

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, 11 September 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 4:34 p.m.

The following topics were discussed:

- The first item on the agenda was the Impact Fees Discussion. Mayor Wilson commented that these have not been looked at since 2007 and need to be updated. She mentioned the State statute allows for stormwater to added to the list from Impact Fees. Transportation, Parks and Recreation, Fire, and Police are what our Impact Fee Ordinance allows for these fees with Parks and Recreation getting the most. Mayor Wilson commented we could tie stormwater into streets; and another study is needed.

Building Official Erik Cortinas explained the ordinance and the cap for residential projects. Councilmember Robinson questioned the allocation and State requirements. State Law only allows for one percent value of the property to be assessed the fee. City Treasurer Deborah Smith briefly explained the usage. Mr. Cortinas stated the maximum allowed in the ordinance is \$4,184.00 for residential. Ms. Smith recommended using TischlerBise and go with their suggestions and/or recommendations. Councilmember Brown gave a suggestion on how they possibly came up with the cap on residential buildings.

- The Tree Light Discussion was next on the agenda. Electric Superintendent Joe Wolchina and Operations Director Richard Peterson addressed the City Council regarding the bids. Mr. Peterson explained that no one responded to the first bid due to requirements; so, the City rebid for the installation of seasonal lights. He said only two bids were received: one was from a former employee so the revolving door policy was brought up even though the company met the competitive bid law.

City Attorney Marion “Tut” Wynne stated that he and Ken Watson, attorney with Jones Walker, spoke several times and have called the Ethics Commission for an answer. Mr. Wynne stated that Ben Patterson left approximately one year ago and attended the pre-bid meeting as representing the company. He said they could delay the decision for two weeks for opinion. Mr. Wynne explained Section 36-25-13(c) of the Code of Ethics and stated it is plain language regarding the prohibition for two years after departure. Mr. Wynne said he would err on the side of caution and not vote tonight.

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Councilmember Robinson questioned the time issue if put off; and did not want to leave out our employees if they wanted the overtime for the holidays. Councilmember Boone said that lights are a must; and equipment is a big expense. Councilmember Brown stated he agreed with Councilmembers Robinson and Boone. He suggested blocking off street and continue until done. Councilmember Conyers commented he wants to use employees if they want the work. Council President Burrell suggested renting a manlift and not use bucket trucks because this is a highly compensated department.

Mayor Wilson stated City employees are under her direction and does not want them putting up lights. Mr. Peterson said all overtime could be deducted from the project; and we should be proactive not reactive. Councilmember Boone commented this will be a test year. Councilmember Robinson said we could award the bid conditioned on the opinion of the Ethics Commission.

- Building Official Erik Cortinas addressed the City Council regarding the mobile home on Kirkman Lane. He stated the owner is deceased and it is considered a dangerous building; and needs to be demolished. Mr. Cortinas said he has received three bids and will begin demolition; and will come back with an assessment on the property for Council to approve. He mentioned there were four or five other structures that need to be demolished.
- Electric Superintendent Joe Wolchyna addressed the City Council regarding Electric Cities and 47 crew heading to help Florida recover from Hurricane Irma. He said the City will have one crew heading either to Troy, Alabama or Florida.
- Community Affairs Director Sherry-Lea Botop addressed the City Council regarding Agenda Item Number 11. She said Mott MacDonald was selected in error and was notified. She indicated that Mott MacDonald does not do this type of work.
- Councilmember Conyers announced the Library Board will meet on September 18, 2017.
- Councilmember Brown said the Education Advisory Committee are working on proposals. He said there are appointments to the Pedestrian and Bicycle Committee on tonight's agenda.
- Council President Burrell commented there were 350 participants at the NASAO Conference at the Grand Hotel; and he welcomed them this morning. Council President Burrell said the Mayor welcomed everyone last night along with Winston Groom. He said Lieutenant Larry Sledge and Fire Chief Chris Ellis spoke on 9/11 to the participants. Council President Burrell mentioned Sherry-Lea Botop was there to greet the participants too. He said the Fairhope Airport Authority had a booth which was manned by the Industrial Development Board and the Eastern Shore Chamber of Commerce. He said Paige Crawford managed the sign-in table.

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There being no further business to come before the City Council, the meeting was duly adjourned at 5:42 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk