

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, 13 May 2019.

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

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Pastor Rick Malugani of Fairhope Christian Church and the Pledge of Allegiance was recited. Councilmember Conyers moved to approve minutes of the 22 April 2019, regular meeting; minutes of the 22 April 2019, work session; and minutes of the 22 April 2019, agenda meeting. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

Mayor Wilson presented the following resolution to Executive Director Sally Deane and Board Members of Ecumenical Ministries:

**WHEREAS**, Ecumenical Ministries, Inc. in Baldwin County -- hereinafter known as EMI -- is a faith-based nonprofit organization founded in 1970; and

**WHEREAS**, EMI has helped hundreds of volunteers, organizations and multiple churches come together to help those in need in communities throughout Baldwin County; and

**WHEREAS**, in the year 2020, EMI celebrates 50 years of service; and

**WHEREAS**, EMI volunteers, staff and donors helped more than 96,000 individuals facing emergencies, including providing more than a million meals through their pantries; and

**WHEREAS**, EMI's Meals on Wheels volunteers and staff delivered more than a half-million low-cost meals to elderly, shut-ins, and handicapped individuals; and

**WHEREAS**, EMI volunteers, staff and donors have repaired more than 480 low-income, owner-occupied houses in the last five years – many of them roofs that saved a house or handicap ramps which provide critical access to a home; and

**WHEREAS**, EMI volunteers, staff and donors provided more than 25,000 hand-picked Christmas gifts to low income children and elderly; and

**WHEREAS**, EMI volunteers, staff and donors initiated paving of 350 miles of roads in rural communities – many of them serving low income families; and

**WHEREAS**, EMI volunteers, staff and donors initiated racial reconciliation opportunities for thousands of individuals; and

13 May 2019

**WHEREAS**, the example set by EMI volunteers, staff and donors shows how communities can be improved civilly when citizens of all denominations, races, economic status and political persuasions work together on a common community problem; and

**THEREFORE, BE IT RESOLVED**, that the Fairhope City Council expresses its sincere and deep appreciation for Ecumenical Ministries, Inc. and its volunteers' tens of thousands of hours of diligent and cooperative work; and

**BE IT FURTHER RESOLVED**, that the last Sunday in January will be recognized as Ecumenical Ministries Day in Baldwin County in perpetuity.

Mayor Wilson also presented a Proclamation for National Safe Boating Week beginning May 18, 2019 through May 24, 2019. Members of the U. S. Coast Guard Flotilla Chapter accepted the Proclamation; and recommended anyone who owned a boat to make sure children wear life vests with whistles attached.

Council President Burrell, Lisa Miller with Alabama Municipal Electric Authority, and Operations Director Richard Peterson announced the four recipients of the AMEA Scholarships from the City of Fairhope. This year's AMEA Academic Scholarship recipients are Erica Elizabeth Kercher, Claire Olivia Klumpp, and Andrew Paul Yingst. This year's AMEA Vocational School recipient is Madelyn Grace Banks.

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

Councilmember Conyers mentioned that Mayor Wilson did a good job cleaning up the budget. He handed out a spreadsheet showing revenues, expenses, combined surplus, and utility transfers for FY ending 2015 to present. Councilmember Conyers said we will be debt free in June 2019; and thanked the Council and Mayor, the past Council, and staff for making this happen. He stated the surplus is steady across the board. Mayor Wilson commented the allocations were incorrect.

Councilmember Brown said the Fairhope Rotary Steak Cookoff was fantastic. He thanked Councilmember Conyers for the spreadsheet.

Councilmember Boone also mentioned the Fairhope Rotary Steak Cookoff and said it was well run and well done. He said this event paid for 78 percent of his daughter's playground at the school.

Council President Burrell announced that Councilmember Brown and Chive Talk'n won the People's Choice Award which is the highest award for the Fairhope Rotary Steak Cookoff.

13 May 2019

Baldwin County EMA Director Zack Hood addressed the City Council and invited everyone to the Baldwin County Preparedness Expo being held on May 15, 2019 from 9:00 a.m. to 5:00 p.m. He said the Elected Officials briefing would be from 1:30 p.m. to 3:00 p.m.

Councilmember Boone introduced in writing an ordinance to amend Ordinance No. 1537 Known as the Sign Ordinance; Chapter 18.5 Signs; Section 18.5-3 Sign Permits and Exceptions; Specifically (b) (10) regarding Temporary Off-Site Directional Signs. Due to lack of a motion for immediate consideration, this ordinance will layover until the May 29, 2019 City Council meeting.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Karin Wilson to inform and submit the Municipal Water Pollution Prevention Program (MWPP) Report for 2018 to the Department of Environmental Management. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

**RESOLUTION NO. 3402-19**

**MUNICIPAL WATER POLLUTION PREVENTION (MWPP) PROGRAM**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to inform the Department of Environmental Management that the following actions were taken by the City Council of the City of Fairhope, Alabama.

1. Reviewed the MWPP Annual Report which is attached to the resolution.
2. Set forth the following actions and schedule necessary to maintain effluent requirement contained in the NPDES Permit, and to prevent the bypass and overflow of raw sewage within the collection system or at the treatment plant:
  - (a) Complete the current water and wastewater system assessment and develop an implementation plan for completing needed improvements necessary for regulatory compliance and to accommodate future growth.
  - (b) Continue to perform O & M requirements to the treatment and collection system and complete repairs when discovered.
  - (c) Continue to provide training opportunities for the operations staff to assist them with maintaining certification and knowledge of current methods and technologies.

Adopted this 13th day of May, 2019

---

Karin Wilson, Mayor

Attest:

---

Lisa A. Hanks, MMC  
City Clerk

13 May 2019

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 Supplemental Agreement No. 2 to the Contract No. 89-00-1501-1028 between the City of Fairhope and Southeastern Power Administration. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3403-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE**, that Mayor Karin Wilson is hereby authorized to execute Supplemental Agreement No. 2 to the Contract No. 89-00-1501-1028 between the City of Fairhope and Southeastern Power Administration as follows:

1. Section 3.1 shall be deleted, and the following section shall be inserted in lieu thereof:  
“3.1 The Government will make available and sell to the Purchaser during the term of this Contract, and the Purchaser will purchase from the Government 1,025 kilowatts of additional capacity and associated energy. The total combined new capacity allocation will be 7,273 kilowatts which shall be the Purchaser’s contract demand under this Contract. The delivery of the additional supplemental allocation to facilitate such increase in deliveries.”
2. Section 3.2 shall be deleted, and the following shall be inserted in lieu thereof:  
“3.2 Richard B. Russell pump storage generators were declared commercially available on September 1, 2002. At that time, Federal hydropower customer allocations within the Georgia-Alabama-South Carolina System were proportionally increased, accepted and received.”
3. This Supplemental Contract shall become effective as of midnight, December 31, 2019.

DULY ADPOTED ON THIS 13TH DAY OF MAY, 2019

---

Karin Wilson, Mayor

Attest:

---

Lisa A. Hanks, MMC  
City Clerk

13 May 2019

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council, on behalf of the City of Fairhope, does hereby voice its formal opposition to Senate Bill 264 currently pending before the Alabama Legislature which unduly benefits the wireless industry at the expense of the residents of Fairhope's ability to manage its rights of way at the local governance level. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 3404-19**

**A RESOLUTION OF THE CITY OF FAIRHOPE  
IN OPPOSITION TO PROPOSED LEGISLATION**

**WHEREAS**, there is currently legislation pending before the Alabama Legislature, Senate Bill 264; and,

**WHEREAS**, this proposed legislation will allow the installation of utility poles and wireless facilities within City owned right-of-way as a matter of right; and,

**WHEREAS**, this proposed legislation preempts the ability of local governments to adopt ordinances in conflict with this legislation or to fashion different legislation to address this subject matter at the local level; and,

**WHEREAS**, this proposed legislation does not strike an appropriate balance between the need for deployment of wireless broadband infrastructure and the need for local governments to manage its own right-of-way; and,

**WHEREAS**, this proposed legislation exempts power utility companies from the collocation requirements; and,

**WHEREAS**, the exemption of the power utility companies from participation in this legislation provides an incentive for the placement of new poles in local government right-of-way; and,

**WHEREAS**, the proposed legislation imposes exacting and unrealistic application review, processing, and permit issuance standards on local governments; and,

**WHEREAS**, the proposed legislation prohibits local governments from charging in excess of \$100.00 per pole, per year, for the placement of new wireless infrastructure poles in local government right-of-way; and,

**WHEREAS**, this proposed legislation allows utility poles in the right-of-way to be as high as 50 feet from grade or 10 percent taller than any existing pole within 500 feet; and,

**WHEREAS**, this legislation may result in a proliferation of aesthetically objectionable utility poles in Fairhope-owned right-of-way.

13 May 2019

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF FAIRHOPE THAT:**

1. The City Council does hereby voice its formal objection to this legislation;
2. This legislation unduly benefits the wireless industry at the expense of the residents of Fairhope ability to manage its rights of way at the local governance level;
3. This legislation needs to be restructured with greater deference given to local governments and local control of rights of way; and
4. A copy of this Resolution be provided to the City of Fairhope local delegation as promptly as possible.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal this 13th day of May, 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 Compensation and Job Classification Plan along with the Grade Order Sheet be amended and approved to Reclassify the Groundman Job Position (Grade 18) to a Lineman Apprentice (Grade 20); and amend the budget for same in the Electric Department. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3405-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that the Compensation and Job Classification Plan along with the Grade Order Sheet be amended and approved to Reclassify the following Job Position; and the Job Description and Grade of Pay for same; and amend the budget for positions per the following:

<b>Reclassify:</b>	<b>Job Positions</b>	<b>Grade of Pay</b>
	Groundman	18
<b>To:</b>	Lineman Apprentice	20

ADOPTED THIS 13TH DAY OF MAY, 2019

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

ATTEST:

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

13 May 2019

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby approves and amends the Rules and Regulations for the “Fairhope Docks” regarding Commercial Fishing Vessels and Commercial Fishermen as presented in the attachment. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

**RESOLUTION NO. 3406-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that the City Council hereby approves and amends the Rules and Regulations for the “Fairhope Docks” regarding Commercial Fishing Vessels and Commercial Fishermen as presented in the attachment.

ADOPTED ON THIS 13TH DAY OF MAY, 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 Mayor Karin Wilson is hereby authorized to execute a contract for Extension No. 2 of Bid No. 012-17, Citywide Elevator Maintenance 2017, with Mowrey Elevator Company of Florida for an additional one year, as per the terms and conditions of the original contract. The cost is \$450.00 per Month. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

**RESOLUTION NO. 3407-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that Mayor Karin Wilson is hereby authorized to execute a contract for Extension No. 2 of Bid No. 012-17, Citywide Elevator Maintenance 2017, with Mowrey Elevator Company of Florida for an additional one year, as per the terms and conditions of the original contract. The cost is \$450.00 per Month.

Adopted on this 13th day of May, 2019

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

Attest:

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

13 May 2019

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that certain items are declared surplus and the Mayor and Staff are hereby authorized and directed to dispose of personal property owned by the City of Fairhope by one of the following methods: [1] receiving bids for such property (via GovDeals) sold to the highest bidder; provided, however, that the City Council shall have the authority to reject all bids, when, in its opinion, it deems the bids to be less than adequate consideration for the personal property; [2] sold for scrap or recycle at the highest offered value; [3] disposal via landfill; and [4] and some donated to another Municipality that could use. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3408-19**

WHEREAS, the City of Fairhope, Alabama, has a certain item of personal property which is no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Code of Alabama of 1975 authorizes the municipal governing body to dispose of unneeded personal property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FAIRHOPE, ALABAMA, AS FOLLOWS:

SECTION 1. That the following personal property owned by the City of Fairhope, Alabama, is not needed for public or municipal purposes, and hereby declared surplus:

- 3 – Motorola i686
- 47 – Motorola i365
- 15 – Motorola i355
- 17 – Motorola i315
- 1 – Motorola i305
- Various Motorola Accessories for Devices (Chargers, Cases, and Antennas)

SECTION 2. That the IT Department is hereby authorized and directed to dispose of the personal property purchased by the City of Fairhope described in Section 1, above, by donating such property to another Municipality that could use the equipment.

SECTION 3. That the following personal property owned by the City of Fairhope, Alabama, is not needed for public or municipal purposes, and hereby declared surplus:

- 2 – Aruba 7010 Controller
- 23 – Aruba AP-215



13 May 2019

SECTION 4. That the Mayor and City Treasurer are hereby authorized and directed to dispose of the personal property owned by the City of Fairhope, Alabama, described in Section 1, above, by one of the following methods:

- a. Receiving bids for such property ("via GovDeals"). All such property shall be sold to the highest bidder, provided, however, that the City Council shall have the authority to reject all bids when, in its opinion, it deems the bids to be less than adequate consideration for the personal property.
- b. Sold for scrap or recycle at the highest offered value.
- c. Disposal via landfill.

ADOPTED AND APPROVED THIS 13TH DAY OF MAY, 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 to Award Bid for Wood Pole Inspection Services Rebid for the Electric Department (Bid Number 016-19) to OSMOSE Utilities Services, Inc., with a cost not to exceed \$60,320.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 3409-19**

**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 Wood Pole Inspection Services Rebid for the Electric Department (Bid Number 016-19) for the City of Fairhope.

[2] At the appointed time and place, the following bids were opened and tabulated as follows:

Please see attached Bid Tabulation for  
Wood Pole Inspection Services Rebid  
for the Electric Department

13 May 2019

[3] After evaluating the bid proposals with the required bid specifications, OSMOSE Utilities Services, Inc., with a total bid proposal not to exceed \$60,320.00, is now awarded the bid for Wood Pole Inspection Services Rebid for the Electric Department.

Adopted on this 13th day of May, 2019

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

Attest:

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


**CITY OF FAIRHOPE**  
**TABULATION AND RECOMMENDATION**  
**BID NO: 016-19**  
**BID NAME: Wood Pole Inspection Services - RE-BID**  
**BID OPENED: April 9, 2019 - 10:00 a.m.**

	Osmose	Advanced Inspection	TR Miller Mill Company	Tri-State Utility Products	Stuart Irby	Infratech Corporation
Bid Proposal/ Executed/ Signed/Notarized	YES	UNRESPONSIVE	NO RESPONSE	NO RESPONSE	NO RESPONSE	NO RESPONSE
PRICE PER POLE	\$15.08					

**Recommendation: Award to Osmose at the submitted price of \$15.08 per pole**

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

 4/15/19  
\_\_\_\_\_  
Signature Date  
Michael Allison, Electric Superintendent

 4/15/19  
\_\_\_\_\_  
Signature Date  
Delores A Brandt, Purchasing Manager

13 May 2019

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase Two (2) 2019 Ford F250 SuperCab 4x2 Pickups Model X2A for the Building Maintenance 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 with a total cost of \$53,700.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 3410-19**

**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 Two (2) 2019 Ford F250 SuperCab 4x2 Pickups Model X2A for the Building Maintenance 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

2019 Ford F250 SuperCab	\$26,850.00 each
<b>Total Cost</b>	<b>\$53,700.00</b>

Adopted on this 13th day of May, 2019

---

Karin Wilson, Mayor

Attest:

---

Lisa A. Hanks, MMC  
City Clerk

13 May 2019

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 Seven (7) Three-Phase Pad Mount Transformers for the Electric Department's inventory; and authorizes procurement without formal bid based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The cost will be \$69,615.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3411-19**

**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 Seven (7) Three-Phase Pad Mount Transformers for the Electric Department's inventory; and authorizes procurement without formal bid based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The cost will be \$69,615.00.

Adopted on this 13th day of May, 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 Forty (40) 45' Class 2 Wood Poles and Twenty (20) 30' Class 4 Wood Poles for the Electric Department's inventory; and authorizes procurement without formal bid based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The cost will be \$16,181.20. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

\*

\*

13 May 2019

**RESOLUTION NO. 3412-19**

**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 Forty (40) 45' Class 2 Wood Poles and Twenty (20) 30' Class 4 Wood Poles for the Electric Department's inventory; and authorizes procurement without formal bid based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The cost will be \$16,181.20.

Adopted on this 13th day of May, 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 approves the procurement of Neptune Water Meters for the Water Department from Consolidated Pipe & Supply Co., Inc. as Sole Source Provider in the State of Alabama for Neptune Technology Group, Inc. The number of units is Eight Hundred Sixty (860) - 5/8x3/4-inch Meters at \$175.00 per unit; and Forty (40) – 1-inch Meters at \$275.00 per unit with a cost not to exceed \$161,500.00. And authorizes procurement without formal bid based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). Seconded by Councilmember Brown, motion passed unanimously by voice vote.

\*

\*

13 May 2019

**RESOLUTION NO. 3413-19**

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

[1] That the City of Fairhope approves the procurement of Neptune Water Meters for the Water Department from Consolidated Pipe & Supply Co., Inc. as Sole Source Provider in the State of Alabama for Neptune Technology Group, Inc. The number of units is Eight Hundred Sixty (860) - 5/8x3/4-inch Meters at \$175.00 per unit; and Forty (40) – 1-inch Meters at \$275.00 per unit with a cost not to exceed \$161,500.00. And authorizes procurement without formal bid based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7).

Adopted on this 13th day of May, 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 Three (3) In Car and Fourteen (14) Body Camera Systems, and One (1) Transfer Station with applicable accessories and warranties for the Fairhope Police Department from Watch Guard, Inc.; and the vendor is the exclusive and Sole Source Manufacturer for this equipment. The system is available for procurement without formal bidding, provided by the Code of Alabama 1975, 41-16-51(a)(13) and (15). The total cost is \$32,375.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

\*

\*

13 May 2019

**RESOLUTION NO. 3414-19**

**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 Three (3) In Car and Fourteen (14) Body Camera Systems, and One (1) Transfer Station with applicable accessories and warranties for the Fairhope Police Department from Watch Guard, Inc.; and the vendor is the exclusive and Sole Source Manufacturer for this equipment. The system is available for procurement without formal bidding, provided by the Code of Alabama 1975, 41-16-51(a)(13) and (15). The total cost is \$32,375.00.

Adopted on this 13th day of May, 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 Three-Year Agreement with ThreatAdvice, LLC, a subsidiary company of NXTsoft, LLC, for the education and training awareness of Cyber Security Threats for the IT Department; and the system is available for procurement without formal bidding, provided by the Code of Alabama 1975, 41-16-51(a)(15) due to having a direct impact upon our security system, and the safety of our persons and infrastructure. The cost is \$300.00 per month for 36 months plus a one-time setup fee of \$250.00; for a total of the three-year agreement being \$11,050.00. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

\*

\*

13 May 2019

**RESOLUTION NO. 3415-19**

**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 Three-Year Agreement with ThreatAdvice, LLC, a subsidiary company of NXTsoft, LLC, for the education and training awareness of Cyber Security Threats for the IT Department; and the system is available for procurement without formal bidding, provided by the Code of Alabama 1975, 41-16-51(a)(15) due to having a direct impact upon our security system, and the safety of our persons and infrastructure. The cost is \$300.00 per month for 36 months plus a one-time setup fee of \$250.00; for a total of the three-year agreement being \$11,050.00.

Adopted on this 13th day of May, 2019

---

Karin Wilson, Mayor

Attest:

---

Lisa A. Hanks, MMC  
City Clerk

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to procure Five (5) Duct Heaters and Controls on the remaining Three (3) HVAC Units and the installation for the Nix Center; and the equipment is available for direct procurement through the U.S. Communities Cooperative Contract; and therefore, does not have to be let out for bid. This has been nationally bid through the U.S. Communities' bid process. The cost will be \$49,595.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

\*

\*



13 May 2019

**RESOLUTION NO. 3416-19**

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

[1] That the City of Fairhope has voted to procure Five (5) Duct Heaters and Controls on the remaining Three (3) HVAC Units and the installation for the Nix Center; and the equipment is available for direct procurement through the U.S. Communities Cooperative Contract; and therefore, does not have to be let out for bid. This has been nationally bid through the U.S. Communities' bid process. The cost will be \$49,595.00.

Adopted on this 13th day of May, 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 Council approves the selection of the Government & Economic Development Institute (GEDI) with Auburn University for Professional Consulting Services for First Phase of the Auburn Personnel System Project which includes updating all job descriptions, grades, making them compliant with Federal Law and more; and hereby authorizes Mayor Karin Wilson to execute a contract with a not to exceed \$60,000.00. No one seconded the motion.

Human Resource Manager addressed the City Council and stated our job descriptions are not compliant. Mayor Wilson said the First Phase is for the structure of departments, job descriptions, and pay grades. She said jobs may be consolidated and may see we need more; and it will take six months for structure and components. Mayor Wilson commented the job descriptions were not accurate; and not Federally compliant. She said Auburn is a better source than any other company. Councilmember Brown questioned how the job descriptions are not compliant; and if the Personnel Board had been involved.

13 May 2019

After further discussion, Councilmember Boone moved to table Agenda Item Number 23 for more research: resolution that the City Council approves the selection of the Government & Economic Development Institute (GEDI) with Auburn University for Professional Consulting Services for First Phase of the Auburn Personnel System Project. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the Compensation and Job Classification Plan along with the Grade Order Sheet be amended and approved to Add the Job Positions of Planning and Zoning Manager and Development Services Manager; and the Job Descriptions and Grades of Pay for same; and amend the budget to fund these positions and to defund the position of Director of Planning. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

### **RESOLUTION NO. 3417-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the Compensation and Job Classification Plan along with the Grade Order Sheet be amended and approved to Add the Job Positions of Planning and Zoning Manager and Development Services Manager; and the Job Descriptions and Grades of Pay for same; and amend the budget to fund these positions and to defund the position of Director of Planning.

<b>Addition:</b>	<b>Job Positions</b>	<b>Grade of Pay</b>
	Planning and Zoning Manager	26
	Development Services Manager	26

ADOPTED THIS 13TH DAY OF MAY, 2019

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

ATTEST:

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

13 May 2019

Council President Burrell announced Agenda Item Number 25: a Nominee for the County Board of Equalization was being pulled. He asked the City Council and Mayor to bring back suggestions for a nominee.

Councilmember Brown moved to appoint Rosalie Stromme and William “Bill” Hall to the Pedestrian and Bicycle Committee for a three-year term which will expire May 2022. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Conyers moved to appoint Ryan Baker and Richard B. Johnson to the Industrial Development Board for a six-year term which will expire May 2025. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Brown moved to grant the request of Mark Poillucci, Treasurer and Firefighter for the Fairhope Volunteer Fire Department requesting permission to use the James P. Nix Center for the Wives’ Dinner on November 2, 2019 from 5:00 p.m. to 12:00 a.m. This is a “Thank You” to all of our firefighters’ significant others for putting up with the worries while we are running calls supporting our great City. The request is for the City Council to waive the fee for using the James P. Nix Center. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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

- 1) Dr. Lou Campomenosi with the Common Sense Campaign, Fairfax Lane, addressed the City Council regarding the Special Tax District. He questioned if they knew if the tax would be deducted from the budget for the Baldwin County School Board for allocated funds for the Fairhope Schools. He mentioned the Penny tax and the Gas Tax and citizens did not have any input. Councilmember Brown replied this was done via a 40 page contract which will be monitored by the Education Advisory Committee; and funds cannot be diverted.
- 2) Randy Niemeyer, Hawthorne Circle, addressed the City Council regarding the Business License Ordinance. He said the ordinance is misleading and it still has not been corrected.

At the request of the City Attorney, Marcus E. McDowell, the City Council will rise from the meeting to go into Executive Session based on Alabama Code § 36-25A-7(a)(6) to discuss the consideration the City is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property. The discussions could have a detrimental effect upon the competitive position of the City in the negotiations if the matter was discussed in public. The approximate time to be in Executive Session is 30 minutes.

13 May 2019

Councilmember Conyers moved to go into Executive Session. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

Exited the dais at 7:36 p.m. Returned at 7:53 p.m.

Council President Burrell stated there was a need to add on an agenda item and asked City Attorney McDowell to read the resolution: that the Fairhope City Council hereby authorizes Council President on behalf of the City of Fairhope to draft and issue a letter of intent to purchase certain land for future use by the Municipality. Council President is also authorized to engage the services of a professional appraiser and the letter of intent shall be contingent on said appraisal.

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

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

#### **RESOLUTION NO. 3418-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the Fairhope City Council hereby authorizes Council President on behalf of the City of Fairhope to draft and issue a letter of intent to purchase certain land for future use by the Municipality. Council President is also authorized to engage the services of a professional appraiser and the letter of intent shall be contingent on said appraisal.

Adopted on this 13th day of May, 2019

---

Jack Burrell, Council President

Attest:

---

Lisa A. Hanks, MMC  
City Clerk

13 May 2019

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

There being no further business to come before the City Council, the meeting was duly adjourned at 8:00 p.m.

---

Jack Burrell, Council President

---

Lisa A. Hanks, MMC  
City Clerk