

STATE OF ALABAMA                    )  
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 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, 22 April 2019.

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 was absent.

There being a quorum present, Council President Burrell called the meeting to order at 6:06 p.m. Dr. Ed Glaize, Senior Pastor of Fairhope United Methodist Church, thanked the City Council for allowing him to give the invocation and said this would be his final one. Dr. Glaize announced he would be moving to a new church in Dothan. The invocation was given by Dr. Glaize, and the Pledge of Allegiance was recited. Council President Burrell told Dr. Glaize that the sermon on Easter Sunday was probably the best he had done; and wanted to applaud.

Council President Burrell stated there was a need to add on an agenda item after Agenda Item Number 15: a resolution that the City Council hereby approves the updated Proposed Fairhope Special Tax District Map which will be known as School Tax District 9 of the Baldwin County Board of Education's School Tax Districts.

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

Councilmember Conyers moved to approve minutes of the 8 April 2019, regular meeting; minutes of the April 2019, work session; and minutes of the 8 April 2019, agenda meeting. Seconded by Councilmember Robinson, motion for passed by the following voice votes: AYE – Burrell, Robinson, and Conyers. NAY - None. ABSTAIN – Boone.

Mayor Wilson addressed the City Council and gave the following report which is found at the end of the minutes.

A Public Hearing was held on a proposed ordinance to approve an Application from Bruce Cuddy for a Franchise Agreement to operate Bruce Cuddy Pickleball Instruction. Councilmember Conyers introduced in writing Ordinance No. 1647, an ordinance to approve an Application from Bruce Cuddy for a Franchise Agreement to operate Bruce Cuddy Pickleball Instruction at the Fairhope Recreation Center on 803 North Greeno Road and the Mike Ford Tennis Center at Stimpson Park on Young Street.

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The Recreation Board gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance.

Recreation Director Tom Kuhl briefly explained the proposed ordinance.

Council President Burrell opened the Public Hearing at 6:21 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:21 p.m.

In order to take immediate action, Councilmember Robinson 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 Robinson then moved for final adoption of Ordinance No. 1647. Seconded by Councilmember Conyers, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, and Boone. NAY - None.

Councilmember Robinson moved for final adoption of Ordinance No. 1648, an ordinance to amend Zoning Ordinance No. 1253 and to rezone the property of Fairhope Single Tax Corporation, Doris F. Callies, William J. Callies, III, Michael E. Hollis and Leslie Callies from R-2 Medium Density Single Family Residential District to R-3 High Density Single Family Residential District. This property is generally located on the north side of Morphy Avenue, Fairhope, Alabama. PPIN #14482, #14655, #236236, #243084, #356333, #356334, #356335, #356336, and #356337. (Introduced at the April 8, 2019 City Council Meeting) Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, and Boone. NAY - None.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute a contract with GeoCon Engineering & Materials Testing, Inc. for Professional Geotechnical Testing and Engineering Services for the Proposed Side Stream Vessels for Quail Creek, Twin Beech Road, Woodlands, and Public Works Site with a cost of not to exceed \$7,116.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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**RESOLUTION NO. 3392-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That Mayor Karin Wilson is hereby authorized to execute a contract with GeoCon Engineering & Materials Testing, Inc. for Professional Geotechnical Testing and Engineering Services for the Proposed Side Stream Vessels for Quail Creek, Twin Beech Road, Woodlands, and Public Works Site with a cost of not to exceed \$7,116.00.

DULY ADOPTED THIS 22ND DAY OF APRIL, 2019
  
 \_\_\_\_\_  
 Karin Wilson, Mayor

Attest:

  
 \_\_\_\_\_  
 Lisa A. Hanks, MMC  
 City Clerk


Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute Amendment No. 2 to the Contract for Professional Engineering Services, for RFQ No. PS009-18 for ADEM C&D Landfill Permit 2018 to cover new ADEM requirements, with Hutchinson, Moore and Rauch, Inc., at a cost of the amendment not to exceed \$10,800.00 which increases the total value of this project to \$16,875.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3393-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** that Mayor Karin Wilson is hereby authorized to execute Amendment No. 2 to the Contract for Professional Engineering Services, for RFQ No. PS009-18 for ADEM C&D Landfill Permit 2018 to cover new ADEM requirements, with Hutchinson, Moore and Rauch, Inc., at a cost of the amendment not to exceed \$10,800.00 which increases the total value of this project to \$16,875.00.

DULY ADOPTED THIS 22ND DAY OF APRIL, 2019
  
 \_\_\_\_\_  
 Karin Wilson, Mayor

Attest:

  
 \_\_\_\_\_  
 Lisa A. Hanks, MMC  
 City Clerk

22 April 2019

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted for the procurement of Supply and Delivery of Beach Sand Load #2 for the Magnolia Beach Sand Re-nourishment Project for the Public Works Department with a cost not to exceed \$22,000.00; and to use the budgeted amount from the Orange Avenue Pier Renovation for this Project. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3394-19**

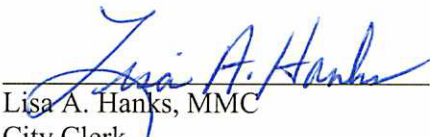
**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** as follows:

[1] That the City of Fairhope has voted for the procurement of Supply and Delivery of Beach Sand Load #2 for the Magnolia Beach Sand Re-nourishment Project for the Public Works Department with a cost not to exceed \$22,000.00; and to use the budgeted amount from the Orange Avenue Pier Renovation for this Project.

Adopted on this 22nd day of April, 2019

  
\_\_\_\_\_  
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 One Hose Washer for the Fairhope Volunteer Fire Department from NAFECO with a total cost of \$12,138.33. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3395-19**

**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 three quotes for One (1) Hose Washer for the Fairhope Volunteer Fire Department at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.




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[2] After evaluating the quotes, the City of Fairhope approves the procurement of One (1) Hose Washer for the Fairhope Volunteer Fire Department from NAFECO with a total cost of \$12,138.33.

Adopted on this 22nd day of April, 2019

  
\_\_\_\_\_  
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 a 2018 Ford F150 SuperCab 4x2 Pickup for the Water Department and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and the total cost is \$21,942.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

**RESOLUTION NO. 3396-19**

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


[1] That the City of Fairhope has voted to purchase a 2018 Ford F150 SuperCab 4x2 Pickup for the Water Department and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and

[2] The following is the Alabama State Department of Purchasing contract information:

Bid Number: T191A

2018 Ford F150 SuperCab 4x2 Pickup      **Cost is \$21,942.00**

Adopted on this 22nd day of April, 2019

  
\_\_\_\_\_  
Karin Wilson, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

22 April 2019

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution accepting the public streets, public right-of-ways, and all of Fairhope's public utilities located in public right-of-ways within Fox Hollow Subdivision, Phase 2 for maintenance and to authorize Mayor Karin Wilson to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Montrose Properties, Inc. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3397-19**

**WHEREAS**, the Owners of Fox Hollow Subdivision, Phase 2 desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2674-D and 2674-E, and all Fairhope public utilities located in public right-of-ways accepted for maintenance by the City of Fairhope, Alabama, and;

**WHEREAS**, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements, and;


**WHEREAS**, the Public Works Director has indicated that the improvements meet City requirements, and;

**WHEREAS**, the City of Fairhope, Alabama, has received from the owners of Fox Hollow Subdivision, Phase 2, maintenance bonds for the public improvements constructed for a period of 2 years, and;


**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA** that the public improvements indicated herein for Fox Hollow Subdivision, Phase 2 are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Karin Wilson to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Montrose Properties, Inc. (the "Subdivider").

**BE IT FURTHER RESOLVED** this resolution of acceptance shall not obligate the City of Fairhope to maintain any utility or drainage facilities outside the limits of the right-of-way of the public streets, whether or not such may be located within dedicated easements in any of these developments.

Adopted this 22nd day of April, 2019

  
\_\_\_\_\_  
Karin Wilson, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

22 April 2019

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution accepting the public streets, public right-of-ways, and all of Fairhope's public utilities located in public right-of-ways within The Village at Firethorne for maintenance and to authorize Mayor Karin Wilson to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Firethorne Development, LLC. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3398-19**

**WHEREAS**, the Owners of The Village at Firethorne desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2663-E, and all Fairhope public utilities located in public right-of-ways accepted for maintenance by the City of Fairhope, Alabama, and;

**WHEREAS**, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements, and;

**WHEREAS**, the Public Works Director has indicated that the improvements meet City requirements, and;

**WHEREAS**, the City of Fairhope, Alabama, has received from the owners of The Village at Firethorne, maintenance bonds for the public improvements constructed for a period of 2 years, and;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA** that the public improvements indicated herein for The Village at Firethorne are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Karin Wilson to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Firethorne Development, LLC (the "Subdivider").

**BE IT FURTHER RESOLVED** this resolution of acceptance shall not obligate the City of Fairhope to maintain any utility or drainage facilities outside the limits of the right-of-way of the public streets, whether or not such may be located within dedicated easements in any of these developments.

Adopted this 22nd day of April, 2019

  
\_\_\_\_\_  
Karin Wilson, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk



22 April 2019

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution accepting all of Fairhope's public utilities located in right-of-ways within Battles Trace at the Colony, Phase 5 for maintenance and to authorize Mayor Karin Wilson to execute the Maintenance and Guaranty Agreement and the Subdivision Completion Agreement between the City of Fairhope and the Teacher's Retirement System of Alabama. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 3399-19**

**WHEREAS**, the Owners of Battles Trace at the Colony, Phase 5 desire to have all Fairhope public utilities dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2670-B and 2670-C accepted for maintenance by the City of Fairhope, Alabama, and;

**WHEREAS**, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements, and;

**WHEREAS**, the Water and Sewer Superintendent has indicated that the improvements meet City requirements, and;

**WHEREAS**, the City of Fairhope, Alabama, has received from the owners of Battles Trace at the Colony, Phase 5, maintenance bonds for the public improvements constructed for a period of 2 years, and;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA** that the public improvements indicated herein for Battles Trace at the Colony, Phase 5 are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Karin Wilson to execute the Maintenance and Guaranty Agreement between the City of Fairhope and the Teacher's Retirement System of Alabama (the "Subdivider").

**BE IT FURTHER RESOLVED** this resolution of acceptance shall not obligate the City of Fairhope to maintain any utility or drainage facilities outside the limits of the right-of-way of the public streets, whether or not such may be located within dedicated easements in any of these developments

Adopted this 22nd day of April, 2019

  
\_\_\_\_\_  
Karin Wilson, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk



22 April 2019

City Council reviewed an application for a Restaurant Liquor License by Ashley Peryer for 312 West, LLC d/b/a The Alley Bistro and Wine Bar, located 312 Fairhope Avenue, Fairhope, Alabama. Councilmember Robinson moved to approve the issuance of the license. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby approves the updated Proposed Fairhope Special Tax District Map which will be known as School Tax District 9 of the Baldwin County Board of Education's School Tax Districts. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3400-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City Council hereby approves the updated Proposed Fairhope Special Tax District Map which will be known as School Tax District 9 of the Baldwin County Board of Education's School Tax Districts.

Duly Adopted on this 22nd day of April, 2019

  
 Jack Burrell, City Council President

Attest:

  
 Lisa A. Hanks, MMC  
 City Clerk

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

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22 April 2019

There being no further business to come before the City Council, the meeting was duly adjourned at 6:41 p.m.

  
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Jack Burrell, Council President

  
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Lisa A. Hanks, MMC  
City Clerk