

STATE OF ALABAMA)(
 :
COUNTY OF BALDWIN)(

The City Council met in a Work Session
at 4:30 p.m., Fairhope Municipal Complex Council Chamber,
161 North Section Street, Fairhope, Alabama 36532,
on Monday, 26 July 2021.

Present were Council President Pro Tempore Jimmy Conyers, Councilmembers: Corey Martin, Jay Robinson, and Kevin Boone (Arrived at 4:35 p.m.), Mayor Sherry Sullivan, Attorney Marion E. Wynne for McDowell, and City Clerk Lisa A. Hanks. Council President Jack Burrell and City Attorney Marcus E. McDowell were absent.

Council President Pro Tempore Jimmy Conyers called the meeting to order at 4:30 p.m.

The following topics were discussed:

- Discussion of Act 2021-297 (SB107) regarding the Police Jurisdiction, Planning Jurisdiction, and Permitting Jurisdiction; and Agreement with Baldwin County was presented by Attorney Chris Williams with Hand Arendall Harrison Sale. Mr. Williams addressed the City Council and told them that the Act became effect today; and the Planning Jurisdiction is now the same as the Police Jurisdiction which is three miles from the City limits. He stated that Baldwin County could enforce all subdivision regulations outside the City limits in July 2023. Mr. Williams said we cannot enforce ordinances outside City limits; i.e., Sign, Noise, Environmental, and Red Clay Ordinances. He said the Building Code enforcement has a two year wind down but on January 1, 2023 the Planning Jurisdiction will only be 1.5 miles. Mr. Williams said the City Council are looking for a long-term plan to be agreed upon by both parties. He commented that there are reporting obligations for the City regarding expenses outside the City limits.

Councilmember Martin questioned if we are on probation for two years. Mr. Williams said that in July 2023 the Planning Jurisdiction will be less the 1.5 miles and will only be in City limits unless an agreement has been made. Building Official Erik Cortinas addressed the City Council and commented the ordinances that will be affected by his Department will be the Red Soil, Land Disturbing, Erosion Control, and Wetlands which we cannot enforce beginning today. Planning and Zoning Manager Hunter Simmons addressed the City Council and said that Family Subdivisions will now be acknowledged. Mr. Williams showed the potential map which is just a working document for Police Jurisdiction (three miles outside City limits). Councilmembers Boone and Martin questioned the Wetlands Ordinance. Mr. Cortinas explained how this cannot be enforced pursuant to Act 2021-297. Councilmember Martin said he hoped the County was ready for this transition and has spoken to someone. Mayor Sullivan mentioned the Memorandum of Understanding from the County to all municipalities.

- The Discussion of Triangle Property and Recommendations was next on the agenda. Ms. Michell Melton addressed the City Council and presented the recommendations from the Fairhope Environmental Advisory Board (“FEAB”). She said this will be a win-win for everyone. Mayor Sullivan thanked the FEAB for their work on property. Ms. Melton said they looked at Fairhope Single Tax Corporation (“FSTC”) deeds for public places and parklands. She said the City would quit claim the property to FSTC; and FSTC would deed it back to the City with deed restrictions. Councilmember Martin explained there are constitutional statutes and cases that have been tested for parklands. Ms. Melton said the City must get consent from the Dyas’ to name the park.

Mayor Sullivan commented she would like to get this on agenda to begin negotiations. She said we could not find a topo on the property in Planning Department files, so there is a resolution for boundary lines on tonight’s agenda. Mayor Sullivan mentioned that Auburn could possibly help with Tree Survey.

- Public Works Director Richard Johnson gave an Update on the ADA Transition Plan; and explained the necessary changes and suggestions. Mr. Hunter explained the new GIS Map updated from 2016; and the map now explains what is going on. Mr. Johnson said the changes are in real time on map; and gave an example of how to prioritize compliance. He said the targeted ADA improvements proposed will go from \$50,000.00 to \$100,000.00. Mr. Johnson we will need staff training and training for others. He commented in the Appendix are short-term goals for improvements. Councilmember Conyers questioned our deadline for compliance. Mr. Johnson said we have to have a plan and work towards that plan.
- Lee Lawson from Baldwin County Economic Development Alliance addressed the City Council regarding the American Rescue Plan funds; and announced the funds were opened up for Economic Adjustment Assistance. He said they will be seeking \$3,125,000.00 that will be an 80/20 match due to COVID; and not a 50/50 match. Council President Pro Tempore Conyers mentioned that the BCEDA grant application is to be added to tonight’s agenda. Mr. Lawson explained the process, said it is a competitive environment, and commented on the good track record for HATCH. Mayor Sullivan said she had moved the project to Congressman Jerry Carl’s office for the City’s match.
- Councilmember Martin gave an update on the Fairhope Environmental Advisory Board who has been working on the Colony Property that belongs to the City.
- Water and Sewer Superintendent Jason Langley addressed the City Council; and Council President Pro Tempore thanked Mr. Langley for the ride around. Mr. Langley mentioned the Greeno Road main break on Saturday that is still an issue. He said his department was working with ALDOT. Mr. Langley addressed Agenda Items Number 9, 15, and 16.
- Public Works Director Richard Johnson addressed the City Council and gave a Twin Beech update. Mr. Johnson said he has spoken with the schools regarding the Project delay. He gave an update on the Oak and Section Street Drainage Project.

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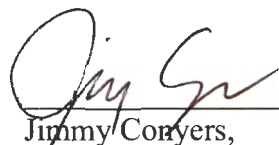
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Mr. Johnson addressed Agenda Items Number 11, 14, 20, and 21. He explained in detail Number 21 regarding the trash truck. Councilmember Martin questioned the MRF and now with County. He said it is a great idea personally.

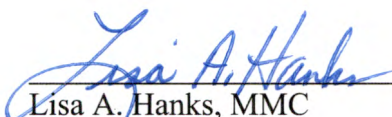
- Recreation Director Pat White addressed the City Council and gave an update on the ADA Project at Volanta. Mr. White said he said he put a hold on the baseball fields until after football season. He said the playground equipment for the Rotary Youth is being manufactured.
- Building Official Erik Cortinas addressed the City Council and stated that CitizenServe went live today. He said it will be mandatory for permits and subdivision applications. Mr. Cortinas addressed Agenda Item Number 10 and said this expense is a pass through to the developer.
- Planning and Zoning Manager Hunter Simmons addressed the City Council and commented that they have six subdivisions in the past few weeks. He said the Planning Department will be using CitizenServe too. Mr. Simmons mentioned the kickoff meeting for the Comprehensive Land Use Plan. He addressed Agenda Items Number 6, 7, and 8 which are public hearings.
- Assistant Electric Superintendent Jeremy Morgan addressed the City Council and gave an update on the Volanta Substation. He addressed Agenda Items Number 17 and 22. Councilmember Boone said we need to be better prepared for future growth.
- Mayor Sullivan briefly explained Agenda Items Number 12 and 13 regarding automated meter reading and installation of an advanced utility metering infrastructure system ("AMI"). She said it should take a year to 18 months to complete.

The Agenda Meeting was held during the Work Session under Department Head Updates.

There being no further business to come before the City Council, the meeting was duly adjourned at 5:49 p.m.



Jimmy Conyers,
Council President Pro Tempore



Lisa A. Hanks, MMC
City Clerk