

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 Tuesday, 28 May 2013.

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 Assistant City Clerk Candace G. Antinarella. City Clerk Lisa A. Hanks was absent.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Reverend Mike McKnight of Fairhope United Methodist Church and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 13 May 2013, regular meeting; minutes of the 13 May 2013, work session; and minutes of the 13 May 2013, agenda meeting. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council regarding the following items:

1. It is time to work on the Budget and requests need to be in by June 1, 2013. The first Strategic Plan meeting with the Council will be June 11, 2013.
2. Fairhope was selected by the Alabama Cities of Excellence (ACE) and they will come in and help the City set up a Strategic Plan and Comprehensive Plan free of charge to the City.
3. The dedication to the Veteran's Memorial will take place on Thursday, May 30, 2013 at 6:30 p.m. at Henry George Park and everyone is invited and encouraged to come.

Michelle Kurtz, Ecumenical Ministries Incorporated, made a presentation to the City Council regarding the Homeowners Insurance Initiative. She is asking for support of the Coastal Re-Insurance Band. The Coastal Reinsurance Entity would keep the premiums local to pay for damages due to hurricanes and wind damage. A Power Point presentation was shared and all are invited to learn more at a Fish Fry on June 13, 2013 at Oak Hollow Farm.

Sherry Sullivan addressed the council and invited Kevin Grimes and Charles Antinarella to come forward on behalf of Fairhope Youth Baseball. Ms. Sullivan explained the \$20,000 ADECA Grant received for improvements to Volanta Park. Mr. Grimes gave an update from the league and mentioned that Fairhope will host the

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Peanut and Ozone District Tournaments and the 2014 Ozone State Tournament. We are working on hosting a World Series in the near future. Players from Fairhope Youth Baseball came forward and presented Mayor Kant with the \$20,000.00 ADECA Grant money.

Council President Burrell addressed the City Council to recognize Virginia Green, the 6A State Champion Golfer. He also spoke regarding looping of the Council Chambers for the hearing impaired. Lastly, he mentioned his recent Alabama League of Municipalities conference where Mayors from all over the state want to retire to Fairhope.

A proposed ordinance to Amend Zoning Ordinance No. 1253, Article III Zoning Districts, Section D. Special Conditions for Uses; 11. Body-Piercing Studios, Non-Chartered Financial Institutions, Palm Readers, Pawn Shops, Tattoo Parlors was discussed. Council President Burrell stated that changes are needed in the proposed Ordinance before it is voted on by the Council. The areas in question were the distances to other similar businesses, the distance to schools, churches, etc. and the question of whether a tattoo establishment will be allowed in the Central Business District. Due to lack of a motion for immediate consideration; ordinance failed.

Mayor Kant addressed the council regarding potential changes to the Ordinance and the fact that we are trying to stay consistent with other cities. He asked that proposed changes be in the Mayor's office by Friday.

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to increase the contractual amount of the appropriation to support the Homeowners Insurance Initiative for Ecumenical Ministries Incorporated. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

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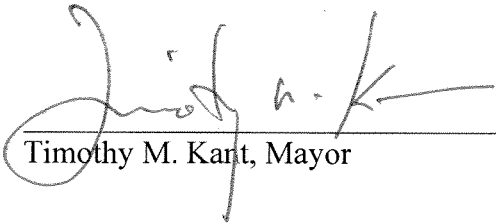
RESOLUTION NO. 2086-13

WHEREAS, the City of Fairhope adopted Resolution No. 2021-13 on January 14, 2013 authorizing Mayor Timothy M. Kant to execute a contract with Ecumenical Ministries Incorporated, a public, non-profit, non-denominational, United Way social service agency, for services between the City of Fairhope for an appropriation in the sum of \$10,000.00 to be used for the needs of Fairhope residents;

WHEREAS, the City of Fairhope desires to amend the appropriation by increasing the appropriation by \$1,000.00 to be used for the Ecumenical Ministries' Homeowners Insurance Initiative.


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that Mayor Timothy Kant is hereby authorized to increase the contractual amount of the appropriation from \$10,000.00 to \$11,000.00 in order to support the Homeowners Insurance Initiative for Ecumenical Ministries Incorporated.

APPROVED THIS THE 28TH DAY OF MAY, 2013



Timothy M. Kant, Mayor

ATTEST:



Lisa A. Hanks, MMC
City Clerk

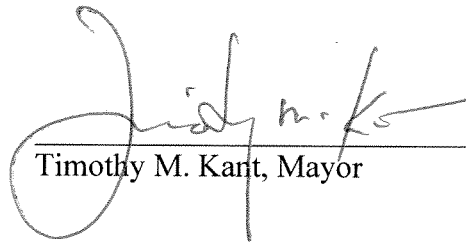
Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution Authorizing Mayor Timothy M. Kant to negotiate fees for RFQ No. PS005-13 for Engineering Services for PW004-13, Sidewalk Construction Highway 181 to Lake Ridge Road with JADE Consulting LLC. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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RESOLUTION NO. 2087-13


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to negotiate fees for RFQ No. PS005-13 for Engineering Services for PW004-13, Sidewalk Construction Highway 181 to Lake Ridge Road, with JADE Consulting, LLC.

DULY ADOPTED THIS 28TH DAY OF MAY, 2013



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 requiring the Department of Revenue to Administer and Collect Sales and Use Taxes Levied by the City of Fairhope. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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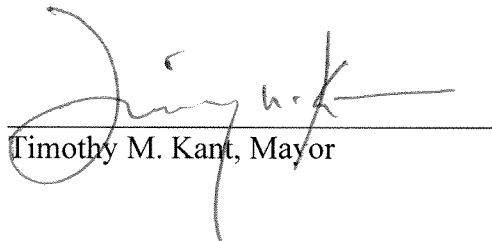
RESOLUTION NO. 2088-13**A RESOLUTION REQUIRING THE DEPARTMENT OF REVENUE
TO ADMINISTER AND COLLECT SALES AND USE TAXES LEVIED
BY THE CITY OF FAIRHOPE****BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE,
ALABAMA, AS FOLLOWS:**

SECTION 1. Administration and Collection by State Department of Revenue. Pursuant to the provisions of Code of Alabama 1975, Section 11-51-207, the City Council hereby directs that the Department of Revenue of the State of Alabama shall administer and collect all taxes levied and assessed under the provisions of this Resolution to the fullest extent allowed by Alabama law.

SECTION 2. Certified Copy. The City shall provide a certified copy of this Resolution to the Alabama Department of Revenue and shall also provide such other information and take such other steps as may be required by said Department of Revenue to enable it to administer and collect taxes levied and assessed under the provisions of this Resolution.


The effective date for collection of taxes is August 1, 2013 and the first payment of taxes hereunder shall be due and payable on August 20, 2013.

ADOPTED AND APPROVED THIS THE 28TH DAY OF MAY, 2013



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 authorizing the Quail Creek Snack Bar and Beverage Cart Attendants to accept tips as part of their salary and authorizing and allowing the Quail Creek Golf Pro and Quail Creek Assistant Golf Pro to give lessons

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to patrons outside the normal work schedule. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 2089-13

WHEREAS, the City of Fairhope owns and operates Quail Creek Golf Course and the Quail Creek Snack Bar; and

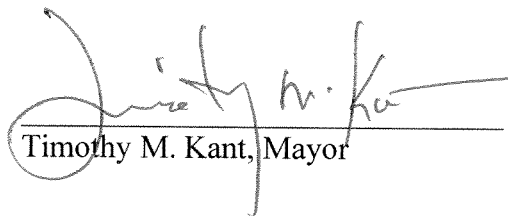
WHEREAS, the City of Fairhope desires to authorize the Snack Bar and Beverage Cart Attendants to accept tips as part of their salary; and

WHEREAS, the Snack Bar and Beverage Cart Attendants are required to report these tips to the City Payroll Administrator for tax purposes and claim these tips as income;

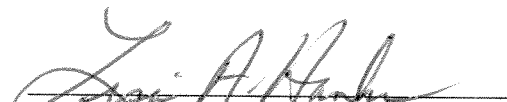
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the Quail Creek Snack Bar and Beverage Cart Attendants' salary will be based on the hourly wage set by the budget and tips from patrons; and these tips must be reported to the City Payroll Administrator for tax purposes and claimed by the employees as income.

BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the Quail Creek Golf Pro and the Quail Creek Assistant Golf Pro are hereby authorized and allowed to give lessons to patrons, as requested, outside the normal work schedule.

Adopted this the 28th Day of May, 2013


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, MMC
 City Clerk

David Stitt, 741 Cheswick Avenue, addressed the City Council in support of the insurance initiative. Mr. Stitt also supports the tattoo industry, Man-O-War and their location in downtown Fairhope.

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Frank Thrasher, 760 Prospect, addressed the City Council to thank everyone for their consideration of the potential changes to the proposed Ordinance involving Tattoo establishments.

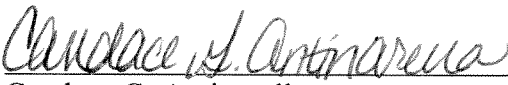
Braden Harmand, 146 Bayview, Daphne, addressed the City Council regarding a snow cone stand in Fairhope. Council President Burrell suggested he speak with the City Clerk's office for the proper procedure.

State Representative Joe Faust requested a photograph with all those on the dias as well as Chief Joe Petties.

There being no further business to come before the City Council, the meeting was duly adjourned at 7:10 p.m.



Jack Burrell, Council President



Candace G. Antinarella
Assistant City Clerk