

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, 27 November 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 Associate Pastor Chris Peters of Trinity Presbyterian Church and the Pledge of Allegiance was recited.

Council President Burrell stated there was a need to add on an agenda item after Agenda Item Number 16: a resolution to award RFQ for Tent Rentals for New Year's Eve 2017 to Blue Rents, Inc. with a total proposal of \$13,712.00 (RFQ No. 001-18).

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

Councilmember Boone moved to approve minutes of the 13 November 2017, regular meeting; minutes of the 13 November 2017, work session; and minutes of the 13 November 2017, agenda meeting. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Mayor Wilson addressed the City Council regarding the following items:

- 1) Lighting of the Trees was a great success; the Electric Department was about to complete the Round-about; replaced poles and transmission switch; Orlando crew assistance; and kept up with subdivisions;
- 2) Last Tuesday GOMA representatives met regarding grant to help with "Clean Marina;"
- 3) FEMA declared Hurricane Nate and will assist with 87.5% replacement cost to be reimbursed;
- 4) NOAA will be doing a three-part documentary reflecting on our work with the Tatumville Gulley;
- 5) City has its own testing capabilities; Mobile Bay Keeper testing will cost \$6,500.00 and it would only cost the City around \$3,000.00.

27 November 2017

- 6) Volunteers have previously been given ornaments; and this year we will be giving calendars. We will be ordering more for the Fairhope Pirate Booster Club to sell and keep 100% for fundraising.

The following individuals spoke during Public Participation on Agenda Items:

- 1) Gary Gover, 300 Lincoln Street, addressed the City Council regarding Agenda Item No. 9: an Ordinance to amend Ordinance No. 1266 and Fairhope Code of Ordinances: Article VI Garbage and Trash Collection and Disposal, Section 21-75 (a). He suggested the City to consider once a week service; and 48, 64 or 96-gallon carts. Mr. Gover said smaller carts should be less cost; and he recycles most items and only produces 5 gallons. He said the City should have a rate plan with better equity.
- 2) Mac McCauley, 10 Wood Grove Circle, addressed the City Council regarding Agenda Item No. 8: an ordinance to amend the Zoning Ordinance No. 1253: Article V, Section B. Central Business District Overlay Proposed Expansion. He stated if you make any changes to this ordinance, you cannot vote on it tonight. Council President Burrell explained the two scenarios: either vote on the proposed ordinance tonight or amend the ordinance and readvertise the newly proposed ordinance.

Councilmember Robinson said he hoped everyone had a Happy Thanksgiving; and reminded them of the Christmas Parade on December 1, 2017.

Councilmember Conyers mentioned the next meetings for the Historic Preservation Committee on December 7, 2017; the Fairhope Environmental Advisory Board on December 8, 2017; and the Library Board on December 18, 2017. Councilmember Conyers reminded everyone about the Chocolate and Champagne Event for the Library.

Councilmember Boone stated we need to support the process for our Christmas Parade.

Council President Burrell questioned if the cost of our water testing included labor cost and pulling away employees from day-to-day operations. Mayor Wilson replied testing by Mobile Bay Keeper only includes Fly Creek.

Councilmember Robinson moved for final adoption of Ordinance No. 1605, an ordinance to amend the Zoning Ordinance No. 1253 requesting to zone the property of Todd Roberts to R-2 Medium Density Single Family Residential District concurrent with annexation. This property is generally located at 19870 County Road 13, known as Parcel B, Fairhope, Alabama. Tax PPIN: 235434. (Introduced at the November 13, 2017 City Council Meeting) Seconded by Councilmember Conyers, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, Brown, and Boone. NAY - None.

27 November 2017

Councilmember Conyers moved for final adoption of Ordinance No. 1606, an ordinance to amend the Zoning Ordinance No. 1253 requesting to rezone the property of Sweetwater Investments, LLC from R-2 Medium Density Single Family Residential District to B-4 Business and Professional District. This property is generally located at 20040 State Highway 181, Fairhope, Alabama. Tax PPIN: 77292. (Introduced at the November 13, 2017 City Council Meeting) Seconded by Councilmember Robinson, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, Brown, and Boone. NAY - None.

Councilmember Conyers moved for final adoption of Ordinance No. 1607, an ordinance to amend the Zoning Ordinance No. 1253: Article IX, Section C. Definitions. Building Height: The vertical distance measured from the average natural elevation of the lot to the mean point of the roof of the building. (Introduced at the November 13, 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 that if we were to change the ordinance in any way, it would have to be readvertised. He said if we were vote as it was published, then we could vote tonight. Council President Burrell read the two options presented to the City Council. Planning Director Wayne Dyess explained the boundaries expanded for the Central Business District (“CBD”). He said we are encouraging mix-used and street scape. He said this is a better design and to make the CBD more inviting; and there has been feedback with concerns with parking. Mr. Dyess said he wanted to wait on the Wayfinding Study which will help with parking.

Councilmember Robinson questioned if there are projects waiting on this to be adopted to remove the parking in downtown parking; and take the time to readvertise. Mr. Dyess said there is nothing pressing need for this, but it is a good idea. Councilmember Robinson said if we are voting on this without adding parking, I will not want to go forward. Council President Burrell stated we will see some challenges in the future on the ruling to readvertise.

Council President Burrell questioned the parking removed. Mr. Dyess said one unit for parking per mixed-use. Councilmember Robinson said he was not sure it is good to not require parking and look at each project separately. Councilmember Brown commented we are encouraging revitalizing the CBD with mix-use development. Council President Burrell said we will see higher demand and need more parking. Councilmember Robinson commented the City will need parking exponential if demand is greater. Council President Burrell suggested possible parking credits; and to invest in parking garage with any parking spot.

27 November 2017

Mac Wolcott addressed the City Council and said build a building and let the life evolve around building. He said a 40-foot building is going to look better for development. He said it is logic how we use our building. Councilmember Robinson said he was not in favor on the parking removed; and to readvertise. Council President Burrell said he agreed.

Councilmember Brown moved for final adoption of an ordinance to amend the Zoning Ordinance No. 1253: Article V, Section B. Central Business District Overlay Proposed Expansion. (Introduced at the November 13, 2017 City Council Meeting). Seconded by Councilmember Conyers, motion for final adoption failed by the following voice votes: AYE – Conyers and Brown. NAY – Burrell, Robinson, and Boone. Councilmember Conyers said who would take up most parking; 3rd floor business or 3rd floor residence; business during day time.

Council President Burrell read the proposed ordinance on the agenda: an Ordinance to amend Ordinance No. 1266 and Fairhope Code of Ordinances: Article VI Garbage and Trash Collection and Disposal, Section 21-75 (a): In the exercise of the police power of the City and for the purpose of enabling the City to perform a governmental function, there is hereby fixed the following garbage service fees for every occupant within the City which rates will increase \$1.00 per month each year for three consecutive years beginning 2018 and shall go into effect on the first billing cycle after January 1st of each year beginning January 2018 ending with January 2020 (All customers: residential and commercial). He then handed out the correctly worded proposed ordinance with the correct rates and when those rates would go into effect.

Councilmember Robinson introduced in writing an ordinance to amend Ordinance No. 1266 and Fairhope Code of Ordinances: Article VI Garbage and Trash Collection and Disposal, Section 21-75 (a). Public Works Director Richard Johnson addressed the City Council and explained the proposed ordinance. He said the commercial rates were based on the average of 64 or 96-gallon cart average; and this will make it cleaner and easier to bill. Mr. Johnson said the next we look at rates it will be an electronic based weight system where customers will pay for what is picked up. Council President Burrell said we had two options, do this all at once or over a 3-year period. Councilmember Robinson commented we are already lower than most Towns and Cities in Baldwin County.

Councilmember Brown moved for immediate consideration for the adoption of an ordinance to amend Ordinance No. 1266 and Fairhope Code of Ordinances: Article VI Garbage and Trash Collection and Disposal, Section 21-75 (a). The motion was seconded by Councilmember Boone. Due to lack of a unanimous vote for immediate consideration, this ordinance will layover until the December 11, 2017 City Council meeting.

27 November 2017

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of Neptune Water Meters for the Water Department from Consolidated Pipe & Supply Co., Inc. as Sole Source Provider in the State of Alabama for Neptune Technology Group, Inc. The number of units is 72 Meters at \$175.00 per unit at a cost not to exceed \$12,600.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2921-17

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

[1] That the City of Fairhope approves the procurement of Neptune Water Meters for the Water Department from Consolidated Pipe & Supply Co., Inc. as Sole Source Provider in the State of Alabama for Neptune Technology Group, Inc. The number of units is 72 Meters at \$175.00 per unit at a cost not to exceed \$12,600.00.

Adopted on this 27th day of November, 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 for the procurement of Maintenance Service of Oil in the two 3-Phase Substation Power Transformers located on Nichols Street and Fairhope Avenue for the Electric Department at a total cost of \$14,000.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

27 November 2017


RESOLUTION NO. 2922-17**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, as follows:

[1] That the City of Fairhope has voted for the procurement of Maintenance Service of Oil in the Two 3-Phase Substation Power Transformers located on Nichols Street and Fairhope Avenue for the Electric Department at a total cost of \$14,000.00.

Adopted on this 27TH day of NOVEMBER, 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 procure a Sewer Line Camera System for the Sewer Department which is budgeted in the FYE 2018 proposed budget. The total cost is \$7,749.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

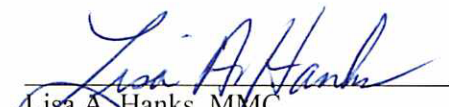
RESOLUTION NO. 2923-17**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, as follows:

[1] That the City of Fairhope has voted to procure a Sewer Line Camera System for the Sewer Department which is budgeted in the FY2018 proposed budget. The total cost is \$7,749.00.

Adopted on this 27th day of November, 2017


 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

27 November 2017


Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase a Mini-Excavator; 2017 CAT 302.7D to be shared by all Utilities and the equipment is available for direct procurement through the National Joint Powers Alliance (“NJPA”) Buying Group Contract (No. 2216); and therefore, does not have to be let out for bid. This has been nationally bid through the NJPA’s bid process. The total cost is \$35,173.48. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2924-17

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 a Mini-Excavator; 2017 CAT 302.7D to be shared by all Utilities and the equipment is available for direct procurement through the National Joint Powers Alliance (“NJPA”) Buying Group Contract (No. 2216); and therefore, does not have to be let out for bid. This has been nationally bid through the NJPA’s bid process. The total cost is \$35,173.48.

Adopted on this 27th day of November, 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 Mayor Karin Wilson is hereby authorized to execute a Contract with SEA Entertainment Booking Agency for the band known as “B Street Benny” for the New Year’s Eve Downtown Celebration (Sunday, December 31, 2017) with a cost not to exceed \$5,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

27 November 2017

RESOLUTION NO. 2925-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Karin Wilson is hereby authorized to execute a Contract with SEA Entertainment Booking Agency for the band known as "B Street Benny" for the New Year's Eve Downtown Celebration (Sunday, December 31, 2017) with a cost not to exceed \$5,000.00.

DULY ADOPTED THIS 27TH DAY OF NOVEMBER, 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 Council approves the selection of Chapman Inspection Services for Professional Inspection Services of 2-Million Gallon Water Tank for the Water Department (RFQ No. PS006-18), and hereby authorizes Mayor Karin Wilson to execute the associated contract with a not-to-exceed limit of \$10,500.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.


RESOLUTION NO. 2926-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the selection of Chapman Inspection Services for Professional Inspection Services of 2-Million Gallon Water Tank for the Water Department (RFQ No. PS006-18), and hereby authorizes Mayor Karin Wilson to execute the associated contract with a not-to-exceed limit of \$10,500.00.

DULY ADOPTED THIS 27TH DAY OF NOVEMBER, 2017


 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

27 November 2017

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes the Project Initiation for the Fairhope Alley Transit Hub Project; authorizes the Mayor to execute the necessary documents for Project Initiation; authorizes the Mayor to enter into an Intergovernmental Agreement with Baldwin County Commission outlining the roles of the City/County in Project Management and Grant Reimbursement Process; and adopts the ALDOT and Baldwin County policies or documents which shall be adopted and applied for this Project (these documents are on file with the Office of the City Clerk and are available for public viewing during normal business hours. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 2927-17

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

[1] That the City Council authorizes the following Project Initiation for the Fairhope Alley Transit Hub Project:

- a) Advertisement for Request for Qualifications (RFQ) for Architectural Services
- b) The Mayor to execute a Professional Services Agreement with selected qualifying firm
- c) The Mayor to execute all project related documents with FHWA, FTA, ALDOT, BRATS, ESMPO and/or Baldwin County Commission

[2] That the City Council authorizes the Mayor to enter into an intergovernmental agreement with Baldwin County Commission outlining the roles of the City/County in Project Management and the Grant Reimbursement Process.

[3] That for the purposes of this Project adopts the following ALDOT and Baldwin County policies or documents shall be adopted and applied (these documents are on file with the Office of the City Clerk and are available for public viewing during normal business hours):

- 1. Baldwin County Commission - Procurement Procedures - Applicable to all Federal Transit Administration Funded Projects - Federal Transit Administration Programs – Adopted by Baldwin County Commission: November 1, 2016
- 2. Baldwin Regional Area Transit System - Title VI Program and Limited English Proficiency Plan Update - Adopted by Baldwin County Commission: May 17, 2016
- 3. Disadvantaged Business Enterprises (DEB) Program, Limited English Proficiency (LEP) Plan and Equal Employment Opportunity Plan (EEO) For Baldwin County Commission - Adopted by Baldwin County Commission: September 21, 2010
- 4. Baldwin County Commission - Subrecipient Questionnaire – Effective November 20, 2017

27 November 2017

5. ALDOT Bureau of Transportation Planning and Modal Programs Transit Section - Policy and Procedure Manual for Federal Transit Administration Transportation Programs 5307, 5309, 5310 and 5311 – Effective November 20, 2017

DULY ADOPTED THIS 27TH DAY OF NOVEMBER, 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 to Award RFQ for Tent Rentals for New Year's Eve 2017 to Blue Rents, Inc. with a total proposal of \$13,712.00 (RFQ No. 001-18). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2928-17

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

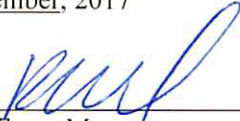
[1] That the City of Fairhope did request and receive RFQs for Tent Rentals for New Years Eve 2017 at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place; zero responded positively. See memo.

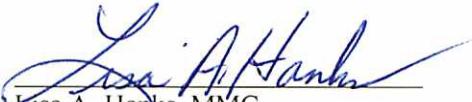
[3] An informal quote was eventually obtained from one vendor, and a no quote by another vendor.

[4] After reviewing all options available, Blue Rents, Inc., is now awarded Tent Rentals for New Year's Eve 2017.

Adopted on this 27th day of November, 2017


Karin Wilson, Mayor

Attest:


Lisa A. Hanks, MMC
City Clerk

27 November 2017

Council President Burrell brought up Agenda Item No. 16 and said the Chair from the Fairhope Single Tax Corporation ("FSTC") mentioned this item must have approval from the FSTC. He questioned if the resolution needed to be contingent on their approval. City Attorney Wynne said he was not sure if this was in the agreement, but we could leave as is for now. Council President Burrell requested that the City does not execute any documents until approved by FSTC.

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

- 1) Mac Wolcott addressed the City Council regarding 4 projects under construction and the sewer system requirements. He commented about affordable housing and these projects being \$5,000.00 behind on comparable housing. Mr. Wolcott also mentioned there is a \$17,000.00 per lot burden in Fairhope; and all costs are passed through to the homeowner.
- 2) Jeff Boyd, former Councilmember of Orange Beach, addressed the City Council announcing he is running for State Senator for our District. He thanked the City Council for the Fly Creek testing; and said you should be proud of what you have.

Councilmember Conyers moved to adjourn the meeting. Seconded by Councilmember Brown, motion passed by the following voice votes: AYE – Burrell, Conyers, Brown, and Boone. NAY - Robinson.

There being no further business to come before the City Council, the meeting was duly adjourned at 7:24 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk