

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, 14 September 2015.

Present were Council President Pro Tem Michael A. Ford, Councilmembers: Rich Mueller, and Diana Brewer, Mayor Timothy M. Kant, City Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks. Council President Jack Burrell and Councilmember Kevin Boone were absent.

There being a quorum present, Council President Pro Tem Ford called the meeting to order. The invocation was given by Dr. Jerry Henry, Pastor of First Baptist Church, and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 24 August 2015, regular meeting; minutes of the 24 August 2015, work session; and minutes of the 24 August 2015, agenda meeting. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council regarding the following items:

- 1) Budget has been presented to the City Council and requested them to look over; and if needed, setup meetings to discuss;
- 2) A Budget Meeting will be held one hour before the next Work Session;
- 3) Highlights from the proposed budgets were announced;
- 4) Dick Charles has resigned from the Planning Commission; and Jay Robinson will be appointed in his place; and
- 5) Coastal Cleanup is next Saturday

Councilmember Brewer congratulated Dan McCrory, Water and Sewer Superintendent and staff for the completion of the Waste Water Treatment Plant upgrades.

A Public Hearing was held as advertised on the request for a Lounge Liquor License by James V. Corte for I'm Still All In, LLC, d/b/a Tongue and Groove Drinkery, located at 77 South Section Street, Fairhope, Alabama. The public hearing was opened at 6:08 p.m. No one present opposed the proposed Lounge Liquor License; the Public Hearing closed at 6:08 p.m. Councilmember Mueller moved to approve the issuance of the license. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

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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 amend Article III; Section D., 10. Building Materials on Certain Commercially Zoned Property. The intent of the special conditions is to prevent negative visual impact, provide attractiveness and beautification and protect commercial property values. The Planning Commission gave a favorable recommendation of this ordinance. Council President Pro Tem Ford read the proposed ordinance. Planning Director Jonathan Smith briefly explained the proposed ordinance and mentioned that no building or portion of building visible from a public street or right-of-way shall be exposed metal. A façade of some type or material shall be used to visually screen the metal from the public street or right-of-way.

Council President Pro Tem Ford opened the Public Hearing at 6:13 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:13 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the September 28, 2015 City Council meeting.

A Public Hearing was held as advertised on a proposed ordinance for a Franchise Agreement to operate Infant Swimming Resource (“ISR”) Lessons which includes Children Aquatic Self Rescue at the Fairhope Municipal City Pools on 803 North Greeno Road, Fairhope, Alabama. Councilmember Brewer introduced in writing Ordinance No. 1546, an ordinance to approve an Application from Margaret W. Johnson d/b/a Infant Swimming Resource (“ISR”) for a Franchise Agreement to Infant Swimming Resource (“ISR”) Lessons which includes Children Aquatic Self Rescue at the Fairhope Municipal City Pools on 803 North Greeno Road, Fairhope, Alabama. Council President Pro Tem Ford read the proposed ordinance.

Council President Pro Tem Ford opened the Public Hearing at 6:14 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:14 p.m.

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 – Mueller, Brewer, and Ford. NAY - None. City Attorney Wynne mentioned a typo in the Franchise Agreement with the need to amend Section 4.2 Indemnifications from “bird feeder vending machines” to “Infant Swimming Resource “(ISR) Lessons.” Councilmember Mueller then moved for final adoption of Ordinance No. 1546 with the amendment to Section 4.2. as stated above. Seconded by Councilmember Brewer, motion for final adoption passed by the following voice votes: AYE – Mueller, Brewer, and Ford. NAY - None.

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Councilmember Brewer moved for final adoption of Ordinance No. 1547, an ordinance to amend Zoning Ordinance No. 1253; by deleting and removing from the Zoning Ordinance the Provisions dealing with Design Standards for Signs. (Introduced at the August 24, 2015 City Council Meeting) Seconded by Councilmember Mueller, motion for final adoption passed by the following voice votes: AYE –Mueller, Brewer, and Ford. NAY - None.

Councilmember Brewer introduced in writing an ordinance to regulate the Distribution of Handbills for both commercial and noncommercial.

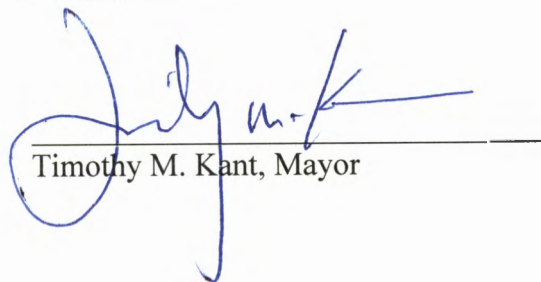
Due to lack of a motion for immediate consideration, this ordinance will layover until the September 28, 2015 City Council meeting.

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 execute a Public Utility Easement between the City of Fairhope and Angelo A. Corte to construct, erect, set, install, renew, repair, maintain, improve, expand and operate water, gas, and sewer mains and a sewer lift station on, upon, along, over, through and across the property described in the easement. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2397-15

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to execute a Public Utility Easement between the City of Fairhope and Angelo A. Corte to construct, erect, set, install, renew, repair, maintain, improve, expand and operate water, gas, and sewer mains and a sewer lift station on, upon, along, over, through and across the property described in the easement.

Adopted on this 14th day of September, 2015


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, MMC
 City Clerk

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Councilmember Mueller introduced in writing, and moved for the adoption of the following resolution, a resolution to reject all Bids for Improvements to Stimpson Park Tennis Courts for the Recreation Department due to only one bid received (Bid No. REC003-15). Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 2398-15

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 Improvements to Stimpson Park Tennis Courts for the Recreation Department (Bid No. REC003-15) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

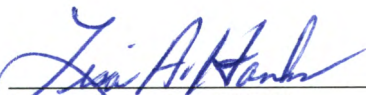
[2] After further consideration and only one bid received, the recommendation of the requesting department (Recreation) and the Engineer of Record is to reject all bids for Bid No. REC003-15.

Adopted on this 14th day of September, 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 to purchase Pipe Fittings for the Traffic Circle Project (Roundabout at Highway 13 and Fairhope Avenue) for the Gas Department from Consolidated Pipe and Supply Co., Inc. as Sole Source Distributor; 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 \$20,150.00. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

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RESOLUTION NO. 2399-15

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

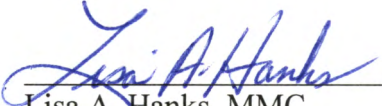
[1] That the City of Fairhope has voted to purchase Pipe Fittings for the Traffic Circle Project (Roundabout at Highway 13 and Fairhope Avenue) for the Gas Department from Consolidated Pipe and Supply Co., Inc. as Sole Source Distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain informal quotes. The total cost will be \$20,150.00.

Adopted on this 14th day of September, 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 Council approves the selection of South Alabama Regional Planning Commission for Professional Services for Consolidated Strategy and Plan Analysis of Impediments to Fair Housing Choice for RFQ No. PS016-15; and hereby authorizes Mayor Timothy M. Kant to negotiate the fee schedule and execute the contract. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

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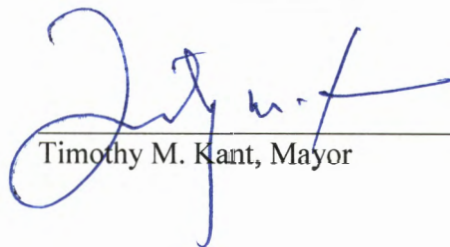
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14 September 2015

RESOLUTION NO. 2400-15

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection of South Alabama Regional Planning Commission for Professional Engineering Services for Consolidated Strategy and Plan Analysis of Impediments to Fair Housing Choice for RFQ No. PS016-15; and hereby authorizes Mayor Timothy M. Kant to negotiate the fee schedule and execute the contract.

DULY ADOPTED THIS 14TH DAY OF SEPTEMBER, 2015



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

City Council reviewed an application for a Non-Profit Tax Exempt License (Alcoholic Beverage License) by Elizabeth M. Puckett, Fairhope Educational Enrichment Foundation, Inc., for "Phantasy of the Arts 2015," located at 161 North Section Street, Fairhope, Alabama on October 3, 2015 from 6:30 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.

City Council reviewed an application for a for a Non-Profit Tax Exempt License by Point Clear Charities, Inc., by Travis Goodloe, Jr., for the 2015 Fairhope Fête and Polo at the Point on September 24, 2015 through September 26, 2015 located at 7883 County Road 32, Point Clear, Alabama. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

City Council reviewed an application for a Special Retail License more than 30 days (Alcoholic Beverage License) by Karin Wilson, President of Page and Palette, Inc., d/b/a Page and Palette located at 32 South Section Street, Fairhope, Alabama. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

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City Council reviewed an application for a Special Events License (Alcoholic Beverage License) by James E. Buckalew for PCH Hotels and Resorts, Inc., for the Alabama Power Company 2015 Industrial Interchange, located on 14210 Greeno Road, Fairhope, Alabama on October 1, 2015 from 6:00 p.m. to midnight. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

City Council reviewed an application for a Special Events License (Alcoholic Beverage License) by James E. Buckalew for PCH Hotels and Resorts, Inc., for the Searls/Lawrence Wedding Event on 17753 Scenic Highway 98, Point Clear, Alabama on November 6, 2015 from 5:00 p.m. to midnight. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Councilmember Brewer moved to grant the request of Erin Langley, Eastern Shore Repertory Theatre, Inc., requesting permission to use Henry George Park from April 30, 2016 through May 7, 2016 for the tentative performance of "Bye Bye Birdie" with performances being held May 4, 2016 through May 6, 2016 at 7:30 p.m. The request is for use of City stage including set-up and barricades. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Councilmember Brewer moved to grant the request of Karin Wilson, Good Life Foundation on behalf of Fairhope Local, requesting permission to hold its 2nd annual Run Forrest Run 5K and Fun Run on October 24, 2015; use of South Park and parking by pier, duck pond closure from 8:00 a.m. to 11:00 a.m.; and use of barricades. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

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

- 1) James Nowell, 112 Wilson Drive, Spanish Fort, addressed the City Council regarding his concerns the membership on the Fairhope Municipal Harbor Board. He mentioned only having one representation on the Board for fishermen; and requested appointing some fishermen to the Board.
- 2) Carl Black, 404 Volanta Avenue, addressed the City Council regarding the Fairhope Municipal Harbor Board membership; and stated he had applied twice for appointment to the Board. He said this is a political appointment and the fishermen should have equal representation.

Council President Pro Tem Ford said that he would bring this to Councilmember Boone's attention.

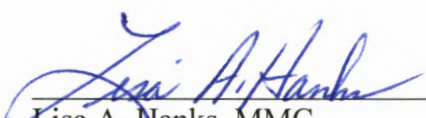
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Councilmember Brewer moved to adjourn the meeting. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:31 p.m.



Michael A. Ford, Council President Pro Tem



Lisa A. Hanks, MMC
City Clerk