

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, 8 January 2018.

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

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Reverend A. B. Sawyer, Associate Pastor of First Baptist Church, and the Pledge of Allegiance was recited.

Council President Burrell stated there was a need to add on an agenda item after Agenda Item Number 17: a Resolution Award Bid for a Split-Fuel Tank for the Marina (“Fairhope Docks”) for the City of Fairhope (Bid Number 009-18) to Alabama Tank, Inc., with a total bid proposal of \$62,285.00.

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

Council President Burrell announced that Agenda Item Number 5: Mayor Wilson’s veto of Resolution No. 2958-17 is being pulled from the agenda at the request of Mayor Wilson and from advice of our attorneys that this item was not necessary.

Councilmember Robinson moved to approve minutes of the 18 December 2017, regular meeting; minutes of the 18 December 2017, work session; and minutes of the 18 December 2017, agenda meeting; and minutes of the 29 December 2017 special-called City Council meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Lynn Maser, on behalf of Mayor Wilson, addressed the City Council and presented Aimee Risser, CEO of Big Brothers Big Sisters of South Alabama, Inc., with a proclamation, on behalf of the Mayor and City Council, proclaiming January National Mentoring Month in the City of Fairhope.

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The following individuals spoke during Public Participation for Agenda Items:

- 1) Billy Wise, 104 Par Circle, addressed the City Council regarding Agenda Item Number 8: an Ordinance Establishing an Entertainment District for the City of Fairhope. Mr. Wise stated he was not in favor of the Entertainment Ordinance. He questioned how the City was going to enforce the problems with minors, alcohol leaving establishments, and alcohol going into the establishments. This ordinance is not in the best interest for Fairhope. He said this ordinance will not help us to remain "Fairhope" and Fairhope is not a beach community. It is a family friendly environment.
- 2) Jerry Henry, 124 D'estrehan, addressed the City Council regarding Agenda Item Number 8: an Ordinance Establishing an Entertainment District for the City of Fairhope. Dr. Henry stated he was not in favor of the Entertainment Ordinance. He said the Downtown District is a family friendly environment and is concerned with alcohol being a part of that. Dr. Henry said that if we have alcohol during these events, these will not be family friendly events.
- 3) Lisette Norman, 105 South Bayview, addressed the City Council regarding Agenda Item Number 8: an Ordinance Establishing an Entertainment District for the City of Fairhope. Ms. Norman stated she was in favor of the Entertainment Ordinance. She mentioned seeing a town that was dead and after establishing an Entertainment District, it became alive. She said this would be good for social gatherings, diversity, and aesthetics.
- 4) Jane Wise, 104 Par Circle, addressed the City Council regarding Agenda Item Number 8: an Ordinance Establishing an Entertainment District for the City of Fairhope. Ms. Wise stated she was not in favor of the Entertainment Ordinance. She said, "if you build it, they will come." Ms. Wise commented Mayor Wilson has a bar in the middle of the Central Business District and been promoting this ordinance. Ms. Wise asked if this is a conflict for a public official for the ordinance who has an establishment.
- 5) Claude Puckett, citizen of Fairhope, addressed the City Council regarding Agenda Item Number 8: an Ordinance Establishing an Entertainment District for the City of Fairhope. Mr. Puckett stated he was not in favor of the Entertainment Ordinance and agreed with all who were against it.

Councilmember Robinson wished everyone a Happy New Year and then said, "Roll Tide."

Councilmember Conyers reminded everyone of the Chocolate and Champagne event for the Fairhope Public Library on January 27, 2018. He also mentioned the passing of Ed Rodriguez who had a great relationship with the Chambers of Commerce in Baldwin County.

Councilmember Boone also wished everyone a Happy New Year.

8 January 2018

Council President Burrell recognized Jack Marlow who is in attendance. Mr. Marlow is Life Scout who is working on his communications badge toward becoming an Eagle Scout.

Council President Burrell also recognized the Fairhope High School Wrestling Team. Assistant Wrestling Coach Terry Eby said they were in their second season and wanted to get knowledge out to the public about wrestling. He announced the Fairhope Team will be hosting Daphne and Robertsdale tomorrow night at 5:30 p.m. Coach Eby recognized Senior Gibbs Sherrell, Senior Reese Rowell, and Junior Jack Smith who are members of the Wrestling Team.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Boone introduced in writing Ordinance No. 1610, an ordinance 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. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance.

Planning Director Wayne Dyess briefly explained the proposed ordinance. He stated this piece of property is non-conforming to be zoned R-1. Mr. Dyess said there are between 23,000 to 24,000 vehicle trips in front of this business in 2015.

Bobby Green, owner of property, stated it has been a year and a week from the Planning Commission application for this proposed rezone. The self-imposed restrictions for the property are convenience store, auto repair, or dry-cleaning businesses. Attorney Daniel Blackburn said it would be an unnecessary act putting these restrictions in the deed.

Council President Burrell opened the Public Hearing at 6:36 p.m.

- 1) Claude Puckett, Maple Street, addressed the City Council and stated anything the Greens undertake will be immaculate like their house and business. He recommended the rezone and said it would be an asset to the City.

No one present opposed the proposed ordinance, the Public Hearing closed at 6:38 p.m. Councilmember Conyers stated the self-imposed restrictions are the only reason we are back due to a new Supreme Court ruling. The Greens have waited long enough. Councilmember Robinson stated we have heard this item several times and are ready to move on.

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Council President Burrell commented we do not have an Overlay District in the area and we need it now. He said we will be setting a precedence allowing B-2 in this area. Mr. Dyess replied the City is working on an Overlay District, but it takes time. He also mentioned the City is seeking grant funding to help with the district.

In order to take immediate action, Councilmember Conyers moved for immediate consideration. Seconded by Councilmember Robinson, motion for immediate consideration passed unanimously by the following voice votes: AYE – Burrell, Robinson, Conyers, and Boone. NAY – None. Councilmember Robinson then moved for final adoption of Ordinance No. 1610. Seconded by Councilmember Conyers, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, and Boone. NAY – None.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Robinson introduced in writing Ordinance No. 1611, an ordinance to amend Article V, Section B. Central Business District Overlay Proposed Expansion. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance.

Planning Director Wayne Dyess briefly explained the proposed ordinance and stated the only part that was changed from the last ordinance was the required parking.

Council President Burrell opened the Public Hearing at 6:45 p.m.

- 1) Bryan Britt, Echo Rouge Lane, addressed the City Council and asked that they consider this amendment tonight. He said there are several projects waiting and did not want to present any delays. Mr. Britt said he was in favor of the ordinance.

No one present opposed the proposed ordinance, the Public Hearing closed at 6:47 p.m. Councilmember Robinson commented he liked the ordinance as presented before and likes it as is. Councilmember Conyers said this is the same scenario as the Greens' rezone ordinance. Councilmember Boone said he was all for the ordinance.

In order to take immediate action, Councilmember Boone moved for immediate consideration. Seconded by Councilmember Conyers, motion for immediate consideration passed unanimously by the following voice votes: AYE – Burrell, Robinson, Conyers, and Boone. NAY – None. Councilmember Boone then moved for final adoption of Ordinance No. 1611. Seconded by Councilmember Conyers, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, and Boone. NAY – None. Council President Burrell stated we were here three to four years ago and now glad the Planning Commission moved forward with this.

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Councilmember Conyers moved for final adoption of an ordinance to establish an Entertainment District for the City of Fairhope. (Introduced at the December 18, 2017 City Council Meeting) Council President Burrell handed the gavel down to Council President Pro Tempore Robinson and then seconded the motion.

Councilmember Conyers stated he agreed with Billy Wise if the ordinance was 365 days, but it is just for special events. He said people are doing this already; and the ordinance states it would be one hour before and one hour after the event. Councilmember Conyers commented this will help businesses who are being fined by the Alcoholic Beverage Commission.

Council President Burrell echoed what Councilmember Conyers stated; and said it would be extremely limited for special events. He said good friends have spoken against it; yet during the symphony on the bluff there are tables with tablecloths with two bottles of wine on these. This is not being enforced and we have an open container law. He said this would make it right to do what they are already doing. Council President Burrell said it would be slightly hypocritical to not vote for this ordinance if not enforcing the open container law.

Councilmember Boone state he understood what you have said, but we cannot have a family friendly environment with alcohol on the streets of Fairhope.

Councilmember Robinson state he was on the fence about this ordinance; and he does not know if it impacts or not impacts the City. Councilmember Robinson said he has only heard negative comments against this from the last meeting.

After further discussion, motion for final adoption failed by the following voice votes: AYE – Burrell and Conyers. NAY – Robinson and Boone.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a 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. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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8 January 2018

RESOLUTION NO. 2959-18

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

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

RESOLUTION NO. 2960-18


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

8 January 2018

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for Three-Year 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); and a not to exceed of \$92,340.00 for the Three Years. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 2961-18

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 Three-Year 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 Three-Year 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 Three-Year Internet Services 2018 per the request of the IT Department with a not to exceed of \$92,340.00 for the Three Years.

Adopted on this 8th day of January, 2018

Karin Wilson, Mayor

Attest:


Lisa A. Hanks, MMC
City Clerk

8 January 2018

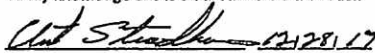
CITY OF FAIRHOPE
BID TABULATION AND RECOMMENDATION
 Bid Name: Internet Services 2018
 Bid Number: 008-18
 Date Opened: 12/28/2017

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 UNIFI Fiber	yes	\$14,112.00	\$15,072.00	\$17,892.00	\$30,780.00
c-Spire (Calls Communications)	no bid	no bid	no bid	no bid	no bid
Harber 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 Unifi Fiber for Option 4 in the amount of \$30,780.00


 Jeff Montgomery
 IT Director

To my knowledge this is an accurate bid tabulation


 Clint Steadham, Buyer
 Purchasing Manager

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase 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.

8 January 2018

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. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 2962-18

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

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase Annual 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 Inspections. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

8 January 2018

RESOLUTION NO. 2963-18

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 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 Inspections.

Adopted on this 8th day of January, 2018



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase Rollup and Walk-Through Doors for the Water Department with a total cost of \$8,539.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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8 January 2018

RESOLUTION NO. 2964-18

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

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

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8 January 2018

RESOLUTION NO. 2965-18

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

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase Civic Center Light Dimming System for the Community Affairs Department with a total cost of \$5,416.85. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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8 January 2018

RESOLUTION NO. 2966-18

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.

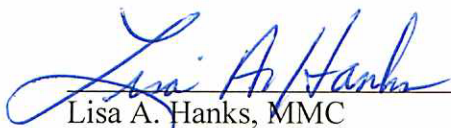
[2] After evaluating the quotes, the City of Fairhope approves the procurement of Civic Center Light Dimming System for the Community Affairs Department from A&W Lighting with a total cost of \$5,416.85.

Adopted on this 8th day of January, 2018



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers moved to appoint Robin Coleman to the Education Advisory Committee for a three-year term which will expire in January 2021. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for a Split-Fuel Tank for the Marina ("Fairhope Docks") for the City of Fairhope (Bid Number 009-18) to Alabama Tank, Inc., with a total bid proposal of \$62,285.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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8 January 2018

RESOLUTION NO. 2967-18

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 a Split-Fuel Tank for the Marina (“Fairhope Docks”) for the City of Fairhope (Bid Number 009-18) 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 a Split-Fuel Tank for the Marina (“Fairhope Docks”) for the City of Fairhope

[3] After evaluating the bid proposals with the required bid specifications, Alabama Tank, Inc., with a total bid proposal of \$62,285.00, is now awarded the bid for a Split-Fuel Tank for the Marina (“Fairhope Docks”) for the City of Fairhope.

Adopted on this 8th day of January, 2018



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

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8 January 2018

CITY OF FAIRHOPE

BID TAB

BID NO: 009-18

BID NAME: New Split-Fuel Tank for Marina

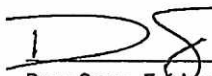
BID OPENED: December 27, 2017 at 9:00 A.M.

Note: Bid Bond 5% (not required on less than \$10,000) waived

VENDOR	Bid Proposal Executed / Signed / Notarized	Anticipated Delivery (wks) from date of PO	BID BOND waived	Addenda 1	Bid Price 10,000 gal Split Diesel/unleaded Fuel Dispensing System w/ Integrated Dispenser
Alabama Tank, Inc	yes	8-10 wks		yes	\$62,285.00 attachment
MECO Inc	yes	8-10 wks		yes	\$89,492.00
Mike Hoffman's Equipment Service, Inc	yes	10 wks		yes	\$91,303.32

Recommendation: Award bid to Alabama Tank, Inc for Bid price of \$62,285.00

To the best of my knowledge this is an accurate Bid Tabulation

 1/2/18
Drew Craze, Fairhope Docks Manager

 1/4/18
Delores A Brandt, Purchasing Clerk
for Purchasing Manager

 1/3/18
Richard Peterson, P.E. Director of Operations

8 January 2018

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

- 1) Tooky McCloud, resident of Quail Creek, addressed the City Council regarding the orange stub outs from Southern Light that do not look nice. She mentioned the ones at Thompson Hall Road at Windmill Subdivision. Council President Burrell said we will get her an official answer and asked that she get with Lynn Maser.
- 2) Jane Wise, 104 Par Circle, addressed the City Council and said the "Quality of Life" is what we want for our children and this is the legacy we want to leave.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 7:21 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk