

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, 12 November 2012.

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 City Attorney Wynne and the Pledge of Allegiance was recited. Councilmember Ford moved to approve minutes of the 22 October 2012, regular meeting, of the 25 October 2012, work session, and of the 5 November 2012, organizational meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council regarding the following items:

- 1) Thursday, November 15, 2012, is the Lighting of the Trees at 6:00 p.m.
- 2) Next week will be the Thanksgiving Holidays and the City will be closed on Thursday and Friday; and garbage will not run on these days.
- 3) David Stejskal with the American Water Works Association (“AWWA”) presented Dan McCrory, Water and Sewer Superintendent, with the award from the 3rd Annual Water Tasting Contest for the “Best Tasting Water” in our area. This award was based on color, taste, and clarity of the water. The City of Fairhope will be this area’s representative for the National Conference in Colorado. Dan McCrory recognized Curtis Cooper, Joe Webber, and Adam Willis from the Water Department.

Council President Burrell addressed the City Council regarding the need for an Arts Committee and appointed Councilmembers Mueller and Brewer as its initial members.

Councilmember Ford introduced in writing Ordinance No. 1482, an ordinance to Amend Ordinance No. 1359 pertaining to the Annexation of the Eastern Shore Presbyterian Church, Inc. property. 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. 1482. Seconded by Councilmember Brewer, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

12 November 2012

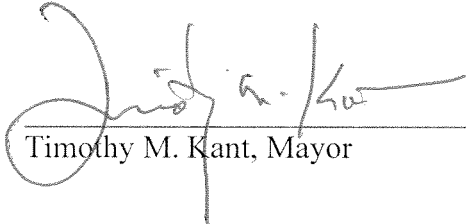
Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution appointing Marion E. "Tut" Wynne as City Attorney/Prosecutor and authorizing Mayor Timothy M Kant to sign an engagement letter between the City of Fairhope and Marion E. Wynne for legal services. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 1992-12

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Marion E. (Tut) Wynne is hereby appointed as City Attorney. The term of the City Attorney shall serve until the next general municipal election or until a successor is elected by the council and qualified. Section 11-43-3, Code of Alabama, 1975.

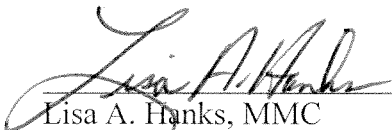
BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is authorized to sign an engagement letter between the City of Fairhope and Marion E. Wynne for legal services.

ADOPTED THE 12TH DAY OF NOVEMBER, 2012



Timothy M. Kant, Mayor

ATTEST:



Lisa A. Hanks, MMC
City Clerk

Councilmember Mueller introduced in writing, and moved for the adoption of the following resolution, a resolution to award Bid for Walking Floor Trailer for the Public Works Department (Bid No. 030-12). Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

12 November 2012

RESOLUTION NO. 1993-12

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

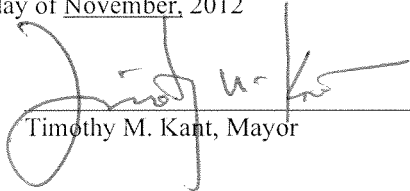
[1] That the City of Fairhope did request, receive, and open bids for Walking Floor Trailer for the Public Works Department (Bid Number 030-12) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for
Walking Floor Trailer for the Public Works Department

[3] After evaluating the bid proposals with the required bid specifications, Gulf City Body & Trailer Works, Inc., with the total bid proposal of approximately \$67,450.00, is now awarded the bid for Walking Floor Trailer for the Public Works Department.

Adopted on this 12th day of November, 2012



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

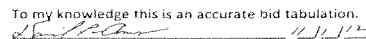
CITY OF FAIRHOPE
TABULATION and Recommendation
BID NUMBER: 030-12
BID NAME: Walking Floor Trailer
OPENED: 10-29-2012 2:00 p.m.
Bid Bond is waived

VENDOR	Non-Collusion/ Proposal Executed /Signed / Notarized	Addenda signed	ARO days	Instructions/ compliance	Bid (\$) Price Per Unit	Manufacturer	Model	LESS Trade-in(S)	Total Base Bid \$
Kenworth of Mobile	no response								
Beard Equipment Co	no response								
Port City Trailers	no response								
Wastequip, Inc	no response								
Gulf City Body@Trailer Works	yes	yes	120		\$ 72,450.00	Travis	Classic Live Floor	\$5,000.00	\$67,450.00
Capital Volvo	no response								
Truck Equipment Sales, Inc	no response								
Cowin Equipment Co	no response								
Pittman Tractor Co	no response								
Ellis All Purpose Trailers	no response								
WSE	no response								
Toomey Equipment Company	no response								
Thompson Tractor	no response								
Coastal Machinery Co	no response								
Bye-Rite Trailer Sales	no response								

Recommendation. Award Bid to Gulf City Body & Trailer Works, Inc



Greg Fidler, Director of Public Works

To my knowledge this is an accurate bid tabulation.


Daniel P. Ames, Purchasing Manager

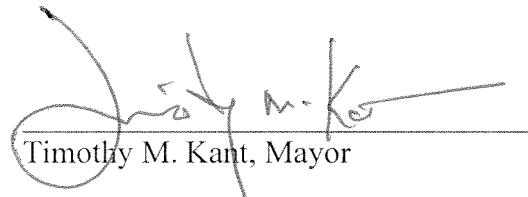
12 November 2012

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute an Amendment to the Seventh Supplemental Indenture between the City of Fairhope and Regions Bank. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 1994-12

BE IT RESOLVED by the Mayor and City Council of the City of Fairhope (“the City”) in the State of Alabama that the Mayor is hereby authorized and directed to execute, for and on behalf of the City, an Amendment to the Seventh Supplemental Indenture in substantially the form attached hereto as Appendix A and presented at the meeting at which this resolution is considered and adopted and that the City Clerk is hereby authorized and directed to affix the City seal to the said Amendment and to attest the same with her manual signature, and the Mayor and City Clerk are both hereby authorized and directed to deliver the said Amendment to Regions Bank, as Trustee, under that certain Trust Indenture between the City and Regions Bank dated as of November 1, 1996. The purpose of which is to expand within legal limits set by the State of Alabama the defined “Eligible Investments” for investment of funds on deposit for Construction and/or improvement, held by the Warrant Trustee.

Adopted, this 12th day of November, 2012



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

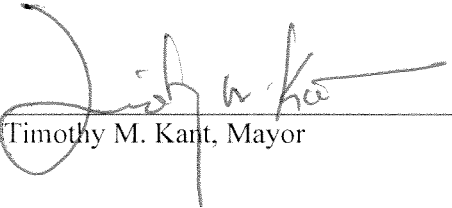
Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute a Renewal to the Contract for Professional Golf Course Consultant Services with Agromax, LLC. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

12 November 2012

RESOLUTION NO. 1995-12

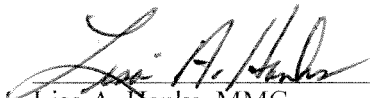
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a Renewal to the Contract for Professional Golf Course Consultant Services with Agromax, LLC not to exceed \$35,000.

DULY ADOPTED THIS 12TH DAY OF NOVEMBER, 2012



Timothy M. Kant, Mayor

Attest:



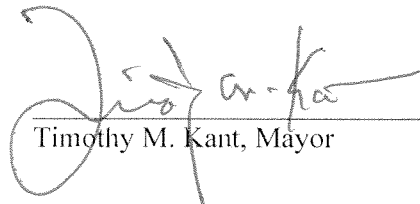
Lisa A. Hanks, MMC
City Clerk

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute an Agreement with Baldwin County Commission and the City of Fairhope to install Fiber Optic connection in the Baldwin County Satellite Courthouse in Fairhope. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 1996-12

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a Service Agreement between Baldwin County Commission and the City of Fairhope for installation of a Fiber Optic connection in the Baldwin County Satellite Courthouse. This Agreement will not have an initial or recurring cost to the City of Fairhope.

DULY ADOPTED THIS 12TH DAY OF NOVEMBER, 2012



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

12 November 2012

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute Amendment Number 1 to the Agreement for Engineering Services with Volkert, Inc. with additional services with the widening of Fairhope Avenue from U. S. Highway 98 to Hoffren Drive. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 1997-12

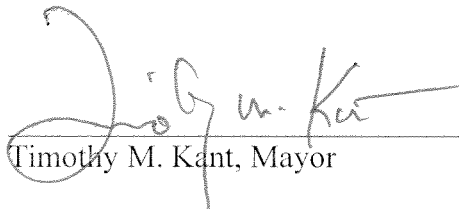
WHEREAS, the City of Fairhope entered into an agreement on October 4, 2012 with Volkert, Inc. for engineering services for completion of plans for the improvements to the Fairhope Avenue and Greeno Road intersection in Fairhope, Alabama;

WHEREAS, the City of Fairhope desires to proceed with additional services with the widening of Fairhope Avenue from U. S. Highway 98 to Hoffren Drive (City of Fairhope Project No. PW011-12) as described below:

Generally, the supplemental scope of work includes the development of construction plans, geotechnical testing, and construction engineering and inspection for the repair to roadway patches along Fairhope Avenue west of U. S. Highway 98.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute Amendment Number 1 to the Agreement for Engineering Services with Volkert, Inc. with additional services with the City of Fairhope Project No. PW011-12 described above with a proposed cost of \$14,200.00.

DULY ADOPTED THIS 12TH DAY OF NOVEMBER, 2012


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Nanks, MMC
 City Clerk

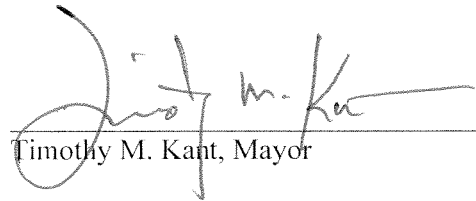
12 November 2012

Councilmember Mueller introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute a Contract for Professional Engineering Services with Beaufort Engineering Services, Inc. for the ATRIP Church Street Drainage Repair. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 1998-12

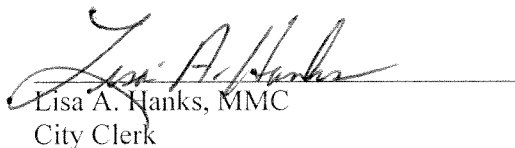
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a Contract for Professional Engineering Services for the ATRIP Church Street Drainage Repair with Beaufort Engineering Services, Inc. (PS002-13).

DULY ADOPTED THIS 12TH DAY OF NOVEMBER, 2012



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

City Council reviewed an application for a Special Retail License by Georgia Rouso, d/b/a Roussos Catering, Inc. for an event located at The Nix Center on 1 Bayou Drive, Fairhope, Alabama being held on December 2, 2012. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Brewer Boone moved to approve the Job Title of Engineering Technician with a Pay Grade 23 for the Electric Department. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

Councilmember Boone moved to grant the request of the Eastern Shore Optimist Club requesting permission to use the City property behind the Fairhope Public Library from November 23, 2012 through December 20, 2012; and for the Fairhope Utility Department to have the cables for the trees in place by November 16, 2012. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

12 November 2012


Councilmember Mueller moved to grant the request of Tyler Kean requesting permission for the Fairhope Inn & Restaurant to have live music under tent on December 14, 2012 for the 6th Annual Wiseman's Ball which benefits Toys for Tots; which would be a variance in the noise ordinance from 7:00 p.m. until 11:00 p.m. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 6:28 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk