

**CITY OF FAIRHOPE
CITY COUNCIL WORK SESSION AGENDA**

MONDAY, 8 JANUARY 2018 – 4:30 P.M. – COUNCIL CHAMBER

1. 2018 ADECA Recreational Trails Grant Discussion – Richard Johnson
2. MS4 Dry Weather Screening “Outfall Assessment” Notification Procedures – Planning Department
3. Recreation Center Building and Professional Services – Richard Peterson
4. Debris Management Plan for the City of Fairhope – John Saraceno
5. Committee Updates
6. Department Head Updates

Next Regular Meeting Monday, January 22, 2017 at 4:30 p.m. and Same Place

Alabama Department of Economic and Community Affairs

Recreational Trails Program FY 2018-19 Funding Cycle

Program Summary

The Recreational Trails Program (RTP) was created in 1998 to assist in acquiring, developing, and/or improving trail and trail-related resources. Eligible applicants include Federal and state agencies and local governments. Federal or state agencies or local governments may submit an application on behalf of a private organization.

Program Information

Estimated Funds Available for RTP	Approximately \$2,600,000.00
Maximum Grant-Non-motorized (varies by trail type and activity)	\$200,000.00 - \$400,000.00
Maximum Grant-Motorized	\$500,000.00
Federal Share	80%
Allowable Matching Source	Cash, In-kind, and/or Donations
FY 2018-2019 Application Due Date	12 Noon, February 9, 2018
Project Selection	Competitive

Funding Cycle

RTP applications will be accepted until **12:00 Noon, February 9, 2018**. The applications will be reviewed, rated, and ranked by Alabama Department of Economic and Community Affairs' (ADECA) Recreation and Conservation Programs staff and members of the Alabama Recreational Trails Advisory Board.

Eligible Applicants

All applicants must be currently registered in Sam.gov with a unique Data Universal Numbering System (DUNS) number. Applications from project sponsors not meeting this criterion will be deemed ineligible and will not be reviewed. Eligible applicants include:

- Local Governments
- State Agencies
- Federal Agencies
- Public Sector sponsor on behalf of a Private Organization

Maximum Grant Size

The maximum grant amount is **\$200,000.00** for non-motorized, single-use trail projects; **\$400,000.00** for non-motorized, diverse-use trail projects; **\$500,000.00** for motorized, diverse-use trail projects; and **\$87,489.00** for educational projects which promote safety and environmental protection.

Matching Requirement

The Federal share for the RTP is up to **80%** of the total eligible project costs up to the grant ceiling. The non-Federal share (at least **20%**) may come from state, local, or private sources. Other Federal shares cannot be used as a source of match unless specific legislation allows funds to be used for the matching share (e.g., HUD Community Development Block Grants (P.L. 93-383), Public Works Employment Act of 1976 (P.L. 94-369)).

A Federal agency sponsor may use its own funds toward a RTP project as additional Federal share until the total Federal share reaches 95 percent of the total project cost. This limitation is intended to ensure commitment to the project from state, local, or private co-sponsors.

Permissible Uses

Applications may be submitted for one or more of the following activities:

- The development of urban trail linkages near homes and workplaces (this category includes trail linkages to schools, parks, and existing trails)
- Maintenance and restoration of existing recreational trails
- The restoration of areas damaged by the use of recreational trails and back country terrain
- The development of trailside and trailhead facilities. This includes trail components or associated trail facilities and may include, but are not limited to, the following: 1) Drainage, 2) Crossings, 3) Stabilization, 4) Parking, 5) Signage, 6) Controls, 7) Shelters, and 8) Water, Sanitary, and Access Facilities
- The provision of features which facilitate the access and use of trails by persons with disabilities
- The acquisition of easements for trails, or for corridors identified in a state trail plan
- The acquisition of fee simple title to property from a willing seller for trail development
- The construction of new trails on state, county, municipal, or private lands, where a recreational need for such construction is shown
- Only as otherwise permissible, and where necessary and required by a State Comprehensive Outdoor Recreation Plan (SCORP), construction of new trails crossing Federal lands, where such construction is approved by the administering agency of the state and the Federal agency or agencies charged with management of all impacted lands, with the approval contingent upon the Federal agency complying with all applicable laws
- The assessment of trail conditions for accessibility and maintenance
- The operation of educational programs to promote safety and environmental protection as those objectives relate to the use of recreational trails

Types of Trail Projects

At least thirty percent of Alabama's RTP funds must be used for motorized trail projects, at least 30 percent for non-motorized trail projects, and at least 40 percent for diverse-use trail projects. Diverse-use motorized projects (such as ATV and motorcycle use) or diverse-use non-motorized projects (such as pedestrian and equestrian use) may satisfy two of these categories at the same time. The state encourages applicants to consider projects that benefit both motorized and non-motorized users, such as common trailhead facilities, when feasible.

- **Non-Motorized For A Single Use**

A project primarily intended to benefit only one mode of non-motorized recreational trail use, such as pedestrian only, or equestrian only. Projects serving various pedestrian uses (such as walking, hiking, skating, wheelchair use, running, bird watching, nature interpretation, backpacking, etc.) constitute a single use for the purposes of this category. This category also includes trailhead and trailside improvements for non-motorized, single use trails (such as lighting).

- **Non-Motorized For Diverse-Use**

A project primarily intended to benefit more than one mode of non-motorized recreational trail use, such as walking, skating, and bicycling; pedestrian and equestrian use; equestrian and bicycle use, etc.

- **Motorized For Diverse-Use**

A project primarily intended to benefit more than one mode of motorized recreational use, such as, motorcycle and ATV use; ATV and 4x4 OHV (truck) use; etc. A project may be classified in this category if the project also benefits some non-motorized uses (it is not necessary to exclude non-motorized uses), but the primary intent must be for the benefit of motorized use.

- **Educational Projects**

Development and dissemination of publications and operation of educational programs to promote safety and environmental protection.

Typical education projects may include:

- Development and operation of trail safety education programs
- Development and operation of trail-related environmental education programs
- Development and delivery of training on trail accessibility and sustainability
- Production of trail-related educational materials, including information displays, in print, video, audio, interactive computer displays, etc.
- Development and delivery of training that promotes safety or environmental protection related to recreational trails. This includes training related to trail design, construction, maintenance, operation, and assessment, because each of

these steps can relate directly to safety and environmental protection. Note: this does not include training related to club or organizational development or grant-writing skills.

- Development or support of publications related to trail design, construction, maintenance, operation, and assessment, because these steps relate to safety and environmental protection

The RTP and the Federal Highway Administration should be acknowledged on training and education materials, programs, publications, etc. developed with RTP funds.

NOTE: Some materials may only be partially educational. For example, the development/printing of a trail system map generally is not considered an educational project. However, if one side of the map is dedicated to trail safety and environmental protection education, then educational funds may participate in half of the development/printing cost.

Important note: Interested parties must consult with ADECA's Recreation and Conservation Programs staff prior to submitting an application under this category.

Other Application/Project Information

Project sponsors have statutory responsibilities to provide opportunities for the participation of people with disabilities in recreational trails activities funded under the RTP. Federal laws that affect the design, construction, alteration, and operation of trail facilities include the Architectural Barriers Act of 1968 (ABA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA). The ADA prohibits discrimination and ensures equal opportunity and access for persons with disabilities. Section 504 of the Rehabilitation Act states that no otherwise qualified individual with a disability in the United States, as defined in section 7(20), shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The ABA requires that facilities designed, built, altered, or leased with funds supplied by the United States Federal Government be accessible to the public. Current regulations implementing these statutes contain requirements that apply to existing trail construction and program operations and adopt technical standards to guide new trail construction and alterations of existing networks.

- Buildings and facilities newly-constructed or altered with Federal funds are subject to the accessibility requirements contained in the Uniform Federal Accessibility Standards (UFAS), the standard currently referenced in the ABA.
- Accessibility in Federally-assisted programs is governed by the requirements of the United States Department of Transportation regulations (49 CFR Part 27) implementing Section 504 of the Rehabilitation Act (29 U.S.C. 794).
- The United States Department of Justice's (DOJ) Title II implementing regulations (28 CFR Part 35) describe the obligations of State and local governments for existing facilities and program operations, and require Title II entities (public entities) to comply with either UFAS or the Americans with Disabilities Act

Accessibility Guidelines (ADAAG) developed by the United States Architectural and Transportation Barriers Compliance Board when constructing or altering facilities. Private sector entities, including lessees, concessionaires, and contractors to State and local governments, are governed by the DOJ Title III implementing regulations, which adopt ADAAG as the standard for accessible design.

Applicants are encouraged to enter into contracts and cooperative agreements with qualified youth conservation or service corps for the performance of construction and maintenance of recreational trails and to submit innovative project proposals to make environmental improvements to existing trail facilities.

Technical assistance prior to application preparation is *strongly recommended*.

Only one application may be submitted by city, county, or private/public partnership applicants. State agencies may submit multiple applications.

Thresholds

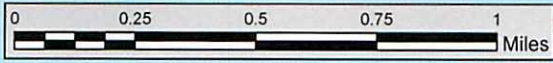
Prospective applicants are not eligible to apply if:

- The entity has an open Land and Water Conservation Fund (LWCF) or RTP grant as of February 9, 2018.
- The entity has unresolved compliance issues from a previous LWCF or RTP grant.
- The entity did not respond in writing to a LWCF or RTP inspection report which contained deficiencies and the entity has not obtained approval of a Corrective Action Plan for previous compliance issues.

For more information, please contact:




Shante' Holley, Recreation and
Conservation Programs Specialist
334-242-5382
shante.holley@adeca.alabama.gov

William Robbins, Recreation and
Conservation Programs Specialist
334-242-5612
william.robbs@adeca.alabama.gov



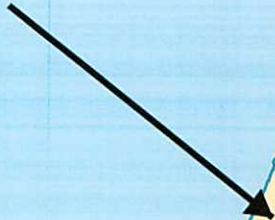
1 inch = 0.25 miles

**Recreational Trails Program
North Beach Park Trails Project
Locator/Vicinity Map**

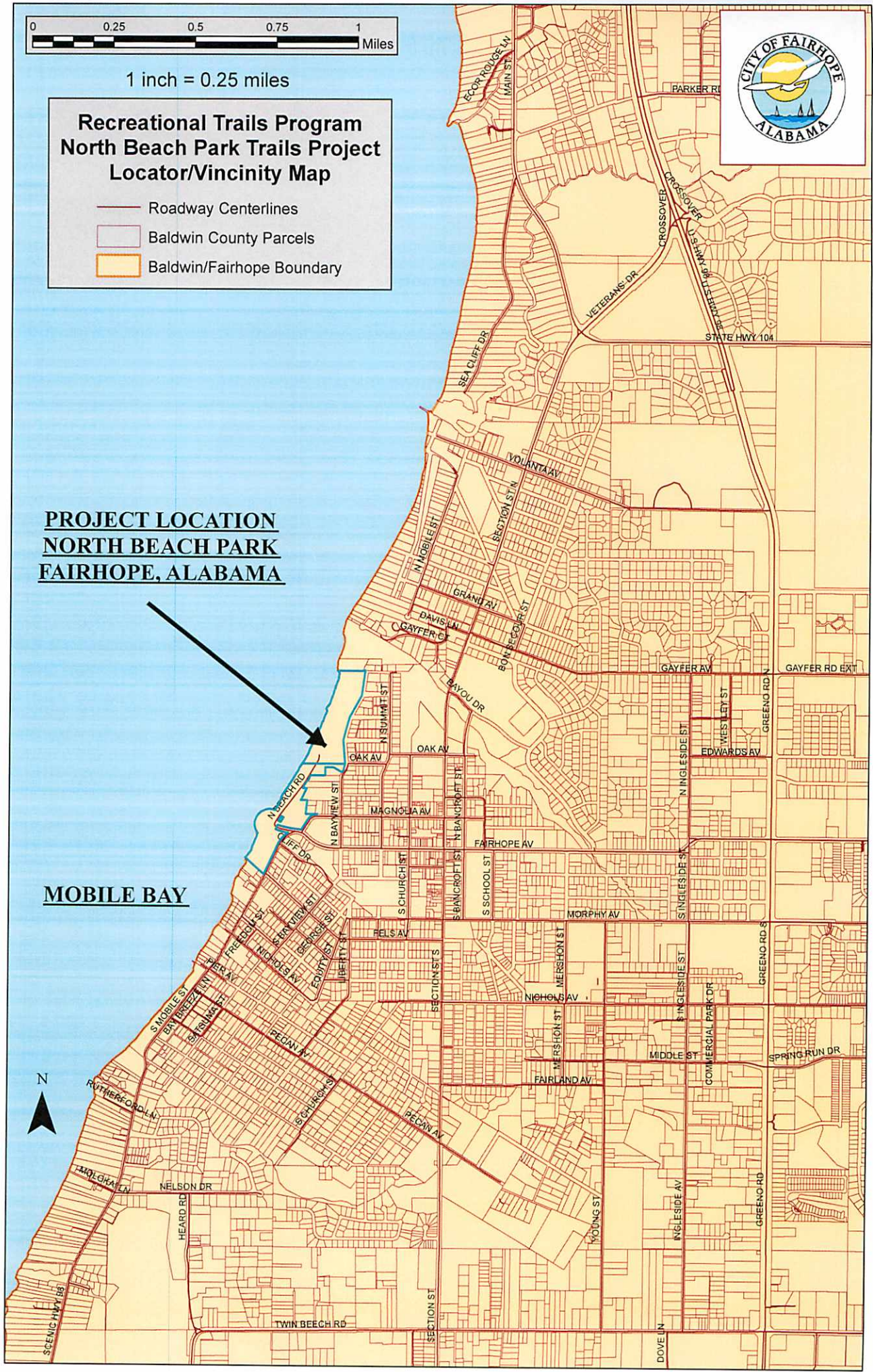
-  Roadway Centerlines
-  Baldwin County Parcels
-  Baldwin/Fairhope Boundary



**PROJECT LOCATION
NORTH BEACH PARK
FAIRHOPE, ALABAMA**



MOBILE BAY







Recreational Trails Grant - North Beach
Park - Conceptual Trail Layout

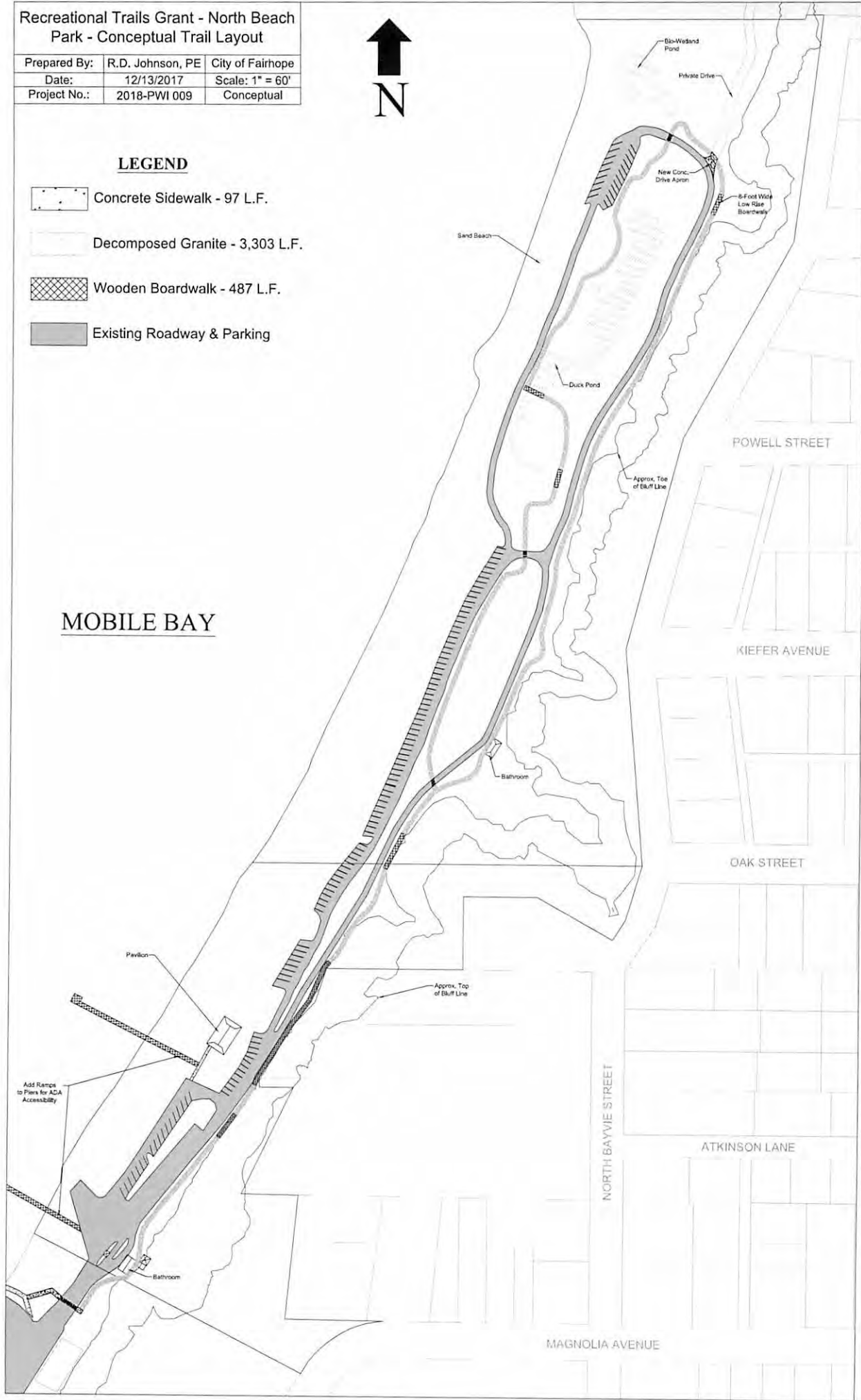
Prepared By:	R.D. Johnson, PE	City of Fairhope
Date:	12/13/2017	Scale: 1" = 60'
Project No.:	2018-PWI 009	Conceptual

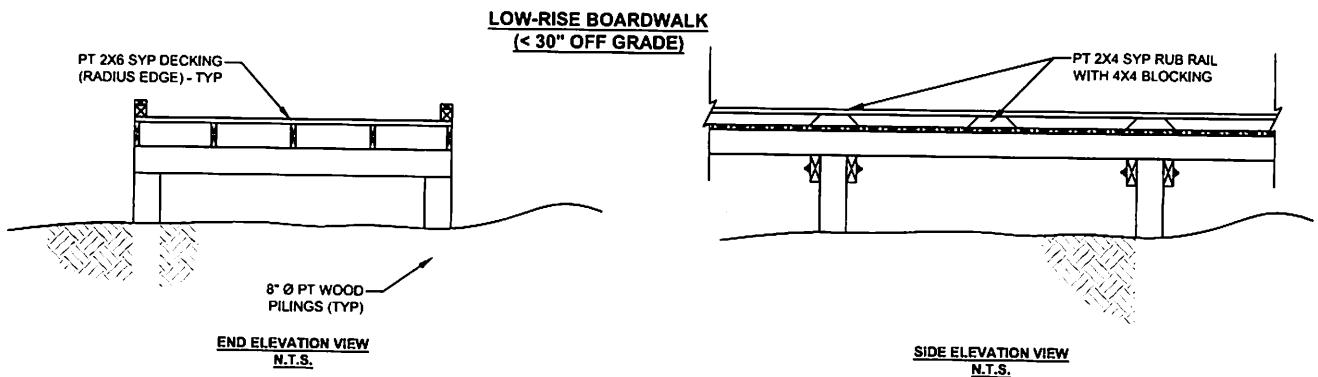
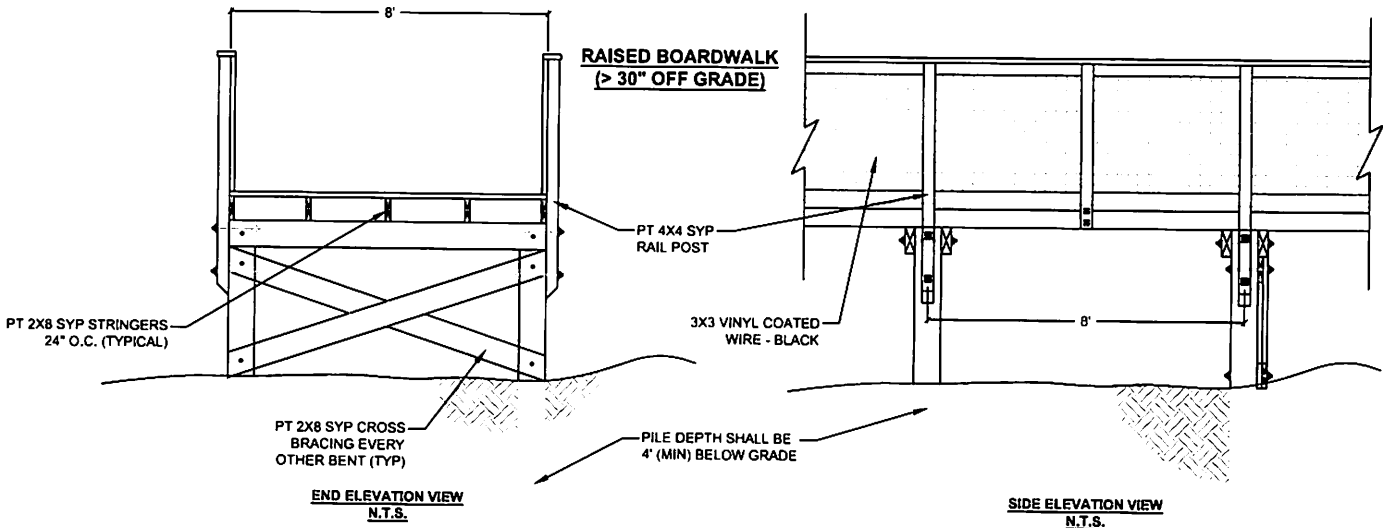


LEGEND

-  Concrete Sidewalk - 97 L.F.
-  Decomposed Granite - 3,303 L.F.
-  Wooden Boardwalk - 487 L.F.
-  Existing Roadway & Parking

MOBILE BAY



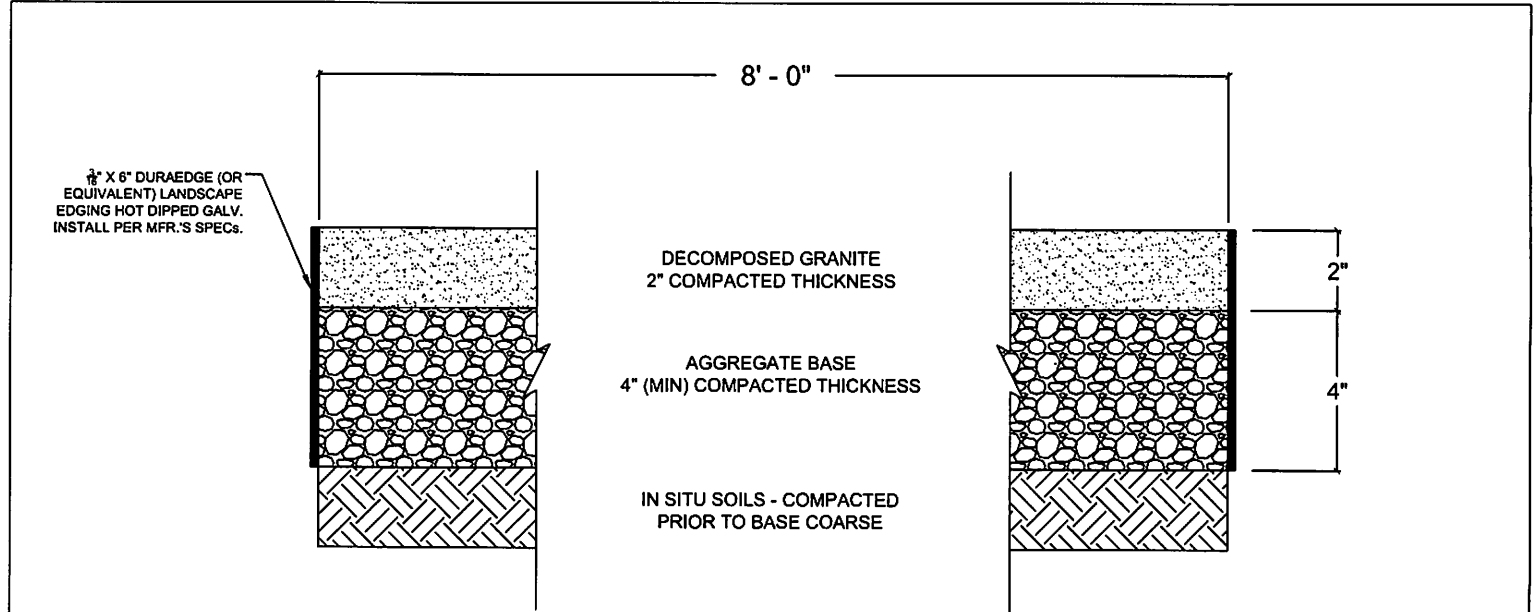


NOTES:

1. Boardwalks shall be used in strategic locations to cross drainage ways and other features to allow for their natural function without interference.
2. Boardwalks shall be built with approach and departure ramps that tie into the Decomposed Granite Trails. All boardwalks shall be in full compliance with the Americans With Disabilities Act (ADA).
3. All sections of Boardwalks more than 30' above finished grade shall have handrails as shown, those sections less than 30' off finished grade shall be built with rub rails as shown.

**Recreational Trails Grant - North Beach
Park - Boardwalk Details**

Prepared By:	R.D. Johnson, PE	City of Fairhope
Date:	12/13/2017	Scale: N.T.S.
Project No.:	2018-PWI 009	Sheet: 2 of 4



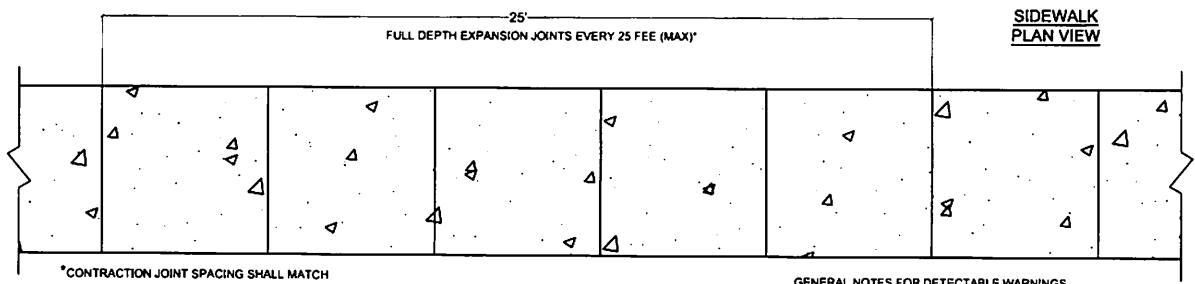
DECOMPOSED GRANITE TRAIL TYPICAL CROSS SECTION

SPECIAL SPECIFICATIONS - DECOMPOSED GRANITE TRAILS

1. DESCRIPTION. Furnish and install decomposed granite trails and as shown on the plans or as directed.
2. MATERIALS. Provide decomposed granite, aggregate base material, necessary subgrade fill material, weed barrier fabric, binding material, and other miscellaneous items as shown on the plans.
3. COLOR. Decomposed Granite Color shall be selected by the owner based on aesthetics, price and/or availability.
4. CONSTRUCTION. All materials furnished will be installed as shown on the plans or as directed by the Engineer.
5. Decomposed Granite. Place over filter fabric. Remove loose material from the exposed subgrade. Place decomposed granite aggregate in maximum 2 in. deep lifts, wet thoroughly, and let set according to the supplier's instructions.
6. Compact to not less than 90% nor more than 95% of maximum dry density (ASTM D 698) with a roller. Do not use a tamp plate.
7. MEASUREMENT. This item will be measured by Square Yard, complete in place for the project, as shown on the plans.
8. PAYMENT. The work performed and materials furnished in accordance with this item and as provided under "Measurement" will be paid for at the unit price bid of Square Yard for "Decomposed Granite". This price is full compensation for furnishing, installing, testing, and for all other materials, labor, tools, equipment, and incidentals.
9. STABILIZER. Decomposed Granite Trail will be installed using TerraKoat EX Decomposed Granite Stabilizer and Top Coat (or equivalent) - stabilizers shall be used per the manufacturer's directions and application rates. The stabilizers shall be a subsidiary obligation of the Decomposed Granite Unit Cost.
10. EDGING. Landscape Edging shall be DuraEdge (or equivalent) 1/2" thick, 6" wide, by 16' length, with 6 stakes (actual coverage 15'-4"), Hot Dipped Galvanized, Comply with ASTM A 569, hot rolled, standard flexible steel.

**Recreational Trails Grant - North Beach
Park - Decomposed Granite Details**

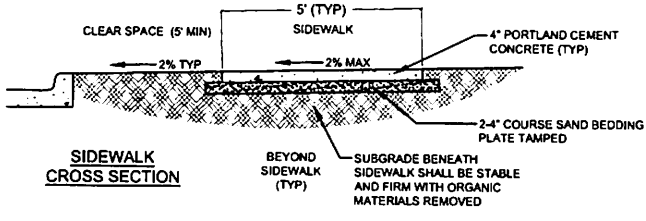
Prepared By:	R.D. Johnson, PE	City of Fairhope
Date:	12/13/2017	Scale: N.T.S.
Project No.:	2018-PWI 009	Sheet: 3 of 4



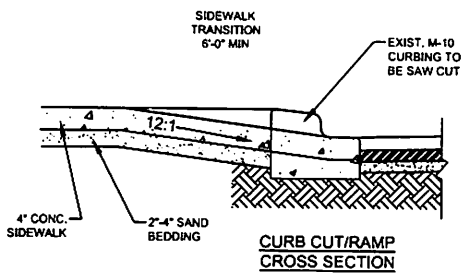
*CONTRACTION JOINT SPACING SHALL MATCH SIDEWALK WIDTH, EXPANSION JOINTS SHALL BE SPACED TO MATCH CONTRACTION JOINT SPACING

GENERAL NOTES FOR DETECTABLE WARNINGS

1. CURB RAMPS MUST CONTAIN A DETECTABLE WARNING SURFACE THAT CONSISTS OF RAISED TRUNCATED DOMES COMPLYING WITH 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN.
2. THE SURFACE MUST CONTRAST VISUALLY WITH ADJOINING SURFACES INCLUDING SIDE FLARES - COLOR TO BE BRICK RED.
3. DETECTABLE WARNING SURFACES MUST BE SLIP RESISTANT AND NOT ALLOW WATER TO ACCUMULATE.
4. ALIGN TRUNCATED DOMES IN THE DIRECTION OF PEDESTRIAN TRAVEL WHEN ENTERING THE STREET.
5. DETECTABLE WARNING SURFACES SHALL BE A MINIMUM OF 24" IN DEPTH IN THE DIRECTION OF PEDESTRIAN TRAVEL.
6. DETECTABLE WARNING SURFACES SHALL BE A MINIMUM OF 48" IN WIDTH FOR 5'-0" SIDEWALK.
7. DETECTABLE WARNING SURFACES SHALL BE CAST-IN-PLACE - NO ADHESIVE OR FASTENERS.
8. DETECTABLE WARNING SURFACES SHALL BE LOCATED SO THAT THE EDGE NEAREST THE CURB LINE IS A MINIMUM OF 6" AND A MAXIMUM OF 10" FROM THE EXTENSION OF THE FACE OF CURB.

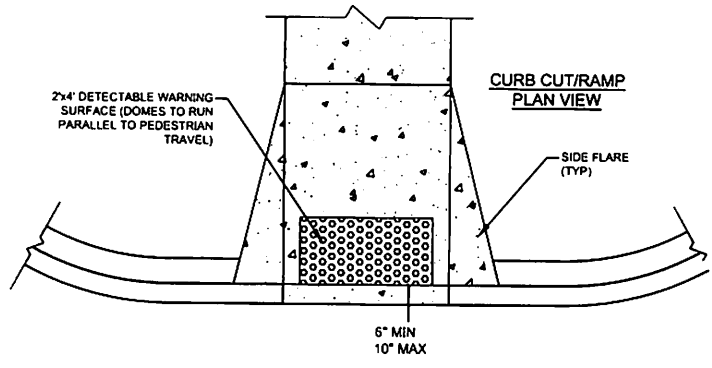


SIDEWALK CROSS SECTION



CURB CUT/RAMP CROSS SECTION

SIDEWALK DETAIL SHEET
SCALE: N.T.S.



CURB CUT/RAMP PLAN VIEW

Recreational Trails Grant - North Beach Park	
Sidewalk Typical Details	
Dwg: RDJ	Date: 11/22/2017
Sheet #: 4 of 4	

Public Works Director Estimated Costs

ADECA - The Recreational Trails Program (RTP) - FY 2018-19 FUNDING CYCLE

North Beach Park - New Diverse-Use Trails Project - 3868 Linear Feet (0.73 Miles)

Construction Estimate					
Construction of 3868 linear feet (0.73 Miles) of new 8 foot wide Decomposed Granite/Boardwalk Trails					
Item #	Description	Unit	Quantity	Unit Price	Amount
1	Clearing and Grubbing (201A)	LS	1	\$5,000.00	\$5,000.00
2	Unclassified Excavation (210A-000)	Yd ³	460	\$6.00	\$2,760.00
3	Borrow Excavation (A-2-4(0) or A-4(0) (210D-012)	Yd ³	700	\$12.00	\$8,400.00
4	Crushed Aggregate Base Course, Type A (825A), Plant Mixed, 4" Minimum Compacted Thickness - per SY (301-A)	SY	3230	\$19.50	\$62,985.00
5	Steel Landscape Edging, hot-rolled, standard flexible carbon steel, Hot-Dipped Galvanized finish, fabricated in sections with stake pockets stamped, 3/16" x 6"	LF	6606	\$5.00	\$33,030.00
6	Decomposed Granite with Stabilizer and Top Coat Stabilizer - 2" minimum thickness compacted. Place Stabilized DG per Manufacturer's specifications . Compact to not less than 90% nor more than 95% of maximum dry density (ASTM D 698) with a roller.	SY	3230	\$49.50	\$159,885.00
7	8' Wooden Bridge Boardwalk (Including all timber, galvanized hardware, anchors and Paint) (509D-000)	LF	500	\$225.00	\$112,500.00
8	Mobilization (600A-000)	LS	1	\$25,000.00	\$25,000.00
9	Pipe Extensions and Sidedrain	LF	64	\$65.00	\$4,160.00
10	Slope Paving (Conc. Flume, 4" Thick and Driveway Apron) (614A-000)	Yd ³	40	\$250.00	\$10,000.00
11	Concrete Sidewalk, 4" Thick (618A-000)	SY	75	\$55.00	\$4,125.00
12	Topsoil, 4" Compacted Thickness (650A-000)	Yd ³	82	\$15.25	\$1,250.50
13	Seeding (652A-100)	Acre	0.5	\$750.00	\$375.00
14	Solid Sodding (Centipede) (654A-003)	Yd ²	1101	\$6.50	\$7,156.50
15	Mulching (656A-010)	Acre	0.5	\$900.00	\$450.00
16	Silt Fence, Type A (665J-002)	LF	1930	\$5.50	\$10,615.00
17	Silt Fence Removal (665O-001)	LF	1930	\$1.15	\$2,219.50
18	Traffic Control Markings, Class 2, Type A (703A-002)	Ft ²	168	\$12.50	\$2,100.00
19	Class 8 Aluminum Sign Panels, 0.08" Thick or Steel Flat Sign Panels, 14 Gauge (Type IX Background) (710A-126)	Ft ²	100	\$25.00	\$2,500.00
Estimated Construction Cost					\$454,511.50

Professional Services Calculations					
Item #	Description	Unit	Quantity	Unit Price	Amount
1	Engineering Survey & Design (5.0% of Construction)	Each	1	\$22,725.58	\$22,725.58
2	Material Testing (1.0% of Construction)	Each	1	\$4,545.12	\$4,545.12
3	Engineering - CE&I (4.0% of Construction)	Each	1	\$18,180.46	\$18,180.46
Estimated Professional Service Cost					\$45,451.15

Estimated Total Cost (Including Engineering, Survey, Design, Material Testing and CE&I)					\$499,962.65
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Total Project Cost: \$499,962.65 Funds Requested: \$399,970.12

Important Note: The maximum grant amount by trail type is **\$200,000.00** for non-motorized, single-use trails; **\$400,000.00** for non-motorized, diverse-use trails; **\$500,000.00** for motorized trails; or **\$87,489.00** for education projects.

The applicant certifies that the data contained in the application is true and correct; the application has been duly authorized; and, the applicant understands that incorrect or incomplete information may cause the application to be rejected.

(Chief Elected Official's Signature) Mayor
(Title)

February 01, 2018
(Date)

Project Cost Estimate

The Recreational Trails Program provides **80/20 matching** fund grants. That is, the RTP will fund up to 80 percent of the project cost and the grant recipient must provide at least 20 percent in the form of cash, in-kind, and/or donated contributions.

Eligible Costs

1. Design, engineering, construction oversight services (may not exceed 10% of the total construction cost)
2. Direct labor
3. Special tradesmen secured under a service purchase contract
4. Rental of equipment
5. Construction contracts
6. Project materials
7. Signage¹
8. Land acquisition
9. Professional project administration (grant consultant) (may not exceed 5% of total project cost)

¹ Signs which function as traffic control devices must conform with the Manual on Uniform Traffic Control Devices (MUTCD). Part IX of the MUTCD, Traffic Controls for Bicycle Facilities, covers the bicycle related signs, pavement markings, and signals which may be used on highways or bikeways. Part IX is applicable to shared use paths (nonmotorized multiple-use trails which may provide a transportation purpose). The publication Standard Highway Signs has the detailed drawings for the highway signs prescribed in the MUTCD. These documents are available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

Signs which do not function as traffic control devices are not subject to the MUTCD. However, informational signs and kiosks must take into consideration the needs of various users, such as: people who are blind or who have low vision, people who use wheelchairs, and children.

PROJECT DEVELOPMENT BUDGET

BUDGET ITEM	TOTAL	RTP SHARE	MATCHING SHARE
Acquisition	\$0.00	\$0.00	\$0.00
Construction Contracts	\$454,511.50	\$363,609.20	\$90,902.30
Equipment Rental	\$0.00	\$0.00	\$0.00
Labor	Included in Const.		
Signage	Included in Const.		
Supplies/Materials	Included in Const.		
Administration			
Engineering	\$45,451.15	\$36,360.92	\$9,090.23
TOTAL PROJECT COST	\$499,962.65	\$399,970.12	\$99,992.53

ADECA

KAY IVEY
GOVERNOR

KENNETH W. BOSWELL
DIRECTOR

RECREATIONAL TRAILS PROGRAM FY 2018-19 FUNDING CYCLE

GRANT APPLICATION DOCUMENT
SUBMISSION DEADLINE: NOON, FEBRUARY 9, 2018

**401 Adams Avenue | Post Office Box 5690
Montgomery, Alabama 36104 | 36103-5690**

November 2017

State Administering Agency

Alabama Department of Economic and Community Affairs (ADECA)

Recreational Trails Program

The Recreational Trails Program (RTP) was created in 1998 to assist organizations in acquiring, developing, and/or improving trail and trail-related resources. Eligible applicants include federal and state agencies, local governments and public sponsors on behalf of private organizations.

Matching Requirement

The federal share for the RTP is up to 80% of the total eligible project costs. The non-federal share may come from state, local, or private sources. Other federal grant funds cannot be included as match unless allowed by specific legislation.

A federal agency project sponsor may contribute appropriated funds toward a RTP project up to the point at which the total federal share reaches 95 percent of the total project cost. This limitation is intended to ensure commitment to the project from state, local, or private co-sponsors.

Submission Instructions

Please submit one (1) original and one electronic copy of your application. The electronic copy should be on a CD or flash drive. E-mailed copies will not be accepted. Maps must be no larger than 11"x17" in size.

Applications should be submitted to:

By Mail:

Alabama Department of Economic and Community Affairs
Attn: Crystal Davis, Community Services Unit Chief
Post Office Box 5690
Montgomery, Alabama 36103-5690

By Courier:

Alabama Department of Economic and Community Affairs
Attn: Crystal Davis, Community Services Unit Chief
401 Adams Avenue
Montgomery, Alabama 36104

The deadline for application submission is **12 Noon, Friday, February 9, 2018.**

Application Procedures

The application consists of the items listed on the application checklist. In addition, the project application must include the following support documentation, if applicable:

- If the applicant and the landowner are not the same, a signed statement from affected landowners stipulating full support of the proposed use of their land and their support for the project application. The statement must clearly indicate that he/she is willing to provide an easement or other legally binding agreement that ensures public access to the recreational trail improvements funded by the grant (23 U.S.C. Section 206(h)(4)(A)).
- If applicable, a signed statement that the project is in compliance with 23 U.S.C. Section 206(g)(4) of the RTP which prohibits the use of grant funds to accommodate motorized use on trails that have been predominately used by non-motorized trail users prior to May 1, 1991.
- If applicable, a signed statement by the federal agency that the construction of new trails crossing federal lands is in compliance with all applicable laws, including the Forest and Range-land Renewable Resources Planning Act and the Federal Land Policy and Management Act.
- If construction of any recreational trail on Bureau of Land Management or National Forest System lands for motorized uses is proposed, a signed statement certifying that the lands have been allocated for uses other than wilderness in the approved agency resources management plan or have been released to uses other than wilderness by an Act of Congress, and such construction is otherwise consistent with the management direction in such approved land and resources management plan.

Special Procedures for Projects that Require Permits or Other Approvals

- **Crossing of Public Roads** - Project applicants must include a statement or copies of letters certifying that the appropriate officials having jurisdiction over the public road to be crossed have reviewed the project and that the proposed crossing meets their approval. For state road crossings, contact the appropriate Alabama Department of Transportation District Office. For all other classified roads, contact the street or highway department of the jurisdiction.
- **Railroad, Gas Line, Power Line, and Other Utility Rights-of-Way** - Project applicants must include documentation indicating that appropriate officials from the railroad company and/or utility company have reviewed the project and that the proposed crossing meets their approval.
- **Water Obstruction and Encroachment Permit (including wetlands)** - Project applicants planning to construct, operate, maintain, enlarge, or abandon any obstruction (bridge, channel change, etc.) that will affect a watercourse; its 100-year floodway; or any lake, pond, reservoir, swamp, marsh, or wetland, must contact ADECA or the applicable federal agency. Examples of work requiring a permit include changing a stream

channel; dredging for crossings; building or modifying a bridge, dock, culvert, or pier; installing or changing an intake or outfall structure; working on bank protection, including fill, levees, dikes, bulkheads, and flood walls; or placing an aerial crossing, such as a power line, over a navigable stream. Any state or local government agency or public utility working in a 100-year flood plain, which has been identified by the National Flood Insurance Program, must also consult with ADECA before proceeding with its application.

- Erosion and Sedimentation Control Plan - In addition, project applicants may be required to prepare an erosion and sedimentation control plan for stream crossings or general construction activities. Therefore, project applicants must notify the appropriate County Soil Conservation District Office of the project. The district office will advise the applicant accordingly.
- Building Permits - Follow existing procedures for compliance with local building codes.
- Health Department Permits

Public Employee and Equipment Costs

Work performed by project sponsor staff, whether administrative or construction, may not be paid with RTP funds. Project sponsor staff time (hourly rate of pay and FICA percentage only), or equipment usage as appropriate, may be counted as sponsor match when properly documented and included in the budget.

Maps

Project Location Map

The project location map must display the location of the project in relation to the city or county area and the surrounding highway/road network. This map must be sufficiently detailed so that state or federal officials who visit the site can do so without local assistance. If the project is within a municipality, a detailed city map showing the highway network in relation to the project site will be sufficient. Please make sure the maps are clear and concise and no larger than 11"x17" in size.

Preliminary Site Plan

The site plan should give a general layout of the park or area to be developed and include the following items:

- Proposed facilities and development included in the phase for which RTP assistance is being requested;
- Existing facilities;
- Future development--if known;
- Location of any existing power lines or other utilities within the site boundary area;
- Location and measurements of any easements or rights-of-way;

- Location of floodplain if applicable;
- Site acreage to nearest tenth of an acre;
- Title block information including the title of the project, north arrow, scale, and date prepared.

Maps and drawings must be clear and legible and no larger than 11"x17" in size.

Upon project completion, a final site map will be required for all RTP assisted projects. The applicant should inform the architect/engineer of this requirement prior to entering into a contract.

Property or Project Boundary Area Map

An application must include a boundary map which delineates the legal boundaries of the property to be developed. A boundary map must contain the following information:

- Project title;
- Date of map preparation;
- Signature of person that prepared the map and the signature of the applicant;
- Known outstanding rights and interests that are held by others such as easements, deed/lease restrictions, reversionary interest, i.e., power lines that cross the site, rights-of-way, etc.;
- Deed reference--book and page number;
- Sufficient detail so as to legally identify the land:
 - adjoining water bodies or other natural landmarks
 - bearings and distances (required)
 - identification of adjacent streets, roads, and highways
 - north arrow
 - a scale stated in feet per inch;
- Project sponsor name.

State Comprehensive Outdoor Recreation Plan (SCORP)

The SCORP 2013-2018 is the guiding document for funding projects for the RTP. This document is available on the ADECA website at www.adeca.alabama.gov.

Americans with Disabilities Act (ADA) Accessibility Guidelines

All projects are required to be planned/designed to comply with the "American Standard Specifications for making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped".

ADA Accessibility Guidelines (**ADAAG**) can be found at <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards/chapter-10-recreation-facilities>. The Architectural Barriers Act (ABA) Accessibility Guidelines (**ABAAG**) for Recreation Facilities can be found at <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/aba-standards>. The following questions and answers cover the highlights of the trail guidelines:

First, what exactly is a trail according to ADA regulations?

A trail is “a route that is designed, designated, or constructed for recreational pedestrian use or provided as a pedestrian alternative to vehicular routes within a transportation system.”

What kinds of trails are subject to the ADA accessibility guidelines?

The accessibility guidelines apply to those trails which are designed and constructed for pedestrian use. These guidelines are not applicable to trails primarily designed and constructed for recreational use by equestrians, mountain bicyclists, snowmobile users, or off-highway vehicle users, even if pedestrians may occasionally use the same trails. However, a multi-use trail specifically designed and designated for hiking and bicycling would be considered a pedestrian trail.

Does that mean an urban bikeway is a “pedestrian trail”?

Accessibility guidelines apply to trails used as nonmotorized transportation facilities for bicyclists and skaters as well as pedestrians. However, the AASHTO Guide (1999), requires a greater level of accessibility than the ADA trail guidelines. The AASHTO Guide for the Development of Bicycle Facilities is the primary guidebook for facilities built with transportation funds. The Guide (available from AASHTO at <https://bookstore.transportation.org/>) generally provides a greater level of accessibility than the ADA trail guidelines (except running slope). The appendix of the Access Board report compares the AASHTO guide with the ADA trail guidelines.

Will we have to bring existing trails up to ADA standards?

No; the proposed guidelines require all areas of newly designed or newly constructed and altered portions of existing trails to comply. However, for entities covered by Title II of ADA, “program accessibility,” may require accessibility to be provided on existing trails. “Program accessibility” generally means that the major elements in a recreation program need to be accessible.

Must we improve accessibility when trail maintenance is done?

Routine or periodic maintenance or repair of existing trails or trail segments is exempt. Maintenance and repair is defined as work that is not an alteration: it does not change the original purpose, intent, or design of the trail.

Can we be required to allow vehicles on our non-motorized trails to accommodate accessibility?

No; while a variety of mobility-enhancing equipment can be used on trails, the necessity of protecting the environment and maintaining the appropriateness of the setting might exclude ATVs or other off-highway vehicles.

Does an accessible trail have to be paved?

No; as long as the surface is "firm and stable".

What about new trails that are nowhere near a road or an accessible trailhead?

The requirements apply only to trails that "connect to an accessible trail" or "designated trailhead." Where new trails connect to an existing trail that is not accessible, the technical provisions do not apply. Nor do they apply where the new or altered portion is not connected to a designated trailhead.

What if building a trail to an accessible standard just isn't logical, or desirable, or even possible?

Departures from the guidelines are permitted for any portion of the trail where compliance would:

- cause substantial harm to cultural, historic, religious, or significant natural features or characteristics;
- substantially alter the nature of the setting or the purpose;
- require construction methods or materials that are prohibited by Federal, State, or local regulations or statutes;
- not be feasible due to terrain or the prevailing construction practices.

For the final guidelines for outdoor developed areas, please visit: <http://www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas/final-guidelines-for-outdoor-developed-areas>.

The following manuals and guidelines are recommended for trail design, construction, and maintenance. Copies may be purchased or acquired from the source indicated. U.S. Government regulations may be purchased from the U.S. Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities (ADAAG); available in U.S. Department of Transportation (DOT) regulations, 49 CFR Part 37. Also, an *Interim Final Rule* was published in the *Federal Register*, June 20, 1994 (59 FR 31676; 31745); from: U.S. Architectural and Transportation Barriers Compliance Board (Access Board), 1331 F Street NW, Suite 1000, Washington, DC 20004-1111. The *Interim Final Rule* included Section 14, "Public Rights of Way," much of which would be applicable to the Trails Program, if adopted by the U.S. DOT. The Federal Highway Administration (FHWA) intends to develop program guidance for accommodating people with disabilities largely based on Section 14.

Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance; available in U.S. DOT regulations, 49 CFR Part 27 (44 FR 31442). This implements Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) as amended, to the end that no otherwise qualified handicapped individual in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be

denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Nondiscrimination on the Basis of Disability in State and Local Government Services; available in U.S. Department of Justice regulations, 28 CFR Part 35 (56 FR 35694). This implements subtitle A of title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131), which prohibits discrimination on the basis of disability by public entities.

Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities; available in U.S. Department of Justice regulations, 28 CFR Part 36 (56 FR 35544). This implements title III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181), which prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with the accessibility standards established by this part.

Uniform Federal Accessibility Standards, published in the *Federal Register*, August 7, 1984 (49 FR 31528); from the U.S. Architectural and Transportation Barriers Compliance Board (Access Board), 1331 F Street NW, Suite 1000, Washington, DC 20004-1111.

Recommendations for Accessibility Guidelines: Recreational Facilities and Outdoor Developed Areas, July 1994, a report to the U.S. Architectural and Transportation Barriers Compliance Board by the Recreation Access Advisory Committee, from: Access Board, Recreation Report, 1331 F Street NW, Suite 1000, Washington, DC 20004-1111. The Access Board is currently developing proposed guidelines for recreation facilities.

Thresholds

Prospective applicants are not eligible to apply if:

- Entity has an open Land and Water Conservation Fund (LWCF) or RTP grant as of February 9, 2018.
- Entity has unresolved compliance issues from a previous LWCF or RTP grant.
- Entity did not respond in writing to a LWCF or RTP inspection report that contained deficiencies.
- Entity has not developed and received approval of a Corrective Action Plan addressing the correction of previous compliance issues.

APPLICATION CHECKLIST

Please use this checklist to ensure all required application documents are included prior to submitting to ADECA. **Incomplete applications will not be processed.**

• A cover letter on entity letterhead signed by the Chief Elected Official	
• An Application Cover Sheet	
• Responses to each of the application criterion	
• A resolution adopted by the legal entity of the applicant authorizing the application and committing all matching funds required to complete the proposed project	
• A narrative description of the proposed project (Pages 10 - 13)	
• Project Cost Estimate (Page 14)	
• Detailed project budget	
• Preliminary site plan	
• Location/Vicinity map	
• Property or project boundary area map	
• Verification of SAM.gov registration	
• Environmental assessment: _____ Concurrence from the Army Corps of Engineers _____ Concurrence from the U.S. Fish and Wildlife Service _____ Concurrence from the Alabama Historical Commission _____ If real property is to be acquired with grant funds, land must be surveyed for hazardous materials to avoid acquiring property that is a source of liability	
• Copy of deed to property, plat, and/or legal description of the property proposed for purchase and/or development NOTE: If real property is to be acquired with grant funds, the acquisition must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (The Uniform Act). Implementation regulations for the Act are found in 49 CFR Part 24. Do not acquire property until after the grant agreement has been executed and consultation with ADECA has occurred.	
• Signed statement from landowner expressing support (This is applicable if the applicant and landowner are not the same. A recorded easement allowing trail construction will be required from the landowner before construction begins.)	
• Approval to cross a public highway or a public utility right-of-way (if applicable)	
• Water obstruction & encroachment permit (if applicable)	
• Environmental Screening Form and Environmental Checklist (Pages 15-20)	

You must include a copy of this completed checklist with your application. Please see the following website for electronic versions of the forms:
<http://www.adeca.alabama.gov/Divisions/ced/Recreation/Pages/Programs.aspx>.

Application Cover Sheet

Applicant's Name (Organization): _____

Address: _____

ZIP: _____

County: _____

FEI Number: _____

DUNS Number: _____

Project Title (6 words max): _____

Project Description (25 words max): _____

Park Name, if applicable: _____

Park (project location) Address: _____

ZIP: _____

**Latitude and Longitude
(deg/min/sec):** _____

**Congressional District
(for project location):** _____

**State Senate District
(for project location):** _____

**State House District
(for project location):** _____

Applicant Contact Person: _____

Phone and Email: _____

**Grant Administrator or
Other Contact:** _____

Phone and Email: _____

Project Descriptive Narrative

Provide a brief, yet informative, description of the proposed project and address each evaluation criterion on the following pages (provide additional information and documentation as may be needed to support your response to each evaluation criterion).

Project Information

Name of Project: _____

Trail Length in Linear Feet (L.F.): _____ Trail Width: _____

Trail Surface Type: _____

Application Type: Non-motorized for a Single Use Motorized
 Non-motorized for Diverse Use Educational

Type of Applicant: City/Town County
 State Other

Total Estimated Project Cost	\$	_____
Grant Amount Requested	\$	_____
Total Local Match	\$	_____
Cash Match	\$	_____
In-Kind Match	\$	_____
Donation	\$	_____

Brief Description of the Project:

Please address each evaluation criterion (115 Total Available Points).

- 1. Describe the degree to which the project’s scope and feasibility meet the project area’s recreational needs. (Key Consideration: Does the project appear to be feasible and incorporate a good project design with consideration given to the natural and cultural environment in which the project is located, and appropriate consideration given to needs and benefits?) 10 Points Available**
- 2. Describe the ways in which the project provides for the greatest number of compatible recreational purposes. (Key Consideration: An important concern is that the project will enhance the quality and quantity of recreational trail opportunities available in the community or region. Points will be given to projects with connectivity to other trails and/or parks, environmental education and preservation, and economic development opportunities.) 10 Points Available**

- 3. Describe the ways in which the project provides a new, unique, or more effective means for making trail opportunities available to the public. (Key Consideration: This criterion includes projects of national, regional, and local demonstration value. The most important concern is whether the grant recipient is committed to trying an approach that is new at the local level. Additional points are awarded for nationwide applicability and statewide or regional value. The applicant must commit to documenting the results of the demonstration and identify the method to be used in documenting the results.) 10 Points Available**
- 4. Describe the ways in which the project facilitates the access and use of trails by persons with disabilities, older citizens, economically disadvantaged, and other special populations or groups. (Key Consideration: Whether the project will expand recreation opportunities for special populations with recreation deficiencies.) 10 Points Available**
- 5. Describe the ways in which the project creates opportunities for new partnerships between trail users, private interests, and public agencies within the project area. (Key Consideration: The major concern is that the project is a component of an integrated effort to enhance economic revitalization and community conservation. Points will be given to applicants providing evidence of cooperative efforts with trail user groups and/or multiple public meetings.) 10 Points Available**
- 6. Describe the ways in which the project uses the grant funds to leverage other public or private investments (in the form of services and materials as well as dollars). (Key Consideration: The major concern is whether actual leveraging is assured or the potential for leveraging is good, outside of any funds committed for the initial grant match. Points will be given for applicants committing double the minimum local match or higher.) 10 Points Available**
- 7. Describe the degree of commitment to continue operation and maintenance of the project. Include an operation and maintenance plan detailing the amount of money needed to operate and maintain the trail after it is completed and identify who will be responsible for the work. (Key Consideration: Whether the grant recipient is willing to commit to continue the maintenance and operation of the facilities and whether the applicant provides a realistic operation and maintenance plan/budget. Additional points will be awarded to applicants demonstrating innovative funding measures for trail maintenance.) 10 Points Available**
- 8. The degree to which community involvement is addressed: i.e., (A) Project idea originated with trail users or a community group that has substantial knowledge, and (B) The private sector (including individual citizens, community groups, or local business enterprises) has participated in the development of the proposed idea and has made commitments of labor, money, or materials to support project implementation. (Key Consideration: The objective is to determine if the project is responding to citizen-identified needs. The priority of the project to users is evidenced by citizen support for the idea. Points will be awarded to applicants demonstrating that the project concept was originally proposed at the grassroots level and, especially, for extensive citizen or private organization**

involvement in project development and support in project implementation as well as applicants demonstrating extensive involvement and participation from citizens and interest groups during all phases of application development and commitments beyond.) **10 Points Available**

9. Describe in detail how the trail will be managed. Include discussion on season length, hours of operation, limitations on use, enforcement provisions, and scheduling. 10 Points Available

10. Identify and describe the service area of the project. Approximately how many people do you propose to serve with this project? Identify other trail resources in the service area by trail type (motorized, non-motorized, multi-use), distance, location in relation to the proposed trail, and ownership. (Key Consideration: The RTP was created to address trail needs in the urban and rural areas of the state. In order to assess the need for additional trails it is first necessary to identify the quantity and location of existing resources within the service area. It is also necessary to establish a service area – either population or resource based. For example, a population based service area could be a neighborhood, school district, or political jurisdiction whereas, a resource based service area might be defined along a linear greenway, water course, or unique natural/cultural area. However, in both instances, an estimate of the number of beneficiaries should be provided.) 10 Points Available

11. Identify the length of time the trail will be maintained and open and available to the public and identify the method to be used to ensure this commitment (deed covenant, deed restriction, etc.). (Key Consideration: The objective is to utilize RTP funds to the greatest extent possible by ensuring the improvements are maintained and available for public trail use as long as possible. Points will only be awarded to applicants exceeding the minimum required timeframe for a trail development project to remain open to the public. Maximum points will be awarded to applicants electing to maintain the improvements in perpetuity.) 15 Points Available

NOTE: Property acquired with RTP funds must remain open to the public in perpetuity. Should the property cease to be open to the public for trail use, the applicant must repay the RTP 80% of the fair market value of the property at the time of the change in use. If the project is located on an easement or on leased land, the minimum timeframe for the easement or lease is 25 years. The project must remain open for public access for the use for which the RTP funds were intended during that time. For development projects on applicant owned property, the project must remain open for public access for the use for which the RTP funds were intended for a minimum of 25 years.

Total Project Cost: _____ Funds Requested: _____

Important Note: The maximum grant amount by trail type is **\$200,000.00** for non-motorized, single-use trails; **\$400,000.00** for non-motorized, diverse-use trails; **\$500,000.00** for motorized trails; or **\$87,489.00** for education projects.

The applicant certifies that the data contained in the application is true and correct; the application has been duly authorized; and, the applicant understands that incorrect or incomplete information may cause the application to be rejected.

(Chief Elected Official's Signature)

(Title)

(Date)

Project Cost Estimate

The Recreational Trails Program provides **80/20 matching** fund grants. That is, the RTP will fund up to 80 percent of the project cost and the grant recipient must provide at least 20 percent in the form of cash, in-kind, and/or donated contributions.

Eligible Costs

1. Design, engineering, construction oversight services (may not exceed 10% of the total construction cost)
2. Direct labor
3. Special tradesmen secured under a service purchase contract
4. Rental of equipment
5. Construction contracts
6. Project materials
7. Signage¹
8. Land acquisition
9. Professional project administration (grant consultant) (may not exceed 5% of total project cost)

PROJECT DEVELOPMENT BUDGET

BUDGET ITEM	TOTAL	RTP SHARE	MATCHING SHARE
Acquisition			
Construction Contracts			
Equipment Rental			
Labor			
Signage			
Supplies/Materials			
Administration			
Engineering			
TOTAL PROJECT COST			

¹ Signs which function as traffic control devices must conform with the Manual on Uniform Traffic Control Devices (MUTCD). Part IX of the MUTCD, Traffic Controls for Bicycle Facilities, covers the bicycle related signs, pavement markings, and signals which may be used on highways or bikeways. Part IX is applicable to shared use paths (nonmotorized multiple-use trails which may provide a transportation purpose). The publication Standard Highway Signs has the detailed drawings for the highway signs prescribed in the MUTCD. These documents are available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

Signs which do not function as traffic control devices are not subject to the MUTCD. However, informational signs and kiosks must take into consideration the needs of various users, such as: people who are blind or who have low vision, people who use wheelchairs, and children.

Environmental Screening Form (ESF)

This is a working tool for planners and decision-makers to use to identify the degree of potential impacts to resources that may occur as a result of federal approval of the proposal. It also serves as the administrative record documenting the applicant's efforts to identify and consider impacts during proposal development. Your ESF responses may change as the planning process refines the proposal that will ultimately be submitted along with the final completed ESF for federal review and decision.

As early as possible in your planning process, consider how your proposal/project may have direct, indirect, and cumulative impacts on the human environment. Early identification of possible environmental resource impacts can be used during proposal development and assist in identifying ways to lessen impacts. Initiating or completing environmental analysis after a decision has been made is contrary to both the spirit and letter of the law of the National Environmental Policy Act.

The ESF should be completed with input from resource experts and in consultation with relevant local, state, tribal, and federal governments, as applicable. The interested and affected public should be notified of the proposal and invited to provide input as well. At a minimum, a site inspection of the affected area must be conducted by individuals who are familiar with the type of affected resources, possess the ability to identify potential resource impacts, and know when to seek additional data when needed.

At the time of proposal submission, the completed ESF should reflect the applicant's final determination of the extent to which the proposal will impact the list of resources on the form. The results of the completed ESF will assist in the identification of the appropriate NEPA pathway to be followed, i.e., categorical exclusion (CE), environmental assessment (EA), environmental impact statement (EIS). Also, the completed ESF will identify the resource topics and issues that should be presented and analyzed in an EA or an EIS, if required.

The ESF contains two parts that must be completed, Part A. Impacts to Environmental Resources and Part B. Mandatory Criteria.

Part A: For each environmental resource topic, choose an impact estimate level (none, negligible, minor, exceeds minor) that describes the degree of potential negative impact that may occur directly, indirectly and cumulatively as a result of federal approval of your proposal. These impact levels should be used to estimate specific impact levels on each separate resource and must be accompanied with a brief explanation of how the resource might be affected, how the impact level was determined, and why the chosen impact level is appropriate. If an environmental review has already been conducted on your proposal, is still viable, and it includes planned mitigation, explain this for each applicable resource and choose an impact level as mitigated. If the resource does not apply to your proposal, mark NA in the first column. Add any relevant resources (see A24) if not included in the list.

Use a separate sheet to explain all potential adverse impacts (negligible, minor, and those exceeding minor) as well as to indicate the type of data that still needs to be determined for each of the applicable resources listed below. Describe direct, indirect, and cumulative

impacts as well as any planned mitigation already addressed in previous environmental reviews.

Part B: This is a list of mandatory impact criteria that preclude the use of categorical exclusions. If you answer “yes” or “maybe” for any of the mandatory criteria, you must develop an EA or EIS regardless of your answers in Part A. Explain all “yes” and “maybe” answers on a separate sheet.

Indicate potential for **adverse** impacts.

A. ENVIRONMENTAL RESOURCES	No Impacts or Not Applicable	Negligible Impacts	Minor Impacts	Impacts Exceed Minor EA/EIS required	More Data Needed to Determine EA/EIS required
1. Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.					
2. Air quality					
3. Sound (noise impacts)					
4. Water quality/quantity					
5. Stream flow characteristics					
6. Marine/estuarine					
7. Floodplains/wetlands					
8. Land use/ownership patterns; property values; community livability					
9. Circulation, transportation					
10. Plant/animal/fish species of special concern and habitat; state/federal listed or proposed for listing					
11. Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.					
12. Unique or important wildlife/wildlife habitat					
13. Unique or important fish/habitat					
14. Introduce or promote invasive species (plant or animal)					
15. Recreation resources, including parks, open space, conservation areas, rec. trails, facilities, services, opportunities, public access, etc.)					
16. Accessibility for populations with disabilities					
17. Overall aesthetics, special characteristics/features					
18. Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc.					
19. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure					
20. Minority and low-income populations					
21. Energy resources (geothermal, fossil fuels, etc.)					
22. Other agency or tribal land use plans or policies					
23. Land/structures with history of contamination/hazardous materials even if remediated					
24. Other important environmental resources that should be addressed					

2018-19 Recreational Trails Program

B. MANDATORY CRITERIA If your proposal is approved, would it...	Yes	No	To be determined
1. Have significant impacts on public health or safety?			
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands, wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (E.O. 11990); floodplains (E.O 11988); and other ecologically significant or critical areas?			
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]?			
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?			
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?			
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?			
7. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office?(Attach SHPO/THPO Comments)			
8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?			
9. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?			
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?			
11. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?			
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?			
C. CATEGORICAL EXCLUSION CRITERIA			
13. Is the area previously disturbed and unlikely to result in any excavation beyond surface disturbance possibly impacting archaeology?			
14. Is the area regularly mowed and therefore unlikely to contain endangered species?			
15. Is there any surface water within direct proximity to the project which would require protection from construction impacts?			

Environmental Reviewers

The following individual(s) provided input in the completion of the environmental screening form. List all reviewers including name, title, agency, field of expertise. Keep all environmental review records and data on this proposal in state compliance file for any future program review and/or audit. There must be at least one person listed here.

- 1. _____
- 2. _____
- 3. _____

The following individuals conducted a site inspection to verify field conditions. List name of inspector(s), title, agency, and date(s) of inspection. There must be at least one person listed here.

- 1. _____
- 2. _____
- 3. _____

Signature of Chief Elected Official here:

Signature

Date

Environmental Checklist For Recreational Trails Program Project

County: _____

Project Location: _____

Project Sponsor/Applicant: _____

Project Description: _____

Concurrence from Alabama Historical Commission attached?	Yes ___	No ___
Concurrence from U.S. Fish and Wildlife Services attached?	Yes ___	No ___
Concurrence from the U.S. Army Corps of Engineers attached?	Yes ___	No ___
Tribal Consultation attached?	Yes ___	No ___
Was the property acquired before January 1992?	Yes ___	No ___
If "No" explain property acquisition process (Use additional sheets if necessary):		

Note: If you have not received the concurrence letters by the application deadline, submit copies of the request letters. Concurrences over five (5) years old cannot be used and new concurrences must be obtained.

Required Letters of Concurrence and Release of Conditions

US Army Corps of Engineers

Mobile District Corps of Engineers	Nashville District Corps of Engineers
Chief, Regulatory Branch	Western Regulatory Field Office
Post Office Box 2288	2424 Danville Road, SW, STE N
Mobile, Alabama 36628-0001	Decatur, Alabama 35603
Phone: 251-690-2658	Phone Number: 256-350-5620

Alabama Historical Commission: Lee Anne Wofford, Deputy SHPO, Alabama Historical Commission, 468 South Perry Street, Montgomery, Alabama 36130-0900, Phone: 334-242-3184.

US Fish And Wildlife Service: Mr. Bill Pearson, Field Supervisor, US Fish and Wildlife Service, 1208-B Main Street, Daphne, Alabama 36526-4419, 251-441-5181.

MEMORANDUM

DATE: January 2, 2018

TO: City Council

FROM: Wayne Dyess, Director of Planning & Zoning / Richard Johnson, Director of Public Works

RE: MS4 Dry Weather Screening "Outfall Assessment" Notification Procedures

This item is for information purposes only. No action is necessary. City staff, per MS4 (Municipal Separate Storm Sewer System) permit requirements, will be contacting property owners regarding maintenance of storm water facilities in Fairhope (city limits). The City of Fairhope operates under a MS4 permit and the associated Storm Water Management Program Plan (SWMPP).

One of the City's MS4 permit requirements (and as listed in the Storm Water Management Program Plan) is performance of a yearly dry weather screening of 20-25% of the City's outfalls (as delineated in the 2012 Storm Sewer Outfall Inventory). The dry weather screen is a non-engineered observation-based assessment which checks for commonly neglected maintenance items. Lack of maintenance of storm water infrastructure, including outfalls, can have detrimental effects on downstream properties.

In December 2017, Public Works and Planning and Zoning Department staff screened approximately 175 outfalls. Public Works will be addressing the maintenance needs of City-owned outfalls and, as a courtesy, private property owners must be notified of the ones not maintained by the City. Most of the private property outfalls are subdivision storm water ponds and associated infrastructure.

City staff is proposing notification via hard copy mail to the listed property owner (i.e. POA/HOA group). This is only a courtesy letter and there are no plans for enforcement. This dry weather screening is not associated with (and does not replace) the Operations and Maintenance requirement (3 year inspection) for applicable subdivisions.

You will find the proposed (draft) notification items attached:

1. Courtesy letter to property owner
2. Example of outfall data sheet from inventory
3. HOA Guideline Brochure (pond maintenance)

January 15, 2018

Fairhope Subdivision

RE: Subdivision / Subject Property: _____

Dear Fairhope Subdivision:

The City of Fairhope operates under a storm water permit (MS4) from the Alabama Department of Environmental Management (ADEM). This permit requires the City of Fairhope to report known storm water infrastructure maintenance needs to property owners, including Homeowner and Property Owner Associations.

A recent assessment of a storm water facility (pond located at _____) owned by your respective subdivision revealed (general / significant) maintenance concerns. Maintenance issues identified were:

- General Overgrowth and/or invasive species present (popcorn trees, Chinese privet, etc.)
- Significant cracks or damage to infrastructure (add caulk, etc.)
- Rip rap needs maintenance (add more rip rap and/or reposition rip rap)
- Scouring of embankment or outfall area (exposed soil, etc.)
- Other: _____
- Picture attached

The City has no obligation to maintain storm water improvements or facilities located on private property and in private utility and or drainage easements. The City does not have the duty to construct or maintain drainage improvements to protect private property owners within the City from damage caused by flooding or surface water runoff.

The City's Subdivision Regulations place the burden on a developer to create a mechanism for maintaining drainage improvements in private easements and on private property. The upkeep of these facilities is the responsibility of the property owner or Property Owners Association.

A guideline brochure is attached for your convenience. General maintenance will help to ensure that the storm water facility does not negatively impact surrounding properties and/or bodies of water/watersheds, including your property. Significant maintenance / repairs may warrant an engineered assessment of your storm water facility to verify that it is operating as designed. All repairs and maintenance should take place within a reasonable time frame. Significant

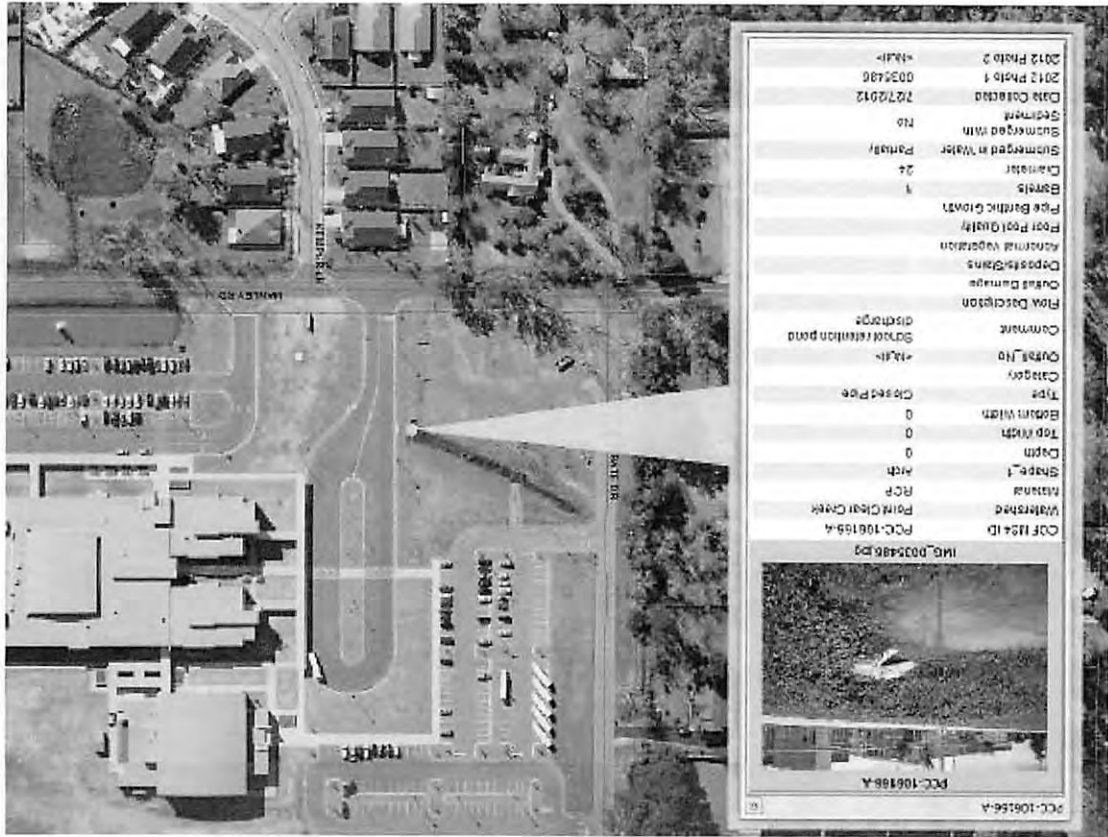
Please note that earth disturbing activities or structural maintenance may require a permit from the City of Fairhope and/or from State or Federal agencies. For more information on permitting, please contact the City of Fairhope Building Department at 928-8003.

Should you need any further information, please feel free to contact me at (251) 928-8003.

Respectfully,

Richard Johnson, Director of Public Works
251 928-8003

CC: Planning and Zoning Department



City of Fairhope - Outfall Inventory
Point Clear Creek Watershed

A HOMEOWNER GUIDE TO STORMWATER DETENTION POND MAINTENANCE

ROUTINE MAINTENANCE

Inspections: Periodic scheduled inspections with the attached checklist, and inspections after major rainfall events, to check for damage & to remove debris/ trash.

Vegetation Management: Mowing on a regular basis to prevent erosion or aesthetic problems. Trees and shrubs should not be allowed to grow in the pond basin. Limit use of fertilizers and pesticides in and around the ponds to minimize leaching into pond and subsequent downstream waters.

Erosion: Appropriate mowing equipment and machinery should be used on pond structure to avoid erosion.

Trash, debris and litter removal: Removal of any debris causing obstructions and especially after every runoff producing rainfall event. General pickup of debris in and around the pond during all inspections.

Mechanical Equipment check: Inspection of any valves, pumps, fence gates, locks or mechanical components during periodic inspections. Plans for appropriate replacement/repair should be made at the time of documentation.

Structural Component check: Inspection of the inlet, outlet, and other structural features on a regular basis for additions to the annual Non-Routine Maintenance list.

NON-ROUTINE MAINTENANCE

Bank erosion/stabilization: It is critical to keep effective ground cover on the exposed pond areas to ensure that loose sediment does not fill up the pond. In addition, vegetation increases infiltration of runoff, and effectively filters pollutants. All areas not vegetated should be re-vegetated and stabilized immediately.

Sediment removal: The sediment accumulation should be monitored and the pond depths checked at several points. If the depth of the accumulated sediment is greater than 25% of the original design depth, sediment should be removed.

Structural Repair/Replacement: Over time, even excellent stormwater structures get damaged and need repair and replacement. Plan for expenses related to general wear and tear at yearly intervals.

SO HOW DO YOU PAY FOR ALL THIS WORK?

The property owner or the HOA should consider establishing an O&M fund and assess annual fees for maintenance.

After several years of operation with these set fees, it may be necessary to re-evaluate maintenance costs for the actual operation of the pond.

The fund should also contain funds for emergency repairs related to hurricanes or other storm events.

Remember: *Functioning stormwater systems benefit everyone in the community with improved water quality, better aesthetics, and decreased flooding and pollution.*



A HOMEOWNER GUIDE TO STORMWATER DETENTION POND MAINTENANCE



IF YOU HAVE SOMETHING LIKE THIS ON YOUR PROPERTY, OR IN YOUR SUBDIVISION, THIS GUIDE IS FOR YOU!

Stormwater detention areas are built to safely hold stormwater that runs off from impervious surfaces during heavy rain events. This reduces the flow into rivers and streams during storms, and decreases flooding.

Unfortunately, if these structures are not inspected, maintained, and managed correctly, they can actually increase flooding, cause a safety hazard, and negatively affect property values.

As a homeowner or member of a Home Owners Association you have a responsibility to keep your pond in good working condition. This guide and checklist will help you to ensure that your stormwater structure is able to handle our rainy Gulf Coast seasons.

INDEX OF DEFINITIONS

Storm Water: any water that runs over the surface before it reaches a waterway. This can be runoff from parking lots, streets, roofs, and other impervious surfaces.

Impervious surface: any material that does not allow rain to enter into the soil.

Wet detention pond: a pond designed to have a permanent pool of water during normal conditions. The pond only releases water during heavy rainfall events.

Dry detention pond: a pond that will normally not have standing water, except for a short time after a large storm event.

Inlet: the mechanism that allows water into the stormwater basin or pond. Usually a pipe, ditch, or swale.

Outlet: the structure that controls the rate of release from the pond and the water depth and storage volume in the pond.

Outfall: the point where collected stormwater reenters a natural waterway.

Rip rap: Rock material typically used to stabilize conveyance channels.

Emergency spillway: discharges excess stormwater during substantial runoff events.

O&M: Operations and Maintenance.

WHY SHOULD YOU BOTHER TO MAINTAIN YOUR POND?

- When rainfall runs over impervious surfaces it does not have time to soak into the ground, so it ends up entering our waterways in large quantities. This often results in increased flooding that can damage homes, businesses, and roads.
- Stormwater runoff is a big source of water pollution in our area. Everything that sits on our roads and parking lots, eventually runs into our streams and rivers with rainfall. Stormwater ponds allow some of these pollutants to settle out and filter through the ground.
- Well maintained ponds can actually be an aesthetically pleasing addition to a neighborhood. In addition, they can provide habitat for native species of birds, reptiles, and amphibians.
- There can be legal consequences of not properly maintaining your stormwater detention facility.

A HOMEOWNER GUIDE TO STORMWATER DETENTION POND MAINTENANCE

FAIRHOPE RESOURCES FOR STORMWATER QUESTIONS

Fairhope

Richard Johnson

Richard.johnson@fairhopeal.gov

(251) 928-8003

Online

EPA Stormwater Program

<https://www.epa.gov/npdes/npdes-stormwater-program>

ADEM Stormwater

<http://www.adem.state.al.us/programs/water/default.cnt>

NOAA

<http://www.noaa.gov/resource-collections/watersheds-flooding-pollution>

Portions of the content of this document are based on existing information from other stormwater programs. Special thanks goes to the following:

Canon City Stormwater Program “Maintaining Detention Ponds”

Oregon Department of Transportation, “Maintenance Requirements for Water Quality Features”

City of Portland Oregon, “Stormwater Management Facilities Operation and Maintenance for Private Property Owners”



www.weeksbay.org



A HOMEOWNER GUIDE TO STORMWATER DETENTION POND MAINTENANCE

INSPECTION CHECKLIST

Date: _____ Detention Facility: _____ Inspected by: _____ Phone: _____

Type of Facility: Dry Pond Wet Pond Outfall Type of Inspection: Routine Post – Storm

ISSUE	PROBLEM NOTED? YES or NO	STEPS TO BE TAKEN	DATE OF COMPLETION
Are all structural components working properly?			
Is water flowing out of the outflow pipe?			
Are there any cracks or damaged areas on inlet/outflow pipes? Spillway? Weir?			
Does the grass need to be cut?			
Has unwanted vegetation grown over the outflow or inlet pipes?			
Overgrowth of algae noted?			
Invasive plants noted?			
Areas that need to be reseeded/replanted?			
Are there signs of erosion?			
Is there noticeable sedimentation in the basin? In the inlet/outflow?			
Signs of pollution? (Oily sheen, foam, etc.)			
Signs of vandalism?			
Signs of pests? (Burrowing, nesting, fire ant hills)			

Other Comments/Observations:

Technical Services Required

For

The Soffit Repair Work

At the

Recreation Building

I. PROJECT DESCRIPTION

1. The design portion of this work includes preparing Architecture and Engineering Plans to repair the soffits of the existing facility. The design will include both demolition drawings and the design to repair and replace the soffits. Preliminary discussions regarding the HVAC and Climate Control needs for the building will required to have the soffit repairs work in conjunction with the pending (future) HVAC and Climate Control work.

II. BASIC SERVICES

A. Basic architecture and engineering services shall include preparation of reproducible plans and specifications, coordination of preparing bid documents, receiving bids, review of shop drawings, and on-site project inspection and observation services during construction.

III. SCOPE OF SERVICES

A. Architecture for the demolition and repair of the soffits.

Richard Peterson

From: Richard Peterson
Sent: Friday, July 14, 2017 5:43 PM
To: Lisa A. Hanks, MMC; Dan Ames
Cc: Mayor Karin Wilson; Tom Kuhl; Lance Cabaniss
Subject: Bids for the repair of the Recreation (Pool) Building

Good Afternoon,

I apologize for not getting back to everyone sooner on the referenced bid. We felt some sticker shock with the bids, and wanted to try to validate what was being done and why it should cost so much. We looked at the fascia and soffit of the building where it has failed, or is in a state of disrepair, removed a couple of the interior liner panels to investigate the construction method and condition of the existing material and talked with Christin Faircloth, the design engineer for the replacement work. The results of this investigation has caused me to recommend we reject the one bid and look at redesign options where we should solicit more contractor participation and receive better pricing. Some of the issues that have brought us to this decision include:

1. The scope of work for this bid was to utilize the existing framing for the new fascia. It seems problematic that the framing can be salvaged because the screws are severely rusted, the gypsum sheathing / metal lath / stucco would have to be cut loose from each metal stud to salvage it and that seems impractical to me. There is a high chance a change order for added framing would be necessary to finish this work, which would increase the cost of this project.
2. The original design of the building (from what I am told) included air conditioning to maintain a low humidity in the air. The current building does not have any working humidity control features, and coupled with a disinfectant from the pool chemical feed requirements, there can be a corrosive atmosphere when the disinfectant (oxidant) is absorbed on wet surfaces from condensation of moisture in the air. This can be made worse where there is little air movement in places such as within the fascia that has failed. I believe we need to utilize this repair as an opportunity to increase air circulation either through fans with mechanical louvers in the end walls of the building or through some type of soffit ventilation system. We would not have any increased air ventilation with the current plan.

I have reached out to the building manufacturer to see if the shop drawings for this building are available and to solicit finish systems for the fascia that are lightweight and more functional. Plus, I think we can place the finish wall against the face of the building wall and use the overhang of the roof for ventilation. I have also spoken with the design engineer who concurs with the decision, based on the limited amount of information available to them while under design.

With the change of scope we propose for the repair deviating from the original scope of work that was bid in a significant way, we think rejecting the bids and having a revised plan to rebid this work is the proper course of action.

Please review this recommendation at your earliest opportunity. If you have any questions or comments, please reply to all so everyone is in the communication loop.

Thanks!

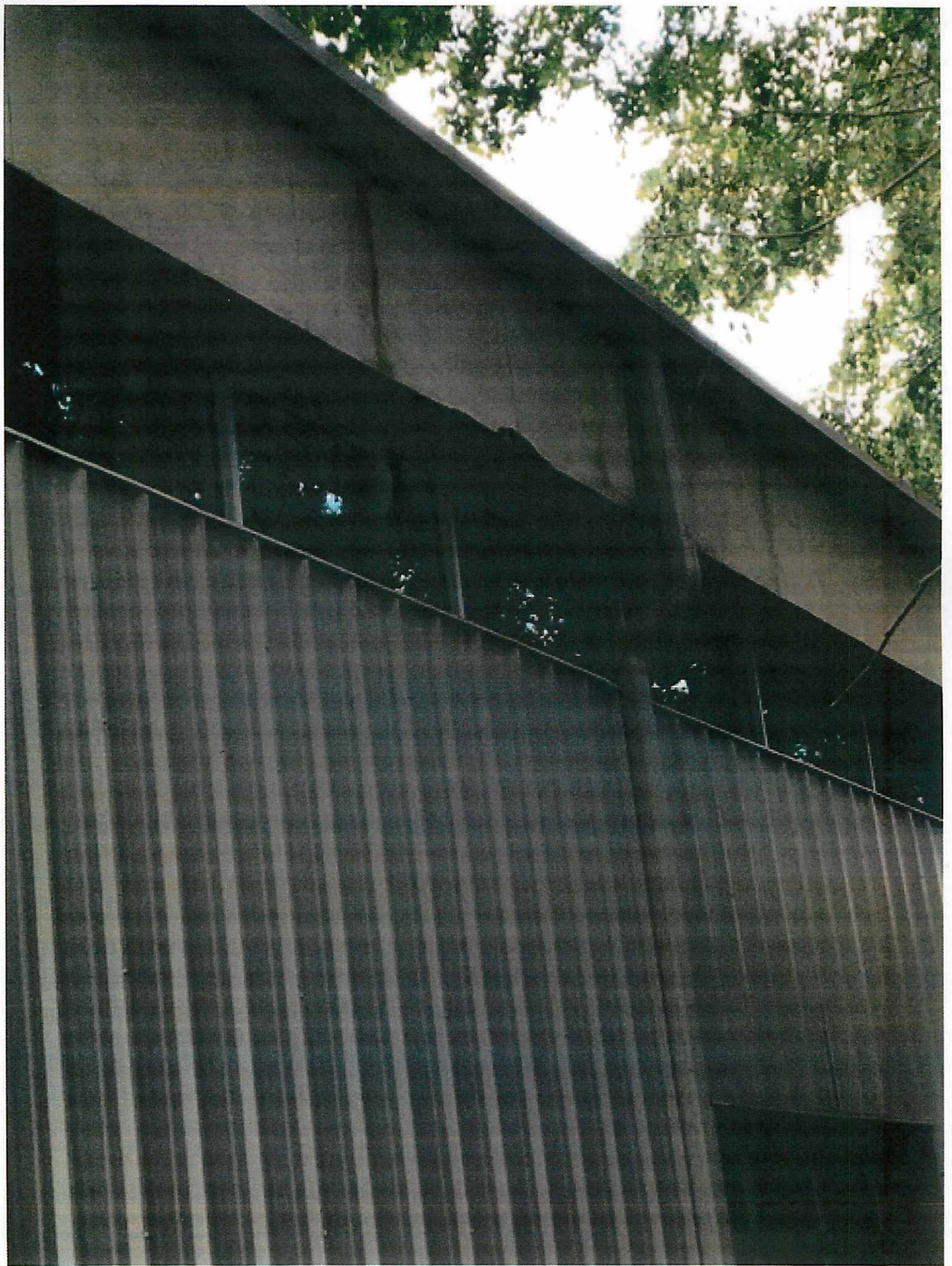
Richard

Richard Peterson, PE
City of Fairhope
555 South Section Street
P.O. Box 429
Fairhope, AL 36533









Richard Peterson

From: Richard Peterson
Sent: Monday, July 31, 2017 2:30 PM
To: 'larry.burkhalter@americanbuildings.com'
Subject: Fairhope Recreation Center Building
Attachments: Fairhope Pool Building Soffit Repair

Hi Larry,

I don't want to be a bother, but wanted to touch base with you again regarding the subject building. We want to get the engineer of record for the recent bids back on site to discuss options with replacing the soffit system. Since we are attaching a new soffit system to your building and have some questions regarding the condition of some of the girts and roof panel connectors, I was hoping to impose on you to look at the building with us. I also know this is asking a lot from you. If you do have a scheduled trip toward Baldwin County and can take time to visit, we'd very much appreciate your input on this redo.

Also, please know we can better document what we anticipate doing and send you wall sections of the plan we propose for your input. Thanks for your time!

Richard

Richard Peterson, PE
City of Fairhope
P.O. Box 429
Fairhope, AL 36533
251.990.2884 – Office
251.979.0087 - Cell

**CITY OF FAIRHOPE
CITY COUNCIL AGENDA**

MONDAY, 8 JANUARY 2018 - 6:00 P.M. - CITY COUNCIL CHAMBER

Invocation and Pledge of Allegiance

1. Approve minutes of 18 December 2017 Regular City Council Meeting, minutes of 18 December 2017 Work Session, minutes of 18 December 2017 Agenda Meeting, and minutes of the 29 December 2017 Special-Called City Council Meeting.
2. Report of the Mayor
3. Public Participation – Agenda Items – (3 minutes maximum)
4. Council Comments
5. Mayor Wilson’s Veto – Resolution No. 2958-17
6. **Public Hearing** – Ordinance – Amend Zoning Ordinance No. 1253.
Request to rezone the property of Robert and Debra Green from R-1 Low Density Single Family Residential District to B-2 General Business District. This property is generally located 415 N. Greeno Road, Fairhope, Alabama. Tax Parcels: 05-46-03-39-0-002-152.017, 05-46-03-39-0-002-152.018, Portion of 05-46-03-39-0-002-152.010, and Portion of 05-46-03-39-0-002-152.000.
7. **Public Hearing** Ordinance – Ordinance - Amend Zoning Ordinance No. 1253.
Zoning Ordinance Amendment
 - Article V, Section B. Central Business District Overlay Proposed Expansion.
8. Ordinance – An Ordinance Establishing an Entertainment District for the City of Fairhope. (Introduced at the December 18, 2017 City Council Meeting)
9. Resolution – That the City of Fairhope has voted to procure additional On-Call Professional Consulting Services for Construction Plan Review by the International Code Council for the Building Department with a not to exceed \$30,000.00.
10. Resolution – That the City Council approves the selection of Bay Nursing, Inc. for Professional Health Services by Licensed RN for the Fairhope Municipal Jail (RFQ No. PS005-18); and hereby authorizes Mayor Karin Wilson to execute the associated contract with a fee of \$93.50 per visit for RN up to two (2) hours, and \$40.00 an hour for any time over initial two hours. Bay Nursing, Inc. was the only response received for these services.
11. Resolution – To Award Bid for Internet Services 2018 per the request of the IT Department for the City of Fairhope (Bid Number 0108-18) to Southern Light, LLC with a total bid proposal of \$30,780.00 annually (Option 4); one-year contract with option for two additional years.

12. Resolution – That the City of Fairhope has voted to purchase Two Portable Self-Priming Pumps for the Sewer Department and the items are available for direct procurement through the Houston-Galveston Area Council (“HGAC”) Contract; and therefore, does not have to be let out for bid. This has been nationally bid through the HGAC’s bid process. The cost for the Two Pumps is \$72,064.30 with an estimated freight cost of \$2,700.00 for total estimated cost of \$74,764.30.
13. Resolution – That the City of Fairhope has voted to purchase Annual Servicing and Inspections of Fire Trucks for the City Fire Stations from Sunbelt Fire, Inc., as Sole Source Distributor and Service Provider for E-One products for our region; 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 total cost will be \$11,576.00 for Servicing and Inspections.
14. Resolution – That the City of Fairhope has voted to purchase Rollup and Walk-Through Doors for the Water Department with a total cost of \$8,539.00.
15. Resolution – That the City of Fairhope has voted to purchase Electrical Repairs at the Marina after Hurricane Nate for the Electric Department with a total cost of \$10,200.00.
16. Resolution – That the City of Fairhope has voted to purchase Civic Center Light Dimming System for the Community Affairs Department with a total cost of \$5,416.85.
17. Appointment – Education Advisory Committee
18. Public Participation – (3 minutes maximum)
19. Adjourn

**City Council Work Session - 4:30 p.m.
on Monday, January 8, 2018 – Council Chambers**

**City Council Agenda Meeting - 5:30 p.m.
on Monday, January 8, 2018 – Council Chamber**

Next Regular Meeting – Monday, January 22, 2018 - Same Time and Place

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, 18 December 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 Tate Chalfant, Youth Pastor of Celebration Church, and the Pledge of Allegiance was recited. Councilmember Conyers moved to approve minutes of the 06 December 2017, special-called meeting, minutes of the 11 December 2017, regular meeting; minutes of the 11 December 2017, work session; and minutes of the 11 December 2017, agenda meeting. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Mayor Wilson addressed the City Council regarding the following items:

- 1) Lakeland, Florida was mentioned and the help from our Electric Department after Hurricane. The City of Lakeland sent a Proclamation to the City of Fairhope for our efforts after Hurricane Irma (September 5, 2017). The City of Lakeland also wanted to recognize the Electric Department and sent t-shirts and thank you notes designed and made by kids with the theme being “You Light up my Life.” The following Electric Department volunteers (employees) were recognized: Doug Brown, Ian Morrison, Marshall King, and Chaz McMahon. Mayor Wilson said there were 40 municipalities that helped with the Hurricane aftermath; and the City of Lakeland has declared October 2nd as Mutual Aid Day in its City.
- 2) The FEMA Process for Hurricane Nate has begun with our piers and should repairs should begin in January.
- 3) Bi-Monthly Calendars will be sent in our Utility Bills; and we will no longer take payments for bills via telephone.
- 4) The bids for the Quail Creek Clubhouse are being advertised.

The following individuals spoke during Public Participation for Agenda Items:

- 1) Ron Allen, 6612 Willowbridge Drive, addressed the City Council regarding Agenda Item Number 6: An Ordinance establishing an Entertainment District for the City of Fairhope. Mr. Allen said he was in favor of the ordinance and suggested the time being from 5:00 p.m. to 8:00 p.m. He commented you can always change it if needed.

18 December 2017

- 2) Gary Gover, 300 Lincoln Street, addressed the City Council regarding Agenda Item Number 6: An Ordinance establishing an Entertainment District for the City of Fairhope. Mr. Gover stated he would like having the district not just in the Central Business District (“CBD”) and for Special Events. He mentioned block parties and other bars outside of the CBD.

Councilmember Robinson thanked MedStar for assisting Santa during the fire drill. He wished everyone a safe and Merry Christmas.

Councilmember Conyers wished everyone a Merry Christmas and a Happy New Year.

Councilmember Brown mentioned ADA accessible on City piers and the Education Advisory Committee contribution. He said that the Financial Advisory Committee will be reviewing the Police Jurisdiction and the City’s expense as well as funding Capital Projects.

Councilmember Boone announced that the Personnel Board will be meeting Wednesday at 5:00 p.m. He said for everyone to remember the reason for the “Season” is Christ.

A Public Hearing was held as advertised on a proposed resolution to approve the issuance and use of the Bonds for Noland Health Services, Inc. to finance the purchase of Fairhope Health and Rehab located at 108 South Church Street. Brad Cherry, attorney with Maynard Cooper, addressed the City Council on behalf of Noland Health Services, Inc. Mr. Cherry explained that the Internal Revenue Service requires the City to be made aware of the intent that Noland intends to upgrade; and seeks to reimburse itself with tax-exempt bonds.

Council President Burrell opened the Public Hearing at 6:24 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:24 p.m.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution approving the issuance and use of the Bonds for Noland Health Services, Inc. to finance the purchase of Fairhope Health and Rehab located at 108 South Church Street. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

*

*

18 December 2017

RESOLUTION NO. 2947-17

**RESOLUTION APPROVING BONDS PURSUANT TO
SECTION 147(f) OF THE INTERNAL REVENUE
CODE OF 1986, AS AMENDED, AND THE ENABLING ACT**

WHEREAS, The Special Care Facilities Financing Authority of the City of Pell City, Alabama, a public corporation organized under the laws of the State of Alabama (the “Issuer”), pursuant to the authority and provisions of Chapter 62 of Title 11 of the Code of Alabama 1975 (the “Enabling Act”), proposes to (a) use up to \$6,000,000 aggregate face amount of the Issuer’s Revenue Bonds (Noland Health Services, Inc.), Series 2016A and (b) issue up to \$2,500,000 aggregate face amount of revenue bonds (collectively, the “Bonds”), to provide financing for the benefit of Noland Health Services, Inc., a nonprofit corporation organized under the laws of the State of Delaware (the “User”).

WHEREAS, the Issuer proposes to use the proceeds of the Bonds to finance the costs of acquiring and the costs of reimbursement for a 131-bed skilled nursing facility and related support facilities, offices, medical services and equipment, together with additions, renovations and improvements to said facilities (collectively, the “Bond-Financed Facilities”).

WHEREAS, the Bond-Financed Facilities are or will be located at 108 South Church Street in the City of Fairhope, Alabama.

WHEREAS, by agreement with the Issuer, all of the Bond-Financed Facilities will be leased to the User, as the initial manager or operator thereof. The User is expected to sublease all or a portion of the Bond-Financed Facilities to its wholly owned affiliate, Noland Fairhope, LLC, doing business as Fairhope Health and Rehab.

WHEREAS, the Bonds will be limited obligations of the Issuer and will be payable solely from the rentals payable by the User and any other revenues or receipts derived by the Issuer from the Bond-Financed Facilities. The lease agreement between the Issuer and the User will provide for the payment of rentals by the User sufficient to pay debt service on the Bonds when due. The Bonds will be secured under an agreement whereby the Issuer will pledge the rentals and other receipts from the Bond-Financed Facilities for the benefit of the holders of the Bonds. The Bonds will not be general obligations of the Issuer and will not in any way constitute a debt, liability or obligation of the State of Alabama, the Cities of Pell City or Fairhope, Alabama or any other political subdivision of the State of Alabama. The Bonds will not be payable from any tax revenues.

WHEREAS, a public hearing concerning the Bonds was held by the City Council of the City of Fairhope, at Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, at 6:00 p.m. on December 18, 2017; notice of such public hearing was given by publication in *The Fairhope Courier* on November 29, 2017, and such hearing provided an opportunity for persons with different views on the proposed use of the Bonds and the location and nature of the Bond-Financed Facilities to express their views, both orally and in writing.

18 December 2017

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY the City Council of the City of Fairhope, Alabama, as follows:

1. That the City Council hereby consents to and approves the issuance and use of the Bonds for the purposes set forth herein, and that such consent and approval is being given pursuant to, and solely for the purposes of, the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended, and all applicable provisions of the Enabling Act, including without limitation Section 11-62-1 of the Code of Alabama 1975.

2. That such consent and approval should not be construed as expressing any view whatsoever as to the financial feasibility of the Bond-Financed Facilities or the adequacy of any security provided for the Bonds.

3. That this Resolution and the consents and approvals set forth herein shall never be taken to impose any indebtedness, liability or obligation of any kind whatsoever upon the City of Fairhope, Alabama.

ADOPTED 18TH DAY OF DECEMBER, 2017

Karin Wilson, Mayor

ATTEST:

Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing an ordinance to establish an Entertainment District for the City of Fairhope. Council President Burrell explained the proposed ordinance and the changes made during the Work Session: in Section 1 - adding concurrent with the Central Business District; in Section 3 - the last sentence being removed and; in Section 6 – adding the following Special Events: First Friday Art Walks, Mardi Gras, City Sponsored Parades, and New Year’s Eve for one hour before and one hour after event; and upon special requests. Councilmember Brown moved for immediate consideration for the adoption of an ordinance establishing an Entertainment District for the City of Fairhope. The motion was seconded by Councilmember Conyers. Due to lack of a unanimous vote for immediate consideration, this ordinance will layover until the January 8, 2018 City Council meeting.

18 December 2017

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Karin Wilson to execute a Contract between the City of Fairhope and The Fairhope Film Festival for an appropriation of \$8,000.00 to help bring sustained economic growth from the film industry to the Alabama Gulf Coast through its Fairhope Film Festival. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2948-17

WHEREAS, a contract shall be executed between the City of Fairhope and the Fairhope Film Festival, making an appropriation of \$8,000.00, to help bring sustained economic growth from the film industry to the Alabama Gulf Coast through its Fairhope Film Festival.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2017 and ending 30 September 2018; but the contract shall be cancelled at any time upon notice.

WHEREAS, payment shall be made in the total amount of \$8,000.00 from the City of Fairhope.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, THAT Mayor Karin Wilson is hereby authorized to sign a contract between the City of Fairhope and the Fairhope Film Festival.

DULY ADOPTED THIS 18TH DAY OF DECEMBER, 2017

Karin Wilson, Mayor

Attest

Lisa A. Hanks, MMC
City Clerk

18 December 2017

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Karin Wilson to execute a Contract between the City of Fairhope and Mobile Bay National Estuary Program for an appropriation of \$5,000.00 to support activities related to Stormwater education and watershed management. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

RESOLUTION NO. 2949-17

WHEREAS, a contract shall be executed between the City of Fairhope and the Mobile Bay National Estuary Program, making an appropriation of \$5,000.00 to support expanded activities related to Stormwater education and watershed management. The Mobile Bay National Estuary Program recently partnered with the City of Fairhope for the Volanta Gulley Watershed Management Plan and projects at the Fairhope ball fields, Dog Park, and Jasmine Park.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2017 and ending 30 September 2018; but the contract shall be cancelled at any time upon notice.

WHEREAS, payment shall be made in the total amount of \$5,000.00 from the City of Fairhope.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, THAT Mayor Karin Wilson is hereby authorized to sign a contract between the City of Fairhope and the Mobile Bay National Estuary Program.

DULY ADOPTED THIS 18TH DAY OF DECEMBER, 2017

Karin Wilson, Mayor

Attest

Lisa A. Hanks, MMC
City Clerk

18 December 2017

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Karin Wilson to execute a Contract between the City of Fairhope and the Fairhope -Point Clear Rotary Youth Club for an appropriation of \$50,000.00 to help manage and operate the Fairhope-Point Clear Rotary Youth Club facility. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 2950-17

WHEREAS, the Fairhope-Point Clear Rotary Youth Club serves a public purpose and the programs and activities that the Fairhope-Point Clear Rotary Youth Club gives the City of Fairhope are a public service; and,

WHEREAS, the Fairhope-Point Clear Rotary Youth Club, agrees to work with the Mayor, and/or her agent(s), to better meet the needs of our community's youth through programs and activities; i.e. quality after school and summer programs which is an absolute necessity for our community.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2017 and ending 30 September 2018; but the contract shall be cancelled at any time upon notice.

WHEREAS, payment shall be made quarterly in the amount of \$12,500.00 from the City of Fairhope; or \$50,000.00 annually, until contract either expires or is cancelled.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to execute contract between the City of Fairhope and the Fairhope-Point Clear Rotary Youth Club to support the programs and activities to better serve our community and its youth by helping to manage and operate the Fairhope-Point Clear Rotary Youth Club facility and for facility maintenance.

ADOPTED THIS 18TH DAY OF DEEMBER, 2017

Karin Wilson, Mayor

ATTEST:

Lisa A. Hanks, MMC
City Clerk

18 December 2017

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Karin Wilson to execute a Contract between the City of Fairhope and Thomas Hospital Foundation for an appropriation of \$50,000.00 pledged to assist in the construction of the new Birth Center; to include an enhanced Special Care Nursery. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 2951-17

WHEREAS, a contract shall be executed between the City of Fairhope and the Thomas Hospital Foundation, Inc., making an appropriation of \$50,000.00 pledged to assist in the construction of the new Birth Center which will include an enhanced Special Care Nursery. This Special Care Nursery allows babies who are currently transferred out of the county to stay local. The new Birth Center is both the community's and the hospital's most important need.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2017 and ending 30 September 2018; but the contract shall be cancelled at any time upon notice.

WHEREAS, payment shall be made in the total amount of \$50,000.00 from the City of Fairhope.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, THAT Mayor Karin Wilson is hereby authorized to sign a contract between the City of Fairhope and the Thomas Hospital Foundation, Inc.

DULY ADOPTED THIS 18TH DAY OF DECEMBER, 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 authorizing Mayor Karin Wilson to execute a Contract between the City of Fairhope and Baldwin County Economic Development Alliance for an appropriation of \$15,000.00 to support economic development facilitation within the City of Fairhope. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

18 December 2017

RESOLUTION NO. 2952-17

WHEREAS, a contract shall be executed between the City of Fairhope and the Baldwin County Economic Development Alliance, Inc., making an appropriation of \$15,000.00 to assist with economic development facilitation within the City of Fairhope. BCDEA is pleased to continue its 20-year relationship with the City of Fairhope. BCEDA's charge is to develop and facilitate new job creation opportunities for all communities in Baldwin County. BCEDA will work with City Leadership to continue to develop new job creation opportunities in but not limited to the following: IT, Software Development, Aerospace, Aviation and Medical sectors. We will continue to work with the Mayor, City Staff and City Council to identify, develop and promote designated areas of Fairhope for future job creation. BCEDA will continue to promote and market the City of Fairhope, advising national and international corporate decision makers of all that Fairhope has to offer them as a top site-selection location. BCEDA will continue to advise and assist the Mayor and City Leaders in developing a place and atmosphere in Fairhope that encourages, fosters and facilitates entrepreneurship. BCEDA will work with local, regional and statewide workforce development partners to communicate current and future training and education requirements to Coastal Alabama Community College and The Academy at the Fairhope Airport.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2017 and ending 30 September 2018; but the contract shall be cancelled at any time upon notice.

WHEREAS, payment shall be made in the total amount of \$15,000.00 from the City of Fairhope.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to sign a contract between the City of Fairhope and the Baldwin County Economic Development Alliance, Inc.

DULY ADOPTED THIS 18TH DAY OF DECEMBER, 2017

Karin Wilson, Mayor

Attest

Lisa A. Hanks, MMC
City Clerk

18 December 2017

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Karin Wilson to execute a Contract between the City of Fairhope and the Baldwin County Martin Luther King Jr. Celebration Committee Inc. for use of the City facilities (rental and cleaning fees) on Martin Luther King's Birthday (January 15, 2018), including streets and parks; but they would be responsible for any incidentals, damages, or security if necessary. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 2953-17

WHEREAS, the Baldwin County Martin Luther King Jr. Celebration Committee Inc. serves a public purpose and the County-wide publicity that the Baldwin County Martin Luther King Jr. Celebration Committee Inc. gives the City of Fairhope is a public service; and,

WHEREAS, We, the Baldwin County Martin Luther King Jr. Celebration Committee Inc., agree to work with the Mayor, and /or his agent(s), to advertise and promote the City of Fairhope and to continue providing scholarships to Baldwin County High School students; continue partnering with OWA to give funds to schools and students through essay contests; and to allow over 1,000 participants to enjoy the Celebrations during our Dr. Martin Luther King Jr. Celebration; and

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to execute contract between the City of Fairhope and the Baldwin County Martin Luther King Jr. Celebration Committee Inc. for use of the City facilities (rental and cleaning fees) on Martin Luther King's Birthday (January 15, 2018), including streets and parks; but they would be responsible for any incidentals, damages, or security if necessary.

ADOPTED this 18th day of December, 2017

Karin Wilson, Mayor

ATTEST:

Lisa A. Hanks, MMC
City Clerk

18 December 2017

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the Fairhope City Council hereby accepts the \$35,000.00 gift to the City of Fairhope from the John Martin's Family Foundation and earmarks these funds for improvements at the approximately 108 acres "Triangle Property." The motion was seconded by Councilmember Boone. Councilmember Brown explained that John Martin wanted to give money for the Triangle property before year end. Mayor Wilson asked if the City sold the Triangle property what would happen with the donation. City Attorneys were asked to find out about the property if sold. After further discussion, motion passed unanimously by voice vote.

RESOLUTION NO. 2954-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the Fairhope City Council hereby accepts the \$35,000.00 gift to the City of Fairhope from the John Martin's Family Foundation and earmarks these funds for improvements at the approximately 108 acres "Triangle Property."

Adopted on this 18th day of December, 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 Budget for the fiscal year ending September 30, 2017 be extended through January 22, 2018 to allow the invoices and expenditures to continue as needed. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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18 December 2017

RESOLUTION NO. 2955-17

WHEREAS, the Budget for the fiscal year ending September 30, 2018 has not been adopted by the City Council; and

WHEREAS, Resolution No. 2919-17 was adopted on November 13, 2017 to allow invoices and expenditures to continue as needed through December 18, 2017; and

WHEREAS, the City invoices need to continue being paid on a weekly basis, in order to take advantage of any available discounts, and to more nearly match the outflow of cash to the receipt of revenue from the three utility billing cycles.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the Budget for the fiscal year ending September 30, 2017 be extended through January 22, 2018 to allow the invoices and expenditures to continue as needed.

Adopted on this 18th day of December 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 to appoint Marcus E. McDowell as City Attorney. Seconded by Councilmember Brown, motion passed unanimously by voice vote. Council President Burrell announced City Attorney Marion E. "Tut" Wynne's retirement at the end of the year with 30 plus years of service as City Attorney and City Prosecutor. Council President Burrell congratulated Marcus McDowell as the new City Attorney.

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18 December 2017

RESOLUTION NO. 2956-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That **MARCUS E. MCDOWELL** is hereby appointed as City Attorney. The term of the City Attorney shall serve until the next general municipal election or until a successor is elected by the council and qualified. Section 11-43-3, Code of Alabama, 1975.

BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Karin Wilson is authorized to sign an engagement letter between the City of Fairhope and Marcus E. McDowell for legal services.

ADOPTED THE 18TH DAY OF DECEMBER, 2017

Jack Burrell, Council President

ATTEST:

Lisa A. Hanks, MMC
City Clerk

Councilmember Brown moved to appoint Ken Cole and Colby Cooper to the Education Advisory Committee for a three-year term which will expire in January 2021. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Conyers moved to appoint Cooper Norman to the Historic Preservation Committee for a three-year term which will expire December 18, 2020. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Councilmember Conyers moved to grant the request of Katja Palumbo, Fairhope K-6 Parent Teacher Corporation, requesting permission to close the streets in downtown Fairhope on Saturday, January 27, 2018 from 6:00 a.m. to 10:00 a.m. for a 5K Run and 1 Mile Fun Run (“The Pirate Dash”) to raise money for the educational needs of the Fairhope Elementary and Fairhope Intermediate Schools. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

18 December 2017

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 6:39 p.m.

Jack Burrell, Council President

Lisa A. Hanks, MMC
City Clerk

Ashley Gordon discussed the STEAM Plan and said we need to engage the community. She said there will be a STEAM Director for all five schools and the plan will be modeled under "The Pelican's Nest." The K-1Center is the heart of Fairhope; and we can showcase our schools in different locations. She said this would be an incubator program that can be Beta tested.

- The next item on the agenda was the discussion for an Ordinance to establish an Entertainment District in Fairhope. Council President Burrell gave a brief history and background of the proposed Ordinance. He said we could introduce and consider the ordinance tonight at the City Council meeting. The ordinance would allow licensed establishments who have an ABC license for customers to take an open container from their business. Council President Burrell stated the proposed map could be more or less for the district; and we need to decide whether the Municipal Pier and Henry George Park should be part as well.

Chief Petties addressed the City Council and commented social drinking is okay, but can cause problems; and he does not want Fairhope to be like Bourbon Street and Mobile. Chief Petties commented if alcohol is close to the water there are issues.

Council President Burrell stated we need to look at Sections 3 and 6. Councilmember Conyers said he supports the ordinance, but limited to Special Events. Councilmember Brown stated we need to carve out the Central Business District ("CBD") allowing this to happen without owners being harassed or fined. Councilmember Robinson stated he was against having Entertainment District 365 days a year. He said the intention is good, but may not. Mayor Wilson said we need to do it for Special Events which usually end at 8:00 p.m. Councilmember Brown commented he was against the cups; and mentioned the Eastern Shore Art Center and the Fairhope Mercantile. Councilmember Boone commented he was not in favor of any of it; and said it will hurt the "Quality of Life" in Fairhope.

The consensus of the City Council was to make the Entertainment District concurrent with the CBD, remove the last sentence in Section 3, and only for Special Events. Councilmember Boone said this is not changing a thing for enforcement; and not in favor of alcohol in the streets of Fairhope. Councilmember Robinson said we need to identify each event. The following Special Events were identified: First Friday Art Walk, Mardi Gras, New Year's Eve, City Sponsored Parades, and upon special requests.

Doug Kerr, owner of Dragon Fly and Fly Bar, addressed the City Council regarding the Entertainment District. He commented the ABC has been targeting his business and others; and is passionate about the District. Mr. Kerr explained that he lost approximately \$560.00 when the ABC targeted his business and customers ran out without paying their bills.

The City Council's consensus for the times allowed for the Special Events was one hour before and one hour after the event.

- Council President Burrell brought up Budget Discussions next on the agenda. Mayor Wilson said the numbers are skewed and handed out a revised spreadsheet. She mentioned working with Xavier Hartmann to help with the budget. Council President Burrell commented he and Councilmember Brown has met several times to work on the budget; and said the City Council can approve line items on separate agendas.

Mayor Wilson said she has made additional cuts; and the agenda was proposed back in September. Councilmember Conyers commented there are some items that are from the 2017 budget; like the Quick Attack Truck for the Fire Department. He also stated he would like to see the budget, if possible, adopted before the end of the year.

Councilmember Brown told Mayor Wilson he appreciated all of her work the last couple of weeks.

There being no further business to come before the City Council, the meeting was duly adjourned at 5:59 p.m.

Jack Burrell, Council President

Lisa A. Hanks, MMC
City Clerk

**Fairhope City Council Work Session
December 18, 2017
FEEF Presentation**

The purpose of this presentation is to educate and update the City Council and Mayor regarding a potential partnership and purchase of the Fairhope K-1 Center property at 100 S. Church Street.

1. Vickie Bailey

History of the Building

- Resolutions/Recommendations for property use during prior City Administration

Updates

- Meetings and discussion with Baldwin County Board of Education
- Appraisal of Property (July 28, 2016)
- Steps the Board of Education must take PRIOR to ANY purchase of the 100 S. Church Street property

2. Ashley Gordon

- STEAM Plan for the site

3. Amy Foley

- FEEF
- Q & A

STATE OF ALABAMA)(
 :
COUNTY OF BALDWIN)(

The City Council met in an Agenda Meeting at 5:30 p.m.,
Fairhope Municipal Complex Council Chamber,
161 North Section Street, Fairhope, Alabama 36532,
on Monday, 18 December 2017.

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

Due to the Work Session Agenda Items needing more time for an extensive discussion, the Agenda Meeting was not held.

Jack Burrell, Council President

Lisa A. Hanks, MMC
City Clerk

29 December 2017

NOTICE AND CALL OF SPECIAL MEETING

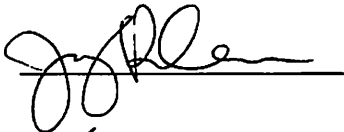
Notice is hereby given of a special meeting of the City Council of the City of Fairhope, Alabama, to be held at the Fairhope Municipal Complex on Wednesday, 29 December 2017, at 8:00 a.m., for the purpose to:

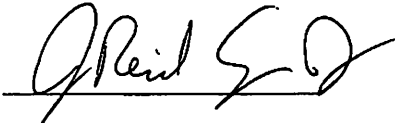
- ❖ Amend Resolution No. 2956-17 that appointed Marcus E. McDowell as City Attorney and authorizes either the Council President or Council President Pro Tempore to sign the Resolution, negotiate the fee schedule, and execute the Engagement Letter for legal services on behalf of the City of Fairhope.
- ❖ Adopt a Resolution that the City Council hereby authorizes Council President or Council President Pro Tempore to execute any Resolution not of permanent nature that the Mayor refuses or is unable to execute within seven calendar days after passage. Said Resolution does not limit or restrict the Mayor's veto powers over Resolutions or Ordinances that are permanent in nature; and that the City Council hereby authorizes Council President or Council President Pro Tempore to execute any and all contracts, deeds or bonds on behalf of the City in the event the Mayor refuses to or is unable to execute said documents within seven calendar days after authorization by the City Council.


Jack Burrell, Council President

CONSENT TO HOLDING OF MEETING

The undersigned members of the City Council of the City of Fairhope, Alabama, do hereby acknowledge service of the Notice and Call of Special Meeting hereinabout set forth and do hereby consent to the holding of such meeting as such time in such place for the purpose set forth therein.


Kevin G. Beam



Attest:


Lisa A. Hanks, MMC
City Clerk

29 December 2017

STATE OF ALABAMA)
 :
COUNTY OF BALDWIN)

The City Council, City of Fairhope, met in special session at 8:00 a.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Friday, 29 December 2017.

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

There being a quorum present, Council President Jack Burrell called the meeting to order at 8:00 a.m. The invocation was given by Councilmember Kevin Boone and the Pledge of Allegiance was recited.

Council President Jack Burrell announced that the Special Meeting was called to consider two resolutions. He stated that a resolution was approved unanimously at the December 18, 2017 City Council meeting to appoint Marcus McDowell as City Attorney due to City Attorney Wynne retiring; and Mr. McDowell would fill the remaining term for the City Attorney. Council President Burrell stated that Mayor Wilson said she would not be signing the resolution, so we are here to amend the resolution to allow either the Council President or Council President Pro Tempore to sign the resolution and execute the engagement letter with Mr. McDowell.

Council President Burrell read the resolution to amend Resolution No. 2956-17 in its entirety. Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council desires to amend Resolution No. 2956-17 that appointed Marcus E. McDowell as City Attorney and authorizes either the Council President or Council President Pro Tempore to sign the Resolution, negotiate the fee schedule, and execute the Engagement Letter for legal services on behalf of the City of Fairhope. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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29 December 2017

RESOLUTION NO. 2957-17

WHEREAS, the City Council adopted Resolution No. 2956-17 appointing Marcus E. McDowell as the City Attorney and authorized Mayor Karin Wilson to sign an engagement letter between the City of Fairhope and Marcus E. McDowell for legal services; and

WHEREAS, Mayor Karin Wilson has refused to sign Resolution No. 2956-17 which authorizes the Mayor to execute the engagement letter; and

WHEREAS, the City Council is desirous to amend Resolution No. 2956-17 by authorizing either the Council President or Council President Pro Tempore to execute the Resolution, negotiate the fee schedule, and execute the Engagement Letter on behalf of the City of Fairhope.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, That the City Council desires to amend Resolution No. 2956-17 that appointed Marcus E. McDowell as City Attorney and authorizes either the Council President or Council President Pro Tempore to sign the Resolution, negotiate the fee schedule, and execute the Engagement Letter for legal services on behalf of the City of Fairhope.

ADOPTED THE 29TH DAY OF DECEMBER, 2017

Jack Burrell, Council President

ATTEST:

Lisa A. Hanks, MMC
City Clerk

Council President Burrell read the second resolution in its entirety and explained that this was being done, so the City Council would not have to call a special meeting if the Mayor did not sign another resolution or document authorized by the City Council.

29 December 2017

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes Council President or Council President Pro Tempore to execute any Resolution not of permanent nature that the Mayor refuses or is unable to execute within seven calendar days after passage. Said Resolution does not limit or restrict the Mayor's veto powers over Resolutions or Ordinances that are permanent in nature. Furthermore, that the City Council hereby authorizes Council President or Council President Pro Tempore to execute any and all contracts, deeds or bonds on behalf of the City in the event the Mayor refuses to or is unable to execute said documents within seven calendar days after authorization by the City Council. The motion was seconded by Councilmember Robinson. Then, Councilmember Robinson stated he wanted to clarify for the people in the audience and who are watching that this was discussed with the Alabama League of Municipalities before being placed on the agenda. Council President Burrell said the City Council could add the clause in every resolution or do a standing resolution as this one. City Clerk Lisa Hanks agreed that the League was contacted for their opinion. After further discussion, motion passed unanimously by voice vote.

RESOLUTION NO. 2958-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council hereby authorizes Council President or Council President Pro Tempore to execute any Resolution not of permanent nature that the Mayor refuses or is unable to execute within seven calendar days after passage. Said Resolution does not limit or restrict the Mayor's veto powers over Resolutions or Ordinances that are permanent in nature.

BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council hereby authorizes Council President or Council President Pro Tempore to execute any and all contracts, deeds or bonds on behalf of the City in the event the Mayor refuses to or is unable to execute said documents within seven calendar days after authorization by the City Council.

ADOPTED THE 29TH DAY OF DECEMBER, 2017

Karin Wilson, Mayor

ATTEST:

Lisa A. Hanks, MMC
, City Clerk

29 December 2017

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

There being no further business to come before the City Council, the meeting was duly adjourned at 8:05 a.m.

Jack Burrell, Council President

Lisa A. Hanks, MMC
City Clerk



MEMO

Karin Wilson
Mayor

TO: Lisa Hanks, City Clerk

Council Members

FROM: Karin Wilson, Mayor

Kevin G. Boone

Robert A. Brown

DATE: December 29, 2017

Jack Burrell, ACOMO

RE: Resolution No. 2958-17

Jimmy Conyers

Jay Robinson

*RW
12/29/17*

Lisa A. Hanks, MMC
City Clerk

Deborah A. Smith, CPA
City Treasurer

Before the special council meeting started, I advised Lisa Hanks, our City Clerk and Tut Wynne that the second resolution Marcus McDowell put together for the meeting is of a permanent nature and can be vetoed. I suggested it be fixed before the vote to save time but my suggestion was ignored.

With regard to the first resolution amending the December 18 resolution appointing Marcus McDowell City Attorney, if the negotiation of the fee schedule been separated out from the actual appointment itself, I would have signed the portion for negotiating the contract as this is part of my role as Mayor. However, since the appointment, negotiation of the contract and signing of the engagement letter was in one resolution I refused to sign it as I do not believe he is a good choice

While I don't agree with the selection of Mr. McDowell, I want to be clear that I did not have an issue on December 18th or now negotiating and executing the engagement letter. That is my role as Mayor, not Council's. My issue was with the appointment, but I know there is nothing I can do about this and as Mayor I do not even need to sign the resolution for the appointment.

The second resolution is of a permanent nature and can be vetoed. I'm not sure why Mr. McDowell and Council President Burrell felt the need to add this and why 7 days? I have 10 days to sign or veto resolutions permanent in nature, therefore it has been typical that all paperwork is signed within 10 days from council meeting. It is an unnecessary resolution and I will veto it. Executing contracts, deeds or bonds sometimes takes longer than 7 days and I sign them when they're ready.

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

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RESOLUTION NO. 2958-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council hereby authorizes Council President or Council President Pro Tempore to execute any Resolution not of permanent nature that the Mayor refuses or is unable to execute within seven calendar days after passage. Said Resolution does not limit or restrict the Mayor's veto powers over Resolutions or Ordinances that are permanent in nature.

BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council hereby authorizes Council President or Council President Pro Tempore to execute any and all contracts, deeds or bonds on behalf of the City in the event the Mayor refuses to or is unable to execute said documents within seven calendar days after authorization by the City Council.

Adopted on this 29th day of December, 2017

Veto

Karin Wilson, Mayor

Attest:

reason attached

Lisa A. Hanks, MMC
City Clerk

ORDINANCE NO. ____

**AN ORDINANCE AMENDING ORDINANCE NO. 1253
KNOWN AS THE ZONING ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA as follows:

The ordinance known as the Zoning Ordinance (No. 1253), adopted 27 June 2005, together with the Zoning Map of the City of Fairhope, be and the same hereby is changed and altered in respect to that certain property described below:

After the appropriate public notice and hearing of the Planning Commission of the City of Fairhope, Alabama has forwarded a **favorable** recommendation,

The property of Robert and Debra Green generally located 415 N. Greeno Road, Fairhope, Alabama.

**TAX PARCELS: 05-46-03-39-0-002-152.017
 05-46-03-39-0-002-152.018
 Portion of 05-46-03-39-0-002-152.010
 Portion of 05-46-03-39-0-002-152.000**

Legal Description: (Case number ZC 17.07)

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF BLOCK 24, OF GREEN SUBDIVISION AS RECORDED IN DEED BOOK Y PAGE 740 IN JUDGE OF PROBATES OFFICE, BALDWIN COUNTY, ALABAMA, THENCE RUN SOUTH ALONG THE WEST LINE OF SAID BLOCK 24 A DISTANCE OF 350.8 FEET TO A POINT ON THE NORTHEASTERLY LINE OF A DRAINAGE EASEMENT, THENCE RUN SOUTH 30 DEGREES 00 MINUTES ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 287.7 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF LIVE OAK AVENUE; THENCE RUN EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 71 FEET, MORE OR LESS TO A POINT; THENCE RUN NORTH 45 DEGREES 00 MINUTES EAST, A DISTANCE OF 35 FEET, MORE OR LESS TO THE WEST RIGHT-OF-WAY LINE OF GREENO ROAD; THENCE RUN NORTH, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 550 FEET, MORE OR LESS TO A POINT; THENCE RUN NORTH 45 DEGREES 00 MINUTES WEST, A DISTANCE OF 35 FEET, MORE OR LESS TO A POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF HOYLE AVENUE; THENCE RUN WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 215 FEET, MORE OR LESS TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2.8799, MORE OR LESS ACRES.

A map of the property to be zoned is attached as Exhibit A

The property is hereby rezoned from R-1 Low Density Single Family Residential District to B-2 General Business District. This property shall hereafter be lawful to construct on such property any structures permitted by Ordinance No. 1253 and to use said premises for any use permitted or building sought to be erected on said property shall be in compliance with the building laws of the City of Fairhope and that any structure shall be approved by the Building Official of the City of Fairhope and that any structure be erected only in compliance with such laws, including the requirements of Ordinance No. 1253. Notwithstanding the above statement of permitted uses, the following uses shall not be permitted on the subject property: convenience store, automotive repair facility or a dry cleaning business.

Ordinance No. _____

Page -2-

Severability Clause - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

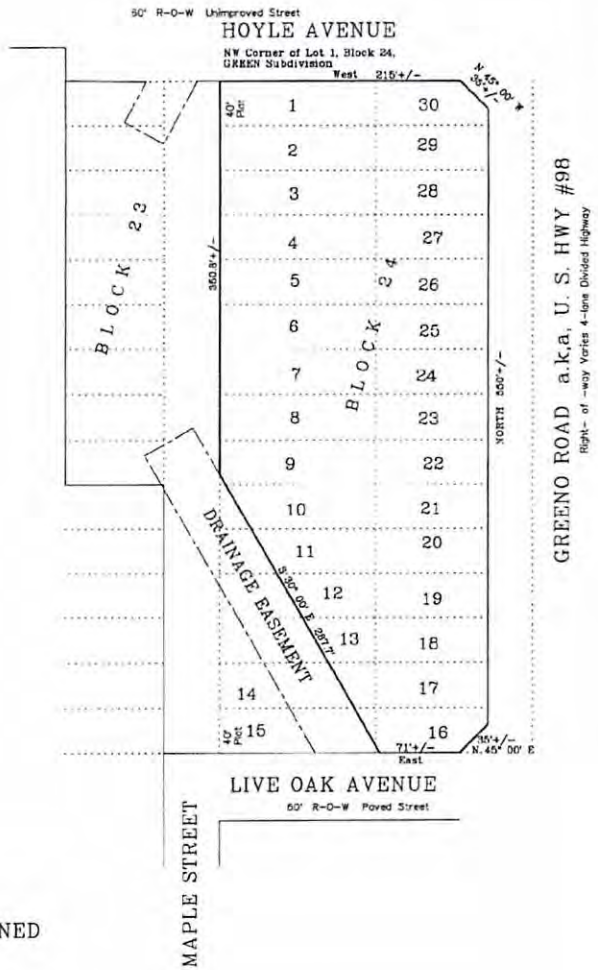
Effective Date – This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS 8TH DAY OF JANUARY, 2018

Karin Wilson, Mayor

ATTEST:

Lisa A. Hanks, MMC
City Clerk



PROPOSED PROPERTY TO BE RE-ZONED

LEGAL DESCRIPTION:
 BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF BLOCK 24, OF GREEN SUBDIVISION AS RECORDED IN DEED BOOK Y PAGE 740 IN JUDGE OF PROBATES OFFICE, BALDWIN COUNTY, ALABAMA, THENCE RUN SOUTH ALONG THE WEST LINE OF SAID BLOCK 24 A DISTANCE OF 350.8 FEET TO A POINT ON THE NORTHEASTERLY LINE OF A DRAINAGE EASEMENT, THENCE RUN SOUTH 30 DEGREES 00 MINUTES ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 287.7 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF LIVE OAK AVENUE; THENCE RUN EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 71 FEET, MORE OR LESS TO A POINT; THENCE RUN NORTH 45 DEGREES 00 MINUTES EAST, A DISTANCE OF 35 FEET, MORE OR LESS TO THE WEST RIGHT-OF-WAY LINE OF GREENO ROAD; THENCE RUN NORTH, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 550 FEET, MORE OR LESS TO A POINT; THENCE RUN NORTH 45 DEGREES 00 MINUTES WEST, A DISTANCE OF 35 FEET, MORE OR LESS TO A POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF HOYLE AVENUE; THENCE RUN WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 215 FEET, MORE OR LESS TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2.8799, MORE OR LESS ACRES.

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MR. BOB GREEN

LEGEND	PP = Power Pole	SCALE	1" = 100'
	C = Centerline	DATE	6/23/2017
	U = Underground	FIELD WORK DATE	
	HT = Hatched	DRAWN BY	SWM
MCD = Manhole	DATE	JOB NO.	2017 91
CC = Conduit		REVISIONS	
FC = Fence Corner			
R = Road			
ALC = Arc Length			
TL = Telephone			
HM = Hatched Mark			
EV = Elevation			
SP = Set Back & Cap			
FL = Flood No-For A Cont			
FP = Flood For Pin			

Exhibit A



City of Fairhope City Council

Case: ZC 17.07 Green Nurseries

Project Name:
Green Nurseries

Project Type:
Rezoning

Current Zoning District:
R-1 Low Density Single-Family
Residential District

Proposed Zoning District:
B-2 General Business District

PPIN Number:
17231, 114269, 200528, and
202819

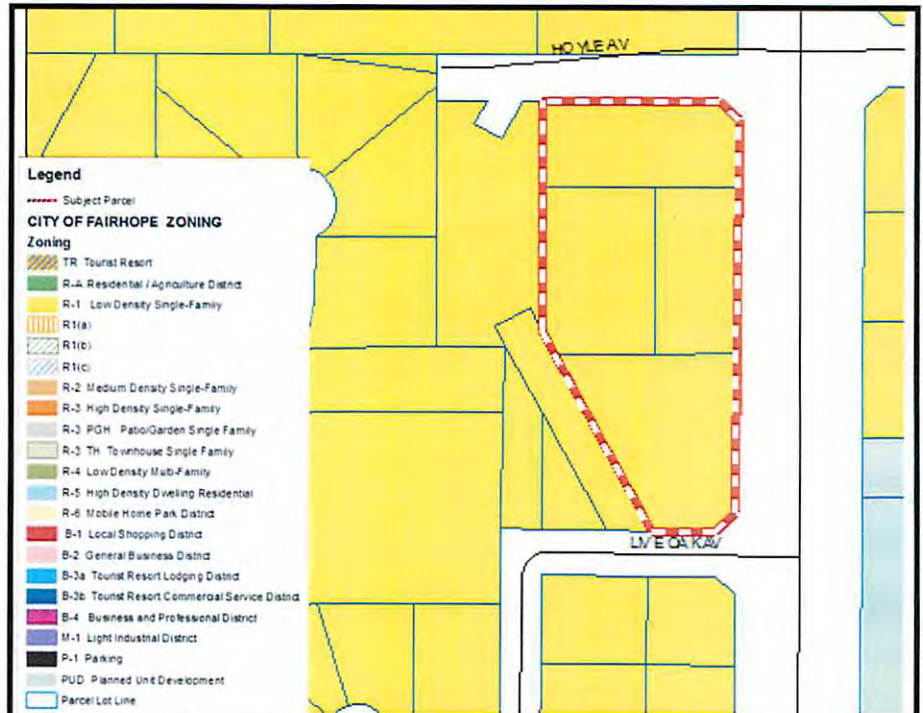
General Location:
415 N. Greeno Road

Owner:
Robert and Debra Green

School District:
Not Applicable

Staff Recommendation:
Approve as requested

PC Recommendation:
Unanimous favorable
recommendation to approve



Summary of Request:

Robert and Debra Green, owners of Green Nurseries, are requesting to rezone the subject property along Greeno Road, commonly known as Green Nursery, from R-1 Low Density Single-Family Residential District to B-2 General Business District. The site is currently occupied by an operating retail nursery.

The subject property is located at 415 North Greeno Road. It consists of 2.6 acres and currently has a retail nursery operation and has been a retail nursery operation historically.

Per the City Revenue Office, the subject properties have 3 business licenses issued:

1. Landscape Architecture
2. Landscape Retail
3. Misc. Retailer (this license code includes florist, gift, novelty, pet, art. Tobacco and used merchandise). This license has been issued by the City since the 1980's.





According to the Fairhope Zoning Ordinance, Article III, Section A, the purpose of the zoning district is as follows:

B-2 General Business District: This district is intended to provide opportunity for activities causing noise and heavy traffic, not considered compatible in the more restrictive business district. These uses also serve a regional as well as a local market and require location in proximity to major transportation routes. Recreational vehicle parks, very light production and processing activities are included.

The allowable uses in the B-2 District are as follows:

B-2 General Business District *
Permitted by Right
Single Family
Two Family
Mixed Use
Elementary School
Secondary School
Education Facility
Library
Public Open Space
Common Open Space
General Office
Professional Office
Grocery
General Merchandise
Shopping Center
General Personal Services
Automobile Repair
Indoor Recreation
Boarding House or Dormitory
Restaurant
Bar
Entertainment Venue
Permitted Subject to Special Conditions
Townhouse
Accessory Dwelling
Home Occupation
Convenience Store
Recreational Vehicle Park
Permitted Only on Appeal and Subject to Special Conditions
Cemetery
Hospital
Community Center or Club
Public Utility
Automobile Service Station
Outdoor Sales Limited
Outdoor Sales Lot

Garden Center
Convalescent or Nursing Home
Clinic
Outdoor Recreation Facility
Day Care
Mortuary or Funeral Home
Dry Cleaner / Laundry
Personal Storage
Hotel / Motel
Kennel or Animal Hospital
Limited Manufacturing

****Any free standing single use or tenant retail building in any other business zoning district shall not have a building footprint larger than 8,000 square feet.***

Comments:

Surrounding Properties

Directly south of the subject property and across Live Oak Street, fronting Greeno Road, is the Linwood Subdivision, platted in 1958. The Linwood Subdivision is zoned R-1 Low Density Single-Family Residential District and consists of 10 lots, 133’x118’ in size, with 5 lots fronting Greeno Road and 5 lots fronting Maple Avenue. Of the 5 lots, fronting Greeno Road, 3 lots are vacant and 2 lots are occupied with residential structures. Of the 5 lots, fronting Maple Avenue, 4 lots are vacant and 1 lot is occupied with a residential structure.

South and east of the subject property is the Arbor Gates apartment community which was approved as a PUD. Directly east of the subject property, across Greeno Road are 3 lots zoned R-1 Low Density Single-Family Residential District. These lots are approximately 24,000 square feet each with 2 of 3 of the lots containing single residences of 1,680 square feet, built in 1945 (520 North Greeno Road - homesteaded) and single residences of 1,560 square feet, built in 1955 (546 North Greeno Road - not homesteaded) according to the Baldwin County Revenue Commission records.

Directly north of the subject property is approximately 16 acres of undeveloped property zoned R-1 Low Density Single-Family Residential District, fronting Greeno Road, owned by Seaman Capital, LLC, currently for sale.

Directly west of the subject property is the Deep Tree Forest 4th edition subdivision plat recorded in 1977 and Deep Tree Forest 3rd edition subdivision plat recorded in 1971. These lot sizes range from approximately 15,000 – 20,000 square feet and are zoned R-1 Low Density Single Family Residential District.

Zoning History

It appears that the subject property has been zoned single family residential since at least 1961, based on a 1961 City of Fairhope Zoning Map.

In 2002, the Greeno Road Professional Village PUD (Dyas PUD ZC 02.01) was approved. The property is located on the east side of Greeno Road, south of Gayfer Road extension. It was rezoned from R-1 Low Density Single Family Residential, R-3 High Density Single Family Residential and R-4 Multi-family to

Planned Unit Development (PUD). The PUD contains a series of lots fronting Greeno Road. The permitted uses shall be business and professional offices.

In 2007, the Greeno-Gayfer Medical Park PUD (ZC 06.18) was approved. The property is located on the west side of Greeno Road at the corner of Gayfer Avenue and Greeno Road. It was rezoned from R-1 Low Density Single Family Residential to PUD. The PUD contains 2 - 2 story buildings for a combined gross floor area of 48,900 square feet. The permitted uses are medical facilities and related uses.

In 1993, the Arbor Gates Apartments was approved as a PUD.

In 2016, Case No. ZC 15.11 was a request of Fred Hayek to rezone property from R-1 Low Density Single Family Residential District to PUD (Planned Unit Development) consisting of 4, 2-story buildings for office/professional, retail, medical and food service uses. The property is located on the east side of Greeno Road across from Hancock Road, at 848 N. Greeno Road (Parcel #: 05-46-03-08-0-003-062.000). The Planning Commission recommended approval of the PUD at their November 2, 2015 meeting. The Fairhope City Council approved the PUD on May 27, 2016.

In July of 2017, the Park Place PUD requested to rezone their property from R-1 Low Density Single-Family and R-4 Low Density Multi-family to Planned Unit Development (PUD). The property is located on the east side of Greeno Road across from the City Recreation Center/Volanta Park. The PUD consists of 11 buildings of 2 and 3 stories totaling 60,000 sq.ft. for office, retail, medical and residential mixed use component. The residential mixed use will be located on the 2nd and 3rd floors and will comprise 15,000 sq.ft. and an estimate of approximately 7 residential units (15,000 sq.ft. / 2,000 sq.ft. estimated average of a residential unit sq.ft.) or 25% of the total building area. The Planning Commission recommended approval of the PUD request, the case will be scheduled to be heard by the City Council.

Non-conforming

The subject Green Nursery property is currently non-conforming and is subject to Article VII of the Fairhope Zoning Ordinance. Essentially what non-conforming means is that the current use of the property fails to conform to current zoning which it is in. Therefore, the subject property's use cannot be enlarged or extended and no additional structures can be added. In this case, the subject property is occupied with a retail nursery, landscape architect office, and miscellaneous retail. The current zoning of the subject property is R-1 Low Density Single-Family Residential District, which only allows single family homes. No commercial or retail uses are allowed. Clearly, the current use is non-consistent with current zoning. Records indicate that subject property has been nonconforming since at least 1960 according to historical Planning and Zoning Commission minutes.

Comprehensive Plan

The City of Fairhope Comprehensive, Development Framework, provides the following guidance for commercial development along Greeno Road:

"Evaluate proposed development with careful consideration to the long term vitality of downtown and the other existing and potential villages¹."

¹ City of Fairhope Comprehensive Plan, Page 20

“Define the commercial growth of Greeno Rd. with edges, thus, ensuring an appropriate ending point².”

The Comprehensive Plan calls for a Greeno Road Village Center at the intersection of Greeno Road and Fairhope Avenue. The Comprehensive Plan acknowledged the long and controversial debate regarding the commercialization of Greeno Road³. The Comprehensive Plan says the following: “The people of Fairhope spoke loudly and clearly that it is the community’s overwhelming desire to limit the north and south “commercial creep”, thereby creating edges to the more automobile-oriented nature of the Greeno Road⁴. It also calls for “Edges - Greeno Road commercialization must have a clear edge--where it stops and where it begins⁵”.

The current Plan clarified the location of the two existing villages on Greeno Road that affect the subject property. The “North Village”, which is the site of the Fairhope Publix shopping center, is located north of the subject property and the “Greeno Road Village” located at intersection of Greeno Road and Fairhope Avenue, as depicted in Figure 1. City of Fairhope Preferred Plan Concept - Excerpt. Villages are contemplated to have between 30,000 to 180,000 sq.ft. of commercial area at each location.

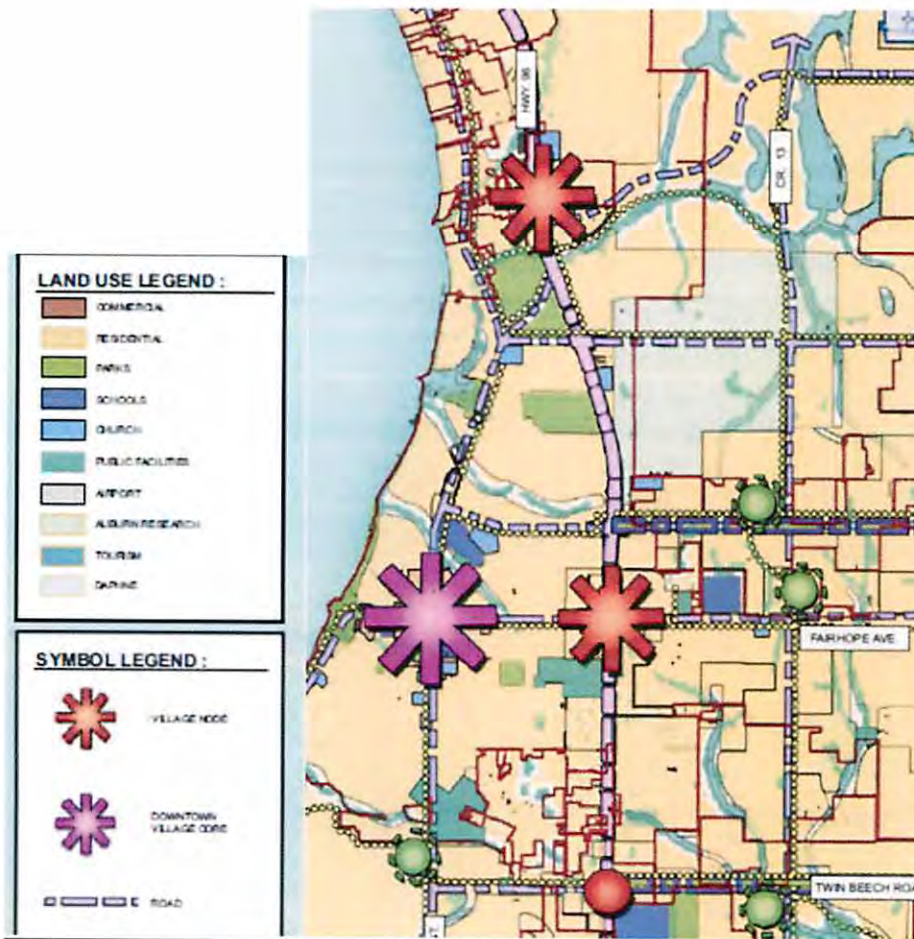


Figure 1. City of Fairhope Preferred Plan Concept – Excerpt

² City of Fairhope Comprehensive Plan, Page 20

³ City of Fairhope Comprehensive Plan, Page 36

⁴ City of Fairhope Comprehensive Plan, Page 36

⁵ City of Fairhope Comprehensive Plan, Page 36

Specific to Greeno Road/U.S. 98 corridor, the Comprehensive Plan calls to “limit the north and south commercial creep⁶” along Greeno Road and to create edges along Greeno to indicate “where it (commercial) stops and where it begins⁷”. The Zoning Ordinance goes so far to identify the Greeno Road Village Center and impose limits on the size of free standing “single use or tenant retail building⁸” along Greeno Road.

Further, under the 2016 Plan, the Development Framework, provides the following objective: “Guide commercial and high density growth to locations that can be efficiently and effectively served with utilities and public services such as police, fire, and public works.” A strategy under this objective calls for the City to “Define the commercial growth of Greeno Rd. with edges, thus, ensuring an appropriate ending point⁹”. The Greeno Road Village and North Village fulfills this goal by creating definable locations to accommodate commercial growth rather than creating an unplanned strip commercial corridor.

The Plan contains permissible language for commercial development along Greeno Road per the following: “Only approve commercial growth that is contiguous to existing commercial activity, thereby eliminating leap frog commercial development¹⁰.”

Approximately 600’ separates the subject property from the Greeno-Gayfer Medical Park PUD (ZC 06.18) on the south side of the subject property, the Arbor Gates PUD is contiguous to the subject property on the east side. In reviewing the historical development of the Linwood Subdivision, the age of the existing 2 homes located on Greeno Road, its apparent that single family residences are not desirable at this location. Additionally, the Greeno Road Professional Village PUD is located south Gayfer Road Extension.

Historically, commercial development along Greeno Road has been difficult and controversial. Concerns have been expressed through the years about Greeno Road development jeopardizing the viability of the downtown commercial district area. This concern has also been expressed in the City of Fairhope Comprehensive Plan update of 2015/16 through the Development Framework statements.

Although this may have been a valid concern many years ago, downtown Fairhope today is a vibrant shopping and entertainment experience, pedestrian and bike oriented, filled with cafes, restaurants and shops. Downtown is the center for community activity and cultural and civic events, which distinguishes it from other commercial/village center areas of the City. In many regards, this strategy worked. However, the significant change in population and visitors over the years has created larger proportionate demands for commercial goods and services in Fairhope.

Strip commercial development was also viewed as a threat to the aesthetics and viability of Greeno Road and neighboring properties and the fear that Fairhope would lose its unique identity. This has again been reflected in the City of Fairhope Comprehensive Plan with statements calling for clear edges and defining the perimeters of commercial development along Greeno Road.

⁶ City of Fairhope Comprehensive Plan, page 36

⁷ City of Fairhope Comprehensive Plan, page 36

⁸ City of Fairhope Zoning Ordinance, Article III, Section C.4., page 22

⁹ City of Fairhope Comprehensive Plan, Page 20

¹⁰ City of Fairhope Comprehensive Plan, Page 46, Goals and Tasks

However, it should be noted that the City has adopted measures to protect against the strip commercial development that many fear. For example, the Fairhope Zoning Ordinance, Article III, Section C. 4. Free-standing Commercial Structures states the following:

a. Any freestanding single use or tenant retail building in the Greeno Road Village Center as contemplated in the Comprehensive Plan shall not have a building footprint larger than 18,000 square feet.

b. Any free standing single use or tenant retail building in any other business zoning district shall not have a building footprint larger than 8,000 square feet.

This section of the Zoning Ordinance creates a hierarchy of commercial uses and sizes of those uses by establishing that the Village Center (in this area, the Greeno Road Village Center) is the dominant commercial area allowing up to 18,000 square feet of free standing non-contiguous building footprint and all other commercial areas are subordinate at 8,000 square feet of free standing non-contiguous building footprint. This subordinate role of non-village district commercial uses is validated further by dimensional and use tables of the village districts¹¹.

In addition, Ordinance No. 1444 (Tree Ordinance) requires a front perimeter 10' landscape strip adjacent to the right-of-way¹², at least 1 over story tree within the 30' setback per each 30 linear feet of frontage¹³.

Although there are more enhancements that could be made regarding curbing strip development, these measures combined have an impact and do provide safeguards against strip commercial development.

Traffic Data

According to the Alabama Department of Transportation, the 2015 annual average daily traffic (AADT) data for Greeno Road, very near the subject property is 23,610 trips per day on the section of Greeno Road north of Gayfer Avenue and south of Hoyle Avenue. As a frame of reference, the AADT for the commercial corridor in Daphne, slightly south of I-10 is 35,920 trips¹⁴.

Compatibility

The term "compatibility" is commonly defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. In reviewing the subject properties in terms of compatibility with the adjacent properties, several issues are evident.

The subject properties contain a gully to the rear (west side) of the property represented with a drainage easement. This gully serves as a natural physical barrier and buffer to the residential properties to the west. This gully is shown on the map in Figure 2. below through the topographic changes near Lillian Circle. In addition, a 20' landscape buffer is required by the Zoning Ordinance to

¹¹ City of Fairhope Zoning Ordinance, Article VI. Section B. table 5-2

¹² Tree Ordinance No. 1044, Section 20.5-4

¹³ Tree Ordinance No. 1044, Section 20.5-5

¹⁴ <https://aldotgis.dot.state.al.us/atd/default.aspx>

minimize impact between uses¹⁵. It is staff's opinion that the natural topographic features and the required buffers provides necessary measures to protect against potential negative impacts. However, this use has been in existence for many years, likely before the neighboring properties were developed and homes constructed.

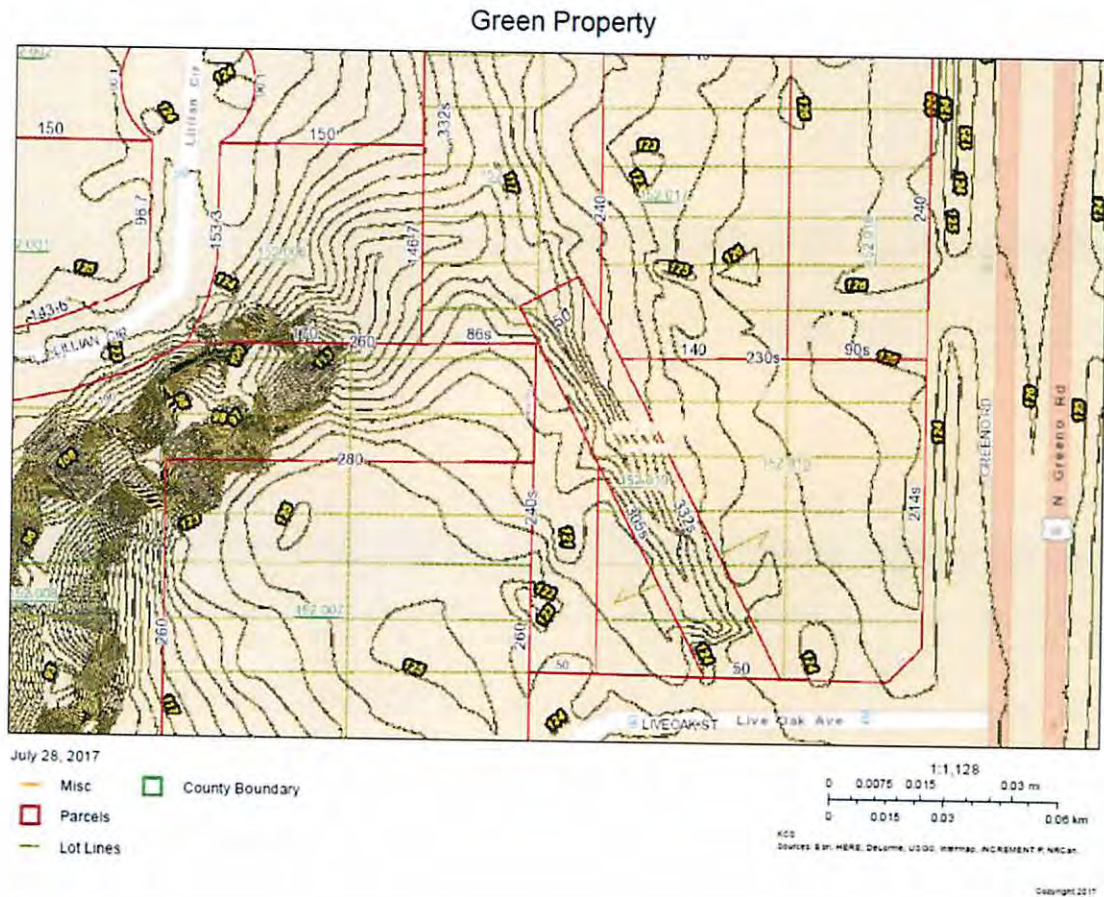


Figure 2.

The Linwood Subdivision south of the subject property is zoned residential. However, only 3 out of 10 lots have been developed since 1958, with 2 homes fronting Greeno Road built in the early 1960's. This subdivision separates the subject property from the PUD at the intersection of Greeno Road and Gayfer Avenue.

Commercial Creep

The Comprehensive Plan uses the term "commercial creep"¹⁶ and the need to establish clear edges of commercial development. This is an important and valid land use planning concept that must be addressed. However, it is clear from data on residential construction along Greeno Road, that single family residences are not desirable or marketable.

The Comprehensive Plan does not necessarily define the boundary or limits of commercial development along Greeno Road. However, it is staff's opinion that logical boundaries should be

¹⁵ City of Fairhope Zoning Ordinance, Article IV Section B, 2 (a)

¹⁶ City of Fairhope Comprehensive Plan, page 36

discussed and addressed at some point so that they can be effectively communicated to the public. In this case, a natural boundary already exists on the east of Greeno Road, north of Dyer Road, through the Auburn University Gulf Coast Research and Extension Center. This area is exclusively agriculture/open space which is not developed and not likely to be developed. On the west side of Greeno Road, north of Volanta Avenue, is the City of Fairhope Volanta Park property and the “triangle property”. These two land use features establish a “gateway” into Fairhope and therefore naturally limits “commercial creep” and establishes a clear edge of commercial development. The subject property would not be beyond this “gateway”.

Staff Recommendation:

Based on the comments herein, staff recommends case: ZC 17.07 Green Nurseries be approved.

Planning Commission Recommendation:

On August 7, 2017, the Planning Commission voted unanimously to approve the request and forward a **favorable** recommendation to the City Council to rezone the subject property from R-1 Low Density Single Family Residential District to B-2 General Business District.

The Planning Commission met Monday, August 7, 2017 at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Lee Turner, Chairperson; Art Dyas; Charles Johnson; Richard Peterson; Rebecca Bryant; Ralph Thayer; Hollie MacKellar; and David Martin; Wayne Dyess, Planning Director; Nancy Milford, Planner; Buford King, Planner; Emily Boyett, Secretary; and Ken Watson, City Attorney
Absent: Jimmy Conyers

Chairman Turner called the meeting to order at 5:05 PM and announced the meeting is being recorded. He welcomed Art Dyas to the Commission.

The minutes of the July 3, 2017 meeting were considered and Ralph Thayer moved to accept the minutes as written and was 2nd by Charles Johnson. The motion carried with abstentions by Art Dyas, Rebecca Bryant, and David Martin.

* **ZC 17.07 Public hearing to consider the request of Bobby and Debra Green to rezone property from R-1 Low Density Single Family Residential District to B-2 General Business District.** The property is located on the west side of US Hwy. 98 (a.k.a. Greeno Road) between Hoyle Avenue and Live Oak Avenue, at 415 N. Greeno Road. Mr. Dyess gave the staff report saying the site consists of 2.6 acres and is currently occupied by an operating retail nursery and has been a retail nursery operation historically. The property is currently non-conforming and has been non-consistent with the current zoning since at least 1960 according to historical Planning Commission minutes. Mr. Dyess stated there are concerns with Greeno Road becoming stripped out and hurting Downtown if the area is zoned commercial. He said Fairhope's population can support additional commercial and not hurt Downtown. Mr. Dyess explained there are existing edges to limit the commercial boundaries with Volanta Park to the north, Auburn Experimental Station to the East, and the gully to the west. He noted no new single family homes have been constructed on Greeno Road since the 60's. Staff recommendation is to approve the zoning change request.

Mr. Green addressed the Commission and gave Power Point presentation of the history of the subject property. He stated his family has owned the property since 1932 and the nursery has been in operation on the site since 1940. He explained they propose to have a micro village and to grow organically.

Mrs. Green explained they are asking for B-2 zoning based on historical documents and use. She noted the nursery has always had business licenses with the City and the only thing that has not been commercial has been the zoning.

Mr. Turner opened the public hearing.

Taylor Wilkins, III of 330 Bay Hill Drive – He stated he recently purchased an adjacent lot to the Green's property and he does not have any problems with their proposal. He said Greeno Road has seen a lot of changes and it is not residential anymore. He suggested a plan be put in place for the Greeno Road corridor to guide the development and allow the property owners to do something with their property.

Larry Stejskal of 60 N. Ingleside Street – He thanked staff and the Commission for starting to acknowledge that Greeno Road is not suitable for residential. He stated the market is driving the changes on Greeno Road and he said he is in favor of the application.

Lawanna Maidstone of 512 Lillian Circle – She stated concerns with drainage and asked what guarantees she has that it will not be an issue. She said this rezoning will set a precedent.

Bill and Susan Rosburg of 508 Lillian Circle – She stated she liked the presentation but asked how the gulley will be protected. He said he liked the plan but he had concerns with traffic and the plans for the residential area.

Mac Walcott of 12330 Live Oak Street – He stated his project, Van Antwerp, is at the end of this watershed. He encouraged property owners to partner with one another to help the issues facing the City.

TJ Murphy of 204 Tensaw Avenue – He stated he would like to see details of an overlay for Greeno Road. He said the area needs boundaries and a plan and not done piece-meal. He suggested taking what the Greens are proposing and continuing it along Greeno Road. He said this will set a precedent and the City needs the Comprehensive Plan to guide it.

Claude Puckett of 406 Maple Street – He said he remembers when the Greens were against rezoning Greeno Road. He stated the property will become worthless if something is not done. He said Comp. Plans cost money and there aren't any cities that go by them. He stated he is in favor of the request.

Having no one else present to speak, Mr. Turner closed the public hearing.

Mr. Dyess stated the buffer requirements are 20' of landscaping and the drainage will be addressed at the time of site plan or building permit. He explained Alabama

Comprehensive Plans are not legal documents but they give good guidance. Mr. Dyas stated the proposed area to be rezoned is only 2.8 acres. He asked if the remaining property will remain residential and if the buffer will be maintained. Mr. Green explained too much water drains to the little ravine but the water flows across their property not from it. He stated there will remain 112' of buffer between the commercial use and the residential area. He said they will be upgrading the existing structures and emphasizing retail again but it will not be all at once. Mrs. Bryant asked the difference between incremental development versus a PUD. Mr. Dyess explained with incremental development each project is reviewed against the Zoning Ordinance by either Administrative Review or Site Plan and a PUD would be review all at once. Mrs. MacKellar asked if there is a time frame the applicant has to get started and Mr. Dyess responded no.

Richard Peterson made a motion to accept the staff recommendation to approve the zoning change request. David Martin 2nd the motion and the motion carried unanimously.

ZC 17.08 Public hearing to consider the request of Sawgrass Consulting, LLC to rezone property from R-2 Medium Density Single Family Residential District to B-4 Business and Professional District, Quinn Middleton. The property is located on the northeast corner of the intersection of State Hwy. 181 and Windmill Road, at 20040 State Hwy. 181. Mr. Dyess gave the staff report saying the property is approximately 1.31 acres and the applicant is proposing an office. Staff recommendation is favorable if the Planning Commission finds the application is not commercial creep and leap frog development.

Mr. Turner opened the public hearing.

Mac Walcott of 12330 Live Oak Street – He stated State Hwy. 181 is the next train wreck and the City needs to learn from Greeno Road. Mr. Dyess stated he would apply the



APPLICATION FOR ZONING DISTRICT CHANGE

Property Owner / Leaseholder Information 583-0471
 Name: GREEN, Robert M & DEBRA Phone Number: 928-8469 583-8473
 Street Address: 415 N. GREENO ROAD
 City: FAIRHOPE State: AL Zip: 36532

Applicant / Agent Information
 Name: _____ Phone Number: _____
 Street Address: _____
 City: _____ State: _____ Zip: _____

Current Zoning of Property: R-1
 Proposed Zoning/Use of the Property: B 2
 Property Address: 415 N. GREENO ROAD FAIRHOPE AL 36532
 Parcel Number: SEE ATTACHED
 Property Legal Description: SEE ATTACHED
 Reason for Zoning Change: HISTORICAL NATURE & CITY SANCTIONED EXPANSION OF BUSINESS

- Property Map Attached YES NO
- Metes and Bounds Description Attached YES NO
- Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached. YES NO

Character of Improvements to the Property and Approximate Construction Date: TO BE DETERMINED

Zoning Fee Calculation:

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

ROBERT M. GREEN / DEBRA GREEN
Property Owner/Leaseholder Printed Name

[Signature] Debra Green
Signature

6-25-17
Date

Fairhope Single Tax Corp. (If Applicable)

GREEN NURSERIES REZONING NARRATIVE

Green Nurseries and Landscape Design has operated without interruption in the City of Fairhope since 1932. At the time of its formation by Robert Green, Sr., the City did not have a zoning ordinance, and would not enact such an ordinance until 1961¹, some 29 years after the nursery went into operation. At all times since Fairhope has operated under a zoning ordinance, Green Nurseries has been classified as a non-conforming use under one or more residential zoning classifications. The property is presently zoned either R-1 or R-2².

The City's refusal to place the nursery property into a commercial zoning category has been a long and contentious affair. Shortly after the initial zoning ordinance was adopted, approximately 15 properties within the City were rezoned to a commercial zoning classification at the request of the property owners. However, Green Nurseries was not offered this same opportunity, and its efforts to achieve a commercial zoning classification have been rebuffed on each and every occasion over the last 50 plus years when rezoning was requested by the Green family.

Beginning in 1961 and continuing through 1978, Robert Green, Sr. submitted eight separate rezoning applications to the City, together with one application for a variance in 1963. All applications were denied. Meanwhile, Fairhope officials periodically and systematically approved rezoning requests from residential to commercial classifications along Greeno Road both north and south of the nursery property. Some of these rezonings were approved for persons who were either

¹The historical records reviewed by the Greens and their counsel do not identify the date of Fairhope's initial zoning ordinance. However, Robert Green, Sr. appeared before the Fairhope Planning and Zoning Board on January 6, 1961 seeking advice about rezoning to a commercial classification (Slide 5). For purposes of this narrative, it will be assumed that Fairhope's first zoning ordinance was adopted as early as 1961.

²Current zoning maps show the nursery property to be zoned R-1, but older zoning maps depict the property as being zoned R-2.

elected officials of the City Fairhope, or their spouses. During the intervening 56 years after the adoption of the City's first zoning ordinance, Greeno Road has become a five-lane commercial thoroughfare with the exception of the residential enclave between Gayfer Avenue and Highway 104 where the nursery property is located. The last single-family residence constructed on Greeno Road was built in the mid-1960's in Linwood Subdivision (Slide 3). This home is located directly south of Green Nurseries, and has been operated as a short-term rental for approximately 20 years. Commercial uses between Gayfer Avenue and Highway 104 include Fairhope's "Big Box" recreational complex (which sells amenities to the public), Arbor Gates Apartments, Fairhope Trailer Park, Auburn University Extension Center, a church and Green Nurseries.

In the October 5, 1978 edition of the Fairhope Courier (Slide 46), a developer seeking a rezoning along Greeno Road was quoted as follows on the subject of highest and best use along Greeno Road:

On Greeno Road, you can't sell a house for what it's worth anymore, because no one wants to live on that busy road. In the earlier years, the area was residential in nature, but the highest and best use is not residential now.

Today, 39 years after the author of the above quote opined about highest and best use along Greeno Road, the Green property is an island of residential zoning surrounded by a sea of commercial zoning and land use.

Summary of Rezoning Attempts

Robert Green, Sr. was a persistent man. Between 1961 and 1978, Mr. Green submitted eight rezoning applications and one variance request, all of which were denied. A

summary of these rezoning and variance requests, the date of the attempt and the corresponding slide number of the attached Power Point presentation is as follows:

1961	Rezoning Request	Slide 5
1963	Rezoning Request	Slide 10
1963	Rezoning Request	Slide 12
1963	Variance Request	Slide 14
1964	Rezoning Request	Slides 19-20
1968	Rezoning Request	Slides 34-35
1973	Rezoning Request	Slide 37
1975	Rezoning Request	Slides 42-43
1978	Rezoning Request	Slides 47-49

The Fairhope City Council denied each of the above requests despite the continued commercialization of the Greeno Road corridor, and the absence of new residential construction during the years in question.

Permitted Expansions of Green Nurseries

As a commercial business which predates Fairhope’s first zoning ordinance by approximately 30 years, state law permits Green Nurseries to continue with its commercial operation, provided that the property owner does not “increase the nonconformity” which was in effect at the time the zoning ordinance first became effective. Since that time, and with one notable exception, Fairhope’s different iterations of its zoning regulations have included a nonconforming use provision.

Nonetheless, in true Fairhopian tradition, the City has deviated from its own regulations and permitted Green Nurseries, on ten separate occasions, to expand its business in direct violation of its nonconforming use regulations. These expansions are summarized as follows:

1960	Greenhouse and Shade Structure
1975	Greenhouse (permitted after the fact)
1979	Office and Prefab storage building (building permit issued)

1980	Greenhouse (building permit issued)
1982	Greenhouse (building permit issued)
1985	Office Building (building permit issued)
1989	Shade house (building permit issued)
1994	Utility Building with water, gas and electrical upgrades and relocations (building permit issued)
1995	Front Entrance and Wall (building permit issued)
2016	Multi-use Structure (building permit issued).

At all times since the 1970's (and possibly earlier), Fairhope has issued business licenses to Green Nurseries under the "retail and general merchandise" classification. Robert Green, Jr. and his wife Debra, who are the present owners of the nursery, have business licenses issued by the State of Alabama dating back to the 1930's and physical business licenses back to the 1970's. The net effect of these permitted expansions has been to treat Green Nurseries as if it were under a commercial zoning classification, with the attendant right to expand the business as any commercial enterprise would be permitted to do under a B-2 classification. Nonetheless, the City Council has refused to rezone the nursery property despite ample opportunities to do so.

The Jim Nix Threat

Throughout most of the 1980's, Greeno Road was a two-lane thoroughfare. Then-Fairhope Mayor Jim Nix pleaded with the state of Alabama for the better part of a decade for Greeno to be widened to four lanes. This is a curious position for the Mayor to have taken, because the City consistently expressed its desire that the road maintain its "pastoral" setting, with all adjacent properties to continue with their residential zoning classifications. During this period, Robert Green, Jr. sought access to some City records, but his request was denied. Mayor Nix and Tim Kant (who was then Public Works Director) paid a visit on Mr. Green and threatened to put him "out of business" if he continued to seek the records which he had requested.

The ALDOT Fiasco

The most recent squabble in the long history between Green Nurseries and the City took place in 2007-2008 when Fairhope applied for a grant to construct a “Pedestrian Improvement Project” for Greeno Road. What began as a seemingly simple pedestrian improvement project morphed into a proposed median in the center of Greeno Road from Edwards Avenue to Highway 104. Early designs by Volkert Engineering depicted a planted median, without a median cut, extending the entire length of the nursery’s Greeno Road frontage. If constructed, the median would have blocked commercial access to the nursery from the northbound lane and would have required large trucks to deliver and receive product from a different location, rather than from the nursery’s regular shipping and receiving area.

The Greens immediately submitted their concerns to the Mayor and Council. On April 30, 2007, the City held a “Public Involvement Meeting” to discuss the proposed improvements. Not to miss out on the opportunity for “public involvement”, the Greens delivered written comments (Slide 62) to the City, which the City officials somehow “lost”, and never submitted to ALDOT. On July 14, 2008, the Greens delivered a lengthy letter (Slide 63) to the Mayor and Council outlining their concerns with considerable detail. Mayor Kant rebuffed these concerns by stating that “some folks have to be sacrificed for the greater good”. Why Mayor Kant felt that the Greens needed to be “sacrificed” is unclear, but it became obvious to the Greens that they must take their concerns directly to ALDOT for a resolution.

Unlike Fairhope, ALDOT recognized the impact of the median project on Green Nurseries if its northbound access were to be eliminated. D. J. McInnes, who was then the ALDOT director, delivered a letter (Slide 65) to the Mayor and Council on August 25, 2008 admonishing

them to resolve the “impasse” with the Greens. This effort worked, and allowed the Greens to retain their access to Greeno Road. The City was also forced to create an additional access at the north end of the nursery, costing the City a minimum of \$46,000.00. This resolution saved significant municipal funds in defense of the litigation which would have certainly ensued.

Conclusion

Green Nurseries should never have been placed in a residential zoning classification. Whatever justification may have existed in 1961 is no longer present, as the nursery property occupies a residential enclave along US Highway 98 which is commercial in character all the way from Spanish Fort to County Road 44. This is underscored by the fact that the last single-family residence in the Fairhope sector of Greeno Road was built in the mid-1960's. The opinion voiced to the City Council about highest and best use in 1978 was true then and remains even more true today. The Green Nurseries property should be rezoned to a General Business (B-2) classification consistent with its historical use and the commercial nature of the immediately surrounding area.

August 7, 2017

Fairhope Planning Commission
PO Box 429
Fairhope, AL 36533

Re: Case ZC 17.07, PPIN# 17231, 114269, 200528, 202819

Commission Members,

We are writing to express concern about the rezoning request for the property on the west side of US Hwy 98 between Hoyle Avenue and Live Oak Avenue at 415 N Greeno Road. We are concerned this rezoning will set a precedent for the remaining R-1 districts on the west side of North Greeno. The B-2 designation is not restrictive enough for this location.

A few months ago, the property owners presented a rough plan for this property at a Planning Commission meeting. They said they want to add elements to their existing business in a way that meshes with the adjacent residential neighborhood and respects the natural environment. We are not opposed to this idea, given their unique situation and history. The property size is slightly under the required minimum size for a PUD. There is a state-owned easement adjacent to the property. It was suggested that the Greens apply for an exception on the PUD minimum lot size due to the easement. Has this option been pursued?

People who live on or near Greeno will be impacted by new development on Greeno. Every time residential is rezoned to commercial, it's harder to deny the next request. We've heard encouraging ideas about updated ordinances, Comprehensive Plan improvements, and a better development process overall. Will any of these changes happen before we lose North Greeno completely to commercial development?

Thank you for your time and consideration of these comments.

Sincerely,

Jay and Anna Miller
257 Westley Street
Fairhope, AL 36532



ORDINANCE NO. ____

**AN ORDINANCE AMENDING ORDINANCE NO. 1253
KNOWN AS THE ZONING ORDINANCE**

The ordinance known as the Zoning Ordinance (No. 1253), adopted 27 June 2005, is changed and altered as described below;

WHEREAS, the City of Fairhope Planning Commission directed the Planning Department to prepare amendments to our Zoning Ordinance; and,

WHEREAS, the proposed amendments relate to the Central Business District; and,

WHEREAS, after the appropriate public notice and hearing of ZC 17.11, the Planning Commission of the City of Fairhope, Alabama has forwarded a favorable recommendation;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA;

1. **THAT**, Article V, Section B. Central Business District Overlay, be hereby amended to read as follows:

B. CBD – Central Business District Overlay

1. **Intent** – The Central Business District overlay is intended to preserve downtown Fairhope as the “Regional Village Center” and focal point for the City. The CBD overlay shall provide an environment for shopping, restaurant and entertainment, cultural and artistic institutions, offices, governmental functions, and residential uses. The CBD is intended to have a unique character in the City and serve the entire community by:
 - generating high levels of pedestrian and bicycle traffic;
 - providing a mix of uses;
 - create a focal point for activities throughout the City;
 - link to adjacent areas and areas throughout the City through a variety of modes of transportation;
 - strengthen non-automobile connections to adjacent neighborhoods;
 - buffer surrounding neighborhoods from any adverse impacts of activities in the CBD; and
 - provide small parks and trails.
2. **Location and Size** – The CBD overlay includes: From the southeast corner of the intersection of Oak Avenue and N. Church Street run east along the south side of Oak Avenue to a point on the east side of N. Section Street; one parcel on the north side of Oak Avenue from N. Section to the east end of Oak Avenue; one parcel on the east side of N. Bancroft Street from the north side of Oak Avenue to a point on the south side of Pine Avenue and along the east property line one parcel east of N. Bancroft Street; thence run east along the north property line of one parcel to a point; thence run south along the east property line to the south side of Equality Street; the west side of N. School Street from Equality Street to the south side of Stimpson Avenue; the south side of Stimpson Avenue to the east end of Stimpson Avenue; south to a point on the south side of Fairhope Avenue that is one parcel west of Mershon Street; one parcel on the south side of Fairhope Avenue from one parcel west of Mershon Street to the west side of S. School Street; to a point one parcel south of Morphy Avenue on the west of S. School Street; south to the west end of the unopened portion of right-of-way of Fels Avenue; along the north side of Fels Avenue from the northwest corner of the intersection of Fels Avenue and Oswalt Street to a point at the northeast corner of Fels Avenue and S. Church Street; north one parcel to a point one parcel south of Morphy Avenue; west to a point two lots west of S. Church Street; north to the north side of Morphy Avenue west to the northeast corner of the intersection of Morphy Avenue and S. Summit Street; along the east side of Summit Street to the southeast corner of the intersection of N. Summit Street and Magnolia Avenue; along the south side of Magnolia Avenue to the southeast corner of the intersection of Magnolia Avenue and N. Church Street; along the east side of N. Church Street to the southeast corner of the intersection of N. Church Street and Oak Avenue.

3. **Uses** – All uses permitted in the underlying zoning district are allowed in the CBD Overlay, provided that uses of property shall meet the intent of the Comprehensive Plan and Section E.1 of this Article. Any future rezoning in the CBD overlay may be conditioned so that the goals and intent of the Comprehensive Plan and Article V., Section B.1. of the Zoning Ordinance are achieved.

4. **Dimension Standards** – All dimension standards for the underlying districts shall apply in the CBD overlay except as follows:
 - a. Non-residential buildings in the CBD shall be built at the right-of-way line, unless a courtyard, plaza or other public open space is proposed.
 - b. No side-setback is required for non-residential buildings in the CBD, except that corner lots shall have the same building line on the side street as is on the front street.
 - c. Building heights for all structures shall not exceed 40 feet or 3 stories.
 - d. Parking –
 - (1) No parking is required for non-residential uses in the CBD. If parking is provided, it shall be located behind the building, screened from public rights-of-way, and have a direct pedestrian connection to the primary building entrance of the public right-of-way.
 - (2) Dwelling units in the CBD shall provide the required parking. It shall be located behind the building, screened from public rights-of-way, and have a direct pedestrian connection to the primary building entrance of the public right-of-way.
 - (3) Residential and office is encouraged on the upper floors of buildings; lower floors are encouraged to be retail or restaurants.
 - e. Sidewalks shall be a minimum of eight feet (8') in width for all new construction. This may be reduced, through the site plan approval process, upon satisfactorily demonstrating to the City Council that streetscape improvements constrain the site to the extent that eight feet (8') is not feasible. In no case shall the sidewalk width be less than six feet (6') in width. A written request must be made with accompanying justification statement and drawings for consideration of reduction in sidewalk width.

Severability Clause - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

Effective Date – This ordinance shall take effect immediately upon its due adoption and publication as required by law.

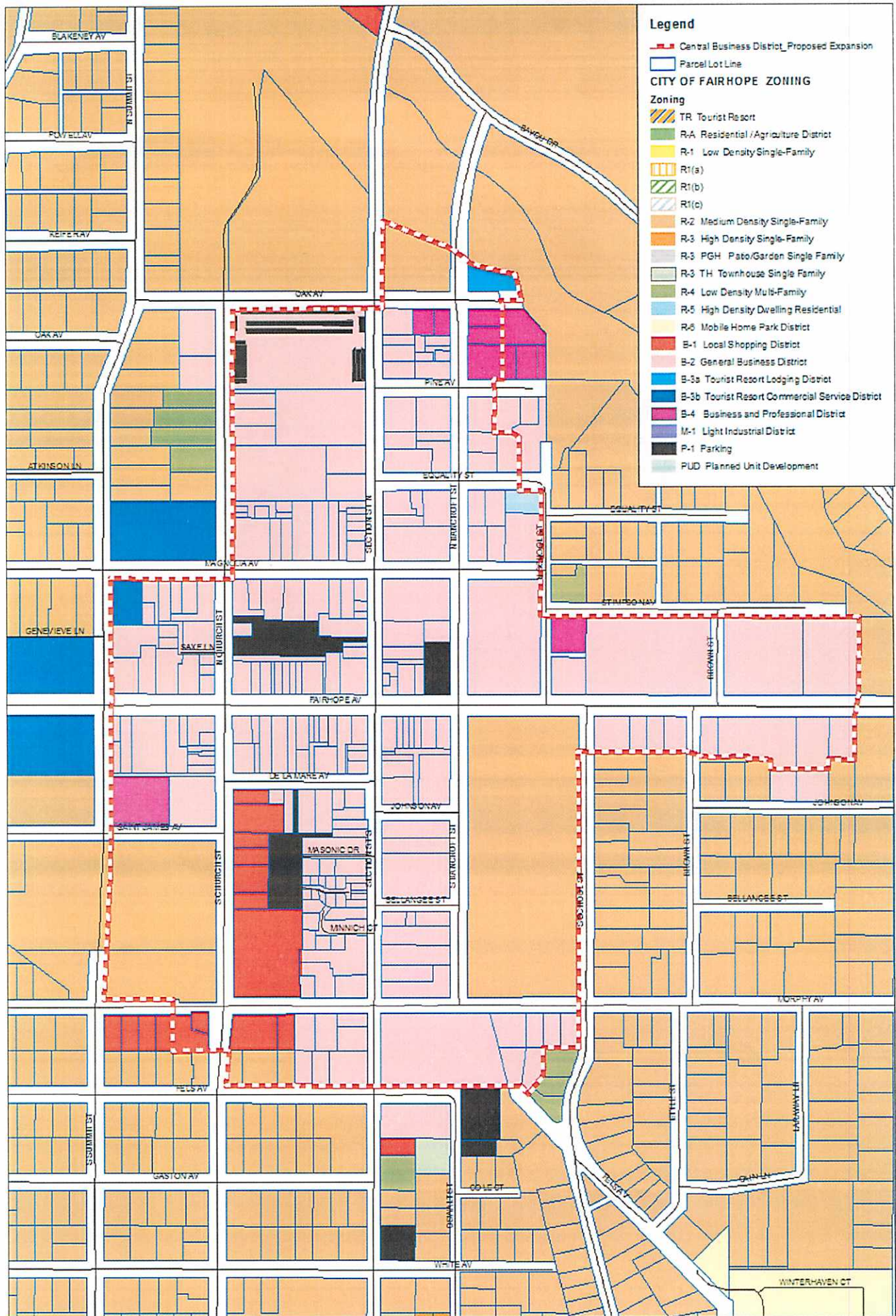
ADOPTED THIS 8TH DAY OF JANUARY, 2018

Karin Wilson, Mayor

ATTEST:

Lisa A. Hanks, MMC
City Clerk

Proposed Expansion



0 250 500 1,000 Feet



Original

3. **Uses** – All uses permitted in the underlying zoning district are allowed in the CBD Overlay, provided that uses of property shall meet the intent of the Comprehensive Plan and Section E.1 of this Article. Any future rezoning in the CBD overlay may be conditioned so that the goals and intent of the Comprehensive Plan and Article V., Section B.1. of the Zoning Ordinance are achieved.
4. **Dimension Standards** – All dimension standards for the underlying districts shall apply in the CBD overlay except as follows:
 - a. Non-residential buildings in the CBD shall be built at the right-of-way line, unless a courtyard, plaza or other public open space is proposed.
 - b. No side-setback is required for non-residential buildings in the CBD, except that corner lots shall have the same building line on the side street as is on the front street.
 - c. Building heights for all structures shall not exceed 40 feet or 3 stories.
 - d. **Parking** –
 - (1) No parking is required for non-residential uses in the CBD. If parking is provided, it shall be located behind the building, screened from public rights-of-way, and have a direct pedestrian connection to the primary building entrance of the public right-of-way.
 - (2) Residential and office is encouraged on the upper floors of buildings; lower floors are encouraged to be retail or restaurants.
 - e. Sidewalks shall be a minimum of eight feet (8') in width for all new construction. This may be reduced, through the site plan approval process, upon satisfactorily demonstrating to the City Council that streetscape improvements constrain the site to the extent that eight feet (8') is not feasible. In no case shall the sidewalk width be less than six feet (6') in width. A written request must be made with accompanying justification statement and drawings for consideration of reduction in sidewalk width.

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING AN ENTERTAINMENT
DISTRICT FOR THE CITY OF FAIRHOPE**

WHEREAS, Act 2012-438 as amended by Act 2013-382 now appearing as Section 28-3A-17.1, *Code of Alabama, 1975*, authorized certain municipalities in the State of Alabama to establish entertainment districts within its corporate limits; and

WHEREAS, Section 28-3A-17.1 (a) allows municipalities with an incorporated arts council, main street program, or downtown development entity to establish a special entertainment district; and The Downtown Fairhope Business Association will serve as the downtown development entity for the purposes of the District.

WHEREAS, the City Council wishes to establish The Downtown Fairhope Entertainment District for the purpose of regulating the sale and consumption of alcoholic beverages as provided herein below.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

SECTION 1. Under the authority granted by Act No. 2012-438 as amended by Act 2013-382 of the Alabama Legislature, there shall be hereby established a Downtown Fairhope Entertainment District with the areas and boundaries as set forth and designated in Exhibit A concurrent with Central Business District (“CBD”).

SECTION 2. Any licensee who receives an entertainment district designation for an on premise retail license from the Alabama Alcoholic Beverage Control Board shall comply with all laws, rules, and regulations which govern its license type, except that the patrons, guests or members of that licensee may exit that licensed premises with open containers of alcoholic beverages and consume alcoholic beverages anywhere within the confines of the Downtown Fairhope Entertainment District but may not enter another licensed premises with open containers or closed containers of alcoholic beverages acquired elsewhere. Entering a non-licensed establishment is permitted with the permission of the establishment.

SECTION 3. No licensee who receives an entertainment district designation shall allow alcoholic beverages to be removed from the licensed premise in bottles or glass containers. Cups should be shatter proof.

SECTION 4. Except for special events as permitted by the City of Fairhope and the Alabama Alcoholic Beverage Control Board and in compliance with all laws, rules, and regulations; no alcoholic beverages purchased outside of the district shall be allowed in open containers in the entertainment district.

Ordinance No. _____

Page -2-

SECTION 5. All enforcement will be the responsibility of the City of Fairhope and its agents. Other laws and ordinances will still apply in the entertainment district. The only exception is being allowed to walk about freely with alcohol in shatter proof cups.

SECTION 6. The Fairhope Entertainment District shall be in effect during Special Events: First Friday Art Walk, Mardi Gras, City Sponsored Parades, and New Year's Eve Celebration beginning one hour before and one hour after the event; and upon special requests.

SECTION 7. The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other paragraphs and sections, since the same would have been enacted by the municipality council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 8. This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS 8TH DAY OF JANUARY, 2018

Karin Wilson, Mayor

ATTEST:

Lisa A. Hanks, MMC
City Clerk

RESOLUTION NO. _____

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 additional On-Call Professional Consulting Services for Construction Plan Review by the International Code Council for the Building Department with a not to exceed \$30,000.00.

DULY ADOPTED THIS 8TH DAY OF JANUARY, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk



MEMO

To: Mike Hinson, Treasurer

From:

Delores A Brandt
Delores A Brandt, Purchasing Clerk
For Purchasing Manager

Date: December 18, 2017

Re: Placing on City Council agenda for approval to procure **additional** Not-To- Exceed of \$30,000 for plan reviews by the ICC for the Building Department for 2018.

Per Resolution No. 2834-17 on August 14, 2017, City Council approved executing a contract with International Code Council (ICC) with a NTE amount of \$40,000. The Building Department has the need to procure additional plan reviews for 2018.

The not-to-exceed cost of this procurement will be \$30,000.00. This is over the \$10,000.00 City Council approval limit.

Please compose a greensheet, and move forward to the next available City Council agenda, this procurement approval request for additional plan reviews at a not-to-exceed cost of \$30,000.00.

Cc: file

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

251-928-2156

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper

Dee Dee Brandt

From: Erik Cortinas
Sent: Friday, December 15, 2017 10:44 AM
To: Dee Dee Brandt
Subject: memo for council resolution allowing additional expenditure for International Code Council

This summer the Council appropriated \$40K for plan reviews by the ICC. They are a vendor and I issue them POs based on their cost estimates, and I have used \$38,998 of the \$40K they allotted me. I need a request for an additional Not To Exceed of \$30K for 2018. I will work up a breakdown of what we spent on what projects, including the total permit fees we collected for each project.

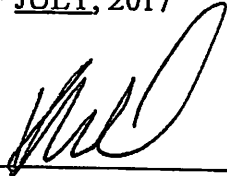
Respectfully,
Erik Cortinas, CBO, LEED AP
Building Official
City of Fairhope, Alabama
(251) 990-0141
(251) 990-2879 (fax)
erikc@fairhopeal.gov

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RESOLUTION NO. 2789-17

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the selection of International Code Council to perform On-Call Professional Consulting Services for Construction Plan Review for the Building Department (RFQ No. PS035-17), and hereby authorizes Mayor Karin Wilson to establish a fee schedule; and establish a not-to-exceed limit of \$40,000.00.

DULY ADOPTED THIS 10TH DAY OF JULY, 2017



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk



Plan Review Services - Fee Schedule (August 15, 2015)

The Plan Review fee is based on the estimated construction value calculated in accordance with Square Foot Construction Costs Table (gross area x Square Foot Construction Cost). The table is printed with the Building Valuation Data – February 2015 which is located on the website at www.iccsafe.org/cs/Pages/BVD.aspx. For buildings with an estimated construction value up to \$3,000,000, the Building Plan Review fee is 0.0011 of the estimated value (\$250 minimum). For buildings with an estimated construction value over \$3,000,000 up to \$6,000,000, the fee is \$3,300 plus 0.0005 of the estimated value over \$3,000,000. For buildings over \$6,000,000, the fee is \$4,800 plus 0.00035 of the valuation over \$6,000,000.

Special consideration may be given in computing Plan Review fees for buildings such as large warehouses or indoor recreational facilities because of their plan review simplicity. Such considerations may also be given to buildings with repetitive floor plans such as high-rise buildings.

Structural Reviews in areas of high seismic or wind risk will have an additional surcharge. Please contact your local ICC district office for more details.

The Plan Review fee for Accessibility, Energy, Mechanical, Plumbing and Electrical Reviews are computed at 25 percent of the Building Plan Review fee for each discipline (\$250 minimum).

The Sprinkler Review fee is based on the number of sprinkler heads: 1-100, \$275; 101-200, \$325; 201-300, \$350; 301-400, \$375; 401-500, \$425; over 500, \$500 plus \$0.33 per sprinkler over 500. For hydraulically designed systems, multiply the fee by 2.

When sending in construction documents for a Plan Review, a cover letter or ICC Transmittal Form is required authorizing ICC to perform the review.

Sample Plan Review Calculation

Type of Construction: IIIB **Height:** 3 stories, 35 feet

Group: B **Area/Floor:** 12,000 sq. ft.

Solution:

1. Gross square footage: 3 stories x 12,000 square feet = 36,000 sq. ft.

2. Compute estimate construction value:

Square Foot Construction Costs = \$142.00/sq. ft.

Estimated Construction Value: 36,000 sq. ft. x 142.00/sq. ft. = \$5,112,000

3. Compute Building Plan Review fee:

\$3,000,000 x 0.0011 = \$3,300

\$5,112,000 - \$3,000,000 = \$2,112,000

\$2,112,600 x 0.0005 = \$1,056

Total Building Review fee = \$3,300 + \$1,056 = \$4,356

Accessibility, Energy, Mechanical, Plumbing and Electrical: (0.25)(\$4,306) = \$1,089 each

Questions concerning the service should be directed to David Hunter, Director of Sales, Technical Services, 1-888-ICC-SAFE (422-7233), ext. 5577.

Square Foot Construction Costs ^{a, b, c, d}

Group (2012 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	229.03	221.51	216.10	207.06	194.68	189.07	200.10	177.95	171.21
A-1 Assembly, theaters, without stage	209.87	202.35	196.94	187.90	175.62	170.01	180.94	158.89	152.15
A-2 Assembly, nightclubs	177.89	172.85	168.07	161.49	151.98	147.78	155.80	137.68	132.99
A-2 Assembly, restaurants, bars, banquet halls	176.89	171.85	166.07	160.49	149.98	146.78	154.80	135.68	131.99
A-3 Assembly, churches	211.95	204.43	199.02	189.98	177.95	172.34	183.02	161.22	154.48
A-3 Assembly, general, community halls, libraries, museums	176.88	169.36	162.95	154.91	141.73	137.12	147.95	125.00	119.26
A-4 Assembly, arenas	208.87	201.35	194.94	186.90	173.62	169.01	179.94	156.89	151.15
B Business	182.89	176.17	170.32	161.88	147.55	142.00	155.49	129.49	123.76
E Educational	192.29	185.47	180.15	172.12	160.72	152.55	166.18	140.46	136.18
F-1 Factory and industrial, moderate hazard	108.98	103.99	97.83	94.17	84.37	80.56	90.16	69.50	65.44
F-2 Factory and industrial, low hazard	107.98	102.99	97.83	93.17	84.37	79.56	89.16	69.50	64.44
H-1 High Hazard, explosives	102.01	97.02	91.86	87.20	78.60	73.79	83.19	63.73	N.P.
H234 High Hazard	102.01	97.02	91.86	87.20	78.60	73.79	83.19	63.73	N.P.
H-5 HPM	182.89	176.17	170.32	161.88	147.55	142.00	155.49	129.49	123.76
I-1 Institutional, supervised environment	182.53	175.88	170.97	162.73	150.55	146.48	162.73	135.02	130.72
I-2 Institutional, hospitals	308.50	301.79	295.93	287.50	272.14	N.P.	281.10	254.09	N.P.
I-2 Institutional, nursing homes	213.56	206.85	200.99	192.56	179.22	N.P.	186.16	161.17	N.P.
I-3 Institutional, restrained	208.37	201.66	195.80	187.37	174.54	167.98	180.97	156.48	148.74
I-4 Institutional, day care facilities	182.53	175.88	170.97	162.73	150.55	146.48	162.73	135.02	130.72
M Mercantile	132.61	127.57	121.79	116.21	106.35	103.15	110.52	92.05	88.36
R-1 Residential, hotels	184.11	177.48	172.55	164.31	152.38	148.31	164.31	136.85	132.55
R-2 Residential, multiple family	154.38	147.73	142.82	134.58	123.25	119.18	134.58	107.72	103.42
R-3 Residential, one- and two-family	143.93	139.97	136.51	132.83	127.95	124.61	130.57	119.73	112.65
R-4 Residential, care/assisted living facilities	182.53	175.88	170.97	162.73	150.55	146.48	162.73	135.02	130.72
S-1 Storage, moderate hazard	101.01	96.02	89.86	86.20	76.60	72.79	82.19	61.73	57.67
S-2 Storage, low hazard	100.01	95.02	89.86	85.20	76.60	71.79	81.19	61.73	56.67
U Utility, miscellaneous	77.82	73.48	69.04	65.52	59.23	55.31	62.58	46.83	44.63

- a. Private Garages use Utility, miscellaneous
- b. Unfinished basements (all use group) = \$15.00 per sq. ft.
- c. For shell only buildings deduct 20 percent
- d. N.P. = not permitted

RESOLUTION NO. _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the selection of Bay Nursing, Inc. for Professional Health Services by Licensed RN for the Fairhope Municipal Jail (RFQ No. PS005-18); and hereby authorizes Mayor Karin Wilson to execute the associated contract with a fee of \$93.50 per visit for RN up to two (2) hours, and \$40.00 an hour for any time over initial two hours. Bay Nursing, Inc. was the only response received for these services.

DULY ADOPTED THIS 8TH DAY OF JANUARY, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope Project Funding Request

JAN 3 '18 AM 8:12

Issuing Date: 12/29/2017

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Approval of Contract Award - Professional Healthcare Services by Licensed RN for Jail

Project Location: Municipal Jail

Presented to City Council: 1/8/2018 Approved _____ Changed _____ Rejected _____

Project Cash Requirement Submitted for Approval:

Cost: \$93.50 Per RN visit (up to 2 hours)
Cost: \$40.00 Per hour (over initial 2 hours)

Providers: Bay Nursing Inc.

Project Engineer: n/a

Order Date: n/a Lead Time: n/a

Department Funding This Project							
General: XXX	Gas	Electric	Water	Sewer	Gas Tax	Cap Proj	Impact

Division of General Fund Funding This Project							
Admin-10	Police-15 XX	Fire-20	Rec-25	Adult Rec-30	Marina-35	Street-35	Sanitation-40
	Golf-50	Golf Grounds-55		Debt Service-85			

Expense Code: <u>001150-51220</u>	Acct Name: <u>Jail Expenses</u>	Revenue Code: _____
-----------------------------------	---------------------------------	---------------------

Project will be: Expensed XXX
Inventoried _____
Capitalized _____
Project Budgeted: n/a

Project Financed By:
Grant: _____ Federal - not to exceed amount
_____ State
_____ City

(Over) Under budget amount: _____

Bond: _____ Title _____ Year _____
Loan: _____ Title _____ Year _____
Capital Lease: _____ Payment _____ Term _____

Funding: Operating funds

City Council Prior Approval? Date? <u>No</u>		
<u>City Treasurer</u>	<u>Finance Director</u>	<u>Mayor</u>
Request Received Date: <u>12/29/17</u>	Received Date: <u>12/29/17</u>	Received Date: <u>1/2/18</u>
Request Approved Date: <u>12/29/17</u>	Approved Date: <u>1/2/18</u>	Approved Date: <u>1/2/18</u>
Signatures: <u>Michael V. Hirson CPA</u>	<u>Jill Cabiniss</u>	<u>Mayor Karin Wilson</u>

Contact Person: Chief Petties; Police Dept



Dec. 14, 2017
1:27 p.m. *ZAW*

MEMO

Karin Wilson
Mayor

To: Mike Hinson, Treasurer
From: *Delores A Brandt*
Delores A Brandt, Purchasing Clerk
for Purchasing Manager

Council Members

- Kevin G. Boone
- Robert A. Brown
- Jack Burrell, ACOMO
- Jimmy Conyers
- Jay Robinson

Date: December 14, 2017

Re: Approval of Contract award of RFQ No. PS005-18,
Professional Healthcare Services by Licensed RN for
Fairhope Municipal Jail

Lisa A. Hanks, MMC
City Clerk

Deborah A. Smith, CPA
City Treasurer

The City needs to hire a professional ^{health care provider firm} consulting firm for RFQ No. PS005-18,
Professional Healthcare Services by Licensed RN for Fairhope Municipal
Jail.

In compliance with our Procedure for Procuring Professional Services, an RFQ was sent out to several healthcare providers, those under contract with other local municipalities, and posted to the Web. We received only one response. The Police Chief reviewed the response from Bay Nursing, Inc. of Mobile, AL, and recommends to the Mayor that Bay Nursing Inc be awarded the contract. Please move this forward to the City Council to award the contract to Bay Nursing, Inc, and authorize the Mayor to execute the associated contract, with a fee schedule (attached) a fee of \$93.50 a visit for RN for up to 2 hours, and \$40.00 an hour for any time over that initial two hours.

Please place on the next available City Council Agenda this request to authorize the Mayor to execute a contract with Bay Nursing Inc. of Mobile, AL., for RFQ No. PS005-18, Professional Healthcare Services by Licensed RN for Fairhope Municipal Jail.

Cc: file

Dec 13, 2017

Lets move forward with Bay Nursing.

Chief Joseph H. Petties
Fairhope Police Department
107 North Section Street
Fairhope, Alabama 36532
Joseph.petties@fairhopeal.gov
251/928-2385



The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this message in error, please contact the sender and delete the material from all computers.

Fee Schedule

BAY NURSING, INC.
For
Fairhope Municipal Jail
Effective October 1, 2017

The rates below shall remain in effect after the date above unless amended by thirty days written notice.

Bill Rates

Classification	Rate
Registered Nurse (Visit)	\$93.50
Registered Nurse (Hourly)	\$40.00

Overtime

Overtime is defined as any hours worked by an individual in excess of forty (40) in one workweek. The bill rate for overtime is one and one-half (1 ½) times the regular rate. Overtime requires prior approval by the client.

Holidays

Holiday rates are billed at one and one-half (1 ½) times the regular rate. Scheduled holidays are as follows:

All shifts on:	New Years Day	Mardi Gras Day	Easter Day
	Memorial Day	Independence Day	Labor Day
	Thanksgiving Day	Christmas Day	

3-11 and 11-7

Shifts on: Christmas Eve New Years Eve

Bay Nursing's workweek runs from Monday at 7:00am thru Sunday, ending at 7:00am the following Monday.

EXHIBIT A

RATE SCHEDULE For Baldwin Municipalities Effective October 15, 2017

The rates below shall remain in effect after the date above for a period of not less than one year.

BILL RATES	PER HOUR	PER VISIT
Registered Nurse	40.00	93.50 (up to 2 hours)

Overtime

Overtime is defined as any hours worked by an individual in excess of forty (40) in one workweek. The bill rate for overtime is one and one-half (1 ½) times the regular rate. Overtime requires prior approval by the client.

Holidays

Holiday rates are billed at one and one-half (1 ½) times the regular rate. Scheduled holidays are as follows:

All shifts on:	New Years Day	Mardi Gras Day	Easter Day
	Memorial Day	Independence Day	Labor Day
	Thanksgiving Day	Christmas Day	

3-11 and 11-7

Shifts on:	Christmas Eve	New Years Eve
------------	---------------	---------------

Workweek

Bay Nursing's workweek runs from Monday at 7:00am thru Sunday, ending at 7:00am the following Monday. Weekend shifts begin with the last shift on Friday ending with the last shift on Sunday.

Local Correctional Facilities	Healthcare Provider
Daphne Municipal Jail Foley Municipal Jail Orange Beach Municipal Jail	Bay Nursing, Inc. Phone: 251-471-3343 62 Midtown Park E Mobile, AL 36606 http://baynursing.com/
Baldwin County Corrections	Quality Correctional Health Care - QCHC Phone: 205-437-1512 200 Narrows Parkway, Suite A Birmingham, AL 35242 http://www.qchcweb.com/
Mobile Metro	NAPH Care Phone: 205-536-8400 2090 Columbiana Rd. Ste 4000 Birmingham, AL 35216 http://www.naphcare.com/

* Gulf Shores Municipal Jail: They do not use a nursing service. They have a paid FD with full-time paramedics, so they evaluate patients at the jail and transport, if needed.

RESOLUTION NO. _____

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 Internet Services 2018 per the request of the IT Department for the City of Fairhope (Bid Number 008-18) 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
for Internet Services 2018 per the request of the IT Department

[3] After evaluating the bid proposals with the required bid specifications, Southern Light, LLC, with the total bid proposal of \$30,780.00 annually (Option 4), is now awarded the bid for Internet Services 2018 per the request of the IT Department (one year contract with option for two additional years).

Adopted on this 8th day of January, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope Project Funding Request

Issuing Date: 12/29/2017

Please return this Routing Sheet to Treasurer by: ASAP

JAN 3 18 AM 12

Project Name: Internet Services (One Year Contract with option for 2 additional Years)

Project Location: City of Fairhope

Presented to City Council: 1/8/2018 Approved _____ Changed _____ Rejected _____

Project Cash Requirement Submitted for Approval:

Cost: \$30,780.00 Annual Cost

Providers: Southern Light LLC dba Uniti Fiber

Project Engineer: n/a

Order Date: n/a Lead Time: n/a

Department Funding This Project							
General: XXX	Gas	Electric	Water	Sewer	Gas Tax	Cap Proj	Impact

Division of General Fund Funding This Project							
Admin-10:XXX	Police-15	Fire-20	Rec-25	Adult Rec-30	Marina-35	Street-35	Sanitation-40
	Golf-50	Golf Grounds-55		Debt Service-85			

Expense Code: Dept#-50380 Acct Name: Telephone Revenue Code: _____
 (spread among various departments)

Project will be: Expensed XXX
 Inventoried _____
 Capitalized _____
 Project Budgeted: n/a

Project Financed By:
 Grant: _____ Federal - not to exceed amount
 _____ State
 _____ City

(Over) Under budget amount: _____

Funding: Operating funds

Bond: _____ Title _____ Year _____
 Loan: _____ Title _____ Year _____
 Capital Lease: _____ Payment _____ Term _____

City Council Prior Approval? Date? No

City Treasurer
 Request Received Date: _____
 Request Approved Date: _____
 Signatures: Michael V. Finson CPA

Finance Director
 Received Date: 12/29/17
 Approved Date: 1/2/18
 Signatures: Jill Cabliniss

Mayor
 Received Date: 1/2/18
 Approved Date: 1/2/18
 Signatures: Mayor Karin Wilson

Contact Person: Jeff Montgomery, IT Dept



MEMO

Karin Wilson
Mayor

To: Michael Hinson, Treasurer
From: Delores A Brandt
Delores A Brandt, Purchasing Clerk
For Purchasing Manager

Council Members

- Kevin G. Boone
- Robert A. Brown
- Jack Burrell, ACOMO
- Jimmy Conyers
- Jay Robinson

Date: December 28, 2017

Re: Council Approval and Greensheet -- Procurement of an operational budgeted FY18 item over \$10,000 for **Bid No. 008-18 Three-year Internet Services 2018** for the City of Fairhope..

Lisa A. Hanks, MMC
City Clerk
Deborah A. Smith, CPA
City Treasurer

The I.T. Department requests approval of procurement of an operational budgeted item for FY18 of over \$10,000 for a **Three-year contract with Southern Light, LLC dba Uniti Fiber** for internet services for the City of Fairhope offices throughout the City. The Bid response required costs for 4 different options:

Option 1 75Mbps + 5Mbps (Main location + Quail Creek Location)	<u>\$ 14,112</u>
Option 2 100Mbps + 5Mbps (Main location + Quail Creek Location)	<u>\$ 15,072</u>
Option 3 150Mbps + 5Mbps (Main location + Quail Creek Location)	<u>\$ 17,892</u>
Option 4 150Mbps + 10Mbps (Main location + Quail Creek Location)	<u>\$ 30,780</u>

Included specifications were determined by the I.T. Department. The IT Department Director is recommending selection of **OPTION 4**. The total cost of the thirty-six months of service is **THIRTY THOUSAND SEVEN HUNDRED EIGHTY DOLLARS (\$30,780.00) per year.**

NOTES: See attached quotation for details.

Please compose a greensheet and obtain approval for this over \$10,000 procurement for a FY18 budgeted three-year contract for internet services for the City of Fairhope with Southern Light, LLC dba Uniti Fiber, \$30,780.00 per year, and not to exceed \$92,340 for the three years.

Cc: file, J. Montgomery

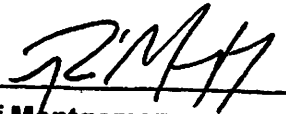
CITY OF FAIRHOPE

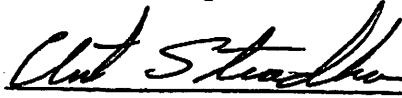
BID TABULATION AND RECOMMENDATION

Bid Name: Internet Services 2018
Bid Number: 008-18
Date Opened: 12/28/2017

Vendor	Bid Proposal Executed / Signed / Notarized/Non-Collusion Statement Signed / Notarized	Annual Total Price Option 1 75mbps+ 5mps Main Location + Quail Creek	Annual Total Price Option 2 100mbps + 5mps Main Location + Quail Creek	Annual Total Price Option 3 150mbps + 5 mps Main Location + Quail Creek	Annual Total Price Option 4 150Mbps + 10Mbps Main Location + Quail Creek
Southern Light, LLC dba UNITI Fiber	yes	\$14,112.00	\$15,072.00	\$17,892.00	\$30,780.00
c-Spire (Callis Communications)	no bid	no bid	no bid	no bid	no bid
Harbor Communications	no response	no response	no response	no response	no response
Earthlink Business	no response	no response	no response	no response	no response
Integrated Solutions, Inc.	no response	no response	no response	no response	no response

Recommendation: Award bid to Southern Light, LLC dba Uniti Fiber for Option 4 in the amount of \$30,780.00.

 12,28,17
Jeff Montgomery
 IT Director

To my knowledge this is an accurate bid tabulation
 12,28,17
Clint Steadham, Buyer
 Purchasing Manager

Council,

The Information Technology Department request that the City of Fairhope choose option 4 for Internet Bid No. 008-18. Currently we are using AT&T to provide a 5 Mbps connection to Quail Creek which then in turn ties into our Unity Fiber service to bring Quail Creek onto our local network. This configuration has caused many issues over the past 3 years. The connection that is provided from AT&T is very unreliable and has caused Quail Creek to go many days without Internet Access. Without Internet access, Quail Creek has no phone connection, no connection to the local network, no connection to the Internet, and they are unable to run credit card transactions.

While the initial 3-year cost will be higher, the long-term cost will be lower. The first 3-year cost includes the cost that it takes to run fiber to Quail Creek. Once this 3-year term is up, the cost for Internet access will significantly drop and our options for bandwidth can increase to whatever will be required in the future. The cost of option 4 is budgeted into the 2018-2019 budget.

Thank you,

A handwritten signature in black ink, appearing to read 'J. Montgomery', with a stylized flourish at the end.

Jeff Montgomery

Director of Information Technology

ITEM III
BID RESPONSE FORM

Date: December 19, 2017

BID NO. 008-18
BID NAME Three Year Internet Service 2018

Base bid will include all labor, materials, equipment, shipping, overhead, profit, bonds, insurance and all other costs necessary to provide the complete services outlined within this contract and scope of work.

The owner agrees to provide the following materials: NONE

Bid Duration: One (1) year from signing date of contract, with the option to extend bid or contract for up to two (2) additional years if terms and conditions, including pricing remain the same, and both parties are in agreement to extending the bid or contract.

We propose to meet or exceed the bid specifications for the sum of:

Annual Total Price: Option 1 75Mbps + 5Mbps \$ 14,112
(Main location + Quail Creek Location)

Option 2 100Mbps + 5Mbps \$ 15,072
(Main location + Quail Creek Location)

Option 3 150Mbps + 5Mbps \$ 17,892
(Main location + Quail Creek Location)

Option 4 150Mbps + 10Mbps \$ 30,780
(Main location + Quail Creek Location)

Receipt of the following Addenda to these documents is hereby acknowledged by the undersigned (bidder to complete below):

<u>ADDENDUM NO.</u>	<u>DATE ISSUED</u>	<u>ADDENDUM NO.</u>	<u>DATE ISSUED</u>
_____	_____	_____	_____
_____	_____	_____	_____

Each bid must give the full business address of the bidder and must be signed by him with his usual signature. Bids by partnerships must furnish the full names of all partners and must be signed with the partnership name by one of the members of the partnership, or by an authorized representative, followed by the signature and designation of the person signing. Bids by Corporations must be signed with the legal name of the corporation followed by the name of the State of incorporation and by the signature and designation of the President, secretary, or other person authorized to bind it in the matter. The name of each person shall also be typed or printed below the signature. A bid by a person who affixes to this signature the word "president", "secretary", "agent" or other designation without disclosing his principal, may be held to be the bid of the individual signing. When requested by the City of Fairhope, Baldwin County, Alabama, satisfactory evidence of the authority of the officer signing in behalf of the corporation shall be furnished.

The undersigned agrees to furnish the goods/services as requested by you for the City of Fairhope, Baldwin County, Alabama in your invitation to Bid, and certifies that they will meet or exceed the specifications called for. The undersigned has read all information pertaining to this bid and has resolved all questions. It is also understood and agreed that all prices quoted are F.O.B. as described in the bid documents and specifications. The undersigned also affirms he/she has not been in any agreement or collusion among bidders or prospective bidders in restraint of freedom of competition, by agreement to bid at a fixed price or to refrain from bidding or otherwise.

WITNESS our hands this 19th day of December, 2017.

IF INDIVIDUAL

_____ Doing Business As, _____
(SIGNATURE of Individual Bidder) (Business name)

Business _____

Business Mailing Address _____

City, State, Zip code _____

NOTARY FOR INDIVIDUAL

STATE OF _____ }

COUNTY OF _____ }

I the undersigned authority in and for the said State and County, hereby certify that

_____ as _____ of _____
Print name of Bid signer Title Print Company name

whose name is signed to the foregoing document and who is known to me, acknowledged before me on this day, that, being informed of the contents of the document they executed the same voluntarily on the day the same bears date.

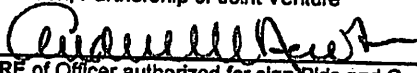
Given under my hand and Notary Seal on this _____ day of _____, 2018.

Notary Public _____

My Commission Expires / /

IF CORPORATION, PARTNERSHIP, OR JOINT VENTURE

Southern Light d/b/a Uniti Fiber
Name of Corporation, Partnership or Joint Venture

BY: 
(SIGNATURE of Officer authorized for sign Bids and Contracts for the firm)

PRESIDENT
(Position or Title)

ANDY NEWTON
(PRINT name of Officer authorized for sign Bids and Contracts for the firm)

(PRINT NAME(S) OF OTHERS IF IN PARTNERSHIP)

Southern Light d/b/a Uniti Fiber
Business

107 St. Francis Street
Business Mailing Address

Mobile, AL 36602
City, State, Zip Code

GENERAL CONTRACTOR'S LICENSE 48651

Alabama Foreign Entity ID 660 - 650

ITEM VIII
SCOPE OF WORK AND SPECIFICATIONS

Bid No 008-18, Three Year Internet Services 2018

The awarded Vendor to provide all necessary supervision, labor, tools, materials and safety equipment to perform the following tasks:

8.0 SCOPE OF WORK:

The City of Fairhope is seeking bids from vendors who provide internet ISP Connections as outlined in the Specifications below.

8.1 SPECIFICATIONS:

Provided by IT dept:

8.1.1 LOCATION FOR SERVICE: 107 North Section St. Fairhope, AL 36532

	Option 1	Option 2	Option 3
Upload Speed:	75Mbps	100Mbps	150Mbps
Download Speed:	75Mbps	100Mbps	150Mbps

8.1.2 Vendors who are owned and Operated in the State of Alabama are preferred.

8.1.3 Vendors who own their own network and are not resellers of infrastructure are preferred.

8.1.4 NOC must be manned 24/7/365

8.1.5 Service must be delivered across a network that is not oversubscribed with symmetrical upload and download speeds

8.1.6 Service Provider shall guarantee 45 minute phone response by a qualified engineer to trouble shoot and repair equipment or routing issues.

8.1.7 Service Provider shall guarantee 2 hour on site response and replacement of equipment. Penalty for failure to provide response is full credit for one month on subject facility and ability for the City to cancel the contract without penalty.

8.1.8 Network Service Availability must be 99.99%

8.1.9 Frame Loss Rate: < 6.25E-7

8.1.10 Latency: 10 ms one-way from Customer edge to provider edge

8.1.2 LOCATION FOR ETHERNET ACCESS FOR REMOTE SITE: 19841 Quail Creek Dr. Fairhope, AL 36532

Options 1-3:

Upload Speed:	5Mbps
Download Speed:	5Mbps

Option 4:

Upload Speed:	10Mbps
Download Speed:	10Mbps

8.1.2.1 This connection is to join the Local Area Network for the City of Fairhope to the Local Area Network for Quail Creek. Connection to the public Internet will be provided to Quail Creek from the connection specified above.

8.1.4 MISCELLANEOUS REQUIREMENTS

8.1.4.1 All work to be done in a neat and professional manner.

8.1.4.2 All applicable licenses or permit fees to be acquired and paid by **CONTRACTOR**.

8.1.4.3 **CONTRACTOR** to provide all necessary services and materials unless stated otherwise above.

8.1.4.4 **CONTRACTOR** to comply with all applicable laws, codes, and regulations, including safety, fire, health, environmental and insurance. **CONTRACTOR** will perform all work in compliance with meeting or exceeding Manufacturer's and industry standards.

8.1.4.5 **CONTRACTOR** to cleanup job site and remove all waste and non-salvageable material in accordance with applicable laws, codes and regulations.

8.1.4.6 The **CONTRACTOR** will be responsible for all minor facilities and equipment damages (e.g., paint, drywall and etc.) caused by the **CONTRACTOR** resulting from negligence during the execution of this contract. This includes but is not limited to damage too small to be covered by the **CONTRACTOR'S** insurance.

8.1.4.7 Written change proposals shall be provided to the project manager by the **CONTRACTOR** for any requested modification to the plans, specifications or other contract requirements. The proposal shall include add-on or deduct costs, if any. The project manager will return an approved change order prior to any change implementation.

8.1.4.8 All salvageable material remains property of the City of Fairhope, and to be delivered by **CONTRACTOR** to the City of Fairhope Warehouse, 555 South Section Street, Fairhope, Al.

8.1.5 SPECIAL CONDITIONS

8.1.5.1 EXCEPTIONS TO SPECIFICATIONS:

These specifications are based upon design and performance criteria which have been developed by the City of Fairhope as a result of extensive research and careful analysis of the data. Subsequently, these specifications reflect the only type of equipment, material(s) or supplies that is/are acceptable at this time. Therefore, exceptions may be accepted if they are minor, equal, or superior to that which is specified, and provided that they are listed and fully explained on a separate page entitled, "Exceptions to Specifications". The CITY shall determine which (if any) exceptions are acceptable and this determination shall be final.

END OF SCOPE OF WORK

RESOLUTION NO. _____

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 Two Portable Self-Priming Pumps for the Sewer Department and the items are available for direct procurement through the Houston-Galveston Area Council (“HGAC”) Contract; and therefore, does not have to be let out for bid. This has been nationally bid through the HGAC’s bid process. The cost for the Two Pumps is \$72,064.30 with an estimated freight cost of \$2,700.00 for total estimated cost of \$74,764.30.

Adopted on this 8th day of January, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope Project Funding Request

Issuing Date: 12/29/2017

Please return this Routing Sheet to Treasurer by: ASAP

JAN 3 '18 AM 8:12

Project Name: Portable Self-Priming Pumps for Sewer (2)

Project Location: Sewer Dept

Presented to City Council: 1/8/2018

Approved _____ Changed _____ Rejected _____

Project Cash Requirement Submitted for Approval:

Cost: \$74,764.30

Providers: Xylem Dewatering Solutions Inc.

Project Engineer: n/a

Order Date: n/a

Lead Time: n/a

Department Funding This Project

General	Gas	Electric	Water	Sewer-XXX	Gas Tax	Cap Proj	Impact
---------	-----	----------	-------	----------------------	---------	----------	--------

Division of General Fund Funding This Project

Admin-10	Police-15	Fire-20	Rec-25	Adult Rec-30	Marina-35	Street-35	Sanitation-40
	Golf-50	Golf Grounds-55		Debt Service-85			

Expense Code: 004-16030

Acct Name: Vehicles & Equipment

Revenue Code: _____

Project will be:

Expensed	_____
Inventoried	_____
Capitalized	<u>XXX</u>

Project Financed By:

Grant: _____ Federal - not to exceed amount

_____ State

_____ City

Project Budgeted: n/a

(Over) Under budget amount: _____

Bond: _____ Title _____ Year _____

Loan: _____ Title _____ Year _____

Capital Lease: _____ Payment _____ Term _____

Funding: Capital

City Council Prior Approval? Date? No

City Treasurer

Finance Director

Mayor

Request Received Date: 12/28/17

Received Date: 12/29/17

Received Date: 1/2/18

Request Approved Date: 12/29/17

Approved Date: 1/2/18

Approved Date: 1/2/18

Signatures: Michael V. Hinson CPA

Signatures: Jill Cabiniss

Signatures: Mayor Karin Wilson

Contact Person: Dan McCrory; Water/Sewer Dept



DEC 14 '17 PM 1:26

AM

MEMO

To: Mike Hinson, Treasurer

From: *Delores A Brandt*
Delores A Brandt, Purchasing Clerk
for Purchasing Manager

Date: December 14, 2017

Re: Greensheet approval -- over \$7,500, Purchase of Two Portable Self-Priming Pumps for Sewer Department

Karin Wilson
Mayor

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Deborah A. Smith, CPA
City Treasurer

The Sewer Department needs to procure two (2) self-priming portable pumps. The pumps are available through the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program, one of several such programs approved by the State Examiners office. Contract is with Xylem Dewatering Solutions, Inc. through H-GAC. The cost is \$33,771.40 for each pump PLUS options, for a **total** for the pumps of SEVENTY-TWO THOUSAND SIXTY-FOUR DOLLARS AND THIRTY CENTS (\$72,064.30). See attached quotation. In addition, the freight will be TWO THOUSAND SEVEN HUNDRED (\$2,700.00).

2 portable self-priming pumps + options	\$ 72,064.30
Freight quote	<u>2,700.00</u>
Total	<u>\$ 74,764.30</u>

This procurement is over the greensheet approval benchmark of \$7,500, for City Council approval. The recommended vendor is Xylem Dewatering Solutions, Inc through the Co-operative purchasing program, HGAC.

NOTES:

See attached quotation for details.

Please move this request forward to City Council for approval at the next available City Council Meeting, for two (2) self-priming portable pumps for the Sewer Department at a cost of approximately \$74,764.30

Cc: file

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper

SALE QUOTATION

CD103M Diesel Open on Trailer - H-GAC

ITEM	QTY	DESCRIPTION	UNIT PRICE	SALE TOTAL
Contract Items:				
A	2	4" One Piece Suction Screen with Male Godwin QD Fittings	\$ 125.00	\$ 250.00
B	4	4" x 20' Black Water Suction Hose with Godwin QD Fittings	256.00	1,024.00
C	4	4" x 50' Heavy Duty Layflat Hose with Godwin QD Fittings	496.00	1,984.00
D	2	PrimeGuard Float Set • w/ 65' Mechanical Floats	344.49	688.98
Open Market Items:				
A	2	Dri-Prime CD103M Diesel Pump • 4" 150# Flange Suction and Discharge • Isuzu 4LE2T FT4 Diesel Engine • Includes PrimeGuard Engine Controller • highway trailer • Electric Brakes - 3" Pintle, DOT Lights • Pump Options • 4-1/4" FQD x 150#FL Mounting Kit • Mount on suction	\$ 33,771.40	\$ 67,542.80
		• 4-1/4" MQD x 150#FL Mounting Kit • Mount on discharge	129.93	259.86
			157.33	314.66
B	1	DELIVERY MOTOR FRT BR 090 FULL LOAD • TBD	TBD	TBD
NET SALE TOTAL				\$ 72,064.30

Please note all sale pricing is in U.S. Dollars. The price does not include freight, export boxing, duties, taxes, or any other items not specifically mentioned.

This pricing information is for internal use only. We ask that these items and terms be kept confidential. All applicable tax and freight charges will be added to invoices. All quotations are subject to credit approval. All quotations are valid for 30 days. All prices quoted in US dollars.

This order is subject to the Standard Terms and Conditions of Sale - Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xylem.com/en-us/Pages/terms-conditions-of-sale.aspx> and incorporated herein by reference and made a part of the agreement between the parties.

Dee Dee Brandt

From: Dan McCrory
Sent: Thursday, December 14, 2017 9:29 AM
To: Dee Dee Brandt
Subject: Fwd: CITY OF FAIRHOPE - GSA pricing XDS SO# 190032009 & SO# 190032028
Attachments: image001.gif; ATT00001.htm; image002.gif; ATT00002.htm; image001.gif; ATT00003.htm; image002.gif; ATT00004.htm; image001.gif; ATT00005.htm; image002.gif; ATT00006.htm; image001.gif; ATT00007.htm; image002.gif; ATT00008.htm; image001.gif; ATT00009.htm; image002.gif; ATT00010.htm; Credit Application letter 2012 .docx; ATT00011.htm; Copy of REVISED Credit Application wTax Info.xlsx; ATT00012.htm

Sent from my iPhone

Begin forwarded message:

From: "Nawn, Tom - Xylem" <Tom.Nawn@Xyleminc.com>
Date: December 14, 2017 at 9:27:34 AM CST
To: Dan McCrory <dan.mccrory@cofairhope.com>
Subject: RE: CITY OF FAIRHOPE - GSA pricing XDS SO# 190032009 & SO# 190032028

Good Morning Dan,

Estimated Freight Amount for One Tractor Trailer would be \$ 2,700.00 to your location

Just so you have it I have also included our credit application for your files

Thanks

Please be sure to send all inquiries into GPDistributionOrders@xyleminc.com

This is a shared inbox and monitored by multiple people.

Use this inbox for all inquiries, even if they are not orders.

Thank you for your cooperation.

Thomas Nawn
Inside Technical Sales
Dewatering Solutions
O: 856.467.3636 M: 609.352.1518
tom.nawn@xyleminc.com

RESOLUTION NO. _____

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 Servicing and Inspections of Fire Trucks for the City Fire Stations from Sunbelt Fire, Inc., as Sole Source Distributor and Service Provider for E-One products for our region; 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 total cost will be \$11,576.00 for Servicing and Inspections.

Adopted on this 8th day of January, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope Project Funding Request

Issuing Date: 12/12/2017

Please return this Routing Sheet to Treasurer by: DEC 19 '17 AM 9:45 *ASAP*

Project Name: Annual Inspection Services for 7 Fire Dept Vehicles

Project Location: Fire Department

Presented to City Council: 1/8/2018 Approved _____ Changed _____ Rejected _____

Project Cash Requirement Submitted for Approval:

Cost: \$11,576.00

Providers: Sunbelt Fire Inc.

Project Engineer: n/a

Order Date: n/a Lead Time: n/a

Department Funding This Project

General Gas Electric Water Sewer Gas Tax Cap Proj Impact

Division of General Fund Funding This Project

Admin-10 Police-15 Fire-20 XXX Rec-25 Adult Rec-30 Marina-35 Street-35 Sanitation-40
Golf-50 Golf Grounds-55 Debt Service-85

Expense Code: 001200-50360 Acct Name: General Maintenance

Revenue Code: _____

Project will be: Expensed XXX
Inventoried _____
Capitalized _____

Project Budgeted: Yes

(Over) Under budget amount: _____

Funding: Operating funds

Project Financed By:

Grant: _____ Federal - not to exceed amount
State
City

Bond: _____ Title _____ Year _____
Loan: _____ Title _____ Year _____
Capital Lease: _____ Payment _____ Term _____

City Council Prior Approval? Date? No

City Treasurer

Finance Director

Mayor

Request Received Date: 12/12/17

Date: 12/12/17

Date: 12/12/17

Request Approved Date: 12/12/17

Date: 12/12/17

Date: 12/12/17

Signatures: Michael V. Hinson CPA

Jill Cabiniss

Mayor Karin Wilson

Contact Person: John Saraceno, Fire Dept



MEMO

To: Michael Hinson, Treasurer
From: Delores A Brandt
Delores A Brandt, Purchasing Clerk
for the Purchasing Manager

Date: December 7, 2017

Re: City Council-greensheet approval of procurement of required annual service of vehicles for the Fairhope Volunteer Fire Department

The Fairhope Volunteer Fire Department has requested the procurement of required annual inspection service of seven (7) vehicles. The total cost of the procurement is approximately ELEVEN THOUSAND FIVE HUNDRED SEVENTY-SIX DOLLARS (\$11,576.00), (see attached quotation and sole source letter from SUNBELT FIRE INC.). City Council requires an approved greensheet to be attached to the requisition for the procurement of over \$10,000. The request this year is an increase of \$1050.00 over last year.

Code of Alabama, 1975 makes provision for procurements of this nature in:

Section 41-16-51-(13)

Contracts for which competitive bidding not required.

(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.

This request is therefore, to have City Council approve this procurement per Section 41-16-51-(13)

Please place on the next City Council Agenda this request to approve the \$11,576.00 procurement of the required annual inspection of seven (7) vehicles for the Fire Department, from the sole source distributor, SUNBELT FIRE, INC.

Cc, file

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper

SUNBELT FIRE, INC. SERVICE QUOTE

120517B

8050 McGowin Dr.
 Fairhope, AL 36532
 Phone (800) 642-8484
 Fax (251) 928-9933

QT#120517B

Customer: CITY OF FAIRHOPE FIRE DEPT

Contact JOHN SARACENO

Address _____

City _____ State _____ ZIP _____

Phone _____

Misc

Date 12/5/2017

Qty	Description	unit	Price
5	TIER II PUMPER INSPECTION WITH T-CASE SERVICE	\$1,232.50	6162..50
1	TIER II AERAL INSPECTION WITH T-CASE SERVICE AND LADDER CLEAN AND LUBE.	\$ 2,355.00	\$ 2,355.00
1	ARFF INSPECTION WITH FOAM REFRAC TEST	\$ 2,008.50	\$ 2,008.50
7	NFPA PUMP TEST	\$ 150.00	\$ 1,050.00

	SubTotal	\$ 11,576.00
	Shipping	
Tax Rate(s)	0.00%	\$ -
	0.00%	\$ -
	TOTAL	\$ 11,576.00

Sales Rep Kathy Hall

Phone 800-642-8484 Ext-306

Cell 251-513-3111

email khall@sunbeltfire.com

Office Use Only

If approved please contact via email with purchase order number or confirmation of job!

"To always listen and know our customer's needs in order to provide them with the best products and service in the industry"



Kevin Kearns
Customer Support Manager
ph: (352) 861-3361
fx: (352) 861-5145
kkearns@e-one.com

September 26, 2017

Re: E-ONE Service Provider

This letter is to inform you that Sunbelt Fire is the sole authorized service, parts and warranty provider on E-ONE vehicles for Alabama, Mississippi, Louisiana, Arkansas, Tennessee, and the Western panhandle of Florida. This includes vehicles built under the name of Emergency One.

Regards,
Kevin Kearns

A handwritten signature in black ink that reads "Kevin A. Kearns".

RESOLUTION NO. _____

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 quotes for Rollup and Walk-Through Doors for the Water Department to replace the same in the 2-Million Gallon Water Tower currently in the process of being painted at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] After evaluating the quotes, the City of Fairhope approves the procurement of Rollup and Walk-Through Doors for the Water Department from Bailey Door, Inc. with a total cost of \$8,539.00.

Adopted on this 8th day of January, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk



MEMO

To: Michael Hinson, Treasurer
From: *Delores A Brandt*
Delores A Brandt, Purchasing Clerk
for Purchasing Manager

Karin Wilson
Mayor

Date: December 19, 2017

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Deborah A. Smith, CPA
City Treasurer

Re: Placing on City Council agenda approval of procurement of one rollup door and one walk through door for the 2-Milliona Gallon water tower.

The Water Department needs to procure one rollup door and one walk through door to replace the same in the 2-million gallon water tower that is currently in the process of being painted. We need to obtain these doors as soon as possible before the painting is completed. We have obtained three quotes (attached). The lowest quote for the two doors is **Eight Thousand Five Hundred Thirty-Nine Dollars (\$8,539.00)**, is from **Bailey Door, Inc.** of Bay Minette, AL. This is a non-budgeted item. City Council requires their approval of all non-budgeted procurements over \$5,000.00.

See attached quotations:

Bailey Door Inc.	\$8,539
American Garage Door	\$9,800
JCB Supply, Inc	\$9,482

Please place on the next City Council Agenda this request to approve the \$8,539.00 procurement of the rollup and walkthrough doors for the 2-Million Gallon Water Tower.

Cc, file

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper

Bailey Door, Inc.
16490 Pine Grove Road Extension East
Bay Minette, AL 36507
(251) 937-0546 – office/fax
baileydoorinc@gmail.com

Re: Water Tower Door Replacements County Rd 48

Rolling Door:

Remove and haul away 1 – 12 x 14 motor operated rolling service door. Install 1 – 12 x 14 galvanized motor operated rolling service door. FOW mount with three angle structural steel guides. Interlocking 22 gauge flat slat curtain with bottom bar astragal. Round 24 gauge galvanized hood. Baked enamel grey finish. 130 mph wind load. Motor: MGH 3311 E Logic 120/1/60 w/ auxiliary chain hoist, open/close/stop surface mount wall control station and failsafe electric safety edge w/ cord reel.

Hollow Metal Door:

Remove existing 3068 hollow metal door and frame. Install 1 – 3068 18 gauge steel door and 16 gauge welded steel frame. 3 – 4.5 x 4.5 USP ball bearing hinges, 1 – lever handle lockset, 1 – rain drip style sweep and 1 – threshold. Threshold to be set in full bed of sealant and caulk exterior line of frame.

Installed: \$8,539.00

Price based on single shipment and install. Final paint on hollow metal door and frame by other. Price includes reattaching voltage to operator and installation/wiring of new low voltage controls.

Thank You
Sam Bailey
251-232-7454



American Garage Door

American Garage Door
 Sir Veillance Security Camera Systems
 American Painting
 Mobile, Daphne, Spanish Fort, Fairhope
 251-662-6108
bryanpwebb@cox.net

Billing Address:
 American Garage Door
 8217 Lyric Dr.
 Pensacola FL 32514
www.garagedoorus.com

Date: 12/5/2017
 Quote
 To: Curtis Cooper
 City of Fairhope
Curtis.cooper@cofairhope.com

QUANTITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	12x14 rolling steel with electric motor, removing existing door, and installing all new tracks and door		\$7400.00
1	3x6'8" 16 gauge steel entry door includes frame, hardware and slab with threshold, push bar and closure.		\$2400.00
	Total		\$9800.00

Allow 3-4 weeks for delivery and installation. ½ deposit required to order door.

Thank you,
 Bryan Webb

GOOD UNTIL STEEL INCREASE - EST. 1/1/2018

JCB SUPPLY, INC
OVERHEAD DOORS & FIREPLACES
PO BOX 918
FAIRHOPE, AL. 36533
251-454-8332 Cell
(251) ~~928-5206~~ OFFICE
(251)928-5206 FAX

QUOTE

TO	FROM	DATE
City of Fairhope Attn Curtis Cooper Water Tower Rollup door M2 Water Tower	Cheryl Beshel	12-14-17

1 ea 12x14 rolling steel overhead door installed with a Motor, also with a safety edge.

Remove the old door + haul it off.

1 ea 3068 18 ga hollow metal door + 16 ga. welded frame with 3 hinges, lever handle lock set, rain drip sweep, threshold.
Remove old door and install. Seal threshold and exterior lin of frame.

Total job \$ 9482.00

RESOLUTION NO. _____

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 quotes for Electrical Repairs at the Marina after Hurricane Nate for the Electric Department at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] After evaluating the quotes, the City of Fairhope approves the procurement of Electrical Repairs at the Marina after Hurricane Nate for the Electric Department from Bay Shore Electric with a total cost of \$10,200.00 for the Project.

Adopted on this 8th day of January, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope Project Funding Request

COF Project No. _____

1279

JAN 3 '18 AM 8:12

[Signature]
ASAP

Issuing Date: 12/29/2017

Please return this Routing Sheet to Treasurer by: _____

Project Name: Marina Electrical Repairs from Hurricane Nate

Project Location: Marina

Presented to City Council: 1/8/2018

Approved _____ Changed _____ Rejected _____

Project Cash Requirement Submitted for Approval:

Cost: \$10,200.00 *[Handwritten]*
~~\$40,000.00~~ NOT TO EXCEED

Providers: Bay Shore Electric

Project Engineer: n/a

Order Date: n/a

Lead Time: n/a

Department Funding This Project

General	Gas	<input checked="" type="checkbox"/> Electric-XXX	Water	Sewer	Gas Tax	Cap Proj	Impact
---------	-----	--	-------	-------	---------	----------	--------

Division of General Fund Funding This Project

Admin-10	Police-15	Fire-20	Rec-25	Adult Rec-30	Marina-35	Street-35	Sanitation-40
	Golf-50	Golf Grounds-55		Debt Service-85			

Expense Code: 103-56005

Acct Name: Hurricane Nate

Revenue Code: _____

Project will be: Expensed _____
Inventoried _____
Capitalized XXX

Project Budgeted: n/a

Project Financed By:

Grant: 87.50%

FEMA Reimbursement
State _____
City _____

(Over) Under budget amount: _____

Bond: _____
Loan: _____
Capital Lease: _____

Title _____ Year _____
Title _____ Year _____
Payment _____ Term _____

Funding: FEMA Grant

City Council Prior Approval? Date? No

City Treasurer

Finance Director

Mayor

Request Received Date: 12/28/17

Received Date: 12/29/17

Received Date: 1/2/18

Request Approved Date: 12/29/17

Approved Date: 1/2/18

Approved Date: 1/2/18

Signatures: *[Signature]*
Michael V. Hinson CPA

[Signature]
Jill Cabiniss

[Signature]
Mayor Karin Wilson

Contact Person: Joe Wolchins; Electric Dept



MEMO

Karin Wilson
Mayor

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Deborah A. Smith, CPA
City Treasurer

To: Michael Hinson, Treasurer
From: Delores A Brandt
Delores A Brandt, Purchasing Clerk
for Purchasing Manager

Date: December 22, 2018

Re: **Approving vendor for electrical repairs at the Marina after Hurricane Nate**

The Electric Department has requested electrical repairs labor consisting of two parts:

- 1) Installation of conduit on south wall, conduit on east wall, 9 shore power boxes around marina, changing out of one electrical panel, and installation of red/green light at entrance of Marina. The City will be supplying all needed materials.
- 2) Removal of all under pier lights; check all junction boxes and to replace wire nuts if necessary

We have obtained three quotes: Bay Shore Electric, TK Smith & John Little Electric, Inc. and KMAC Electrical, LLC (see attached) **The recommendation is to approve Bay Shore Electric to provide the labor for the installation of the, at a cost of 6,800.00. for #1, and \$3,400.00 for #2 for a combined cost for this project of \$10,200.00.**

Please compose, and have approved, this request to approve Bay Shore Electric, as the contractor for the electrical labor for repairs at the marina in the amount of \$10,200.00

Cc: file

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper

Dee Dee Brandt

From: Joe Wolchina
Sent: Friday, December 22, 2017 9:29 AM
To: Dee Dee Brandt
Cc: Jeremy Morgan; Richard Peterson
Subject: Pier Repairs
Attachments: 171278.pdf; Bid Quote 12.18.17 COF Pier lights.doc; Bid Quote 12.18.17 COF Pier work.doc; City of Fairhope Pier Estimate.pdf

Dee Dee

It is my recommendation that Bay Shore Electric be chosen as the contractor based on lowest quote. Thanks

Joe Wolchina
Electric Superintendent
555 South Section Street
P.O. Drawer 429
Fairhope, Alabama 36533
251-928-8003
www.fairhopeal.gov

Bay Shore Electric
Jeremy Patterson, Owner
Ben Patterson, Owner
P.O. Box 108
Fairhope, AL 36533
(251) 583-5873

BID QUOTE \$6,800.00

Attention: Joe Wolchina-City of Fairhope

This quote includes installing 3-2 inch conduit on the south wall and 2-2 inch conduit on the east wall 9 shore power boxes around marina as well as changing out one panel and installing the red and green light at the entrance of the marina. Owner supplies all material.

Please call me with any questions.

Thanks,

Jeremy Patterson
Bay Shore Electric, LLC

Bay Shore Electric
Jeremy Patterson, Owner
Ben Patterson, Owner
P.O. Box 108
Fairhope, AL 36533
(251) 583-5873

BID QUOTE \$3,400.00

Attention: Joe Wolchina-City of Fairhope

This quote includes removal of all under pier lights and to check all junction boxes and to replace wire nuts if necessary.

Please call me with any questions.

Thanks,

Jeremy Patterson
Bay Shore Electric, LLC

PROPOSAL

T.K. Smith & John Little Electric Co., Inc. d/b/a Smith Electric & Associates 2570 Halls Mill Rd. Mobile, AL 36606 Telephone: 251.471.4723 Fax: 251.471.4626	Proposal No. 171278 Sheet No.1 Date: 12/15/2017
---	---

<u>Proposal Submitted to:</u> City of Fairhope	<u>Work To Be Performed At:</u> Fairhope City Pier 1 N Beach Rd Fairhope, AL
---	---

We hereby propose to furnish the materials and perform the labor necessary for the completion of the following:

#1 Install 200 amp distribution panel in large stainless steel junction box. Install PVC conduit, wire, junction boxes, expansion joints, and marine panels in 11 locations East and South walls. At West wall install new feeder, 100 amp, to existing junction box. Install (3) 20 amp circuits to existing pole lights. Install (2) navigation lights, wire, and conduit as required. **All material shall be provided by the owner.**

Labor Only: \$14,800.00

#2 Remove 10 fish lights, conduit, and conductors from under pier. Plug holes in stainless steel junction box. Check all taps in junction box, replace cover, and silicone.

\$5,200.00

Approved By

Date

Company

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Respectfully Submitted: Smith Electric & Associates

T.K. Smith, President

K MAC Electrical, LLC:

P.O. Box 397

Silverhill, AL 36576

Phone: (251) 623-9788

Project Estimate

Date	Estimate #
12/20/2017	. 5589

Customer Name / Address:
City of Fairhope, AL Attn: Joe Wolchina
Customer Phone:

		Project
Qty	Description	
24	Electrical Estimate for Fairhope Pier/ Yacht Club ReWire Labor x 4 men - Demo Labor x 4 men - Build Back Note: All work will be performed in a professional manner and in accordance with the guidelines set by the City of Fairhope.	
80		
Thank You for your time and consideration. Please call with any questions or concerns you may have.		Total \$22,880.00

This estimate is for completing the job as described above. It is based on our evaluation and does not include material price increases or additional labor and materials which may be required should unforeseen problems or adverse weather conditions arise after the work has begun.

RESOLUTION NO. _____

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 quotes for the Civic Center Light Dimming System for the Community Affairs Department at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] After evaluating the quotes, the City of Fairhope approves the procurement of Civic Center Light Dimming System for the Community Affairs Department from A&W Lighting with a total cost of \$5,416.85.

Adopted on this 8th day of January, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope Project Funding Request

JAN 3 '18 PM 4:18

Issuing Date: 1/2/2018

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Civic Center Light Dimming System

Project Location: Civic Center

Presented to City Council: 1/8/2018 Approved _____ Changed _____ Rejected _____

Project Cash Requirement Submitted for Approval:

Cost: \$5,416.85

Providers: A&W Lighting

Project Engineer: n/a

Order Date: n/a Lead Time: n/a

Department Funding This Project							
General XXX	Gas	Electric	Water	Sewer	Gas Tax	Cap Proj	Impact

Division of General Fund Funding This Project							
Admin-10 XXX	Police-15	Fire-20	Rec-25	Adult Rec-30 XX	Marina-35	Street-35	Sanitation-40
	Golf-50	Golf Grounds-55		Debt Service-85			

Expense Code: 001300-50470 Acct Name: Purchases Vehicles & Equipment Revenue Code: _____

Project will be: Expensed _____
 Inventoried _____
 Capitalized XXX

Project Financed By:
 Grant: _____ Federal - not to exceed amount
 _____ State
 _____ City

Project Budgeted: n/a

(Over) Under budget amount: _____

Bond: _____ Title _____ Year _____
 Loan: _____ Title _____ Year _____
 Capital Lease: _____ Payment _____ Term _____

Funding: Operating funds

City Council Prior Approval? Date? No

<u>City Treasurer</u>	<u>Finance Director</u>	<u>Mayor</u>
Request Received Date: <u>1/5/18</u>	Received Date: <u>1/3/18</u>	Received Date: <u>1/3/18</u>
Request Approved Date: <u>1/3/18</u>	Approved Date: <u>1/3/18</u>	Approved Date: <u>1/3/18</u>
Signatures: <u>Michael V. Hinson CPA</u>	<u>Jill Capiniss</u>	<u>Mayor Karin Wilson</u>

Contact Person: Michael Stonehouse; Rental Facilities Manager



MEMO

To: Michael Hinson, Treasurer
From: *Delores A Brandt*
Delores A Brandt, Purchasing Clerk
for Purchasing Manager

Karin Wilson
Mayor

Council Members

Kevin G. Boone

Date: January 02, 2018

Robert A. Brown

Jack Burrell, ACMO

Re: Place on City Council agenda and compose a greensheet for the approval of procurement of a light dimming system for the Civic Center.

Jimmy Conyers

Jay Robinson

The Community Affairs Department needs to procure a light dimming system for the Civic Center as an upgrade and improvement. We need to obtain this system as soon as possible before the Mardi Gras Season begins. We have obtained three quotes (attached). The lowest quote for the system is **Five Thousand Four Hundred Sixteen Dollars and Eighty-Five Cents (\$5,416.85)**, is from **A & W Lighting** of Mobile, AL This is a **requested 2018 budgeted item for lighting upgrades.**

Lisa A. Hanks, MMC
City Clerk

Deborah A. Smith, CPA
City Treasurer

See attached quotations:

A&W Lighting	\$5,416.85
Power Productions, Inc.	\$5,850.00
Showbiz Theatrical Services, Inc.	\$6,132.00

Please compose a greensheet, and move forward to the next available City Council agenda this request to approve the \$5,416.85 procurement of the light dimming system for the Civic Center

Cc, file

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

251-928-2156

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper

Dee Dee Brandt

From: Dee Dee Brandt
Sent: Tuesday, January 02, 2018 12:23 PM
To: Michael Hinson
Subject: Memo for greensheet??
Attachments: memo to Mike CC appr procure light dimming system Civic Ctr 12-29-17.doc

Tracking:	Recipient	Delivery
	Michael Hinson	Delivered: 1/2/2018 12:23 PM

Mike:
This is a REQUESTED 2018 budgeted item for the Civic Center. It is **over \$5000** and **Under \$7500 (Greensheet)** and **Under \$10,000 budgeted. Please review before I print and bring to you.**

Lisa and I have been working on the premise that everything needs to be approved by CC at this point. Right?

Dee Dee Brandt
Purchasing Clerk
251 928-8003
deedeeb@cofairhope.com

*Memo
attached*

Dee Dee Brandt

From: Michael Stonehouse
Sent: Friday, December 29, 2017 12:52 PM
To: Dee Dee Brandt
Cc: Randy Weaver; Sherry-Lea Bloodworth Botop; Josh Titford; Jill Cabaniss
Subject: Dimmer Quotes - Green Sheet
Attachments: Scan0256.pdf

Dee Dee,

The dimming system for our Civic Center has failed and needs to be replaced. Because of the activities scheduled at the C.C. we need to replace it as soon as possible. Per our discussion today, I have attached the 3 quotes for the dimmer system here at the civic center. We would like to accept quote # Q3832 from A&W Lighting, if council approves this upgrade that was a budgeted item for 2018.

Respectfully,

Michael Stonehouse
michael.stonehouse@fairhopeal.gov
Rental Facilities Manager
City of Fairhope
251-990-0130
251-929-1467 Fax



QUOTE

Quote Number: Q3832
 Quote Date: Dec 14, 2017
 Page: 1

1124 Hillcrest Road
 Mobile, AL 36695
 Voice: (251) 607-0099 Fax: (251) 607-0093

Quoted To:
City Of Fairhope P. O. Box 429 Fairhope, AL 36533

Ship To:
City Of Fairhope P. O. Box 429 Fairhope, AL 36533

Customer ID	Good Thru	Payment Terms	Sales Rep
FAIRHO	1/13/18	1% 10 Days, Net 10th Next Month	AARON

Quantity	Description	Unit Price	Amount
	** DIMMING SYSTEM REPLACEMENT		
1	DMX DIMMING PANEL 6/2400W	2,568.95	2,568.95
1	6 SLIDER CONTROL	553.95	553.95
1	REMOTE 5 SCENE	593.95	593.95
1	COMMISSION SYSTEM	250.00	250.00
1	SOUTH ALABAMA ELECTRIC TO INSTALL	1,450.00	1,450.00

Subtotal	5,416.85
Sales Tax	
Freight	
TOTAL	5,416.85

No returns on display or discontinued items. No returns after 30 days, or if item is installed, blemished, or not in original packaging. Other returns are subject to a 50% restocking fee and store credit.

Signature: _____

Corrected from Power Pro

3

Power Productions Inc. * 25935 Friendship Rd * Daphne, AL 36526 * 251-625-2801

**City of Fairhope
December 18, 17
Dimming System for Civic Center House Lighting**

In response to your request, here is our proposal.

Qty	Model	Price	Total
1	Lightronics AR 1202	\$2950.00	\$2950.00
2	Lightronics AF2104	\$325.00	\$650.00
1	Installation	\$2250.00	\$2250.00

Steve Little with A/O Electric will provide electrical services.

Subtotal	\$5850.00
Sales Tax	\$0
Total	\$5850.00

The first AF2104 will replace the current controller upstairs in the control room. The 2nd unit would be installed backstage on the stage right wall.

Thanks,

John Mashburn

Power Productions Inc.

37

Showbiz Theatrical Services, Inc.

PRICE QUOTATION

251-473-2053 FAX:251-473-8862
 Mobile, AL 36607
 2960 Old Shell Road

DATE	ESTIMATE NO.
12/4/2017	3312

NAME / ADDRESS
FAIRHOPE CIVIC CENTER 161 N. SECTION ST. FAIRHOPE, AL 36532

P.O. NO.	TERMS	PRICE GOOD...	REP	PROJECT
	Net 30	3/31/2018	RLS	

DESCRIPTION	QTY	COST	TOTAL
REPLACE EXISTING DIMMING SYSTEM FOR HOUSE LIGHTING WITH 1-LIGHTRONICS AR 1202, 12-2400 WATT DIMMERS AND 1- LIGHTRONICS AF2104, 4-SLIDER, 3 BUTTON WALL STATION, WE WILL PROVIDE AND PULL NEW CONTROL CABLE MAKE ALL CONNECTIONS AND PROGRAM SYSTEM. PRICE INCLUDES ELECTRICAL INSTALLATION BY CERTIFIED ELECTRICAL CONTRACTOR. LINE ITEM COST BELOW	1	3,450.00	3,450.00
LIGHTRONICS AR 1202, 12-2400 WATT DIMMERS	1	360.00	360.00
LIGHTRONICS AF2104, 4-SLIDER, 3 BUTTON WALL STATION			
CONTROL WIRING PULLED AND LOW VOLTAGE CONNECTIONS		522.00	522.00
ELECTRICAL SERVICES BY LICENSED ELECTRICIAN PRICE INCLUDES ALL SHIPPING, DELIVERY AND INSTALLATION		1,800.00	1,800.00
<p>THIS QUOTATION IS DEPENDING ON THE INFORMATION WE HAVE GATHERED BY PHONE, WE SHOULD INSPECT THE EXISTING SYSTEM AND NEEDS BEFORE ANY EQUIPMENT IS ORDERED.</p>			
TOTAL			\$6,132.00

SIGNATURE _____

EDUCATION ADVISORY COMMITTEE

NOMINEE (S)

3 - Year Term

APPOINTMENTS

Robin Coleman

This term shall end January 2021

REAPPOINTMENTS

CITY OF FAIRHOPE



APPLICATION FOR APPOINTMENT TO A CITY BOARD OR COMMITTEE

City Council seeks to have diversity in making appointment to boards and committees. It is the policy of the City Council to make appointments based on the needs of the City as well as the interests and qualifications of each applicant. In accordance with the Code of Alabama, all applicants must be qualified electors and taxpayers in the City, excluding the Planning Commission. All applications filed with the City Clerk will be public record.

Please return this application to the Fairhope City Clerk at City Hall, 161 North Section Street, Fairhope, Alabama 36532 or mail to City of Fairhope, Attention Fairhope City Clerk, P. O. Drawer 429, Fairhope, Alabama 36533.

PLEASE PRINT CLEARLY

Last Name: Coleman First Name: Robin
 Phone Number: _____ Cell: 251 656-5356 Email: colemanrobin@bellsouth.net
 Home Address: 3 Audubon Place
 City: Fairhope State: AL Zip: 36532
 Business Address: 8477-A County Rd 64, Suite 4
 City: Daphne State: AL Zip: 36526
 Name of Board or Committee: Educational Advisory Committee

EDUCATIONAL BACKGROUND:

Bachelor of Science in Comprehensive Science - The University of Alabama 1994

PROFESSIONAL LICENSES AND/OR ASSOCIATIONS:

Baldwin County Association of Realtors 2016-present Alabama Education Association - 94-2000
National Association of Realtors 2016-present National Science Teachers Association - 94-2000

PROFESSIONAL EXPERIENCE:

Secondary Education: Hillcrest High School - Tuscaloosa AL (1994) AP Biology
Teacher: Mountain Brook Junior High - Birmingham AL (94-98) Biology CH
Fairhope Middle School - Fairhope AL (98-2000) science

CIVIC INTERESTS AND/OR SERVICE MEMBERSHIPS:

Fairhope United Methodist Church
Fairhope Educational Enrichment Foundation (served 3 terms)
Thomas Hospital Foundation Board Junior League of Mobile
Country and Morris Real Estate - (2016 present)
Cheri Tillet Catering Owner - (2007-2009)

HOW WILL YOUR QUALIFICATIONS BEST SERVE THE NEEDS OF THE COMMUNITY?

My education background - along with my experience with FEET Fairhope schools and principals qualify me to help move Fairhope schools in a positive direction for growth and success.
 Signature: Robin Coleman Date: 12/10/12

You may attach a resume with this application.

I am aware of many of the needs in each school. I also understand the economic growth and booming population in Baldwin County because of my current experience in the real estate and appraisals in Baldwin County. It would be an honor to serve.