

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 November 2016.

Present were Council President Jack Burrell, Councilmembers: Jay Robinson, Jimmy Conyers, Robert Brown, and Kevin Boone, Mayor Karin Wilson, 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 Reverend Tim Clark, Worship Pastor of Celebration Church, and the Pledge of Allegiance was recited. Councilmember Boone moved to approve minutes of the 24 October 2016, regular meeting; minutes of the 24 October 2016, work session; minutes of the 24 October 2016, agenda meeting; and minutes of the 07 November 2016, organizational meeting. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

Mayor Wilson addressed the City Council and said she appreciates the opportunity to speak to the City Council and our citizens. She stated it is something she looks forward to as we start together our work in Fairhope. Mayor Wilson said she recognizes that the Council and Mayor's offices are two separate and equal branches of government that must work together to fulfill our oath to the City of Fairhope. She said we work under a Code of Ordinances that can be confusing and sometimes contradictory. She also stated we have a bright future; and look forward to working with each of you over the next four years.

Mayor Wilson addressed the City Council and recognized Cori Yonge for all of her work and dedication for the Fairhope Education Enrichment Foundation. Mayor Wilson presented Ms. Yonge with a Certificate of Achievement with the following:

In special recognition of Cori Yonge for her service to the Fairhope Community as Executive Director of the Fairhope Education Enrichment Foundation (FEEF) over the past five years. Through FEEF, Cori, has provided quality performances to Fairhope students through Phantasy of the Arts, youth enrichment programs, classroom productions, and the Alabama Shakespeare company's performance at the Black Box Theatre at Fairhope High School.

Under Cori's leadership FEEF's primary fundraiser, Phantasy of the Arts, has increased earnings by over 65%, and she led increased revenues for the Mayor's Golf Tournament by 25%, all while growing a dedicated fund to FEEF provided by the Peter and Marty Wiese Foundation. Cori, also served as a contact through the various community education outreach forums such as the Education Advisory Committee (EAC), the Baldwin County Education Coalition, and the Baldwin County Community Education Task Force.

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Cori and her husband Lynn are longtime residents of Fairhope. They have two daughters who graduated from Fairhope public schools and are now students at the University of Alabama. Cori, feels a strong responsibility to allow children of ALL means the opportunities a good education can provide. As Executive Director of FEEF, Cori's biggest joys have been seeing students take pleasure and capitalize on the enrichment activities FEEF has made possible.

On behalf of the City of Fairhope, we are pleased to commend, Cori Yonge, Executive Director of FEEF on her efforts in helping the young people of this community and kindly extend this certificate of appreciation.

Jennifer Fidler, Public Works Director, and Joanne Hogan addressed the City Council regarding their trip to Communities in Bloom which was held in Canada. Ms. Fidler mentioned the Flag Exchange Ceremony that was held; and said we exchanged flags with Province of Saskatchewan which was presented to Mayor Wilson and the City of Fairhope. Ms. Fidler explained the competition and commented the City of Fairhope received 5 Bloom Silver with 87.25 total points. She said this was within two points of winning the overall competition for Year-Round Floral displays; one for every season. Ms. Fidler said the City of Fairhope is now recognized internationally.

Councilmember Robinson addressed the City Council and said this was the first time we have sat together as newly elected officials. Councilmember Robinson said he is looking forward to working together; and commented this is a good group who will be fair and respectful of each other.

Councilmember Conyers addressed the City Council and said his family appreciates the support from the Mayor, Councilmembers, and citizens following the tragic loss of his brother-in-law. Councilmember Conyers said he is very glad to be here tonight.

Councilmember Brown addressed the City Council and stated he was looking forward to working with everyone. He also stated he is looking forward to the Holiday Season.

Councilmember Boone addressed the City Council and reminded everyone of the "Lighting of the Trees" scheduled for Thursday evening; and said this is a wonderful event.

Councilmember Burrell addressed the City Council and recognized all of the scouts in attendance from Pack 47 which the Fairhope Cub Scout Pack: Scout Master Sean Sullivan, Ian Sullivan, Michael Brantley, Spencer Davis, James Sudduth, Brayden French, Gabe Hunter, David Kenny, Sam Curran, Ian Patton, Dominick Clark, and Nathan Franklin. The Den had one question for the City Council: "What is the biggest challenge facing our community?" Councilmember Robinson was chosen to answer this question and replied "the attendance of Lighting of the Trees."

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Cub Scout Gabe Hunter assisted Council President Burrell by inviting Nancy Anderson, Chair of the Recycling Committee, to the podium to give an update on America Recycles Day Art Project Contest. Ms. Anderson addressed the City Council and announced America Recycles Day is scheduled for tomorrow at 451 Pecan Avenue. She announced the winners for the America Recycles Day Art Project Contest winners: Bryce Boothe won first place for the Fairhope Intermediate School and Brooklyn Norris won first place for J. Larry Newton School.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Matthew C. McDonald with Jones Walker, LLP for Professional Legal Services for review of Pending Litigation; and authorizes Mayor Karin Wilson to negotiate a fee schedule between the City of Fairhope and Matthew C. McDonald. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2614-16


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection of Matthew C. McDonald with Jones Walker, LLP for Professional Legal Services for review of Pending Litigation; and authorizes Mayor Karin Wilson to negotiate a fee schedule between the City of Fairhope and Matthew C. McDonald.

DULY ADOPTED THIS 14TH DAY OF NOVEMBER, 2016



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

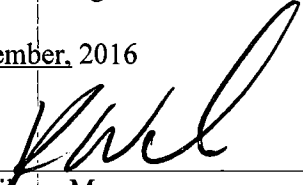
Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute Change Order No. 1 to Project No. PW013-16, Emergency Repairs Civic Center Brick Collapse, with a deduction from the contract in the amount of \$4,550.00, and award the Change Order to Youngblood-Barrett Construction & Engineering. The scope of work will be modified to exclude painting over the brick finish which resulted in a monetary deduction change to the Contract. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

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RESOLUTION NO. 2615-16

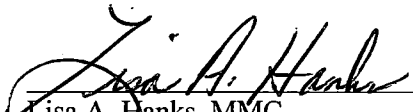
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Karin Wilson is hereby authorized to execute Change Order No. 1 to Project No. PW013-16, Emergency Repairs Civic Center Brick Collapse, with a deduction from the contract in the amount of \$4,550.00, and award the Change Order to Youngblood-Barrett Construction & Engineering. The scope of work will be modified to exclude painting over the brick finish which resulted in a monetary deduction change to the Contract.

Adopted on this 14th day of November, 2016



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 extending the Budget for the fiscal year through December 22, 2016 to allow invoices and expenditures to continue as needed. Seconded by Councilmember Robinson, motion passed unanimously by voice vote. Council President Burrell commented that we should have Mayor Wilson's recommendations real soon.

RESOLUTION NO. 2616-16

WHEREAS, the newly elected City Council officially took office on November 7, 2016; and

WHEREAS, the Budget for the fiscal year ending September 30, 2017 has not been adopted by the incumbent City Council; and

WHEREAS, Resolution No. 2593-16 was adopted on October 10, 2016 to allow invoices and expenditures to continue as needed through November 15, 2016; and

WHEREAS, the City invoices need to continue being paid on a weekly basis, in order to take advantage of any available discounts, and to more nearly match the outflow of cash to the receipt of revenue from the three utility billing cycles.

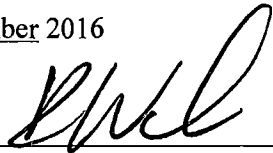
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NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the Budget for the fiscal year ending September 30, 2016 be extended through December 22, 2016 to allow the invoices and expenditures to continue as needed.

Adopted on this 14th day of November 2016



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

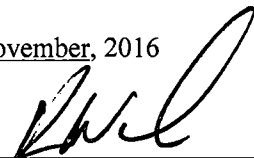
Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution That the City of Fairhope has voted to purchase Kronos Timekeeping System Maintenance Annual Renewal for December 2016 to December 2017 for the IT Department; and the type of maintenance renewal needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid. The cost will be \$16,982.34. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 2617-16

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

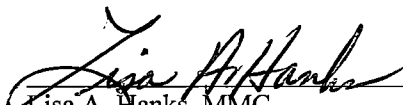
[1] That the City of Fairhope has voted to purchase Kronos Timekeeping System Maintenance Annual Renewal for December 2016 to December 2017 for the IT Department; and the type of maintenance renewal needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid. The cost will be \$16,982.34.

Adopted on this 14th day of November, 2016



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

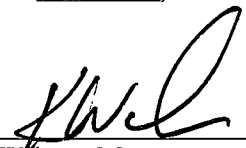
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Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby approves and authorizes Mayor Karin Wilson to execute the attached Resolution for the State of Alabama, acting by and through the Alabama Department of Transportation regarding the construction and maintenance items for Project No. STPOA-0042 (529) for adaptive signal installation along SR-42 (US-98) in Baldwin County (28 intersections). The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway. The traffic signal layouts, diagrams and typical sections as submitted to the City are now on file in the office of the City Clerk. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 2618-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby approves and authorizes Mayor Karin Wilson to execute the attached Resolution for the State of Alabama, acting by and through the Alabama Department of Transportation regarding the construction and maintenance items for Project No. STPOA-0042 (529) for adaptive signal installation along SR-42 (US-98) in Baldwin County (28 intersections). The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway. The traffic signal layouts, diagrams and typical sections as submitted to the City are now on file in the office of the City Clerk.

Adopted and Approved this 14th day of November, 2016



 Karin Wilson, Mayor

Attest:



 Lisa A. Nanks, MMC
 City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes Mayor Karin Wilson to pay off the Utilities Revenue Warrants, Series 2009, in the principal amount of \$510,000.00. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

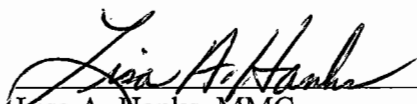
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RESOLUTION NO. 2619-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the City Council of the City of Fairhope, Alabama, that the City's Utilities Revenue Warrants, Series 2009, dated April 2, 2009, are hereby called for redemption and payment on December 1, 2016, and, in connection with the said redemption, the City Council hereby finds and declares the City is not in default under its Trust Indenture to Regions Bank, dated as of November 1, 1996, as amended from time to time, pursuant to which the said warrants were issued; further, be it resolved by the City Council that the trustee under the said Trust Indenture is hereby authorized to give not less than ten (10) days prior written notice of such redemption, which redemption shall be at a redemption price equal to the par amount being redeemed (that is, \$390,000.00) plus accrued interest (if any) to the date fixed for redemption.

Adopted on this 14th day of November, 2016_____
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 Mayor Karin Wilson is hereby authorized to execute a Contract with SEA Entertainment Booking Agency for the band known as "B Street Benny" for the New Year's Eve Downtown Celebration (Saturday, December 31, 2016) with a cost not to exceed \$5,000.00. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

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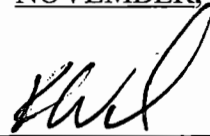
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RESOLUTION NO. 2620-16

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 SEA Entertainment Booking Agency for the band known as "B Street Benny" for the New Year's Eve Downtown Celebration (Saturday, December 31, 2019) with a cost not to exceed \$5,000.00.

DULY ADOPTED THIS 14TH DAY OF NOVEMBER, 2016



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 authorizing Mayor Wilson and the Fairhope Airport Authority/City of Fairhope to make application for airport improvement funding assistance from the State of Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the H. L. "Sonny" Callahan Airport. Seconded by Councilmember Robinson, motion passed unanimously by voice vote. Council President Burrell commented there is no expense to the City; and it is a \$2.3 million dollar Grant Application with \$300,000.00 allowed toward paying off debt. Airport Authority Chair Joe McEnerney explained Phase 2 and Phase 3 for FAA Grants which will be used for moving dirt, finish drainage, asphalt with new road access.

RESOLUTION NO. 2621-16

WHEREAS, the Fairhope Airport Authority/City of Fairhope intends to apply for State matching funds for an airport improvement project for the H. L. Sonny Callahan Airport during fiscal year 2017.

THEREFORE BE IT RESOLVED, by the Fairhope Airport Authority/City of Fairhope as follows:

1. That the Fairhope Airport Authority/City of Fairhope is authorized to make an application for airport improvement funding assistance from the State of Alabama Department of Transportation, for the purpose of undertaking a project in fiscal year 2017 to make improvements at the H. L. Sonny Callahan Airport.

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2. That the application be submitted for and on behalf of the Fairhope Airport Authority/City of Fairhope by its Chairman who is authorized by this resolution to sign the application and any related forms or documents on behalf of the Fairhope Airport Authority/City of Fairhope.
3. That the Fairhope Airport Authority/City of Fairhope is authorized to enter into an airport improvement funding agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the H. L. Sonny Callahan Airport, with partial funding provided by the State of Alabama.
4. That the agreement be executed in the name of the Fairhope Airport Authority/City of Fairhope for and on behalf of the Fairhope Airport Authority/City of Fairhope by its Chairman.
5. That the authority of the Fairhope Airport Authority/City of Fairhope to enter into contracts with the State of Alabama has been reviewed by the Fairhope Airport Authority/City of Fairhope attorney, and in his/her opinion, the Fairhope Airport Authority/City of Fairhope is duly authorized to commit the Fairhope Airport Authority/City of Fairhope to an agreement with the Alabama Department of Transportation.

BE IT FURTHER RESOLVED, that the Fairhope Airport Authority/City of Fairhope hereby affirms that the local matching share of funds in the amount required for this airport improvement project has been officially approved, placed into the budget of the airport and is available for expenditure upon execution of the State of Alabama's funding agreement and the start of the project.

I, the undersigned qualified and acting as the City Clerk of Fairhope Airport Authority/City of Fairhope, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the Fairhope Airport Authority/City of Fairhope named therein, at a regular meeting of such body held on the 14th day of November, 2016, and that such resolution is on file in the office of the Fairhope Airport Authority/City of Fairhope.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Fairhope Airport Authority/City of Fairhope on this 15th day of November, 2016.

Adopted on this 14th day of November, 2016


Karin Wilson, Mayor

Attest:


Lisa A. Hanks, MMC
City Clerk

Building Official Erik Cortinas addressed the City Council to explain the Site Plan Review of property owned by Brian Britt, Britt Properties, LLC, for approval of 455 Magnolia Avenue [proposed mixed use, three (3) story building] located on the north side of Magnolia Avenue between Bancroft Street and School Street. Councilmember Conyers recused himself from this agenda item.

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Councilmember Boone moved to approve the Site Plan property owned by Britt Properties, LLC listed above. Seconded by Councilmember Robinson, motion passed by the following voice vote: AYE – Burrell, Robinson, Brown, and Boone. NAY – None. ABSTAIN – Conyers.

Building Official Erik Cortinas addressed the City Council to explain the Site Plan by Robert Cummings, P.E. with Hutchinson, Moore & Rauch, LLC acting as the authorized agent for Knoll Park Flats, LLC, requesting a 180 day extension of the Site Plan approval that was granted for the property located at the southwest corner of Fairhope Avenue and South Bayview Street.

Councilmember Robinson moved to approve the Site Plan extension requested by Robert Cummings, P.E. acting as the authorized agent for Knoll Park Flats, LLC property listed above. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Building Official Erik Cortinas addressed the City Council to explain the Site Plan by Pete Sikorowski with Dreamtech Design Services requesting a 180 day extension of the Site Plan approval that was granted for the property located at 406 Oak Street.

Councilmember Boone moved to approve the Site Plan extension by Pete Sikorowski with Dreamtech Design Services for property listed above. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

City Council reviewed an application for a Non-Profit Tax Exempt License (Alcoholic Beverage License) by the Baldwin County Humane Society, for the 2016 Christmas by the Bay located at 161 North Section Street, Fairhope, Alabama on December 1, 2016 from 6:00 p.m. to 11:00 p.m. Councilmember Boone moved to approve the issuance of the license. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

The following individuals spoke during Public Participation:

1. Trae Corte, Fairhope Realty Group, LLC, addressed the City Council regarding the moratorium on subdivisions. Council President Burrell explained there was a long discussion during the Work Session; and was decided not to be put on the City Council agenda.
2. Paul Ripp, 22985 High Ridge Road addressed the City Council and commended the City Council on Agenda Item Number 5. He stated the number one problem is who has the power; the Mayor or the Council. He said it is the people. Mr. Ripp commented they cannot do business with the Council, the Mayor or any public official. He mentioned the abuse of adding items to the agenda at the last moment. Mr. Ripp also commented that the number one financial problem was with Planning and Zoning.

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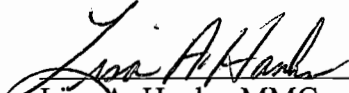
3. Ed Hall, resident on Dove Lane, addressed the City Council regarding a loop fire system at the Fairhope Airport. He said they tried years ago to get this type of system, but never prevailed. He said there are no fire hydrants at the newly proposed road.

Councilmember Robinson addressed the City Council and requested that the winners of the Americas Recycling Day Art Project Contest winners to please stand to be recognized. He also wanted to recognize Fairhope Elementary School for their Veterans Day Program which was very well attended; and they did an excellent job.

Councilmember Boone moved to adjourn the meeting. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:54 p.m.


Jack Burrell, Council President


Lisa A. Hanks, MMC
City Clerk