

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, 13 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 City Clerk Lisa A. Hanks.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Associate Pastor Jeff Ingram, of First Baptist Church, and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 22 April 2013, regular meeting; minutes of the 22 April 2013, work session; and minutes of the 22 April 2013, agenda meeting. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council regarding the following items:

1. Our local bill has made it through the Senate and the House; and now waiting on the signature of the Governor to annex the property where Wal-Mart is located.
2. Restore Act meeting held last Friday and they selected the Department of Conservation as the Administrator over the funds. The Dauphin Island Sea Lab was selected as our Selection of Excellence.

Council President Burrell stated there was a need to add on an agenda item after Agenda Item Number 19; a Resolution Authorizing the submission of the Fairhope Police Department's application for funding for the CHP Competitive Grant Program for three police officers to impact Fairhope's Community policing capacity and crime prevention efforts.

Councilmember Brewer moved to add on the above mentioned item **not** on the printed agenda. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

The following individuals spoke during Public Participation:

1. Charlie Baumhauer, 805 Coleman Avenue, addressed the City Council regarding Agenda Item Number 17; request for a 4-way stop at Hospital Drive and Prospect. Mr. Baumhauer said traffic did need to be slowed down, mentioned the Pleasant and Michigan intersection, and requested at least one stop sign.

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2. Darrelyn Bender, Eastern Shore Chamber of Commerce, addressed the City Council regarding Agenda Item Number 14; request for permission to block streets for their Annual Arts and Crafts Festival on March 14, 15 and 16, 2014. Ms. Bender thanked the City Council and the Mayor for all of their help.

Councilmember Brewer addressed the City Council and introduced Angie Hall, Principal of Fairhope Middle School, who was attending the meeting tonight.

Councilmember Ford addressed the City Council and announced the Recycling Committee would like a few more members; and asked for volunteers to submit their applications. He also mentioned the need for a traffic study at Bancroft and Fairhope Avenue as well as Greeno Road and Gayfer Avenue; and questioned the fish being killed with dynamite. Mayor Kant replied that the lights were to be synchronized to help with traffic.

Council President Burrell addressed the City Council regarding looping of the Council Chambers; and videotaping meetings and putting on public access television.

A Public Hearing was held as advertised on a proposed ordinance to Amend Zoning Ordinance No. 1253. Councilmember Ford introduced in writing an ordinance to amend Article III Zoning Districts, Section D. Special Conditions for Uses; 11. Body-Piercing Studios, Non-Chartered Financial Institutions, Palm Readers, Pawn Shops, Tattoo Parlors. The Planning Commission gave a favorable recommendation of this ordinance.

Council President Burrell opened the Public Hearing at 6:19 p.m.

Planning Director Jonathan Smith briefly explained the proposed ordinance and said this is only a zoning issue.

1. Kevin Black, 12625 Boone Lane, addressed the City Council and stated he was the owner of Man-O-War Tattoo Studio. Mr. Black said he would be adversely affected by this ordinance which he is against.
2. Billy Michalopoulos, Belize River Street, addressed the City Council and stated he wanted justification of the amendment and also was against the ordinance.
3. Paul Ripp, 22985 High Ridge Road, addressed the City Council and stated he was against the ordinance.
4. Frank Thrasher, partner of Man-O-Ware, addressed the City Council and said there was no difference in tattooing a scar or covering a scar. The technique is still the same and he too is against the ordinance.

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The Public Hearing closed at 6:41 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the May 28, 2013 City Council meeting.

Councilmember Mueller moved for final adoption of Ordinance No. 1493, an ordinance to Repeal Sections 3-1 through 3-5 in the Fairhope Code of Ordinances that Establish the Fairhope Airport Board; to Repeal Ordinance No. 681 and Ordinance No. 743; and to Amend Ordinance No. 920 removing the Name of Fairhope Airport Board (Introduced at the April 22, 2013 City Council Meeting). Seconded by Councilmember Brewer, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Brewer introduced in writing Ordinance No. 1494, an ordinance to Provide for Rules and Regulations for the City of Fairhope Dog Park. 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 – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None. Councilmember Brewer then moved for final adoption of Ordinance No. 1494. Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Brewer introduced in writing Ordinance No. 1495, an ordinance to Amend Ordinance No. 1490, An Ordinance to Amend Chapter 19, Article V, Policy and Procedure for Sidewalk/Street Usage Section 19-82: Permitted Use. 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 – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None. Councilmember Mueller then moved for final adoption of Ordinance No. 1495. Seconded by Councilmember Brewer, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for County Road 13 and Highway 104 Water main Improvement and South Drive Booster Station Upgrade to Construction Labor Services, Inc. with a cost not to exceed \$1,082,724.59. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

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**RESOLUTION NO. 2080-13**

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

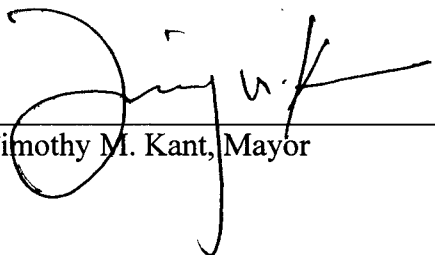
[1] That the City of Fairhope, by and through Thompson Engineering, Project Engineer, did request, receive, and open bids for the County Road 13 and Highway 104 Water Main Improvement and South Drive Booster Station Upgrade (for Rock Creek Water Line) for the Water Department.

[2] At the appointed time and place, the following bids were opened and tabulated as follows:

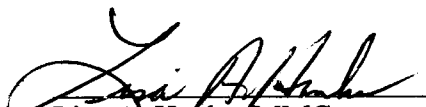
Please see attached Bid Tabulation for  
the County Road 13 and Highway 104 Water Main  
Improvement and South Drive Booster Station Upgrade  
(for Rock Creek Water Line) for the Water Department

[3] After evaluating the bid proposals with the required bid specifications, Construction Labor Services, Inc., with the total bid proposal of \$1,082,724.59, is now awarded the bid for the County Road 13 and Highway 104 Water Main Improvement and South Drive Booster Station Upgrade (for Rock Creek Water Line) for the Water Department.

Adopted on this 13th day of May, 2013

  
\_\_\_\_\_  
Timothy M. Kant, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

13 May 2013

BO DATE: 01/11/13 10:00AM  
PROJECT NUMBER: 2011-211-0072  
CERTIFIED BID TAB

CITY OF FAYETTEVILLE  
CR 13 AND HWY 106 WATER MAIN IMPROVEMENTS AND SOUTH END BOOSTER STATION UPGRADE

ITEM	DESCRIPTION	QTY	UNIT	Gulf Response Corp. 14400 Highway 90 Thibodaux, LA 70412 AL Lic. 18767		Double Diamond Const. 2708 Jean St New Orleans, LA 70113 AL Lic. 30331		Brewster's Inc. 31775 Highway 2900 Newport, AL 36556 AL Lic. 15234		Adams and Sons, LLC PO Box 1456 Newport, AL 36556 AL Lic. 16754		W B Marshall PO Box 108617 Mobile, AL 36617 AL Lic. 13811		Construction Labor Services PO Box 104 Mobile, AL 36617 AL Lic. 10170	
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	Installation	1	LF	\$27,218.00	\$27,218.00	\$18,440.00	\$18,440.00	\$26,000.00	\$26,000.00	\$26,000.00	\$26,000.00	\$26,000.00	\$26,000.00	\$26,000.00	\$26,000.00
2	Removal and Replace Concrete Drain	10	LF	\$49.00	\$490.00	\$60.00	\$600.00	\$51.30	\$513.00	\$60.00	\$600.00	\$60.00	\$600.00	\$60.00	\$600.00
3	12" C900 PVC	4763	LF	\$28.00	\$133,964.00	\$29.00	\$139,070.00	\$27.50	\$130,987.50	\$28.00	\$133,960.00	\$28.00	\$133,960.00	\$28.00	\$133,960.00
4	18" C900 PVC	7228	LF	\$39.00	\$282,072.00	\$40.00	\$289,120.00	\$37.40	\$270,327.20	\$38.00	\$275,124.00	\$38.00	\$275,124.00	\$38.00	\$275,124.00
5	Directional Box 18" PE (DR 11)	460	LF	\$97.00	\$44,820.00	\$100.00	\$46,000.00	\$93.50	\$42,990.00	\$100.00	\$46,000.00	\$100.00	\$46,000.00	\$100.00	\$46,000.00
6	Directional Box 12" PE (DR 11)	1131	LF	\$68.00	\$76,908.00	\$70.00	\$79,170.00	\$65.10	\$73,611.30	\$70.00	\$79,170.00	\$70.00	\$79,170.00	\$70.00	\$79,170.00
7	Directional Box Flange	7680	LB	\$4.00	\$30,720.00	\$4.25	\$32,640.00	\$3.90	\$30,024.00	\$4.00	\$30,720.00	\$4.00	\$30,720.00	\$4.00	\$30,720.00
8	10" DI Pipe	27	LF	\$63.00	\$1,701.00	\$65.00	\$1,755.00	\$60.50	\$1,633.50	\$65.00	\$1,755.00	\$65.00	\$1,755.00	\$65.00	\$1,755.00
9	10" DI Pipe	204	LF	\$87.00	\$17,748.00	\$90.00	\$18,360.00	\$83.50	\$16,998.00	\$90.00	\$18,360.00	\$90.00	\$18,360.00	\$90.00	\$18,360.00
10	12" DI Pipe	258	LF	\$53.00	\$13,674.00	\$55.00	\$14,190.00	\$51.50	\$13,186.50	\$55.00	\$14,190.00	\$55.00	\$14,190.00	\$55.00	\$14,190.00
11	14" DI Pipe	20	LF	\$41.00	\$820.00	\$42.50	\$850.00	\$39.75	\$815.00	\$42.50	\$850.00	\$42.50	\$850.00	\$42.50	\$850.00
12	1/2" Hydrant Assembly	10	EA	\$1,180.00	\$11,800.00	\$1,210.00	\$12,100.00	\$1,140.00	\$11,400.00	\$1,210.00	\$12,100.00	\$1,210.00	\$12,100.00	\$1,210.00	\$12,100.00
13	1/2" Gate Valve and Box	3	EA	\$6,480.00	\$19,440.00	\$6,660.00	\$19,980.00	\$6,240.00	\$18,720.00	\$6,660.00	\$19,980.00	\$6,660.00	\$19,980.00	\$6,660.00	\$19,980.00
14	1/2" Clear Achromatic Gate Valve and Box	2	EA	\$8,480.00	\$16,960.00	\$8,760.00	\$17,520.00	\$8,240.00	\$16,480.00	\$8,760.00	\$17,520.00	\$8,760.00	\$17,520.00	\$8,760.00	\$17,520.00
15	1/2" x 1/4" Tapping Sleeve and Valve	1	EA	\$12,860.00	\$12,860.00	\$13,260.00	\$13,260.00	\$12,460.00	\$12,460.00	\$13,260.00	\$13,260.00	\$13,260.00	\$13,260.00	\$13,260.00	
16	1/2" x 1/2" Tapping Sleeve and Valve	2	EA	\$2,370.00	\$4,740.00	\$2,430.00	\$4,860.00	\$2,280.00	\$4,560.00	\$2,430.00	\$4,860.00	\$2,430.00	\$4,860.00	\$2,430.00	\$4,860.00
17	1/2" x 1/4" Tapping Sleeve and Valve	1	EA	\$1,180.00	\$1,180.00	\$1,210.00	\$1,210.00	\$1,140.00	\$1,140.00	\$1,210.00	\$1,210.00	\$1,210.00	\$1,210.00	\$1,210.00	
18	Head and Base or Directional DR 30" Casting (Head or HDPE)	70	LF	\$131.80	\$9,226.00	\$136.00	\$9,520.00	\$126.00	\$8,820.00	\$136.00	\$9,520.00	\$136.00	\$9,520.00	\$136.00	\$9,520.00
19	Head and Base or Directional DR 24" Casting (Head or HDPE)	540	LF	\$138.00	\$74,520.00	\$142.00	\$77,040.00	\$133.00	\$72,060.00	\$142.00	\$77,040.00	\$142.00	\$77,040.00	\$142.00	\$77,040.00
20	Concrete Wet Well Line Distribution (Thrust)	10	CY	\$43.00	\$430.00	\$44.50	\$445.00	\$41.50	\$415.00	\$44.50	\$445.00	\$44.50	\$445.00	\$44.50	\$445.00
21	Joint Restraints (Megalugs) - 8"	10	EA	\$135.00	\$1,350.00	\$139.00	\$1,390.00	\$130.50	\$1,305.00	\$139.00	\$1,390.00	\$139.00	\$1,390.00	\$139.00	\$1,390.00
22	Joint Restraints (Megalugs) - 10"	14	EA	\$135.00	\$1,890.00	\$139.00	\$1,946.00	\$130.50	\$1,827.00	\$139.00	\$1,946.00	\$139.00	\$1,946.00	\$139.00	\$1,946.00
23	Joint Restraints (Megalugs) - 12"	14	EA	\$208.00	\$2,912.00	\$214.00	\$2,996.00	\$201.50	\$2,821.00	\$214.00	\$2,996.00	\$214.00	\$2,996.00	\$214.00	\$2,996.00
24	Joint Restraints (Megalugs) - 14"	1	EA	\$208.00	\$208.00	\$214.00	\$214.00	\$201.50	\$201.50	\$214.00	\$214.00	\$214.00	\$214.00	\$214.00	
25	Joint Restraints (Megalugs) - 18"	18	EA	\$423.43	\$7,621.74	\$436.00	\$8,048.00	\$410.00	\$7,380.00	\$436.00	\$8,048.00	\$436.00	\$8,048.00	\$436.00	\$8,048.00
26	Traffic Control	1	LF	\$8,228.00	\$8,228.00	\$8,496.00	\$8,496.00	\$8,000.00	\$8,000.00	\$8,496.00	\$8,496.00	\$8,496.00	\$8,496.00	\$8,496.00	
27	Planning, Description, and Testing	14482	AC	\$1,872.00	\$27,000.00	\$1,920.00	\$27,744.00	\$1,800.00	\$26,640.00	\$1,920.00	\$27,744.00	\$1,920.00	\$27,744.00	\$1,920.00	\$27,744.00
28	Warning & Marking	1	AC	\$1,872.00	\$1,872.00	\$1,920.00	\$1,920.00	\$1,800.00	\$1,800.00	\$1,920.00	\$1,920.00	\$1,920.00	\$1,920.00	\$1,920.00	
29	No. 12 Copper Tractor Wire	14482	LB	\$0.25	\$3,620.50	\$0.26	\$3,765.32	\$0.24	\$3,513.60	\$0.26	\$3,765.32	\$0.26	\$3,765.32	\$0.26	\$3,765.32
30	Pressure Reducing/Pressure Relief Valve or Control Valve	1	EA	\$12,936.28	\$12,936.28	\$13,336.28	\$13,336.28	\$12,536.28	\$12,536.28	\$13,336.28	\$13,336.28	\$13,336.28	\$13,336.28	\$13,336.28	
31	Furnish and Install Pumps, Control Panel, Sand Pits, Valves, Etc in Pump House	1	LS	\$209,157.21	\$209,157.21	\$213,560.00	\$213,560.00	\$203,960.00	\$203,960.00	\$213,560.00	\$213,560.00	\$213,560.00	\$213,560.00	\$213,560.00	
32	Furnish and Install Gate Valve	1	LS	\$3,835.00	\$3,835.00	\$3,930.00	\$3,930.00	\$3,730.00	\$3,730.00	\$3,930.00	\$3,930.00	\$3,930.00	\$3,930.00	\$3,930.00	
33	Support Pump	10	DAY	\$1,243.00	\$12,430.00	\$1,270.00	\$12,700.00	\$1,200.00	\$12,000.00	\$1,270.00	\$12,700.00	\$1,270.00	\$12,700.00	\$1,270.00	\$12,700.00
34	Remove Existing Pumps, Sand Pits and Control Panel	1	LS	\$6,000.00	\$6,000.00	\$6,200.00	\$6,200.00	\$5,800.00	\$5,800.00	\$6,200.00	\$6,200.00	\$6,200.00	\$6,200.00	\$6,200.00	
35	Aggregate Surfing	20	CY	\$22.00	\$440.00	\$22.75	\$455.00	\$21.25	\$425.00	\$22.75	\$455.00	\$22.75	\$455.00	\$22.75	\$455.00
36	Remove/Replace/Install Overlays/Roadways	450	SY	\$31.25	\$14,062.50	\$32.25	\$14,612.50	\$30.25	\$13,512.50	\$32.25	\$14,612.50	\$32.25	\$14,612.50	\$32.25	\$14,612.50
37	Ar Relief Valve	3	EA	\$3,980.00	\$11,940.00	\$4,100.00	\$12,300.00	\$3,860.00	\$11,580.00	\$4,100.00	\$12,300.00	\$4,100.00	\$12,300.00	\$4,100.00	\$12,300.00
38	Remove Excavation (Contingency)	300	CY	\$6.27	\$1,881.00	\$6.48	\$1,944.00	\$6.06	\$1,818.00	\$6.48	\$1,944.00	\$6.48	\$1,944.00	\$6.48	\$1,944.00
39	Asphalt Driveway at Pump House	24	SY	\$61.80	\$1,483.20	\$63.90	\$2,533.20	\$59.70	\$1,432.80	\$63.90	\$2,533.20	\$63.90	\$2,533.20	\$63.90	\$2,533.20
40	Remove Hatch and Repair Roof at Pump House	1	LS	\$2,806.00	\$2,806.00	\$2,880.00	\$2,880.00	\$2,730.00	\$2,730.00	\$2,880.00	\$2,880.00	\$2,880.00	\$2,880.00	\$2,880.00	
41	Installation of Curbs and Concretors	1	LS	\$2,500.00	\$2,500.00	\$2,550.00	\$2,550.00	\$2,450.00	\$2,450.00	\$2,550.00	\$2,550.00	\$2,550.00	\$2,550.00	\$2,550.00	
42	Furnish and Submit ADEM (NOR for Fee)	1	LS	\$3,478.00	\$3,478.00	\$3,570.00	\$3,570.00	\$3,380.00	\$3,380.00	\$3,570.00	\$3,570.00	\$3,570.00	\$3,570.00	\$3,570.00	
43	Replacement of Force Main @ STA 74+00	1	LS	\$884.00	\$884.00	\$910.00	\$910.00	\$850.00	\$850.00	\$910.00	\$910.00	\$910.00	\$910.00	\$910.00	
TOTAL BASE BID					\$1,142,888.78		\$1,174,838.38		\$1,102,138.31		\$1,172,981.31		\$1,172,981.31		\$1,172,981.31
ALTERNATE BID ITEMS															
44	Difference in cost per linear foot for 16" Ductile Iron Pipe as opp of PVC	7228	LF	\$15.55	\$112,344.76	\$16.00	\$115,651.20	\$15.00	\$108,420.00	\$16.00	\$115,651.20	\$16.00	\$115,651.20	\$16.00	\$115,651.20

ITEM	DESCRIPTION	QTY	UNIT	Raid Contracting 20770 Park Lane Anniston, AL 36810 AL Lic. 24970		Sommers Industries PO Box 106 Morgantown, AL 36555 AL Lic. 24910		Hightower Construction PO Box 974 Florence, MS 39073 AL Lic. 15232		Caldwell Contractors Joe Caldwell Road Lithington, AL 35670 AL Lic. 27274		S.M.E. Inc. Box 194244 Mobile, AL 36619 AL Lic. 17522	
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	Installation	1	LF	\$27,218.00	\$27,218.00	\$18,440.00	\$18,440.00	\$26,000.00	\$26,000.00	\$26,000.00	\$26,000.00	\$26,000.00	\$26,000.00
2	Removal and Replace Concrete Drain	10	LF	\$49.00	\$490.00	\$60.00	\$600.00	\$51.30	\$513.00	\$60.00	\$600.00	\$60.00	\$600.00
3	12" C900 PVC	4763	LF	\$28.00	\$133,964.00	\$29.00	\$139,070.00	\$27.50	\$130,987.50	\$28.00	\$133,960.00	\$28.00	\$133,960.00
4	18" C900 PVC	7228	LF	\$39.00	\$282,072.00	\$40.00	\$289,120.00	\$37.40	\$270,327.20	\$38.00	\$275,124.00	\$38.00	\$275,124.00
5	Directional Box 18" PE (DR 11)	460	LF	\$97.00	\$44,820.00	\$100.00	\$46,000.00	\$93.50	\$42,990.00	\$100.00	\$46,000.00	\$100.00	\$46,000.00
6	Directional Box 12" PE (DR 11)	1131	LF	\$68.00	\$76,908.00	\$70.00	\$79,170.00	\$65.10	\$73,611.30	\$70.00	\$79,170.00	\$70.00	\$79,170.00
7	Directional Box Flange	7680	LB	\$4.00	\$30,720.00	\$4.25	\$32,640.00	\$3.90	\$30,024.00	\$4.00	\$30,720.00	\$4.00	\$30,720.00
8	10" DI Pipe	27	LF	\$63.00	\$1,701.00	\$65.00	\$1,755.00	\$60.50	\$1,633.50	\$65.00	\$1,755.00	\$65.00	\$1,755.00
9	10" DI Pipe	204	LF	\$87.00	\$17,748.00	\$90.00	\$18,360.00	\$83.50	\$16,998.00	\$90.00	\$18,360.00	\$90.00	\$18,360.00
10	12" DI Pipe	258	LF	\$53.00	\$13,674.00	\$55.00	\$14,190.00	\$51.50	\$13,186.50	\$55.00	\$14,190.00	\$55.00	\$14,190.00
11	14" DI Pipe	20	LF	\$41.00	\$820.00	\$42.50	\$850.00	\$39.75	\$815.00	\$42.50	\$850.00	\$42.50	\$850.00
12	1/2" Hydrant Assembly	10	EA	\$1,180.00	\$11,800.00	\$1,210.00	\$12,100.00	\$1,140.00	\$11,400.00	\$1,210.00	\$12,100.00	\$1,210.00	\$12,100.00
13	1/2" Gate Valve and Box	3	EA										



13 May 2013

Indicates value is different from read aloud or input bid price

I certify that the above bids were received sealed and were publicly opened and read aloud at the time and place indicated and that this is a true and correct tabulation of all bids received for this project.

Sworn and subscribed before me this 13<sup>th</sup> day of May, 2013 BY: Micah S. Jones

[Signature]  
Notary Public

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for Pest Control for all City Properties (Bid No. 013-13) to Kelly’s Exterminating Service, Inc. with a cost of \$3,653.88. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 2081-13**

**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 Annual Contract for Pest Control for all City properties (Bid Number 013-13) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, the following bids were opened and tabulated.

[3] After evaluating the bid proposals with the required bid specifications, Kelly’s Exterminating Service, Inc., with the total bid proposal of \$3,653.88, is now awarded the bid for Annual Contract for Pest Control for all City properties.

Adopted on this 13<sup>th</sup> day of May, 2013

[Signature]  
Timothy M. Kant, Mayor

Attest:

[Signature]  
Lisa A. Hanks, MMC  
City Clerk

13 May 2013

Councilmember Mueller introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute an Agreement with the Alabama Department of Transportation for the Cooperative Maintenance of State Right of Way at the intersection of U.S. Highway 98 and County Road 48. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

**RESOLUTION NO. 2082-13**

BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE AS FOLLOWS:

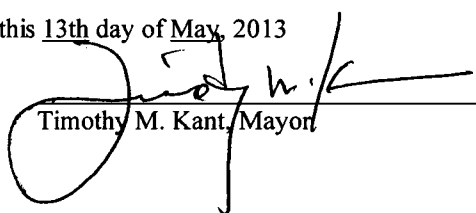
1. WHEREAS, the City of Fairhope, Alabama enter into an agreement with the Alabama Department of Transportation, acting by and through its Transportation Director hereinafter referred to as the STATE for:

The Cooperative Maintenance of STATE Right of Way to secure a more pleasing appearance on the roadside along Fairhope Avenue between the eastern intersection of U. S. Highway 98 between Mile Post 45.31 and Mile Post 45.33 (at the intersection of U.S. Highway 98 at County Road 48) in Fairhope, Alabama for sidewalks, landscaping and vegetative cover.

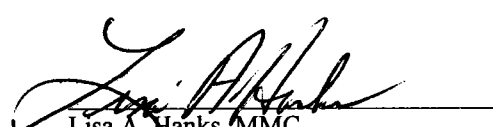
2. WHEREAS, the agreement shall be executed in the name of the City of Fairhope, by its Mayor Timothy M. Kant, for and on its behalf.
3. WHEREAS, the agreement shall be attested by the City Clerk Lisa A. Hanks, and the seal of the City of Fairhope affixed thereto.

BE IT FURTHER RESOLVED that upon the completion of the execution of the Agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

Adopted and Approved this 13th day of May, 2013

  
Timothy M. Kant, Mayor

Attest:

  
Lisa A. Hanks, MMC  
City Clerk

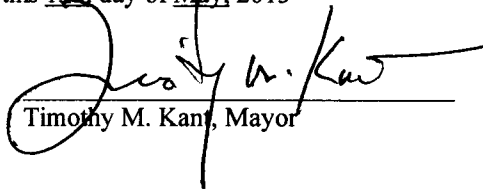
Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to Approve for the City of Fairhope to join the Houston-Galveston Area Council Purchasing Cooperative and for Mayor Timothy M. Kant to execute all necessary documents. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

13 May 2013

**RESOLUTION NO. 2083-13**

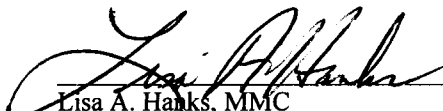
**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that the City Council hereby approves the City of Fairhope joining the Houston-Galveston Area Council Purchasing Cooperative (H-GAC) and authorizes Mayor Timothy M. Kant to execute all necessary documents and Contracts.

Approved and Adopted on this 13th day of May, 2013



\_\_\_\_\_  
Timothy M. Kant, Mayor

Attest:



\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

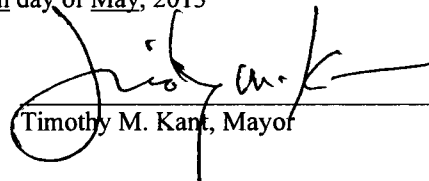
Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution to Purchase SCADA System Annual Software/Maintenance Agreement for the Electric, Water, and Gas Departments from Survalent Technology as Sole Source Distributor with a cost of \$18,340.00. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

**RESOLUTION NO. 2084-13**

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

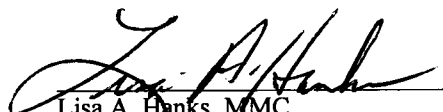
[1] That the City of Fairhope has voted to purchase SCADA System Annual Software/Maintenance Agreement for the Electric, Water, and Gas Departments, from Survalent Technology as Sole Source Distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13): "Contractual services and purchases of commodities for which there is only one vendor or supplier and contractual services and purchases of personal property which by their very nature are impossible to award by competitive bidding." The cost will be \$18,340.00.

Adopted on this 13th day of May, 2013



\_\_\_\_\_  
Timothy M. Kant, Mayor

Attest:



\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk



13 May 2013

Councilmember Brewer moved to grant the request of the Eastern Shore Chamber of Commerce requesting permission to block streets for their Annual Arts and Crafts Festival on March 14, 15, and 16, 2014; "No Parking After 5:00 p.m." signs be placed on Thursday morning on March 13th; and adequate City personnel to provide for a successful Festival. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Brewer moved to grant the request of Karin Wilson, Good Life Foundation, requesting permission to hold the 3<sup>rd</sup> Annual Kids Triathlon on Sunday, June 2, 2013 and use of Duck Pond, South Beach Park and street closures (approximately one hour) as well as use of barricades and cones. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Councilmember Brewer moved to grant the request of Casi Callaway, Mobile Bay Keepers, requesting permission to block streets and use of Bayfront Park for the Grand Man Triathlon 2013 on May 31 and June 1, 2013. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Brewer moved to approve the recommendation of the Street and Traffic Control Committee for speed calming devices on Sedgefield Drive. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Chief Petties addressed the City Council and stated the Committee was neutral for Hospital and Prospect stop sign, but wanted to do a traffic study at the Pleasant intersection which has more vehicles. Council President Burrell mentioned that it was brought up that stop signs were not to be used as speed calming devices. Councilmember Ford questioned Sedgefield being approved and not approving Hospital. Jennifer Fidler said that the Federal Highway Manual Regulations is where it is states stop signs are not used for speed calming.

Councilmember Ford moved to approve the placement of a 4-way stop at Hospital Drive and Prospect. Seconded by Councilmember Boone, motion failed by the following voice votes: AYE – Ford and Boone. NAY – Burrell, Mueller, and Brewer.

Councilmember Brewer moved to grant the request of Laura Wilson, representing Ronald McDonald House Charities of Mobile, requesting a Brief Variance in the Noise Ordinance on Saturday, May 25, 2013, for a 21 Gun Salute between the hours of 12:30 p.m. and 1:00 p.m. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

13 May 2013

City Council reviewed an application for a Special Retail License by Douglas Lasher dba Ducks Unlimited, Inc. for the Eastern Shore Ducks Unlimited Scotch and Cigar Event, located at 77 South Section Street, Suite A, Fairhope, Alabama. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

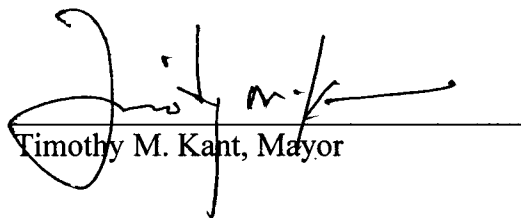
Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing the submission of the Fairhope Police Department's application for funding for the CHP Competitive Grant Program for three police officers to impact Fairhope's Community policing capacity and crime prevention efforts. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

**RESOLUTION NO. 2085-13**

**AUTHORIZING THE SUBMISSION OF AN APPLICATION  
FOR THE FY 2013 COPS HIRING PROGRAM GRANT  
FOR THE CITY OF FAIRHOPE POLICE DEPARTMENT**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE,** hereby approves the Fairhope Police Department's application for funding for the CHP Competitive Grant Program for three police officers to impact Fairhope's Community policing capacity and crime prevention efforts.

DULY ADOPTED THIS 13TH DAY OF MAY, 2013

  
Timothy M. Kant, Mayor

Attest:

  
Lisa A. Hanks, MMC  
City Clerk

13 May 2013

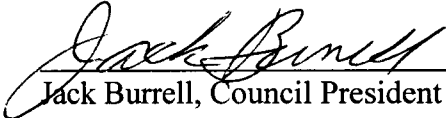
Gary Gover, 300 Lincoln Street, addressed the City Council regarding Greeno Road and Gayfer intersection and the considerable bottleneck there. He suggested redesign the turning lanes. Mayor Kant replied that he met with ALDOT for long term planning for Greeno Road.

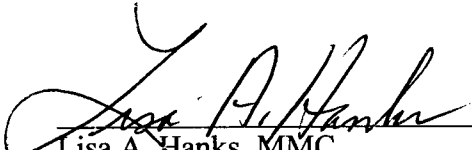
Paul Ripp, 22985 High Ridge Road, addressed the City Council regarding the complaint filed on the BP boom grant Fairhope received. He stated that both the original complaint and now a Part-Two to this Complaint were given to City Clerk Lisa Hanks; and wants these made part of the record for the City. He wants the two documents to be available to the public if requested. We should not do business with an elected official. Councilmember Boone stated we never said that and we would not support corruption in the City. Councilmember Ford questioned who wrote the complaints.

Council President Burrell said we are discussing two separate contracts; and the last one was the debris contract extension. He asked the City Attorney regarding this award and extension. City Attorney Wynne replied that this contract was subject to the bid law and Pittman was the low bidder. A State Official and his/her company have the right to bid. The onus is on the Public Official and he/she has to send a copy of the contract to the Ethics Commission. If the bid law states you must award to the lowest responsible and responsive bidder; and Pittman is the lowest responsible and responsive bidder. If you didn't award to Pittman, we would be violating the bid law.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 7:35 p.m.

  
\_\_\_\_\_  
Jack Burrell, Council President

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk