

**CITY OF FAIRHOPE
CITY COUNCIL AGENDA**

MONDAY, 27 AUGUST 2012 - 6:00 P.M. - CITY COUNCIL CHAMBER

Invocation and Pledge of Allegiance

1. Approve Minutes of 13 August 2012 Regular City Council Meeting and minutes of the 13 August 2012 Public Participation/Work Session.
 2. Report of the Mayor
 3. Council Comments
 4. City Administrator
 5. Public Participation
 6. Resolution – Accepting the public streets, public right-of-ways, and all of Fairhope’s public utilities located in public right-of-ways within Sedgefield Phase 2 for maintenance and authorize Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Sedgefield-Fairhope, LLC.
 7. Request - To fill two vacancies for Parks Maintenance Worker I.
- ADD ON** Ordinance – Final Adoption – An Ordinance of General and Permanent Nature Re-Scheduling the City of Fairhope’s August 28, 2012 Municipal Election to September 11, 2012.
8. Adjourn

NEXT MEETING: (Canvass Election, Tuesday, September 4, at 10:00 a.m.)

“ELECTION DAY”

DO NOT FORGET TO VOTE TOMORROW, TUESDAY, AUGUST 28, 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 10, 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, 27 August 2012.

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

There being a quorum present, Council President Mixon called the meeting to order. The invocation was given by Marion E. Wynne, Jr. and the Pledge of Allegiance was recited. Council President Mixon asked if there were any corrections to the minutes from the 13 August 2012, regular meeting. Councilmember Quinn stated the minutes needed to be amended under her comment section by removing "she mentioned a South Fairhope forum being held and homeowner's insurance will be discussed" and adding "she stated she would like the South Fairhope "HHII" Hurricane Homeowner's Insurance Initiative to come before the Council, at the next meeting, with their Power Point Presentation on their initiative."

Councilmember Quinn moved to amend the minutes as mentioned above. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote. He then stated if there are no other corrections, the minutes stand approved as amended.

Council President Mixon asked if there were any corrections to the minutes from the 13 August 2012, public participation/work session meeting. He then stated if there are no corrections, the minutes stand approved as written.

Mayor Timothy M. Kant addressed the City Council regarding the election scheduled for August 28, 2012 and mentioned if it was to be re-scheduled the documents would have to be faxed to the Justice Department and the Secretary of State. Mayor Kant said he has been in contact with Congressman Bonner and Senator Sessions regarding the pre-clearance; and that the Justice Department would be streamlining the requests for the cities at one time.

Councilmember Ford addressed the City Council and questioned why the Tony's Towing and the VFW was not on the agenda. Mayor Kant replied the Council did not want to take action and put it on the September 10, 2012 agenda. He said action would have to be taken at the next City Council meeting.

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Councilmember Quinn addressed the City Council and asked for the status of the report she requested on the geese. Mayor Kant replied he thought staff had taken care of this, but he would find out.

Councilmember Quinn moved to add the following item **not** on the printed agenda: an Ordinance of General and Permanent Nature Re-Scheduling the City of Fairhope's August 28, 2012 Municipal Election to September 11, 2012; and a Run-off Election, to be held if necessary, on October 23, 2012. Seconded by Councilmember Stankoski, motion passed by the following voice votes: AYE – Quinn, Stankoski, Mixon, and Kingrea. NAY – Ford.

City Administrator Mims addressed the City Council and briefly explained Agenda Items Number 6 through Number 7 prior to the City Council voting on same.

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution accepting the public streets, public right-of-ways, and all of Fairhope's public utilities located in public right-of-ways within Sedgefield Phase 2 for maintenance and authorizing Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Sedgefield-Fairhope, LLC. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

RESOLUTION NO. 1974-12

WHEREAS, the Owners of Sedgefield, Phase 2 desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2470-F, and all Fairhope public utilities located in public right-of-ways accepted for maintenance by the City of Fairhope, Alabama, and;

WHEREAS, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements as indicated on the recorded plat, and;

WHEREAS, the Public Works Director has indicated that the improvements meet City requirements, and;

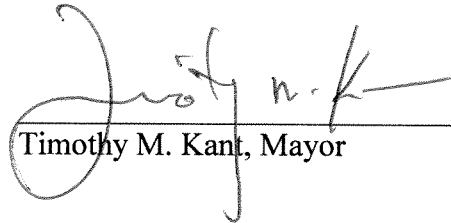
WHEREAS, the City of Fairhope, Alabama, is not and in no manner will be responsible for the maintenance of common areas in the subdivision as indicated on the recorded plat, and;

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WHEREAS, the City of Fairhope, Alabama, has received from the owners of Sedgefield, Phase 2 maintenance bonds for the public improvements constructed for a period of 2 years, and;

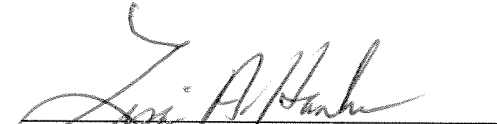
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for Sedgefield, Phase 2 are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Sedgefield-Fairhope, LLC (the "Owners").

Adopted, this 27th day of August, 2012



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Kingrea moved to grant the request for the Parks and Recreation Department for the approval to fill two vacancies for a Parks Maintenance Worker I with a starting pay of \$12.44 per hour which is the beginning rate for a Grade 17. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Councilmember Quinn moved for final adoption of Ordinance No. 1472, an Ordinance of General and Permanent Nature Re-Scheduling the City of Fairhope's August 28, 2012 Municipal Election to September 11, 2012; and a Run-off Election, to be held if necessary, on October 23, 2012 (Introduced at August 27, 2012, Special Emergency City Council Meeting). Seconded by Councilmember Stankoski, motion for final adoption passed by the following voice votes: AYE – Quinn, Stankoski, Mixon. NAY – Ford, and Kingrea.

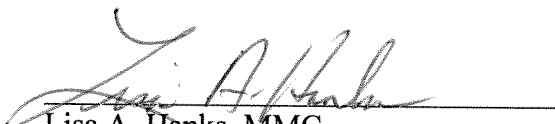
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Rachel Ladd addressed the City Council and questioned why the Municipal Election scheduled for August 28, 2012 was postponed. She mentioned the majority of the citizens wanted the election to be held tomorrow. Councilmember Quinn said there was a mandatory evacuation and people had left town. Council President Mixon reiterated that the Governor issued a mandatory evacuation and it was not lifted until after 2:00 p.m. today.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:10 p.m.



Lonnie L. Mixon, Council President



Lisa A. Hanks, MMC
City Clerk