

STATE OF ALABAMA            )  
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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, 23 January 2017.

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.

Council President Burrell called the meeting to order at 4:30 p.m.

The following topics were discussed:

- Bob Riggs with the Harbor Board gave an update on the need to dredge channel dredging. He stated we have 500 boats moored with multiple visiting sailboats. He mentioned that the Yacht Club and Fly Creek Marina were already dredging, repairs need to be done at our facilities, and the City needs to take responsibility of the dredging.

Council President Burrell stated if the City took the lead, would everyone do their fair share. Margaret Meyers, member of Harbor Board, said if the Fly Creek Basin fills in; then no one would want to lease. Mayor Wilson commented part of the plan is to revitalize marina areas with possibly a grant or BP monies.

Skip Jones, member of Harbor Board, mentioned the amendment to the original proposal. Ed Wall's son Julius Wall addressed the City Council and stated they do not plan on leaving Fairhope and wish to renew lease. Council President Burrell suggested the Mayor to prepare letter with Council support for dredging. Mr. Wall stated the slips sustain themselves, but the channel needs dredging.

Mr. Jones said that the Harbor Board wants to review leases and make recommendations. Council President Burrell said we need fair and equitable funding. Councilmember Brown commented we need to verify the Corps of Engineers will not help; and get proposals for dredging. Councilmember Boone said that Ms. Paradise has a permit for dredging materials; and explained the Hopper Barge for dredging. He also stated this needs to be a four to five-year cycle for dredging.

- Economic and Community Development Director Sherry-Lea Botop and Stacey McKean addressed the City Council regarding the National Endowment of the Arts, Art Works FY18 Grant Application. The purpose will be to hold charrette for the community and to prepare a cultural report. This is a nationally competitive grant for FY2018. Ms. McKean stated this is a 50/50 match which would be \$20,00.000 for the City (cash or in-kind). Ms. Botop commented the City would partner with a company similar to Gulf Coast Community Design Studio. Ms. Botop said this grant would bolster our tourism. The consensus of the City Council was to move forward with the application.

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- Scott Hutchinson with Hutchinson, Moore & Rauch, LLC addressed the City Council regarding his firm handling the Professional Engineering Capacity Study for Gas, Water and Sewer Utilities. Mr. Hutchinson was asked to read the entire letter which was given to the Mayor and City Council earlier today. The following is the letter read and requested to be part of these minutes:

The Honorable Karin Wilson  
Mayor, City of Fairhope  
PO Drawer 429  
Fairhope, AL 36533

RE: Professional Engineering Capacity Study for Gas, Water and Sewer Utilities

Dear Mayor Wilson:

On behalf of Hutchinson, Moore & Rauch, LLC, I would like to thank the City of Fairhope for selecting our firm to provide the referenced Study. After the Council's vote on January 10, 2017, I was provided a scope of work for the Study. The scope appeared clear that we would be evaluating the current collection and distribution infrastructure, and making recommendations for improvements. The revised scope that we received on today's date goes into much greater detail. We are more than qualified and capable of achieving that, but it will require a greater level of effort and, therefore, a higher fee than originally anticipated. Also present are a few items that, in my professional opinion, probably don't need to be included in this particular scope. For example, there is an item in the revised scope (2.10) that requires HMR to make staffing recommendations. I humbly ask, does the City really need an engineering firm to make staffing recommendations for its Utility Department?

Because I was not present, I viewed the recording of the Council Work Session where this item was discussed and found it very uncomfortable to watch. At that time, I was afraid that it would become some sort of political football and, unfortunately, my fears have not relinquished. Since the night of the Council meeting, I have received numerous phone calls and have had numerous conversations about this job. Rather than congratulatory, the conversations are more like "how on earth did you get in the middle of that mess".

Our firm strives for what we call "Total Project Success". Simply put, for us to achieve Success, our client has to be happy with our services and we have to be happy working with our client. Unfortunately, the more we hear and learn about this project, the more we realize that it is unlikely that we will make our client happy in this particular situation. Therefore, we do not see a clear path to success.

On a personal note, I am a long-time Fairhope resident. My wife and I graduated from FHS in 1987. In addition, my mother and my in-laws reside in Fairhope City Limits and my in-laws even graduated from FHS. Also, many of you know that both of my children attend FHS today. Trust me when I say that I always want what is best for Fairhope. But, I also want what is best for HMR. Although HMR is more than qualified, after many hours of consideration, I don't think HMR performing this Study would be in our best interest. Therefore, I respectfully and regretfully withdraw our firm, Hutchinson, Moore, and Rauch, LLC, from consideration for this project. We appreciate the work that we have received from the City of Fairhope over the past 16 years, and I hope that you will not hold this decision against us when future engineering and/or survey work are needed.

I wish you, the Council, and the staff complete success with this project. Sincerely,

Scott A. Hutchinson, P.E.  
President

Council President Burrell thanked Mr. Hutchinson for bringing this to the City Council Work Session. Councilmember Conyers said he would like to recommend Volkert who is familiar with the system and best prepared. Councilmember Robinson stated he would like a firm that is qualified and best for Fairhope. Councilmember Brown questioned when did the scope of work change. Purchasing Manager Dan Ames replied when Scott Sligh was here, he made changes to the scope of work. Mr. Ames stated we could go back to the prequalification list and said the Engineer of Record would only supervise the work.

Councilmember Boone suggested Goodwyn, Mills and Cawood or Neel-Schafer. Councilmember Brown said we need someone qualified and local who supports our community. Council President Burrell said the "GMC" is on Agenda Item No. 7; and we can approve selection tonight and authorize to negotiate the fee schedule. Mayor Wilson commented she was good with either one.

Council President Burrell stated we need to amend the agenda to add on the resolution for the Professional Engineering Capacity Study for Gas, Water and Sewer Utilities; the Executive Session for pending litigation; and the Appointment to Recycling Committee.

- Councilmember Boone mentioned the upcoming Personnel Board meeting being moved to Thursday, February 3, 2017 at 7:30 a.m.
- Councilmember Brown said the Education Advisory Committee will be meeting with principals on February 1, 2017. He commented that the City's funds have helped the Elementary School by providing the reading program for all classrooms. The Recreation Board discussed the Volanta Park, Master Plan, Soccer Complex, and swim lessons at the municipal pool.

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- Councilmember Conyers mentioned the 10th anniversary at the Fairhope Public Library. He also mentioned the upcoming meetings for the Historic Preservation Committee, and the Fairhope Environmental Advisory Board (“FEAB”). He said the FEAB is working toward getting Fairhope clean marine status.
- Councilmember Robinson mentioned the Recreation Board too; Tree Committee working on Arbor Day which is February 11, 2017; and the Recycling Committee’s new member appointment Jerry Barnett.
- Council President Burrell mentioned the Industrial Development Board meeting; and the Airport Authority refinancing was discussed; and he took Ms. Botop to tour the Airport.
- Purchasing Manager Dan Ames addressed the City Council and stated he has been working on Fire Works. He said the Scott Sligh enhanced the scope of work for global not small on the Professional Engineering Capacity Study for Gas, Water and Sewer Utilities.
- Planning Director Jonathan Smith addressed the City Council and said that Planning Commission is working on moratorium items.
- Water and Sewer Superintendent Dan McCrory addressed the City Council and stated the Waste Water Treatment Plan Upgrades has made it to two magazines and is now in national competition. He stated we need to secure an engineer for the water tank project and notify the cellular companies.
- Economic and Community Development Director Sherry-Lea Botop addressed the City Council and mentioned the Airport tour, the Restore Act Proposals, and attending the MPO Board Work Session.
- Chief Ellis addressed the City Council regarding the first annual Smoke’em if You Got’em Event and its success.
- Building Official Erik Cortinas addressed the City Council regarding the Building Summit to held on February 16, 2017 at the Nix Center from 6:00 p.m. to 7:30 p.m.
- Recreation Director Tom Kuhl addressed the City Council and commented we will have a busy Spring. He said that 62 soccer goals were purchased by the Fairhope Soccer League.
- Public Works Director Jennifer Fidler addressed the City Council and gave an update on the wind and rain event which cause minor damage to the Pier Street boat ramp; the C&D landfill permit; storm water construction project on Fairwood. She also stated that the Tree Ordinance and the Zoning Ordinance need to be tweaked to comply with each other.
- Electric Superintendent Jimmy Cluster addressed the City Council and reported that there were no outages from the wind and rain event.

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- Mechanic Supervisor Tim Bung addressed the City Council regarding the Flower Clock repair; and the new card swiping system.
- Gas Superintendent Robert Rohm addressed the City Council regarding the meeting with the Mobile Infirmiry CEO regarding rates for the new facility at the intersection of Highway 181 and Highway 90.

There being no further business to come before the City Council, the meeting was duly adjourned at 5:55 p.m.

  
Jack Burrell, Council President

  
Lisa A. Hanks, MMC  
City Clerk