric Authority (AMEA) on behalf of the City of Fairhope, a member City of AMEA, for Waivers under the Public Utility Regulatory Policies Act of 1978 (PURPA) from Purchase Requirements for Qualifying Facilities and Adopting Rules for Compliance with FERC's PURPA Regulations. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2894-17

**RESOLUTION AUTHORIZING FILING OF APPLICATIONS WITH
THE FEDERAL ENERGY REGULATORY COMMISSION (FERC)
BY THE ALABAMA MUNICIPAL ELECTRIC AUTHORITY (AMEA) ON
BEHALF OF THE CITY OF FAIRHOPE, A MEMBER CITY OF AMEA,
FOR WAIVERS UNDER THE PUBLIC UTILITY REGULATORY
POLICIES ACT OF 1978 (PURPA) FROM PURCHASE REQUIREMENTS FOR
QUALIFYING FACILITIES AND ADOPTING RULES FOR COMPLIANCE
WITH FERC'S PURPA REGULATIONS**

WHEREAS, PURPA is the Public Utilities Regulatory Policy Act of 1978 and its basic goal is to require electric utilities, which includes AMEA and the City of Fairhope, hereinafter referred to as Participating Member, to purchase the output of certain generating facilities which may locate in their service territories at a negotiated rate or at "avoided cost"; and

WHEREAS, FERC has promulgated rules which allow for waivers of compliance with PURPA obligations for non-regulated utilities; and

WHEREAS, FERC has taken the position that all requirements providers of electric utilities may assume the responsibility for the purchase obligation set forth in PURPA; and

WHEREAS, for facilities requesting PURPA Qualifying Facilities (QF) status, a waiver request would exempt Participating Member, a Member City of AMEA, from having to purchase the output, directing them instead to AMEA which would be required to assume that responsibility; and

WHEREAS, on June 29, 2017, the Board of Directors of AMEA passed a Resolution which authorized the filing of the above referenced applications for waivers on behalf of AMEA and any Member City which wished to join therein.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE PARTICIPATING MEMBER AS FOLLOWS:

Section 1. The above recitals are incorporated herein by reference as if fully restated.

9 October 2017

Section 2. The filing of said waiver requests with FERC by AMEA on behalf of Participating Member is hereby approved all at the cost of AMEA.

Section 3. Regarding the assumption by AMEA of the responsibility to purchase the output of facilities requesting PURPA Qualifying Facilities (QF) status in lieu of those Member Cities that wish to participate in the waiver application, the Governing Body hereby assigns to AMEA the responsibility for such purchases to AMEA and approves the assumption of said undertaking by AMEA.

Section 4. Attached hereto and incorporated herein by reference as if fully restated are a Draft of AMEA's Rules for Compliance with FERC's PURPA Regulations which are hereby approved by the Governing Body to which Participating Member shall abide and provide, for any purchase obligation subject to these waiver requests, that (1) AMEA and Participating Member shall not avoid or frustrate the purpose of any PURPA-mandated obligation; (2) AMEA and Participating Member shall permit any facility with PURPA QF status to interconnect with the Participating Members' distribution systems; (3) AMEA and Participating Member shall not charge duplicative fees to any facility with PURPA QF status for interconnection or wheeling; (4) AMEA shall not subject a facility with PURPA QF status to any duplicative charges or additional fees as a result of AMEA's purchase of power from a QF that would otherwise be purchased by any one of the Member Cities; and (5) the Participating Member interconnected with the QF shall sell any capacity and energy to the QF that is required by it.

Section 5. The Mayor and City Clerk of Participating Member be and each of them are hereby authorized to execute or accept such further documents and to take or cause to be taken any and all such further action as may be reasonably required on the part of the Participating Member to carry out, give effect to and consummate the transactions contemplated hereby.


ADOPTED by the City Council of the City of Fairhope, Alabama this 9th day of October, 2017.



Karin Wilson, Mayor

(SEAL)

Attest:



Lisa A. Nanks, MMC
City Clerk

9 October 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 contact with Goodwyn Mills Cawood, Inc. to perform Professional Architectural/Engineering Services to replace the HVAC Unit on Roof of Civic Center for RFQ No. PS040-17 for (Project No. PW007-17) with a not-to-exceed amount of \$12,960.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 2895-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to execute a contact with Goodwyn Mills Cawood, Inc. to perform Professional Architectural/Engineering Services to replace the HVAC Unit on Roof of Civic Center for RFQ No. PS040-17 for (Project No. PW007-17) with a not-to-exceed amount of \$12,960.00.

DULY ADOPTED THIS 9TH DAY OF OCTOBER, 2017



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 that the City of Fairhope has voted to purchase Kronos Timekeeping System Maintenance Annual Renewal for December 2017 to December 2018 for the IT Department; and the type of maintenance renewal needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid. The cost will be \$18,369.71. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

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9 October 2017

RESOLUTION NO. 2896-17

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 Kronos Timekeeping System Maintenance Annual Renewal for December 2017 to December 2018 for the IT Department; and the type of maintenance renewal needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid. The cost will be \$18,369.71.

Adopted on this 9th day of October, 2017



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

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 Annual Maintenance Contract for Trunking Infrastructure Service for Police Department and Volunteer Fire Department; from Motorola Solutions, Inc. as Sole Source Distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13): "Contractual services and purchases of commodities for which there is only one vendor or supplier and contractual services and purchases of personal property which by their very nature are impossible to award by competitive bidding." The cost will be \$23,257.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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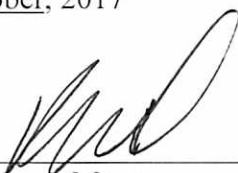
9 October 2017

RESOLUTION NO. 2897-17

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 Annual Maintenance Contract for Trunking Infrastructure Service for Police Department and Volunteer Fire Department; from Motorola Solutions, Inc. as Sole Source Distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13): "Contractual services and purchases of commodities for which there is only one vendor or supplier and contractual services and purchases of personal property which by their very nature are impossible to award by competitive bidding." The cost will be \$23,257.00.

Adopted on this 9th day of October, 2017



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to procure the Annual VMware Technical Support for Primary and Backup Data Centers for the IT Department in the amount of \$10,420.00 and the type of software 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. This has been nationally bid through the NJPA's bid process. The motion was seconded by Councilmember Conyers. IT Director Jeff Montgomery explained this was an annual maintenance support for our servers. Council President Burrell asked Mr. Montgomery was there and key logging or tracking software on City computers. Mr. Montgomery replied no. After further discussion, motion passed unanimously by voice vote.

9 October 2017

RESOLUTION NO. 2898-17


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

That the City of Fairhope has voted to procure the Annual VMware Technical Support for Primary and Backup Data Centers for the IT Department in the amount of \$10,420.00 and the type of software 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. This has been nationally bid through the NJPA's bid process.

Adopted on this 9th day of October, 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 Mayor Karin Wilson is hereby authorized to execute the second (final) extension of the Contract with BWI Companies, Inc. for Potting Soil for the Public Works Department (Bid Number 005-16) for an additional one year as per the terms and conditions of the original contract. The price will be \$9,729.00 per truckload (\$10.81 per bag x 900 bags) with an estimated annual cost for 5 truckloads of \$48,645.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.


RESOLUTION NO. 2899-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to execute the second (final) extension of the Contract with BWI Companies, Inc. for Potting Soil for the Public Works Department (Bid Number 005-16) for an additional one year as per the terms and conditions of the original contract. The price will be \$9,729.00 per truckload (\$10.81 per bag x 900 bags) with an estimated annual cost for 5 truckloads of \$48,645.00.

Adopted on this 9th day of October, 2017


Karin Wilson, Mayor

Attest:


Lisa A. Hanks, MMC
City Clerk

9 October 2017

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope elects to come under the provisions of Section 2 of Act 367 of the Regular Session of the 2017 Alabama Legislature. The City of Fairhope agrees to provide all funds necessary to the Employee's Retirement System to cover the cost of the one-time lump sum payment as provided for by said Act for those eligible employees retired and beneficiaries of deceased retirees of the City of Fairhope with the aforementioned increase being paid in October 2017. The motion was seconded by Councilmember Robinson.

Councilmember Robinson stated he has a special place for City employees, but we should help our former employees and support this. Councilmember Boone reiterated what Councilmember Robinson said; and we appreciate them. Councilmember Conyers said he would be the devil's advocate; and we should appreciate our employees and past employees. However, he would rather spend on current employees and current items. Councilmember Brown agreed with Councilmember Conyers; and said we appreciate employees but we have infrastructure needs. Council President Burrell said that in our State we are recognized as supporting our employees; and this is an incentive to hire employees. Council President Burrell said he will support this resolution. After further discussion, motion passed by the following voice votes: AYE – Burrell, Robinson, and Boone. NAY – Conyers and Brown.

RESOLUTION NO. 2900-17


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that the City of Fairhope elects to come under the provisions of Section 2 of Act 367 of the Regular Session of the 2017 Alabama Legislature.

The City of Fairhope agrees to provide all funds necessary to the Employee's Retirement System to cover the cost of the one-time lump sum payment as provided for by said Act for those eligible employees retired and beneficiaries of deceased retirees of the City of Fairhope with the aforementioned increase being paid in October 2017.

ADOPTED THIS 9TH DAY OF OCTOBER, 2017


Karin Wilson, Mayor

Attest:


Lisa A. Hanks, MMC
City Clerk

9 October 2017

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the additional \$1,000.00 (increasing the funds up to \$4,500.00) for the Operations Director Richard Peterson, as Engineer of Record for the Marina Repairs, to secure technical data regarding capacity and condition of the travel lift facility and potential forklift. Seconded by Councilmember Conyers, motion passed unanimously by voice vote. Councilmember Brown commented he was concerned with dry storage building.

RESOLUTION NO. 2901-17

WHEREAS, on September 11, 2017 the City Council approved for Operations Director Richard Peterson, as Engineer of Record for the Marina Repairs, is hereby authorized to expend appropriate but necessary funds up to \$3,500.00 to secure technical data regarding capacity and condition of the travel lift facility and potential forklift via Resolution No. 2878-17; and

WHEREAS, after evaluating the project it has been determined that the cost will be \$4,500.00 (an increase of \$1,000.00) to secure technical data regarding capacity and condition of the travel lift facility and potential forklift.


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the additional \$1,000.00 (increasing the funds up to \$4,500.00) for the Operations Director Richard Peterson, as Engineer of Record for the Marina Repairs, to secure technical data regarding capacity and condition of the travel lift facility and potential forklift.

DULY ADOPTED THIS 9TH DAY OF OCTOBER, 2017



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Council President Burrell said that Bob Watts is a boat owner and a resident of Sea Cliff Drive. He said this is a good diverse group and some have differences in opinion. Councilmember Conyers questioned staggering terms. Councilmember Boone moved to reappoint Tony, Chavers, Scott Douglass, John Henry, Jr., Skip Jones, Bob Riggs, and Tom Yeager and to appoint Bob Watts to the Harbor Board for a four-year term which will expire October 2021. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

9 October 2017

City Council reviewed an application for a Non-Profit Tax-Exempt License (Alcoholic Beverage License) by Baldwin County Humane Society, for The Black Cat Ball, located at 401 Oak Street, Lawn in Front of Building, Fairhope, Alabama on October 26, 2017. Councilmember Brown moved to approve the issuance of the license. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Douglas Lambert for Dumbwaiter Restaurant, LLC, d/b/a Dumbwaiter Restaurant, located at 58 N. Section Street, Fairhope, Alabama. Councilmember Brown moved to approve the issuance of the license. Seconded by Councilmember Conyers, 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 Council approves the selection of PPM Consulting, Inc., for RFQ No. PS002-18, Professional Environmental Consulting Services relating to the Installation of Fuel Tanks and the Preparation of the Spill Containment Plan at Fairhope Docks; and hereby authorizes mayor Karin Wilson to establish a fee schedule; establish a not-to-exceed limit of \$3,700.00; and execute the associated contract. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 2902-17

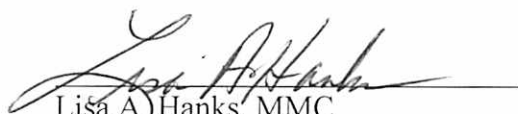
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection of PPM Consulting, Inc., for RFQ No. PS002-18, Professional Environmental Consulting Services relating to the Installation of Fuel Tanks and the Preparation of the Spill Containment Plan at Fairhope Docks; and hereby authorizes Mayor Karin Wilson to establish a fee schedule; establish a not-to-exceed limit of \$3,700.00; and execute the associated contract.

Adopted on this 9th day of October, 2017



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

9 October 2017

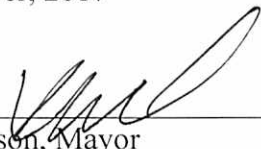
Council President Burrell read the request for a resolution to approve the use of the City's street sweeper at the Grand Hotel. City Attorney "Tut" Wynne read the sections from the Code of Alabama and Selective Readings regarding the Public Purpose Doctrine. He said the City Council must determine a public purpose exists and then the City can do this. Public Works Director Richard Johnson commented that the City had performed this for the Grand Hotel in the past. Mr. Johnson said this would be the Grand Hotel's main roadway. It was determined that if the Grand Hotel's ability to open was accelerated then it would help the City's prosperity.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes the City to sweep the Grand Hotel's main roadway to accelerate the entity's ability to open to help the City's prosperity. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

RESOLUTION NO. 2903-17


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council authorizes the City to sweep the Grand Hotel's main roadway to accelerate the entity's ability to open to help the City's prosperity.

Adopted on this 9th day of October, 2017



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

The following individuals spoke during Public Participation for Non-Agenda Items:

- 1) Erik Cortinas, on behalf of the Fairhope Pirate Booster Club, addressed the City Council and reminded them of the annual breakfast. He said this event will be held on October 21, 2017 at the Fairhope High School beginning at 8:00 a.m. Mr. Cortinas said the menu will be sausage biscuits and gravy with eggs. He mentioned Fairhope High School Football team winning its 500th career game. He mentioned also, WNSP will be at the Fairhope and McGill game.

9 October 2017

- 2) Doug Jones, 27548 Tecumseh Court, addressed the City Council regarding the Quail Creek Golf Course and its condition. He said five years ago the City put in new grass; and two years ago, a new irrigation system. He said a massive rain storm washed away part of the course and cart paths. Mr. Jones commented a guy from Louisiana played three holes and demanded his money back. He also mentioned the Pro Shop has not been repaired for six to nine months.

Council President Burrell stated that Bobby Hall should be given control over the golf course. Mayor Wilson said that Lynn Maser had met with Quail Creek residents; and Parks & Recreation can cut the greens. Ms. Maser said she was in contact with Lawrence Wilson regarding the bids.

Councilmember Brown said the construction world is slow and then government slows it down more. Ms. Maser stated the Golf Course is being brought under Parks & Recreation; will have a program to tell us about greens and water; and stating in-house with expertise. Council President Burrell said the course conditions have declined; and irrigation was supposed to increase the conditions.

- 3) Wendy Solomon, 123 Sandy Ford Road, addressed the City Council and thanked the City for street sweeping her street after she mentioned at the last meeting. Ms. Solomon also thanked City Clerk Lisa Hanks and Lynn Maser for taking care of this matter. She then mentioned the wetlands behind her house and the bad odors. Ms. Solomon passed out pictures of the wetlands to the City Council.
- 4) Rodney Kilgore, 10273 Solon Court, addressed the City Council regarding State Highway 181 and State Highway 104 and traffic issues. Mr. Kilgore said the congestion is unbearable at this intersection; and requested a feasibility study be done. He suggested the possibility of lengthening the lights to help with traffic. Council President Burrell suggested he speak to the State and County representatives about his concerns. He said that it is a high priority for the County to get highway four-lane.
- 5) Ray Hartwell, 57 Morphy Avenue, addressed the City Council regarding the intersections at Section Street and Volanta and Section Street and Gayfer. Mr. Hartwell's concern was the traffic lights and if no one is at the intersection why do the lights change to red. He suggested a sensor at each intersection. Council President Burrell commented he understood and agreed the time needed to be looked at for the lights.

9 October 2017

Councilmember Brown 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 8:08 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk