

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, 24 August 2015.

Present were Council President Jack Burrell, Councilmembers: Rich Mueller, Diana Brewer, Michael A. Ford, and Kevin Boone, Mayor Timothy M. Kant, City Attorney Marion E. Wynne, 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 Boone and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 10 August 2015, regular meeting; minutes of the 10 August 2015, work session; and minutes of the 10 August 2015, agenda meeting. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Councilmember Boone stated there was a need to add on two agenda items after Agenda Item Number 12: a Resolution to Award Bid for the Emergency Repair Treatment Area (Bid No. 034-15); Project No. PW004-15 – (NRCS Project No. FAI-14-001); and a Resolution to Award Bid for The Woodlands Drainage Restoration (Bid No. 039-15); Project No. PW-003-15 – (NRCS Project No. FAI-14-002).

Councilmember Boone moved to add on the above mentioned items **not** on the printed agenda. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Brewer stated there was a need to add on an agenda item after the two resolutions that have been added to the agenda; a Resolution that Mayor Timothy M. Kant is hereby authorized to negotiate purchase for three (“3”) Motorola Consoles for the Police Department off the Alabama State Bid.

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

Mayor Kant addressed the City Council regarding the following items:

- 1) Budget is almost complete and should be in City Council boxes by Friday;
- 2) Need to schedule budget meetings prior to Work Session;
- 3) Personnel Board will meet again regarding pay scales, new positions; and grades not in the compensation plan; and

24 August 2015

- 4) Announced Fairhope Football team won last Friday and the next game is at Foley.

The following individual spoke during Public Participation for Agenda Items:

- 1) Dale Croy, 16691 Branch Drive, addressed the City Council regarding Agenda Item Number 7; a Resolution that the City Council hereby approves and establishes the City of Fairhope Rules and Regulations which includes the definition of a commercial fishing vessel and rental rates for the Municipal Boat Slips. Mr. Croy stated he was the Project Manager for C-Port Marine Services who trains helicopter pilots stationed in West Mobile and all training is done in Mobile Bay. His company has been docked at Fly Creek since 2002. He commented this rate increase would be from \$840.00 per year for both boats to \$8,400.00 per year which equates to approximately a 521 percent increase. He requested the City Council to consider what C-Port contributes to the City when adopting this resolution.

Councilmember Brewer announced that the Pedestrian and Bicycle Committee will meet at 4:00 p.m. on September 10, 2015 at the Nix Center.

Councilmember Boone commented on the Little League team fell short in the championship, but did a great job for the Fairhope.

Council President Burrell questioned if the visitor side press box was put in the proposed budget; and requested Mayor Kant to see this through. Mayor Kant replied he was hoping to begin construction this year; and this will be a Public Works project. Councilmember Mueller was thanked for all of his help with the design; and he replied for the record this is being done Pro Bono.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253, adopted 27 June 2005. Councilmember Brewer introduced in writing an ordinance to Delete and Remove from the Zoning Ordinance the Provisions dealing with Design Standards for Signs. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance. Planning Director Jonathan Smith briefly explained the proposed ordinance.

Council President Burrell opened the Public Hearing at 6:23 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:24 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the September 14, 2015 City Council meeting.

24 August 2015

Councilmember Brewer introduced in writing Ordinance No. 1545, an ordinance to Repeal and Replace Chapter 22 Vehicles for Hire; Article II, City of Fairhope Code of Ordinances by adding Other Transportation Vehicles which includes limousines, Uber, etc. City Clerk Lisa Hanks briefly explained the proposed ordinance and answered any questions from the City Council. In order to take immediate action, Councilmember Brewer moved for immediate consideration. Seconded by Councilmember Mueller, motion for immediate consideration passed unanimously by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None. Councilmember Brewer then moved for final adoption of Ordinance No. 1545. Seconded by Councilmember Mueller, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Boone explained the need for amending the rules and regulations for the Municipal boat slips to which will define a commercial fishing vessel; and will also increase the rental rates which have not been increased or dealt with for many years. This increase will make our rates more in line with what other marinas charge for slip rentals. Councilmember Boone also stated the need to abolish Paragraph No. 17.

Councilmember Brewer questioned the new rules and rates regarding C-Port Marine Services and their vessels being used to train student pilots. Council President Burrell replied that the \$5.00 per foot is half of the going rate for vessels that are not commercial fishing vessels. Councilmember Mueller questioned if incremental rates were discussed and if this vessel is the only one affected by the increase. Council President Burrell explained that \$5.00 per foot is an incremental increase; and we wanted to keep an emphasis on commercial fishing vessels. General Superintendent

James Gillespie addressed the City Council and stated C-Port's vessels are not the only ones affected by the increase. Mr. Gillespie stated that most marinas' rates are a great deal higher; and the need to define a commercial fishing vessel was one of the main changes in the rules and regulations. He commented these vessels keep the channel dredged and allow the channel to be dredged.

Bob Riggs, Chairman of the Harbor Board, addressed the City Council and stated the Harbor Board has not taken action on the proposed rules and regulations. He said as a member of the Board, he supports the resolution and agreement; and the increased revenues will be put back into the marina docks. Mr. Riggs said the Harbor Board has looked at other marinas and none give this type of break to slip renters. He said this is a fair and appropriate rate.

Councilmember Brewer moved to strike Paragraph No. 17 from the Rules and Regulations for the Municipal Boat Slips. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

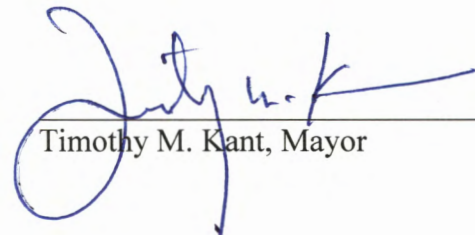
24 August 2015

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby approves and establishes the City of Fairhope Rules and Regulations which includes the definition of a commercial fishing vessel and rental rates for the Municipal Boat Slips as amended. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 2390-15

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby approves and establishes the City of Fairhope Rules and Regulations which includes the definition of a commercial fishing vessel and Rental Rates for the Municipal Boat Slips; and to delete Provision Number 17 from the Rules and Regulations.

ADOPTED ON THIS 24TH DAY OF AUGUST 2015


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, MMC
 City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope hereby amends Resolution No. 2335-15 by changing only the name for the bid award from Pro Rain Environmental Construction, Inc. to Pro Rain Irrigation Services, Inc. for the Quail Creek Golf Course Irrigation System 2015. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

*

*

24 August 2015

RESOLUTION NO. 2391-15

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 the Quail Creek Golf Course Irrigation System 2015 (Bid Number 008-15) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] After further review of the "Awarded Bidder's" documentation, it has been discovered that the name on the adopted Resolution No. 2335-15 should have been Pro Rain Irrigation Services, Inc. and was erroneously typed on the bid tabulation and greensheet; and thus typed on the resolution presented for bid award.

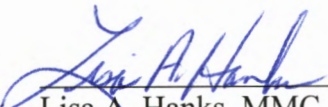
[3] Therefore, the City of Fairhope hereby amends Resolution No. 2335-15 by changing only the name for the bid award Pro Rain Environmental Construction, Inc. to Pro Rain Irrigation Services, Inc. for the Quail Creek Golf Course Irrigation System 2015.

Adopted on this 24th day of August, 2015



Timothy M. Kant, 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 Timothy M. Kant is hereby authorized to execute an Intergovernmental Service Agreement the City of Fairhope and the Baldwin County Commission for joint cooperation to fund the preliminary engineering and matching construction costs for a Roundabout at County Road 48 and County Road 13 ATRIP Project with the City's preliminary estimate being \$304,692.57. The motion was seconded by Councilmember Brewer.

24 August 2015

Mayor Kant explained the need for the roundabout for a smooth flow of traffic and for safety issues. He commented that once this project is complete the County will turn over the roundabout to the City and we will then own and maintain it. He also explained most of the cost was from acquiring land and moving utilities; and it had be moved from the initial site for our water main and the AT&T box at the intersection. After further discussion, motion passed unanimously by voice vote.

RESOLUTION NO. 2392-15

WHEREAS, the City of Fairhope endorsed and supported the partnership with the Baldwin County Commission and agreed to allocate its share for the Alabama Transportation Rehabilitation and Improvement Program (ATRIP) Grant Funding for an intersection improvement project – a Roundabout at County Road 13 and County Road 48 on June 10, 2013 via Resolution 2090-13; and

WHEREAS, the City of Fairhope and the Baldwin County Commission now desire to enter into an Intergovernmental Service Agreement for joint cooperation to fund the preliminary engineering and matching construction costs for a Roundabout at County Road 48 and County Road 13 ATRIP Project with the City's preliminary estimate being \$304,692.57.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Timothy M. Kant is hereby authorized to execute an Intergovernmental Service Agreement the City of Fairhope and the Baldwin County Commission for joint cooperation to fund the preliminary engineering and matching construction costs for a Roundabout at County Road 48 and County Road 13 ATRIP Project with the City's preliminary estimate being \$304,692.57.

Adopted on this 24th day of August, 2015



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

24 August 2015

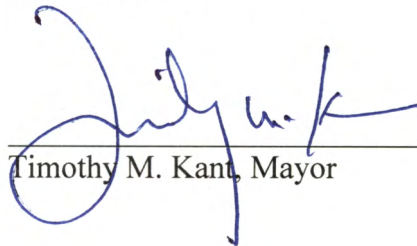
Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase 2 inch Gas Pipe for the Gas Department; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain informal quotes. The total cost will be \$18,130.00. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2393-15

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

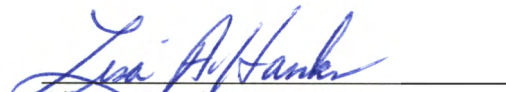
[1] That the City of Fairhope has voted to purchase 24,500 feet of 2 inch Gas Pipe for the Gas Department; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain informal quotes. The total cost will be \$18,130.00.

Adopted on this 24th day of August, 2015



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Mueller moved to appoint Rick Frederick to the Fairhope Environmental Advisory Board for a four-year term which will expire August 2019. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

City Council reviewed an application for a Non-Profit Tax Exempt License (Alcoholic Beverage License) by Blair Bullen, American Cancer Society, Inc., for "The Black Out Cancer Ball," located at 161 North Section Street, Fairhope, Alabama on September 17, 2015 from 6:00 p.m. to 11:00 p.m. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

24 August 2015

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for the Emergency Repair Treatment Area (Bid No. 034-15); Project No. PW004-15 – (NRCS Project No. FAI-14-001) to Blackmon & Ammons with a total cost amount of \$237,885.00. Council President Burrell mentioned there is a time limit on these projects. Mr. Robertson from Hutchinson Moore & Rauch stated the deadline is October 15, 2015. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2394-15

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

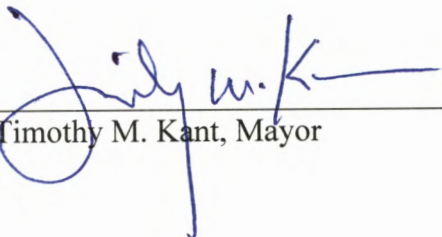
[1] That the City of Fairhope, by and through Hutchinson, Moore & Rauch, LLC, Project Engineer, did request, receive, and open bids for the Emergency Repair Treatment Plant Area (Bid No. 034-15); Project No. PW004-15 - (NRCS Project FAI-14-001).

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

Please see attached Bid Tabulation for
Emergency Repair Treatment Plant Area

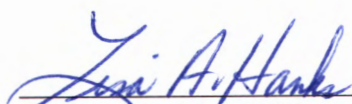
[3] After evaluating the bid proposals with the required bid specifications, Ammons & Blackmon, with the total bid proposal of \$237,885.00 is now awarded the bid for the Emergency Repair Treatment Plant Area.

Adopted on this 24th day of August, 2015



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

24 August 2015

6809

**CITY OF FAIRHOPE
EMERGENCY REPAIR
TREATMENT PLANT AREA
AUGUST 24, 2015**

ITEM	DESCRIPTION	UNIT	QTY	BIDDER #1		BIDDER #2		BIDDER #4	
				AMMONS & BLACKMON	BLADE CONSTRUCTION	SA GRAHAM			
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
708	MOBILIZATION & DEMOBILIZATION	LS	1	\$ 15,000.00	\$ 15,000.00				
704	DEBRIS REMOVAL (SEDIMENT, TREES, CONCRETE, PIPE, ETC.)	LS	1	\$ 8,624.00	\$ 8,624.00				
720	SHAPING & GRADING	LS	1	\$ 8,850.00	\$ 8,850.00				
723	EARTH FILL	CY	1,500	\$ 12.00	\$ 18,000.00	18.00	27,000.00	21.00	31,500.00
751	RIP RAP, CLASS 2	(TBM)	1						
795	7 OZ NONWOVEN GEOTEXTILE FILTER BLANKET	TON	2,500	\$ 68.00	\$ 170,000.00	92.00	230,000.00	75.00	187,500.00
	EROSION CONTROL (INCLUDES TOSOL, SEEDING & MULCHING)	SY	2,400	\$ 2.00	\$ 4,800.00	6.50	15,600.00	3.00	7,200.00
762	GROUT	LS	1	\$ 10,300.00	\$ 10,300.00				
		CYIP	15	\$ 154.00	\$ 2,310.00	250.00	3,750.00	300.00	4,500.00
TOTAL AMOUNT					\$ 237,680.00		\$ 327,350.00		\$ 622,260.00

We hereby certify this to be a true and correct tabulation on the above named project.

Scott A. Hutchinson

Scott A. Hutchinson, P.E.

Project Manager

Hutchinson, Moore & Raush, LLC

24 August 2015

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for The Woodlands Drainage Restoration (Bid No. 039-15); Project No. PW-003-15 – (NRCS Project No. FAI-14-002) to Blackmon & Ammons with a total cost amount of \$300,568.00. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 2395-15

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

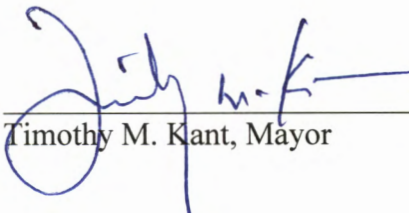
[1] That the City of Fairhope, by and through Hutchinson, Moore & Rauch, LLC, Project Engineer, did request, receive, and open bids for The Woodlands Drainage Restoration (Bid No. 039-15); Project No. PW003-15 - (NRCS Project FAI-14-002).

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

Please see attached Bid Tabulation for
The Woodlands Drainage Restoration

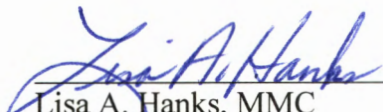
[3] After evaluating the bid proposals with the required bid specifications, Ammons & Blackmon, with the total bid proposal of \$300,568.00 is now awarded the bid for The Woodlands Drainage Restoration.

Adopted on this 24th day of August, 2015



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

24 August 2015

6811

**CITY OF FAIRHOPE
THE WOODLANDS DRAINAGE RESTORATION
AUGUST 24, 2015**

ITEM#	DESCRIPTION	UNIT	QTY	BIDDER #1 AMMONS & BLACKMON		BIDDER #2 CARTER'S CONTRACTING		BIDDER #4 BLADE CONSTRUCTION	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
702	CLEARING & GRUBBING	LS	1	\$ 8,373.00	\$ 8,373.00		14,500.00		15,000.00
705	POLLUTION CONTROL (INCI UDERS SILT FENCE, WATTLES, CONSTRUCTION ENTRANCE, ETC.)	LS	1	\$ 6,576.00	\$ 6,576.00		17,450.00		15,000.00
706	SEEDING, SPRIGGING & MULCHING (1.5 ACRES)	LS	1	\$ 7,008.00	\$ 7,008.00		9,900.00		5,000.00
708	MOBILIZATION & DEMOBILIZATION	LS	1	\$ 20,000.00	\$ 20,000.00		35,000.00		10,000.00
720	LAND SHAPING & GRADING	LS	1	\$ 3,251.00	\$ 3,251.00		5,000.00		10,000.00
725	TOPSOILING	CY	500	\$ 15.00	\$ 7,500.00	17.00	8,900.00	20.00	10,000.00
742	CONCRETE PIPE CONDUITS & DRAINS (18" RCP INCLUDING FOUR SLOPE PAVED HEADWALLS)	LF	60	\$ 96.00	\$ 5,880.00	74.50	4,470.00	88.60	5,316.00
742A	PRECAST CONCRETE MANHOLE (1 WEIR INLET)	EA	1	\$ 3,400.00	\$ 3,400.00	3,400.00	3,400.00	3,780.00	3,780.00
751	RIP RAP CLASS 7	TON	1,200	\$ 73.90	\$ 88,680.00	88.00	81,600.00	95.00	114,000.00
761	ROCK RIP RAP CLASS 3	TON	1,450	\$ 73.60	\$ 106,720.00	68.10	100,185.00	105.00	152,250.00
795	GEOTEXTILE (5 OZ NONWOVEN FILTER FABRIC)	SY	2,000	\$ 2.00	\$ 4,000.00	2.10	4,200.00	4.50	13,000.00
1001	EROSION CONTROL BLANKET (COIR MAT 40 RCP, ONE 24" HEADWALL, 24 LF 557X35" RCP, TWO HEADWALLS)	BY	3,200	\$ 2.00	\$ 6,400.00	2.00	6,400.00	6.00	19,200.00
1002	CONSTRUCTION ENTRANCE REPAIR	LS	1	\$ 863.00	\$ 863.00		1,000.00		4,512.00
1003	TOTAL AMOUNT	LS	1	\$ 29,957.00	\$ 29,957.00		25,500.00		25,000.00
				\$ 300,988.00	\$ 300,988.00		\$ 317,415.00		\$ 410,658.00

We hereby certify this to be a true and correct tabulation on the above named project

Scott A. Hutchison 8/24/15

Scott A. Hutchison, P.E.
Project Manager
Hutchinson, Moore & Rauch, LLC

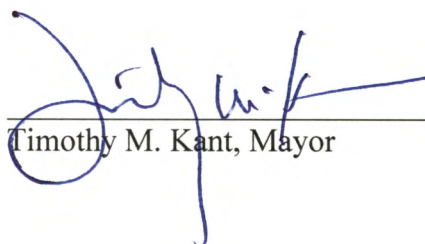
24 August 2015

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Timothy M. Kant is hereby authorized to negotiate purchase for three ("3") Motorola Consoles for the Police Department off the Alabama State Bid. Council President Burrell stated these prices were from the Alabama State Bid; and he left this open for Mayor Kant to negotiate the 10-year agreement and maintenance fees. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 2396-15

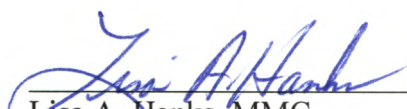
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to negotiate purchase of three ("3") Motorola Consoles for the Police Department off the Alabama State Bid.

Adopted on this 24th day of August, 2015



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

The following individual addressed the City Council during Public Participation for Non-Agenda Items:

- 1) Tom Yeager, 859 Creek Drive, addressed the City Council regarding his concerns with a sewer spill and heard about it while on the creek. He commented the newspaper stated there was a 5,000 gallon sewer spill and no one on the creek knew about this nor the Police Department. Council President Burrell suggested a possible phone app for sending out messages like a sewer spill. Councilmember Brewer suggested our website vendor may have options. Mayor Kant said that Thursday night the Woodlands lift station was vandalized; and we have protocol to call the newspapers, Baldwin County Health Department, Police Department, etc. Mayor Kant said most of the spill was contained in the detention pond and not in the creek. He also stated this has been turned over to our insurance company as a claim.

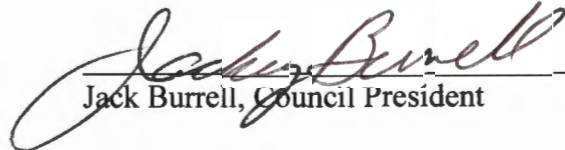
24 August 2015

Council President Burrell questioned if we could send out like Baldwin County Board of Education does in text messages. Mayor Kant said there will be funds budgeted for updates to the SCADA system to alert the City of any issues with the lift stations

- 2) Mr. Yeager also had a request for white stripes to be painted at the cross walks near around the area of South Mobile Street for safety purposes: White Street, Nichols, Pier Street, and Pecan Street. He said just those white stripes alerts people to go slower. Mayor Kant stated we must also look at handicap accessibility.

Councilmember Brewer 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 7:13 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk