

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 Thursday, 12 March 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 at 6:03 p.m. The invocation was given by Reverend Forbes Sirmon, Associate Priest at St. James Episcopal Church, and the Pledge of Allegiance was recited. Councilmember Boone moved to approve minutes of the 27 February 2020, regular meeting; minutes of the 27 February 2020, work session; and minutes of the 27 February 2020, agenda meeting. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

The following individuals spoke during Public Participation for Agenda Items:

- 1) Ken Niemeyer, 7 Fels Avenue, addressed the City Council regarding Agenda Items Number 8 and 14: a resolution to award bid for lift station odor control chemicals; and a resolution to approve procurement services for labor to complete the odor control unit for Twin Beech area. He requested the City Council look at the Fels Avenue project and how large of an area is being used. Mr. Niemeyer stated this lift station has omitted smells over years; and hope after the project is complete takes care of this issue. Mr. Niemeyer said when he brought up the issue with the size of this project and its appearance; Mr. Peterson told him he was misled.

Council President Burrell commented making the recommendation to postpone or cancel the Fairhope Arts and Crafts Festival was one of the hardest decisions the Mayor and Council have made.

Councilmember Conyers introduced in writing Ordinance No. 1678, an ordinance to annex City of Fairhope property located at the intersection of County Road 13 and County Road 32, Fairhope, Alabama. Contains 113.83 acres more or less. Tax Parcel 46-08-33-0-000-009.000. In order to take immediate action, Councilmember Conyers moved for immediate consideration. Seconded by Councilmember Boone, motion for immediate consideration passed unanimously by the following voice votes: AYE – Burrell, Robinson, Conyers, Brown, and Boone. NAY - None.

12 March 2020

Councilmember Conyers then moved for final adoption of Ordinance No. 1678. Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Conyers, Brown, and Boone. NAY - None.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council supports House Bill 209 to permit a pet dog in an outdoor dining area of a food establishment under certain conditions; and hereby lobbies the Alabama State Legislature to adopt its passage. The City Council directs the City Clerk to forward copies of this enacted resolution to the Fairhope's state legislative delegation and the League of Municipalities. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 3660-20

WHEREAS, there is currently a bill before the Alabama Legislature, specifically House Bill 209 (“HB209”) by Representatives McMillan and Brown, written to permit a pet dog in an outdoor dining area of a food establishment under certain conditions; and

WHEREAS, the City of Fairhope is known for being a “Dog and Cat Community” and is desirous to support the proposed HB209; and

WHEREAS, the City Council believes this proposed bill is necessary for the City of Fairhope to remain a pet friendly community and each establishment has the option to elect to allow pet dogs in its outdoor dining area under the specified conditions.

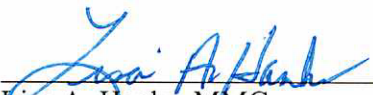
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, while in regular session on Thursday, March 13, 2020 at 6:00 p.m. that the City Council supports House Bill 209 and hereby lobbies the Alabama State Legislature to adopt its passage. The City Council directs the City Clerk to forward copies of this enacted resolution to the Fairhope's state legislative delegation and the League of Municipalities.

ADOPTED AND APPROVED THIS THE 12TH OF MARCH, 2020



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

12 March 2020

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 Fairhope Docks by adding the following to the end of Number 13: "Owner's boat must be maintained in a clean and tidy manner. Storage of supplies or personal items shall not be permitted on the decks." Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 3661-20

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" as follows for paragraph 13:

13. Owners shall not store supplies, materials, accessories or debris on walkway, docks or finger piers and shall not construct or place thereon any lockers, chests, cabinets, or similar structures, except with written approval from Marina. Painting, scraping or repairing of gear of the boat shall not be permitted on the walkways, docks or finger piers. The extent of repairs and maintenance which shall be permitted shall be at the sole discretion of the Marina. Owner's boat must be maintained in a clean and tidy manner. Storage of supplies or personal items shall not be permitted on the decks.

ADOPTED ON THIS 12TH DAY OF MARCH, 2020



 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 for Lift Station Odor Control Chemicals for the Sewer Department (Bid No. 020-20) to LL Associates, LLC d/b/a ChemStation Gulf Coast with an estimated annual cost of \$224,475.00 (\$5.70 per metered gallon). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

12 March 2020

RESOLUTION NO. 3662-20

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 a bid for Lift Station Odor Control Chemicals for the Sewer Department (Bid Number 020-20) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for
Lift Station Odor Control Chemicals for the Sewer Department

[3] After evaluating the bid proposals with the required bid specifications, LL Associates, LLC d/b/a ChemStation Gulf Coast, with the total bid proposal of \$5.70 per metered gallon, for an estimated annual cost of \$213,248.40, is now awarded the bid for Lift Station Odor Control Chemicals for the Sewer Department.

Adopted on this 12th day of March, 2020



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

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12 March 2020

City of Fairhope Tabulation
 BID 020-20 Lift Station Odor Control Chemical 2020
 Bid Opening: Tuesday, February 11, 2020, 9:00am


Lift Station	30 Day Flow in Gallons	LL ASSOCIATES, LLC		SIGMA ORGANICS		PENCCO, INC	
		Cost Per Metered Gallon	Dollars Per Site Per Year	Cost Per Metered Gallon	Dollars Per Site Per Year	Cost Per Metered Gallon	Dollars Per Site Per Year
White Grove to Thompson Hall	1,000,000	\$ 5.70	\$ 14,563.50	\$ 6.25	\$ 11,089.00	NO BID	
Thompson Hall to Dog House	7,500,000	\$ 5.70	\$ 24,966.00	\$ 6.25	\$ 37,665.00	NO BID	
Grand Hotel to Twin Beech	6,000,000	\$ 5.70	\$ 20,805.00	\$ 6.25	\$ 20,510.00	NO BID	
Point Clear Court is part of Grand Hotel Twin Beech	450,000	\$ 5.70	\$ 10,402.50	\$ 6.25	\$ 11,406.00	NO BID	
Twin Beech to South Section	7,100,000	\$ 5.70	\$ 35,368.50	\$ 6.25	\$ 48,595.00	NO BID	
End of County Road 1 to Baldwin 1	N/A	\$ 5.70	N/A	\$ 6.25	N/A	NO BID	
Baldwin 1 to Grand Hotel	1,500,000	\$ 5.70	\$ 10,402.50	\$ 6.25	\$ 21,217.00	NO BID	
Rohr to South Section Street	3,500,000	\$ 5.70	\$ 10,402.50	\$ 6.25	\$ 35,096.00	NO BID	
East of the Sun to Discharge Point	5,000,000	\$ 5.70	\$ 14,563.50	\$ 6.25	\$ 18,192.00	NO BID	
Quail Creek to Thompson Hall	5,500,000	\$ 5.70	\$ 27,046.50	\$ 6.25	\$ 53,619.00	NO BID	
Woodlands to North Section Street	6,000,000	\$ 5.70	\$ 31,207.50	\$ 6.25	\$ 35,579.00	NO BID	
Southland to Fairfield	3,000,000	\$ 5.70	\$ 9,359.40	\$ 6.25	\$ 9,741.00	NO BID	
Carya Point to Meadowbrook	1,000,000	\$ 5.70	\$ 4,161.00	\$ 6.25	\$ 5,173.00	NO BID	
ANNUAL TOTAL			\$ 213,248.40		\$ 307,882.00		

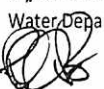
RECOMMENDATION: Award Bid 020-20 to LL Associates, LLC d/b/a ChemStation Gulf Coast

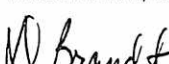
City of Fairhope Tabulation
 BID 020-20 Lift Station Odor Control Chemical 2020
 Bid Opening: Tuesday, February 11, 2020, 9:00am

To the best of my knowledge this is an accurate bid tabulation.


 Mike Allison Date 2/17/2020


 Jay Whitman Date 2/17/2020
 Water Department Superintendent


 Richard Peterson, P.E. Date 2/17/2020


 Delores Brandt Date 2/17/2020
 Purchasing Manager

ADDITIONAL COMPANIES SOLICITED FOR BID

BIOMAGIC	EVOQUA Water Technologies
SOLEN	J.H. Wright & Associates, Inc
US FILTER- SIEMENS	TOMORROW/MICRO BLEND, INC
ALTIVIA Chemicals	North American Commercial
GE BETZ	Kemper Industries, Inc.
INDUSTRIAL CHEMICALS Inc	ACT Specialty Chemicals, Inc
INDUSTRIAL CHEMICAL	North American MANTEK
F2 Industries LLC	Thatcher Chemical of Florida
DPC ENTERPRISES	VULCAN PERFORMANCE CHEMICALS, LTD
NORIT AMERICAS, INC	WATER TREATMENT & CONTROLS COMPANY
NRP GROUP, INC.	WATER AND WASTE SPECIALTIES, LLC
USP Technologies	THORNTON, MUSSO, BELLEMIN
US PEROXIDE, LLC	

12 March 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 an Underground Fault Detector (Easy Thump EZT12V2-15T1HMWK) for the Electric Department from Megger, Inc., sole source for Megger EZThump CFL Units, with a total cost of \$18,211.50 which includes warranty, certificate of calibration, and additional clamps. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 3663-20

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 an Underground Fault Detector (Easy Thump EZT12V2-15T1HMWK) for the Electric Department from Megger, Inc., sole source for Megger EZThump CFL Units, with a total cost of \$18,211.50 which includes warranty, certificate of calibration, and additional clamps.

Adopted on this 12th day of March, 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 D10x15 83 Navigator Boring Machine (\$137,111.00) and Felling FT-141 Drop Deck, Drill Series [E] Trailer (\$9,576.68) for all Utilities; and the equipment 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 \$146,687.68. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

12 March 2020

RESOLUTION NO. 3664-20

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 D10x15 83 Navigator Boring Machine (\$137,111.00) and Felling FT-141 Drop Deck, Drill Series [E] Trailer (\$9,576.68) for all Utilities; and the equipment 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 \$146,687.68.

Adopted on this 12th day of March, 2020



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase a 2020 Ford F250 Crew Cab 4x2 Pickup Service Truck for the Wastewater Department; and the type of vehicle needed is on the Alabama State Department of Purchasing bid list; and therefore does not have to be let out for bid; and the total cost is \$27,101.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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12 March 2020

RESOLUTION NO. 3665-20

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

[1] That the City of Fairhope has voted to purchase a 2020 Ford F250 Crew Cab 4x2 Pickup Service Truck for the Wastewater 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

2020 Ford F250 Crew Cab

Cost is \$27,101.00

Adopted on this 12th day of March, 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 of Fairhope has voted to purchase Two (2) 2020 Ford F250 Crew Cab 4x2 Pickup Service Truck for the Water Department; and the type of vehicle needed is on the Alabama State Department of Purchasing bid list; and therefore does not have to be let out for bid; and the cost is \$27,101.00 each for total cost of \$54,202.00. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

12 March 2020

RESOLUTION NO. 3666-20

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

[1] That the City of Fairhope has voted to purchase Two (2) 2020 Ford F250 Crew Cab 4x2 Pickup Service Trucks for the Water Department; and the type of vehicles needed are 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

2020 Ford F250 Crew Cab

Cost is \$27,101.00 Each

Total Cost is \$54,202.00

Adopted on this 12th day of March, 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 services for Labor to complete renovations to the Clubhouse at Quail Creek Golf Course by Seale Quality Construction and Renovations in the amount of \$9,500.00 plus the City supplying paint and supplies in the amount of \$2,526.16 for a total project cost of \$12,026.16. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

12 March 2020

RESOLUTION NO. 3667-20

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

[1] That the City of Fairhope did request and receive RFQs for Labor for the Inside Sheetrock Repairs and Painting of the Clubhouse at Quail Creek Golf Course for the Recreation 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 for Labor to complete renovations to the Clubhouse at Quail Creek Golf Course by Seale Quality Construction and Renovations in the amount of \$9,500.00 plus the City supplying paint and supplies in the amount of \$2,526.16 for a total project cost of \$12,026.16.

Adopted on this 12th day of March, 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 of Fairhope hereby approves the payment for the Installation of Odor Control Unit for Twin Beech Area for the Wastewater Department to Ballcon, Inc. in the amount of \$6,144.00 which is an unbudgeted expense. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

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12 March 2020

RESOLUTION NO. 3668-20

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

[1] That the City of Fairhope hereby approves the payment for the Installation of Odor Control Unit for Twin Beech Area for the Wastewater Department to Ballcon, Inc. in the amount of \$6,144.00 which is an unbudgeted expense.

[2] Once the item arrived, it was discovered that this procurement did not include the installation of the unit, so Ballcon, Inc. was hired to perform the install.

Adopted on this 12th day of March, 2020



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council opposes the current form of HB203 and opposes the introduction of any further bills to create Landmark Districts within Baldwin County until the aforementioned issues in this resolution are agreed upon and worked out to the mutual satisfaction of all affected parties; and requests that this resolution be provided to each member of the Baldwin County legislative delegation and to other interested members of the Alabama legislature. The motion was seconded by Councilmember Brown. Mayor Wilson stated that she has 12 out of 14 Mayors in Baldwin who have agreed to this opposition. Councilmember Robinson commented he is fine with adopting this resolution, but it is similar without the paragraph stating, "sole basis." Council President Burrell said he has heard rumors we were going to annex via a Legislative Act in this area which is false. He said the only areas we have annex via Legislative Act was Walmart and City property. After further discussion motion passed unanimously by voice vote.

12 March 2020

RESOLUTION NO. 3669-20

WHEREAS, in recent years certain unincorporated communities within Baldwin County have requested designation as a “Landmark District” through Baldwin County local legislation proposing a local constitutional amendment; and

WHEREAS, a Landmark District is not a recognized legal entity under the laws of Alabama, and its powers and authorities are not defined or enumerated by any statutory or constitutional provision; and

WHEREAS, there is no uniform, consistent or transparent approach for defining the boundaries of proposed Landmark Districts. The attached Landmark District proposed by HB203 as the “Barnwell Landmark District” encompasses 44 square miles and includes portions of the corporate limits of the City of Fairhope. This large, over-inclusive boundary encompasses many disparate areas within Baldwin County which share little to no identity or heritage with the community of Barnwell and is representative of the ad hoc, arbitrary process which may be utilized to draw the boundaries of such Landmark Districts; and

WHEREAS, the proposed HB203, like other recently proposed Landmark District legislation, seeks to limit the annexation rights of existing municipalities by prohibiting annexation by local legislative act, while providing that any municipality which is later created within the Landmark District will have the right to annex by the same local legislative acts denied existing municipalities; and

WHEREAS, as City Councilmembers, it is understood that certain unincorporated areas of Baldwin County rightfully wish to maintain their sense of heritage and community, however, it is also true that these goals could be accomplished without creating over-large, over-inclusive and ill-defined Landmark District that seeks to impose undue limitations on existing municipalities; and

WHEREAS, as City Councilmembers, we express our willingness to work with our Local Delegation in Baldwin County, and with interested individuals in unincorporated areas, to better define the legal status of a Landmark District, to enumerate its authority and powers, if any, as well as any limitations on its powers and authority; and

WHEREAS, as City Councilmembers, we express our willingness to work with our local Delegation to establish a uniform, consistent and transparent process for defining and delineating the boundary of a Landmark District and also providing accountability to ensure that any process or procedure established is adhered to; now therefore; and

12 March 2020

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council opposes the current form of HB203 and opposes the introduction of any further bills to create Landmark Districts within Baldwin County until the aforementioned issues are agreed upon and worked out to the mutual satisfaction of all affected parties; and

BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that this Resolution be provided to each member of the Baldwin County legislative delegation and to other interested members of the Alabama legislature.

ADOPTED AND APPROVED THIS THE 12TH OF MARCH, 2020



 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

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

- 1) Francis Ripp, 22985 High Ridge Road, with The Ripp Report addressed the City Council regarding the Legislature doing Legislative Acts without coming to us first. He handed out a document regarding the apartments and Parker Road; and what a mess this will cause once completed. Mr. Ripp suggested an updated study on Parker Road. He said some of the items listed in the handout show some of the issues. Mr. Ripp said someone has to do something with traffic.

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12 March 2020

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 6:29 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk