

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, 28 October 2019.

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

There being a quorum present, Council President Burrell called the meeting to order at 6:08 p.m. The invocation was given by Jason Garcia, Media Pastor of Celebration 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 23: a resolution that the City Council of Fairhope desires to follow the State of Alabama requirements regarding the State Bid Law, and in particular, the advertising requirements for the estimated value of the desired project to be bid. The bids received for the Side Stream Wastewater Storage Vessels were well above the anticipated estimate for the project and in excess of the advertising protocols that require statewide advertising notification of the bid, which could have attracted other bidders for this work; and the City Council, therefore, rejects the bids received for this work and directs staff to solicit new, properly advertised bids for the desired Side Stream Storage project; and to amend Agenda Item Number 19 by adding the following after for a Total amount of \$2,650,000.00: “and hereby authorizes the Council President, on behalf of the City of Fairhope, to purchase the property listed above; and to execute all documents necessary to complete the closing and to acquire title to the property.”

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

Councilmember Conyers moved to approve minutes of the 7 October 2019 special budget work session; minutes of the 9 October 2019, regular meeting; minutes of the 9 October 2019, work session; and minutes of the 9 October 2019, agenda meeting. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

28 October 2019

Special Projects Manager Lynn Maser addressed the City Council and gave the following Mayor's Report: Every year we hold an Employees Luncheon to let our city employees know how much we appreciate their hard work and dedication to the City and its citizens. If you had a sense that everything came to a standstill for a couple of hours last Thursday, it's because that's when we held this year's luncheon. We had a record turnout of employees!

This year we recognized employees with 5 to 35 years of service. It's amazing the loyalty our workforce shows this city and its citizens. We are truly honored to work with all of them.

We also honored our employees of the year. Each director chooses the employee in his or her department who best represents the standard of service we strive to give our citizens. Dedication, caring, ethics, sense of responsibility and willingness to help co-workers are just a few of the considerations that go in to choosing the department employee of the year. From the department employees of the year we choose the overall **City** employee of the year. This one person is the one the directors and the mayor feel has gone above and beyond at every level and who best represents the City in every way. I'd like to share with you this year's winners:

From the Parks & Recreation Department – Mark Mitchell  
From the General Government Department – Paige Crawford  
From the Utilities Department – Jeremy Morgan  
From the Public Works Department – Cody Sigrest

From this group the City Employee of the Year was selected, and I am pleased to announce that by unanimous decision it was Jeremy Morgan.

Again, congratulations to all of you and thank you for your service and so much more that you do for the City!

Each year the city honors a local living veteran who has served his or her country and has also used the leadership skills and abilities learned in service to the nation to better the community through volunteerism. Tonight, we would like to honor our 2019 Veteran of the Year. At this time, I would like Frank Connell our 2018 Veteran of the Year to come up to the podium to present the plaque.

Mr. Connell announced the 2019 Veteran of the Year: Chief Master Sergeant ("CMSGT") Larry DiAmco; and presented him with a plaque. Mr. Connell commented Mr. DiAmco is not only a veteran, but a member of the Honor Guard of Baldwin County. He served in the United States Air Force for 32 years and volunteers in Fairhope and the surrounding area for years. He is also the first Airman to receive the award.

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The following individuals spoke during Public Participation for Agenda Items:

- 1) Grey Redditt addressed the City Council regarding Agenda Item Number 8: a resolution appointing a Director to the Educational Building Authority of the City of Fairhope, Alabama – St. Michael Catholic High School: reappoint Gary Cowles for a term ending on the second Monday of November 2025. He commented this is just a reappointment like last year.
- 2) Gary Gover, 300 Lincoln, addressed the City Council regarding Agenda Item Number 19: a resolution that the City Council authorizes and allocates funding of \$2,650,000.00 for the purchase of approximately 114 acres of land located on the northwest corner of County Road 13 and 32 (8875 County Road 32). He mentioned air traffic with property being purchased; and requested citizens input for design. Council President Burrell replied the glide path is in the parkland path; and he has looked at the glide slope. He commented the Airport Engineer also looked at the glide slope and it is okay.
- 3) Paul Ripp, The Ripp Report and Backstory Podcast, addressed the City Council regarding Agenda Item Number 19: a resolution that the City Council authorizes and allocates funding of \$2,650,000.00 for the purchase of approximately 114 acres of land located on the northwest corner of County Road 13 and 32 (8875 County Road 32). He mentioned Agenda Items Number 20 and 22 but did not address those. Mr. Ripp commented on the Triangle and Soccer Field being purchased, the K-1 Center being a change order dream, \$2.65 million will impact the budget, and this property is not walkable.

Councilmember Conyers stated he yielded his comment time to Director Erin Langley of the Eastern Shore Repertory Theatre. Ms. Langley said the group have been rehearsing the Lion King Production and was asked to come here tonight. The Eastern Shore Repertory Theatre performed one of their songs from the Lion King for the City Council, Mayor, and everyone in attendance. Councilmember Conyers said everyone should make an effort to come out to see this production.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Robinson introduced in writing an ordinance requesting to rezone the property of the Fairhope Single Tax Corporation and Pauline J. Moyd from RA Residential/Agriculture District to Planned Unit Development (PUD). The property is generally located at the southwest corner of the intersection of Bay Meadows Avenue and State Highway 181, Fairhope, Alabama. PPIN Number: 15078; parcel containing 37.961 acres, more or less. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance.

City Planner Mike Jeffries briefly explained the proposed ordinance. Councilmember Conyers questioned use now as zoned R-A.

28 October 2019

Council President Burrell opened the Public Hearing at 6:41 p.m.

- 1) Mark Roshetko, 9727 Derby Lane, addressed the City Council and stated he was upset with the process; and there no community meeting. Mr. Roshetko said that the wrong site plan was mailed out; and the Planning Commission minutes have not been posted for a year and cannot get those. Mr. Roshetko is not in favor of the proposed amendment.
- 2) David Wetzel, 10242 Windmill Road, addressed the City Council and stated, “we are selling the farm down the road.” He said we should keep this land as it is zoned; and should stop the development. Mr. Wetzel is not in favor of the proposed amendment.
- 3) Martha Monckton, 9571 Bay Meadows Avenue, addressed the City Council and said she was not in favor of the proposed amendment. She said there will be water issues, electric issues; and everyone in Bay Meadows are on septic tanks. Ms. Monckton commented that 200 to 300 cars a day is a big impact; and does not want exit on Bay Meadows. She is concerned about their way of life.
- 4) Mario Gabriel, Jr., 465 Fortune Drive, addressed the City Council and said growth is expected, but growth done in a responsible manner. He said this will be detrimental on Firethorne Subdivision. Mr. Gabriel questioned how the criteria was used for the rezone; the entrance way; high density; and how the Planning Commission has a vested interest in the project. Mr. Gabriel is not in favor of the proposed amendment.
- 5) John Heinrich, 410 Fortune Drive, addressed the City Council and said this is greed with too many houses in that small development. Mr. Heinrich state this looks like a “Sardine Factory.” He is not in favor of the proposed development.
- 6) Joe Rector, Engineer with Mullins, LLC, addressed the City Council on behalf of the owners and commented this rezone began in March 2019. He said they met with citizens and took their concerns; and reduced a number of lots. Mr. Rector said there is more greenspace with open park in center; and they moved one of the entrances off of Bay Meadows.

The Public Hearing closed at 7:02 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the November 13, 2019 City Council meeting.

Mr. Rector requested the City Council to move for immediate action due to a hardship and the closing being within a few weeks. Council President asked the City Council if anyone wanted to move for immediate consideration. Once again, due to lack of a motion for immediate consideration, this ordinance will layover until the November 13, 2019 City Council meeting. Councilmember Conyers said he was concerned with density. RA allows one unit per three acres and a PUD allows three units per one acre.

28 October 2019

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Robinson introduced in writing an ordinance requesting to zone the property of Gayfer Village Partners, Inc. as Planned Unit Development (PUD) concurrent with annexation. The property is generally located on the west side of State Highway 181 between Gayfer Road and Fairhope Avenue, Fairhope, Alabama. PPIN Numbers 24160, 236701, and 316793; parcel containing 75.93 acres, more or less. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance.

Development Services Manager Buford King briefly explained the proposed ordinance. Councilmember Conyers commented in unzoned you could build anything. Council President Burrell questioned greenspace because it looks far from 20 to 25 percent as required. Mr. King said the engineer would have to figure this out.

Council President Burrell opened the Public Hearing at 7:24 p.m.

- 1) David Wetzel, 10242 Windmill Road, addressed the City Council and said there are beautiful pecan orchards right now; and is concerned with the beautiful City going away. Mr. Wetzel stated there are traffic issues on State Highway 181 already; and we need to slow this down. Mr. Wetzel is not in favor of the proposed amendment.
- 2) Gary Gover, 300 Lincoln, addressed the City Council and stated there are a lot of unknowns. He commented we need an extra level of architecture to fit in Fairhope. Mr. Gover stated he was not opposed but concerned. He said we need to think outside the box that the Village Center will function well.

The Public Hearing closed at 7:31 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the November 13, 2019 City Council meeting.

Council President Burrell called a five minute recess at 7:31 p.m.

The City Council returned to the dais at 7:37 p.m.

Councilmember Conyers introduced in writing an ordinance to amend Ordinance No. 1510 known as the Personnel Rules, Policies and Procedures Ordinance regarding Section IV. Wage and Salary Administration: 4.06 On-Call Employees. Due to lack of a motion for immediate consideration, this ordinance will layover until the the November 13, 2019 City Council meeting.

28 October 2019

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution appointing a Director to the Educational Building Authority of the City of Fairhope, Alabama – St. Michael Catholic High School: reappoint Gary Cowles for a term ending on the second Monday of November 2025. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

**RESOLUTION NO. 3528-19**

**A RESOLUTION APPOINTING A DIRECTOR TO THE EDUCATION EDUCATIONAL BUILDING AUTHORITY OF THE CITY OF FAIRHOPE, ALABAMA – ST. MICHAEL CATHOLIC HIGH SCHOOL**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA (the "City Council"), as follows:

Section 1. The City Council has found and determined and does hereby find, determine and declare as follows:

(a) The City Council has heretofore authorized the incorporation, and appointed the directors, of The Educational Building Authority of the City of Fairhope, Alabama - St. Michael's Catholic High School (the "Authority").

(b) The initial term of Mr. Gary Cowles as a director of the Authority expires on the second Monday of November, 2019.

(c) It is in the best interests of the Authority and the City to reappoint Gary Cowles as a director of the Authority.

Section 2. Pursuant to Section 16-17-5 of the Code of Alabama 1975, the City Council does hereby appoint the following person as a director of the Authority for the term ending on the date and year set opposite the name thereof:

<u>Name</u>	<u>End of Term</u>
Mr. Gary Cowles	Second Monday of November, 2025

Section 3. All ordinances, resolutions, orders, or parts of any thereof, of the City in conflict, or inconsistent, with any provision of this resolution hereby are, to the extent of such conflict or inconsistency, repealed.

Section 4. This resolution shall take effect immediately.

Duly passed and adopted this 28th day of October, 2019.

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

Attest:

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

28 October 2019

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves and authorizes the for the fiscal year 2020 Airport Improvement Project Funding for the Fairhope Airport Authority. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

**RESOLUTION NO. 3529-19**

**A RESOLUTION APPROVING AND AUTHORIZING THE APPLICATION  
FOR THE FISCAL YEAR 2020 AIRPORT IMPROVEMENT PROJECT FUNDING**

WHEREAS, the City of Fairhope, Alabama intends to apply for state matching funds for an airport improvement project for the H. L. "Sonny" Callahan Airport (KCQF) during fiscal year 2020.

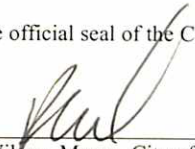
THEREFORE, BE IT RESOLVED, by the City of Fairhope, Alabama as follows:

1. That the City of Fairhope is authorized to make an application for airport improvement funding assistance from the State of Alabama Department of Transportation, for the purpose of undertaking a project in fiscal year 2020 to make improvements at the H. L. "Sonny" Callahan Airport (KCQF).
2. That the application be submitted for and on behalf of the City of Fairhope by its Mayor, as designated by the City Council, who is authorized by this resolution to sign the application and any related forms or documents on behalf of the City of Fairhope.
3. That the City of Fairhope is authorized to enter into an airport improvement funding agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the H. L. "Sonny" Callahan Airport (KCQF), with partial funding provided by the State of Alabama.
4. That the agreement be executed in the name of the City of Fairhope for and on behalf of the Fairhope Airport Authority\* by its Mayor, as designated by the City Council.
5. That the authority of the City of Fairhope to enter into contracts with the State of Alabama has been reviewed by the City of Fairhope's attorney, and in his opinion, the City of Fairhope, by and through its Mayor or authorized City Council Designee is duly authorized to commit the City of Fairhope to an agreement with the Alabama Department of Transportation.

BE IT FURTHER RESOLVED, that the City of Fairhope, in reliance upon an appropriate funding resolution from Fairhope Airport Authority, hereby affirms that the local matching share of funds in the amount required for this airport improvement project has been officially approved, placed into the budget of the Fairhope Airport Authority and is available for expenditure by Fairhope Airport Authority upon execution of the State of Alabama's funding agreement and the start of the project.

I, the undersigned qualified and acting as the City Clerk of the City of Fairhope, Alabama hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City of Fairhope named therein, at a regular meeting of such body held on the 28th day of October, 2019, and that such resolution is on file in the office of the City Clerk, City of Fairhope, Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Fairhope on this 28th day of October, 2019.

  
Karin Wilson, Mayor, City of Fairhope

ATTEST:

  
Lisa A. Hanks, MMC  
City Clerk

28 October 2019

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution accepting the Eastern Shore Metropolitan Planning Organization's funding of a Project to Install Turn Lanes & Signal Upgrades at the Intersection of Gayfer Avenue and Greeno Road (Us Hwy 98) for which the City of Fairhope will provide the 20% local match estimated at \$148,681.41. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

**RESOLUTION NO. 3530-19**

A RESOLUTION ACCEPTING THE EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION'S FUNDING OF A PROJECT TO INSTALL TURN LANES & SIGNAL UPGRADES AT THE INTERSECTION OF GAYFER AVENUE AND GREENO ROAD (US HWY 98) FOR WHICH THE CITY OF FAIRHOPE WILL PROVIDE THE 20% LOCAL MATCH

WHEREAS, the City of Fairhope (CITY) is a member of the Eastern Shore Metropolitan Planning Organization (MPO), and

WHEREAS, federal funding is available through the MPO Surface Funds for roadway projects; and

WHEREAS, federal law requires a twenty percent (20%) local match for projects utilizing said federal funds; and

WHEREAS, the City of Fairhope in cooperation with the Alabama Department of Transportation desires to install turn lanes and traffic signal upgrades at the intersection of Gayfer Avenue and Greeno Road (US Hwy 98) (hereinafter "Project"); and

WHEREAS, the estimated total Project cost is \$743,407.03; and

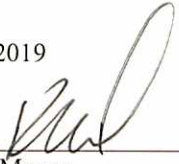
WHEREAS, the estimated local match for the Project is \$148,681.41; and

WHEREAS, the MPO requires a resolution from a sponsoring local government committing the sponsoring government to providing the 20% local match for project funds.

NOW, THEREFORE, BE IT RESOLVED, that the CITY accepts the MPO's funding of the Project at the intersection of Gayfer Avenue and Greeno Road (US Hwy 98) and the CITY commits to providing the local match for said project amounting to 20% of the total project cost.

THEREFORE, BE IT FURTHER RESOLVED, that the CITY agrees to cover any over-runs associated with said project.

Adopted on this 28th day of October, 2019

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

Attest:

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



28 October 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 Polo Place Subdivision for maintenance and to authorize Mayor Karin Wilson to execute the Maintenance and Guaranty Agreement between the City of Fairhope and the Teacher's Retirement System of Alabama. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3531-19**

**WHEREAS**, the Owners of Polo Place Subdivision desire to have all Fairhope public utilities dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2699-D and 2699-E 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 Polo Place Subdivision, maintenance agreements for the public improvements constructed for a period of 2 years, and;

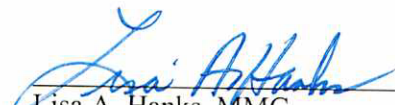
**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA** that the public improvements indicated herein for Polo Place Subdivision are hereby accepted for public maintenance subject to the agreements posted; and authorizes Mayor Karin Wilson to execute the Maintenance and 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 28th day of October, 2019

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

Attest:

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

28 October 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 Pinewood Subdivision, Phase 2 for maintenance and to authorize Mayor Karin Wilson to execute the Maintenance and Guaranty Agreement between the City of Fairhope and LA Development, LLC. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3532-19**

**WHEREAS**, the Owners of Pinewood 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 2698-B, 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 Pinewood 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 Pinewood 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 LA 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 28th day of October, 2019

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

Attest:

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

28 October 2019


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 Kronos Timekeeping System Maintenance Annual Renewal for December 30, 2019 to December 29, 2020 for the IT Department; and the type of maintenance renewal needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid. The cost will be \$22,834.52. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

**RESOLUTION NO. 3533-19**

**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 Kronos Timekeeping System Maintenance Annual Renewal for December 30, 2019 to December 29, 2020 for the IT Department; and the type of maintenance renewal needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid. The cost will be \$22,834.52.

Adopted on this 28th day of October, 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 procure Server Licenses for Microsoft Windows Server 2019 Datacenter for the IT Department; and the licenses are available for direct procurement through the Omni Partners Cooperative [Contract No. 2018011-02)]; and therefore, does not have to be let out for bid. This has been nationally bid through the Omni Partners' bid process. The total cost is \$12,699.60. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

28 October 2019

**RESOLUTION NO. 3534-19**

**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 Server Licenses for Microsoft Windows Server 2019 Datacenter for the IT Department; and the licenses are available for direct procurement through the Omni Partners Cooperative [Contract No. 2018011-02)]; and therefore, does not have to be let out for bid. This has been nationally bid through the Omni Partners' bid process. The total cost is \$12,699.60.

Adopted on this 28th day of October, 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 to Award Bid Number 001-20 for Pedestrian Sidewalks in Central Business District Rebid for the Public Works Department to Kelley's Welding & Excavation, Inc., with a total bid proposal not to exceed \$174,475.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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28 October 2019

**RESOLUTION NO. 3535-19**

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

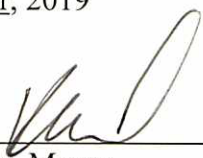
[1] That the City of Fairhope did request, receive, and open bids for Pedestrian Sidewalks in Central Business District Rebid for the Public Works Department (Bid No. 001-20).

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

Please see attached Bid Tabulation for  
Pedestrian Sidewalks in Central Business District Rebid  
for the Public Works Department

[3] After evaluating the bid proposals with the required bid specifications, Kelley's Welding & Excavation, Inc., with a total bid proposal not to exceed \$174,475.00, is now awarded the bid for Pedestrian Sidewalks in Central Business District Rebid for the Public Works Department.

Adopted on this 28th day of October, 2019

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

Attest:

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

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28 October 2019

CITY OF FAIRHOPE BID TAB AND RECOMMENDATION  
 BID 001-20 Pedestrian Sidewalks in Central Business District - RE-BID  
 OPENING: Wednesday, October 16, 2019 9:00 a.m.

KELLEY'S WELDING AND  
 EXCAVATING

Section Street (Pine Street Intersection)	QUANTITY	UNITS	UNIT PRICE	SUBTOTAL
Pavement Demolition	1,500	SF	\$ 5.00	\$ 7,500.00
Curbing Demolition	25	LF	\$ 55.00	\$ 1,375.00
New ADA Pedestrian Dome mats	11	EA	\$ 850.00	\$ 9,350.00
Soil Excavation & Haul (Paving)	33	CY	\$ 25.00	\$ 825.00
New P.I.P. Concrete Curb and Gutter	200	LF	\$ 28.00	\$ 5,600.00
New P.I.P. Concrete Ribbon Curb	225	LF	\$ 28.00	\$ 6,300.00
New Paver Crosswalk	790	SF	\$ 50.00	\$ 39,500.00
12" Concrete Drainage Channel	25	SF	\$ 550.00	\$ 13,750.00
Soil Mitigation - Imported Planting Soil	17	CY	\$ 75.00	\$ 1,275.00
TAPCO In-Pavement LED Markers	1	LS	\$ 65,000.00	\$ 65,000.00
Traffic Control	1	LS	\$ 22,500.00	\$ 22,500.00
Erosion Control	1	LS	\$ 1,500.00	\$ 1,500.00
<b>Section Street (Pine Street Intersection) TOTAL</b>				<b>\$ 174,475.00</b>

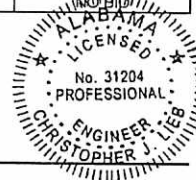
CITY OF FAIRHOPE BID TAB AND RECOMMENDATION  
 BID 001-20 Pedestrian Sidewalks in Central Business District - RE-BID  
 OPENING: Wednesday, October 16, 2019 9:00 a.m.

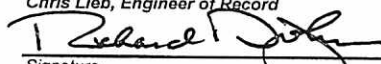
ADDITIONAL BIDDERS	RESULT
A-LONG BORING	NO BID
AMMONS & BLACKMON	NO BID
ASPHALT SERVICES	NO BID
CUNNINGHAM DELANEY	NO BID
EJ BUILDERS	NO BID
JOHN G. WALTON CONSTRUCTION	NO BID
MCELHENNEY CONSTRUCTION	NO BID
W.R. MITCHELL	NO BID
BALDWIN ROAD BUILDERS	NO BID

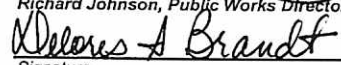
**Recommendation:**

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

  
 Signature  
 Chris Lieb, Engineer of Record



  
 Signature  
 Richard Johnson, Public Works Director

  
 Signature  
 Delores A Brandt, Purchasing Manager

10/16/2019  
 Date

10/16/2019  
 Date

10/16/2019  
 Date

28 October 2019

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes City Departments and the Fairhope Volunteer Fire Department to use City Facilities; i.e. James P. Nix Center and Fairhope Civic Center, as long as the facility is available, for their annual events at no charge. The following events have previously been approved and would like to have a standing approval for this usage and to allow alcohol on City property: Gas Department for their annual Christmas Party with date to be determined with the staff at the James P. Nix Center; and Fairhope Volunteer Fire Department for their annual Wives' Dinner with a date to be determined with the staff at the James P. Nix Center. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

**RESOLUTION NO. 3536-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that the City Council hereby authorizes City Departments and the Fairhope Volunteer Fire Department to use City Facilities; i.e. James P. Nix Center and Fairhope Civic Center, as long as the facility is available, for their annual events at no charge. The following events have previously been approved and would like to have a standing approval for this usage and to allow alcohol on City property:

1. Gas Department for their annual Christmas Party with date to be determined with the staff at the James P. Nix Center; and
2. Fairhope Volunteer Fire Department for their annual Wives' Dinner with a date to be determined with the staff at the James P. Nix Center. 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.

ADOPTED ON THIS 28TH DAY OF OCTOBER, 2019

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

Attest:

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

28 October 2019

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the Fairhope City Council hereby accepts the Terms of the Agreement for the Loan of a Civil War Era Ships Anchor that was caught/salvaged off the coast of Fort Morgan in Mobile Bay by the Family/Estate of Robert Lee Taylor, Jr. to be displayed in City Parkland; and placement to be decided by the Mayor and Council. Seconded by Councilmember Conyers, motion passed unanimously by voice vote. Councilmember Conyers thanked the Taylor Family for the loan of the Civil War Era Ships Anchor.

**RESOLUTION NO. 3537-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the Fairhope City Council hereby accepts the Terms of the Agreement for the Loan of a Civil War Era Ships Anchor that was caught/salvaged off the coast of Fort Morgan in Mobile Bay by the Family/Estate of Robert Lee Taylor, Jr. to be displayed in City Parkland; and placement to be decided by the Mayor and Council.

Adopted on this 28th day of October, 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 Change Order No. 1 to Bid Number 029-19, Citywide Road Resurfacing Program by adding resurfacing Liberty Street through the intersection of Pecan Avenue to the intersection of Pier Avenue due to emergency Sewer Repair over the week of October 14, 2019 through October 20, 2019 in the amount of \$11,148.24; and award of the Change Order to Asphalt Services, Inc. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.



28 October 2019

**RESOLUTION NO. 3538-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, That Mayor Karin Wilson is hereby authorized to execute Change Order No. 1 to Bid Number 029-19, Citywide Road Resurfacing Program by adding resurfacing Liberty Street through the intersection of Pecan Avenue to the intersection of Pier Avenue due to emergency Sewer Repair over the week of October 14, 2019 through October 20, 2019 in the amount of \$11,148.24; and award of the Change Order to Asphalt Services, Inc.

Adopted on this 28th day of October, 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 as amended, a resolution that the City Council authorizes and allocates funding of \$2,650,000.00 for the purchase of approximately 114 acres of land located on the northwest corner of County Road 13 and 32 (8875 County Road 32) as follows: Investment CD – Savings: \$1,065,146.07; Prepay Debt Reserve: \$700,285.37; Impact Fees – Recreation: \$884,568.56; for a Total amount of \$2,650,000.00; and hereby authorizes the Council President, on behalf of the City of Fairhope, to purchase the property listed above; and to execute all documents necessary to complete the closing and to acquire title to the property. The motion was seconded by Councilmember Brown.

Council President Burrell addressed comments from Mayor Wilson and stated her comments are not valid. He said the National Park Service did not review this property. He commented the Mayor says the appraisal is not valid and land will not be developed for a while. Council President Burrell said there are many uses for land; and it may not be a while before developing.

28 October 2019

Councilmember Conyers said he voted “No” initially, had a threshold where he would adopt, but not much higher than \$100,000.00 more. He said the appraisal was more than the threshold, but not by much. Councilmember Robinson said he voted “No” because it was over the appraisal amount. Councilmember Robinson said he fully supports acquiring land for recreation.

After further discussion, motion passed by the following voice votes: AYE – Burrell, Brown, and Boone. NAY – Robinson and Conyers.

**RESOLUTION NO. 3539-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City Council authorizes and allocates funding of \$2,650,000.00 for the purchase of approximately 114 acres of land located on the northwest corner of County Road 13 and 32 (8875 County Road 32) as follows:

Investment CD – Savings	\$1,065,146.07
Prepay Debt Reserve	\$ 700,285.37
Impact Fees – Recreation	<u>\$ 884,568.56</u>
Total	\$2,650,000.00

**BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City Council hereby authorizes the Council President, on behalf of the City of Fairhope, to purchase the property listed above; and to execute all documents necessary to complete the closing and to acquire title to the property.

Adopted on this 28th day of October, 2019

  
 Jack Burrell, Council President

Attest:

  
 Lisa A. Hanks, MMC  
 City Clerk

28 October 2019

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the Budget for the fiscal year ending September 30, 2019 be extended to allow the invoices and expenditures to continue as needed until the parts of Budget FY2020 are adopted. Seconded by Councilmember Robinson, motion passed unanimously by voice vote. Councilmember Robinson commented he hopes it is a brief extension.

**RESOLUTION NO. 3540-19**

**WHEREAS**, the Budget for the fiscal year ending September 30, 2020 has not been adopted by the City Council; 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, 2019 be extended to allow the invoices and expenditures to continue as needed until the parts of Budget FY2020 are adopted.

Adopted on this 28th day of October, 2019

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

Attest:

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

City Council reviewed an application for a Beer/Wine On/Off Premises License by John S. MacArthur for Fairhope Hemp, LLC d/b/a Fairhope Hemp, located at 505 Fairhope Avenue, Fairhope, Alabama. Councilmember Conyers moved to approve the issuance of the license. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Fred L. Nolte for NOLCAST Ventures, LLC, d/b/a Mr. Spuds, located at 18951 Highway 181, Fairhope, Alabama. Councilmember Conyers moved to approve the issuance of the license. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

28 October 2019

Councilmember Boone moved to grant the request of Kay Owen, on behalf of Lakewood Golf Club, requesting permission for “Seven Pole Banners” to be put up in Fairhope next year for the USGA Senior Women’s Amateur Championship; the event will be in September 2020. The motion was seconded by Councilmember Brown. City Clerk Hanks asked to speak and mentioned the rules for pole banners with the maximum allowed being three banners. She also mentioned the Film Festival being allowed a maximum of six pole banners. Council President Burrell replied that this was a USGA national championship and should allow their request. After further discussion, 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 of Fairhope desires to follow the State of Alabama requirements regarding the State Bid Law, and in particular, the advertising requirements for the estimated value of the desired project to be bid. The bids received for the Side Stream Wastewater Storage Vessels were well above the anticipated estimate for the project and in excess of the advertising protocols that require statewide advertising notification of the bid, which could have attracted other bidders for this work; and the City Council, therefore, rejects the bids received for this work and directs staff to solicit new, properly advertised bids for the desired Side Stream Storage project. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 3541-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIHOPE, ALABAMA,** That the City Council of Fairhope desires to follow the State of Alabama requirements regarding the State Bid Law, and in particular, the advertising requirements for the estimated value of the desired project to be bid. The bids received for the Side Stream Wastewater Storage Vessels were well above the anticipated estimate for the project and in excess of the advertising protocols that require statewide advertising notification of the bid, which could have attracted other bidders for this work.

The City Council, therefore, rejects the bids received for this work and directs staff to solicit new, properly advertised bids for the desired Side Stream Storage project.

Adopted on this 28th day of October, 2019

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

Attest:

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

28 October 2019

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

- 1) Sharon Hunt, resident of Colonial Acres, addressed the City Council regarding what is being recommended for the parcel of land adjacent to her house. Ms. Hunt commented she can see scoreboard from her house; and is concerned with home and property; i.e. lights, noise, etc.

Council President Burrell explained the proposed plan with four ball fields on the corner. Councilmember Robinson said this is a preliminary idea for ball fields.

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 8:05 p.m.

  
\_\_\_\_\_  
Jack Burrell, Council President

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