

**CITY OF FAIRHOPE  
CITY COUNCIL AGENDA**

**MONDAY, 10 SEPTEMBER 2012 - 6:00 P.M. - CITY COUNCIL CHAMBER**

**Invocation and Pledge of Allegiance**

1. Approve Minutes of 27 August 2012 Regular City Council Meeting and minutes of 27 August 2012 Special Council Meeting.
2. Report of the Mayor
3. Council Comments
4. City Administrator
5. Public Participation
6. Final Adoption - Ordinance – An Ordinance to Establish and provide a Compensation and Job Classification Plan for the City of Fairhope. (Introduced at the August 13, 2012 City Council Meeting)
7. Final Adoption - Ordinance - Amend Zoning Ordinance No. 1253.  
Request to rezone the property of Gaston-Lee Post #5660 Veterans of Foreign Wars to be rezoned from R-1 Low Density Single Family Residential District to M-1 Light Industrial District. The property is located at 950 Nichols Avenue, Fairhope, Alabama. (Introduced at the August 13, 2012 City Council Meeting)
8. Ordinance - An Ordinance to Amend and Add to Chapter 20 Traffic, Article II Parking, Providing Policy, Procedure and Penalties for Parking within the City of Fairhope and Handicapped Parking Violations.
9. Ordinance – An Ordinance Repealing Article III, Sections 8-40 through 8-47 of the Fairhope Code of Ordinances relating to Peddling, Soliciting and Canvassing and enacting a new Ordinance regulating such Activities.
10. Ordinance – An Ordinance Regulating and Licensing Sexually Oriented Businesses.
11. Ordinance – An Ordinance to Establish and provide a Compensation and Job Classification Plan for the City of Fairhope and to Set Limitations for Hiring Employees and Pay Rates.
12. Request – Karin Wilson, The Good Life Foundation - Approval for street closure on Fairhope Avenue from Oak Street to De La Mare Street including De la Mare Street on October 5 & 6, 2012 for the 30<sup>th</sup> Annual Grand Festival of Arts & Books.
13. Request – Steven Davis – Fairhope Sunset Rotary Club - Approval for street closure on De La Mare Street on October 20, 2012 after 5:00 p.m. for the 10<sup>th</sup> Dancing in the Streets and Running in the Streets “Oktoberfest”.

14. Application for a Special Events Retail License by Fairhope Sunset Rotary Club for Dancing in the Streets on October 20, 2012 and approval to serve alcohol on De La Mare Street after 5:00 p.m. for Oktober Fest.
15. Application for a Special Retail License by Michael Pinzone dba Italian Downtown, located at 312 Fairhope Avenue, Fairhope, Alabama.
16. Application for a Restaurant Liquor License by Jianzhou Ma, China Wok Jianq, Inc. dba China Wok, located at 400 Eastern Shore Shopping Center, Fairhope, Alabama.
17. Adjourn

**NEXT MEETING: (Canvass Election, Tuesday, September 18, at 10:00 a.m.)**

**"ELECTION DAY"**

**DO NOT FORGET TO VOTE TOMORROW, TUESDAY, SEPTEMBER 11, 2012**

**EVERYONE VOTES AT THE CIVIC CENTER**

**POLLS WILL OPEN AT 7:00 A.M. AND CLOSE AT 7:00 P.M.**

**Next Regular Meeting Monday, September 24, 2012 Same Time and Place**

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, 10 September 2012.

Present were Council President Lonnie L. Mixon, Councilmembers: Debbie W. Quinn, Daniel Stankoski, Michael A. Ford, and Rick Kingrea, City Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks. Mayor Timothy M. Kant was absent.

There being a quorum present, Council President Mixon called the meeting to order. The invocation was given by Councilmember Mike Ford and the Pledge of Allegiance was recited. Council President Mixon asked if there were any corrections to the minutes from the 27 August 2012, regular meeting. He then stated if there are no corrections, the minutes stand approved as written.

Council President Mixon asked if there were any corrections to the minutes from the 27 August 2012, special-called city council meeting. He then stated if there are no corrections, the minutes stand approved as written.

Councilmember Quinn addressed the City Council and mentioned homes that were foreclosed or abandoned which are health hazards and the yards are terrible. She requested for Jonathan Smith and Gregg Mims to look at possibly placing weed abatement against the property(s). She also mentioned the ALDOT conversation status regarding the Volanta Watershed Project. Gregg Mims replied that a letter was sent to ALDOT and to Arbor Gates.

Councilmember Stankoski addressed the City Council and asked everyone to please vote.

Council President Mixon mentioned the Budget Committee meeting scheduled for next Monday at 5:00 p.m.

Councilmembers Ford and Kingrea reiterated for everyone to please come out and vote tomorrow, September 11, 2012.

City Administrator Gregg Mims addressed the City Council regarding the following items: The plans are in place for the ALDOT agreement for the improvements at Fairhope Avenue and Greeno Road; and he gave an update on the waste water plant.

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Emily Bell addressed the City Council regarding Agenda Item Number 12: the request from Karin Wilson for approval for street closure on Fairhope Avenue from Oak Street to De La Mare Street. Ms. Bell stated last year she requested stricter rules for Ordinance No. 1344. She mentioned the notice section and amending for a penalty for non-compliance. Council President Mixon asked for Ms. Bell to get with City Administrator Mims regarding this issue.

City Administrator Mims addressed the City Council and briefly explained Agenda Items Number 6 through Number 16 prior to the City Council voting on same.

Due to a lack of a motion for final adoption of an Ordinance to establish and provide for a Compensation and Job Classification Plan for the City of Fairhope, the ordinance dies for lack of a motion.

Councilmember Ford moved for final adoption of Ordinance No. 1473, an Ordinance requesting to rezone the property of Gaston-Lee Post #5660 Veterans of Foreign Wars to be rezoned from R-1 Low Density Single Family Residential District to M-1 Light Industrial District (Introduced at August 13, 2012 City Council Meeting). Seconded by Councilmember Quinn, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None.

Councilmember Quinn introduced in writing Ordinance No. 1474, an Ordinance to amend and add to Chapter 20 Traffic, Article II Parking, providing policy, procedure and penalties for parking within the City of Fairhope and handicapped parking violations. In order to take immediate action, Councilmember Stankoski moved for immediate consideration. Seconded by Councilmember Kingrea, motion for immediate consideration passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None. Councilmember Stankoski then moved for final adoption of Ordinance No. 1474. Se conded by Councilmember Kingrea, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None.

Councilmember Quinn introduced in writing Ordinance No. 1475, an Ordinance to repealing Article III, Sections 8-40 through 8-47 of the Fairhope Code of Ordinances relating to Peddling, Soliciting and Canvassing and enacting a new Ordinance regulating such Activities. In order to take immediate action, Councilmember Quinn moved for immediate consideration. Seconded by Councilmember Stankoski, motion for immediate consideration passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None.

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Councilmember Kingrea moved to amend the ordinance by deleting Section 4. Exemptions from registration; (d) Persons making solicitations solely for a nationally recognized youth organization such as the YMCA, YWCA, scouting, or boys' and girls' clubs. All other provisions of this ordinance apply to those who qualify for an exemption. He mentioned this section is already covered under Section 4.(a). Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Councilmember Kingrea then moved for final adoption of Ordinance No. 1475 as amended above. Seconded by Councilmember Stankoski, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None.

Councilmember Kingrea introduced in writing an Ordinance to regulate and license sexually oriented businesses. Since there was no motion for immediate consideration, this ordinance will layover until the September 24, 2012 City Council meeting.

Councilmember Stankoski introduced in writing an Ordinance to establish and provide for a Compensation and Job Classification Plan for the City of Fairhope and to set limitations for hiring employees and pay rates. Since there was no motion for immediate consideration, this ordinance will layover until the September 24, 2012 City Council meeting.

Councilmember Quinn moved to grant the request of Karin Wilson, The Good Life Foundation, requesting permission to close streets on Fairhope Avenue from Oak Street to De La Mare Street including De La Mare Street on October 5, 2012 and October 6, 2012 for the 30th Annual Grand Festival of Arts and Books. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Kingrea moved to grant the request of Steven Davis, Fairhope Sunset Rotary Club, requesting permission to close streets on De La Mare Street on October 20, 2012 after 5:00 p.m. for the 10th Dancing in the Streets – “Oktoberfest.” Seconded by Councilmember Quinn, motion passed by the following voice votes: AYE – Quinn, Stankoski, Mixon, and Kingrea. NAY – None. ABSTAIN - Ford.

City Council reviewed an application for a Special Events Retail License by Fairhope Sunset Rotary Club for Dancing in the Streets on October 20, 2012 and approval to serve alcohol on Del La Mare Street after 5:00 p.m. for Oktoberfest. Councilmember Stankoski moved to approve the issuance of the license. Seconded by Councilmember Kingrea, motion passed by the following voice votes: AYE – Quinn, Stankoski, Mixon, and Kingrea. NAY – None. ABSTAIN - Ford.

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City Council reviewed an application for a Special Events Retail License by Michael Pinzone, dba Italian Downtown, located at 312 Fairhope Avenue, Fairhope, Alabama. Councilmember Ford moved to approve the issuance of the license. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurants Liquor License by Jianzhou Ma, China Wok Jianq, Inc., dba China Wok, located at 400 Eastern Shore Shopping Center, Fairhope, Alabama. Councilmember Kingrea moved to approve the issuance of the license. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:25 p.m.



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Lonnie L. Mixon, Council President



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Lisa A. Hanks, MMC  
City Clerk