

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, 27 January 2020.

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

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Councilmember Kevin Boone and the Pledge of Allegiance was recited. Councilmember Brown moved to approve minutes of the 13 January 2020, regular meeting; minutes of the 13 January 2020, work session; and minutes of the 13 January 2020, agenda meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Wilson addressed the City Council regarding the following items:

- 1) State of the City on February 6, 2020 from 5:00 p.m. to 7:00 p.m.; and
- 2) Gas Department's annual leak checks; and
- 3) Pier Camera out momentarily and new one on order; and
- 4) February 8, 2020 is Arbor Day from 10:00 a.m. to Noon on the Coastal Alabama campus; and
- 5) Crosswalk Project on Section Street should be complete by February 14, 2020;
- 6) 16 unit apartment complex being built on Thompson Hall Road and it is in the County; and
- 7) Public Works employee out due to a stroke; and
- 8) Pat White will start a new Youth Scholarship Plan; and
- 9) Fairhope Storm football team's first game in on Saturday, February 29, 2020;
- 10) Fairhope Docks update; and
- 11) Big Brother/Big Sister of South Alabama presented with a Mentoring Proclamation; and January is National Mentoring Month; and
- 12) January is also Human Trafficking Awareness Month and the proclamation was mailed last week to Montgomery and posted on Facebook; and
- 13) Erik Cortinas announced that Kaleigh Spears won the 6A7A State Championship in the 100 Butterfly; and came in second for the 200 Individual Medley Race.

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The following individuals spoke during Public Participation for Agenda Items:

- 1) Mark Roshetko, 9727 Derby Lane, addressed the City Council regarding Agenda Item Number 5: an Ordinance to zone the property of the Fairhope Single Tax Corporation and Pauline J. Moyd from RA Residential/Agriculture District to Planned Unit Development (PUD). Mr. Roshetko said he would not support this ordinance in its current form. He commented the Power of Attorney was not legitimate; and asked the City Council to please look at it before voting.

Councilmember Conyers mentioned a Special Called meeting for the Historic Preservation Committee.

Councilmember Boone gave an at-a-boy to Paige Crawford delivering twins.

Councilmember Brown moved for final adoption of Ordinance No. 1672, an ordinance to amend Zoning Ordinance No. 1253 and to rezone the property of the Fairhope Single Tax Corporation (“FSTC”) 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; known as Live Oaks Estates PUD. PPIN Number: 15078; parcel containing 37.961 acres, more or less. (Introduced at the January 13, 2020 City Council Meeting) The motion was seconded by Councilmember Robinson who questioned the Power of Attorney and the issue with same. City Attorney McDowell said that this POA was for the governmental agencies reviews. Development Services Manager Buford King said the entity handling the zoning application does not need a POA to represent the owners; and this is unusual in this file. Planning and Zoning Manager Hunter Simmons agreed with Mr. King. Building Official Erik Cortinas said they cannot build unless proof of ownership is provided.

Councilmember Robinson commented the ordinance has been through several times and the property owners did many changes that were suggested; and the ordinance is more acceptable in the form presented. After further discussion, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, and Brown. NAY – None. ABSTAIN - Boone.

Councilmember Conyers moved for final adoption of Ordinance No. 1673, an ordinance to declare that certain real property (105 Farmable Acres) of the City of Fairhope is temporarily designated surplus and not needed for public or municipal purposes in response to an offer to lease property yearly from January 1 through December 31 for one year with four one-year options. (Introduced at the January 13, 2020 City Council Meeting) Seconded by Councilmember Brown, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, Brown, and Boone. NAY - None.

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Councilmember Conyers moved for final adoption of Ordinance No. 1674, an ordinance to amend Ordinance No. 1567 known as the Fairhope Film Ordinance. (Introduced at the January 13, 2020 City Council Meeting) Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, Brown, and Boone. NAY - None.

Councilmember Brown 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 Lieb Engineering Company, LLC to perform Professional Design and CEI Engineering Services for Oak Street at Section Street Drainage Improvements at Big Mouth Gully for the Public Works Department (RFQ No. PS005-20) with a not-to-exceed amount of \$15,595.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 3635-20


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 Lieb Engineering Company, LLC to perform Professional Design and CEI Engineering Services for Oak Street at Section Street Drainage Improvements at Big Mouth Gully for the Public Works Department (RFQ No. PS005-20) with a not-to-exceed amount of \$15,595.00.

DULY ADOPTED THIS 27TH DAY OF JANUARY, 2020



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 a 2020 Vermeer LP573 Vacuum Trailer for the Electric Department; and the item is available for direct procurement through the Sourcewell Public Utility Contract which has been nationally bid; and therefore, does not have to be let out for bid. The total cost will be \$55,744.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.


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RESOLUTION NO. 3636-20

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 a 2020 Vermeer LP573 Vacuum Trailer for the Electric Department; and the item is available for direct procurement through the Sourcewell Public Utility Contract which has been nationally bid; and therefore, does not have to be let out for bid. The total cost will be \$55,744.00.

Adopted on this 27th day of January, 2020



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 a 2020 Vermeer RTX550 Tractor with Felling FT-16 Trailer for the Gas Department; and the item is available for direct procurement through the Sourcewell Public Utility Contract which has been nationally bid; and therefore, does not have to be let out for bid. The total cost will be \$145,058.60. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 3637-20

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 a 2020 Vermeer RTX550 Tractor with Felling FT-16 Trailer for the Gas Department; and the item is available for direct procurement through the Sourcewell Public Utility Contract which has been nationally bid; and therefore, does not have to be let out for bid. The total cost will be \$145,058.60.

Adopted on this 27th day of January, 2020



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

27 January 2020

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 the Sauber 1506 Self Loading Trailer and Sauber 1500 String Reel Dolly (Trailer) for the Electric from Truck Equipment Sales, Inc. with a total cost of \$38,644.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 3638-20

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

[1] That the Governing Body of the City of Fairhope, Alabama, on December 23, 2019 rescinded Bid No. 009-20 for One (1) HDPE Trailer and One (1) Self-Loading Trailer for the Electric Department due to no bids received; and authorized the City to solicit for informal bids in accordance with Code of Alabama 1975; Section 39-2-6(b).

[2] That the City of Fairhope did request and receive RFQs for One (1) Sauber 1506 Self Loading Trailer and One (1) Sauber 1500 String Reel Dolly (Trailer) for the Electric Department at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] After evaluating the quotes, the City of Fairhope approves the procurement of the Sauber 1506 Self Loading Trailer and Sauber 1500 String Reel Dolly (Trailer) for the Electric from Truck Equipment Sales, Inc. with a total cost of \$38,644.00.

Adopted on this 27th day of January, 2020



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

27 January 2020


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 New Scanning Services for converting paper files to digital for the City Clerk and Building Department; and these services are available for direct procurement through the National Cooperative Purchasing Alliance (“NCPA”) which has been nationally bid through the NCPA’s bid process; and therefore, does not have to be let out for bid. The total cost for both departments will be \$35,861.87. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 3639-20

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 New Scanning Services for converting paper files to digital for the City Clerk and Building Department; and these services are available for direct procurement through the National Cooperative Purchasing Alliance (“NCPA”) which has been nationally bid through the NCPA’s bid process; and therefore, does not have to be let out for bid. The total cost for both departments will be \$35,861.87.

Adopted on this 27th day of January, 2020



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 One (1) Odyssey Split System Outdoor Condensing Unit for the Nix Center; and the equipment is available for direct procurement through the U.S. Communities Cooperative Contract which has been nationally bid through its bid process; and therefore, does not have to be let out for bid. This is an unbudgeted item with a cost of \$7,077.00. Seconded by Councilmember Brown, motion passed unanimously by voice vote.


27 January 2020

RESOLUTION NO. 3640-20

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 One (1) Odyssey Split System Outdoor Condensing Unit for the Nix Center; and the equipment is available for direct procurement through the U.S. Communities Cooperative Contract which has been nationally bid through its bid process; and therefore, does not have to be let out for bid. The is an unbudgeted item with a cost of \$7,077.00.

Adopted on this 27th day of January, 2020



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 Council hereby agrees to fund the additional overage cost for the Project to install signalization of the intersection of Greeno and Old Battles Roads in the amount of \$6,700.00. The total local match of \$76,700.00 will be funded by the 7-cents gasoline tax. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

RESOLUTION NO. 3641-20

WHEREAS, on October 22, 2018 the City Council adopted Resolution No. 3203-18 requesting the Eastern Shore Metropolitan Planning Organization to fund the Project to install signalization of the intersection of Greeno and Old Battles Roads and commits to provide the required local match not to exceed \$70,000.00; and authorize Mayor Karin Wilson to execute the necessary documents with the Baldwin County Commission, and if necessary, with Alabama Department of Transportation for Project; and

WHEREAS, the Baldwin County Commission received bids on January 14, 2020 with the low bidder submitting a bid in the amount of \$417,400.00; and the approved project amount being \$350,000.00; and

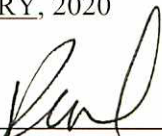
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WHEREAS, the Eastern Shore Metropolitan Planning Organization has agreed to provide an additional \$53,600.00 towards the \$67,000.00 overage; and the project sponsor we be required to provide the 20% local match on the overage in the amount of \$13,400.00; and

WHEREAS, the Intergovernmental Service Agreement between the City of Fairhope and the Baldwin County Commission states each party will split equally all unreimbursable cost with each funding \$6,700.00 towards overage.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the City Council hereby agrees to fund the additional overage cost for the Project to install signalization of the intersection of Greeno and Old Battles Roads in the amount of \$6,700.00. The total local match of \$76,700.00 will be funded by the 7-cents gasoline tax.

ADOPTED THIS 27TH DAY OF JANUARY, 2020



 Karin Wilson, Mayor

ATTEST:



 Lisa A. Hanks, MMC
 City Clerk

Councilmember Conyers moved to appoint Mara Hunter to the Historic Preservation Committee for a three-year term which will expire January 2023. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

City Council reviewed an application for Restaurant Liquor License by Bob Baumhower for Wingfinger's Fairhope, LLC d/b/a Wingfingers, located at 25 Greeno Road South, Fairhope, Alabama. Councilmember Robinson moved to approve the issuance of the license. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Community Affairs Director Jessica Walker addressed the City Council and stated this event is the same day as the filming. She said there are issues with the route and will get with Brandon Goertz regarding the day and time. Council President Burrell asked the City Council to look at the letter from Chief Hollinghead with her concerns and recommendations.

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After further discussion, Councilmember Conyers moved to grant the request of Samantha Cooper, Vice-President of the Junior Auxiliary of the Eastern Shore, requesting permission to hold the St. Patrick's Day Leprechaun Ride on Sunday, March 15, 2020 with road closure at 2:30 p.m. for parade to begin at 3:30 p.m. The request is for street closures (route attached) and use of barricades with the contingencies listed in Chief Hollinghead's letter. Law enforcement will be hired for the ride. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Robinson moved to grant the request of Casi Callaway, Mobile Baykeeper, requesting permission to block streets and use Park on South end of Pier, North Beach Road, Bayfront Park (pier), and Fountain area for the 2020 Publix Grandman Triathlon on May 30, 2020 (On May 29th close rose garden, no later than 5:00 p.m. and on May 30th close road entering North Bayfront Park from 5:00 a.m. until the last racer finishes); use of barricades; and permission to serve beer on South Beach Park with all appropriate security after the race; and also requesting permission to block streets (N. Mobile Street and N. Beach Road); use the Park on the South end of the Pier; and use of barricades for the Jubilee Kids' Triathlon on May 31, 2020 from 6:30 a.m. to 10:00 a.m. (On May 30th close rose garden, no later than 7:00 p.m. and on May 31st close road entering North Bayfront Park from 6:30 a.m. until the last racer finishes). Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Council President Burrell commented we have an ordinance stating no waivers and paying the Police Department for security.

Councilmember Boone 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 6:38 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk