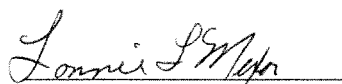


27 August 2012

NOTICE AND CALL OF SPECIAL EMERGENCY MEETING

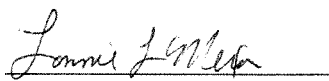
Notice is hereby given of a special emergency meeting of the City Council of the City of Fairhope, Alabama, to be held at the Fairhope Municipal Complex on Monday, 27 August 2012, at 8:30 a.m., for the purpose to:

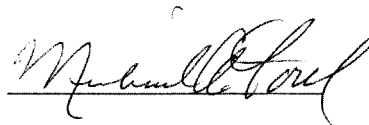
1. Declare a State of Emergency
2. August 28, 2012 Municipal Elections

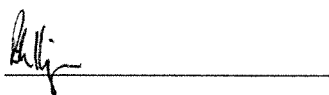
  
\_\_\_\_\_  
Lonnie L. Mixon, Council President

CONSENT TO HOLDING OF MEETING

The undersigned members of the City Council of the City of Fairhope, Alabama, do hereby acknowledge service of the Notice and Call of Special Emergency Meeting hereinabout set forth and do hereby consent to the holding of such meeting as such time in such place for the purpose set forth therein.

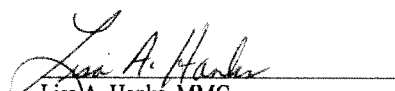
  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

Attest:

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

27 August 2012

STATE OF ALABAMA            )  
   :  
 COUNTY OF BALDWIN         )(

The City Council, City of Fairhope, met in a Special-called Emergency Session at 8:30 a.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, Michael A. Ford, and Rick Kingrea, Mayor Timothy M. Kant, City Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks. Councilmember Daniel Stankoski was absent.

There being a quorum present, Council President Mixon called the meeting to order. Council President asked for a moment of silence and the Pledge of Allegiance was recited. Council President Mixon announced that this was an Special-called Emergency meeting to discuss postponing the August 28, 2012 Municipal Election and that the Governor had declared a State of Emergency.

City Administrator Gregg Mims addressed the City Council and briefly updated the status of Tropical Storm Isaac. He stated that the Baldwin County Commission would be meeting at 2:00 p.m. and the Governor had issued a mandatory evacuation for Zones 1 and 2 which includes all of the property West of Greeno Road. There will also be a meeting in 11:00 a.m. in Mobile with the Governor. Mr. Mims gave several options to the City Council regarding future meetings and recommended moving the 6:00 p.m. meeting to 3:00 p.m. which would be after all of the other meetings. The main issue will be rain and coastal flooding.

Councilmember Quinn said there was a mandatory evacuation and people are leaving town.

Councilmember Ford said you already made the decision and we should wait to make a decision later and watch the storm.

Councilmember Kingrea commented the Governor will probably rescind and we should go forward on Tuesday or postpone until Thursday.

Mayor Kant said we must plan for a one step up for the Hurricane; if it is a Category 1 we should plan for a Category 2. We asked for voluntary evacuations for all of Zone 1 and low lying areas in Zone 2. He also stated that the Probate Judge wants the election to go ahead as planned.

27 August 2012

Council President Mixon suggested that they combine the 6:00 p.m. meeting with a 3:00 p.m. meeting. He recommended that they postpone their decision until 3:00 p.m. to allow the Governor to meet at 11:00 a.m. and if he rescinded the evacuation, we could move forward with the election. And, we would know the decision of the meeting being held at 2:00 p.m. by the County.

Councilmember Kingrea said he was not for moving the meeting up to 3:00 p.m. and we should keep the regularly scheduled Council at 6:00 p.m. We have already published we are meeting at 6:00 p.m. and it would not be fair to citizens.

Councilmember Quinn stated we should meet at 3:00 p.m.; the earlier the better because we have already postponed. Councilmember Quinn moved to call a special meeting at 3:00 p.m. to make the determination of whether or not to postpone election. The motion was seconded by Councilmember Kingrea.

Councilmember Ford questioned the City Clerk whether or not the Attorney General could waive some of this stuff since we have an emergency. City Clerk Lisa Hanks replied that the problem is getting pre-clearance by the United States Justice Department and there are set rules to get this done. City Administrator Gregg Mims said we could work on this for the 3:00 p.m. meeting; and also agreed the pre-clearance is the main issue and you just can't pick a date. He said City Attorney Wynne may have to get involved.

Mayor Kant said that the date that has been recommended by the Alabama League of Municipalities is September 11, 2012; and then you have the Special Election being held on September 18, 2012, so you will be running into the end of September.

Council President Mixon once again stated that if the Governor rescinds the mandatory evacuation, then we can go ahead with the elections as scheduled.

City Attorney Wynne told the City Council that they could adjourn this meeting until 3:00 p.m. instead of calling another special meeting. Councilmember Quinn withdrew her motion and Councilmember Kingrea withdrew his second to the motion.

Councilmember Quinn moved to adjourn this meeting until 3:00 p.m. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 8:46 a.m. until 3:00 p.m.

27 August 2012

Council President Mixon called the meeting to order which was adjourned from the 8:30 a.m. meeting and to reconvene at 3:00 p.m. 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.

Council President Mixon read the resolution postponing the City of Fairhope's August 28, 2012 Municipal Election due to Hurricane Isaac where the safety of voters is threatened by the imminent danger of a natural disaster.

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution postponing the City of Fairhope's August 28, 2012 Municipal Election. Seconded by Councilmember Quinn, motion passed by the following voice votes: AYE – Quinn, Stankoski, and Mixon. NAY – Ford and Kingrea.

**RESOLUTION NO. 1973-12**

**A RESOLUTION POSTPONING THE CITY OF FAIRHOPE'S  
AUGUST 28, 2012 MUNICIPAL ELECTION**

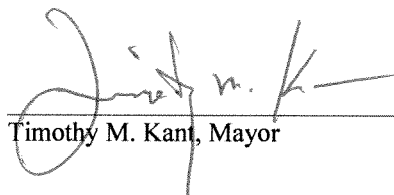
**WHEREAS**, the City of Fairhope desires to cancel their August 28, 2012 Municipal Election to provide for the safety of its citizens; and

**WHEREAS**, Section 11-46-72 of the Code of Alabama 1975 provides that a municipality may postpone its election under the circumstance where the safety of voters is threatened by the imminent danger of a natural disaster; and


**NOW, THEREFORE, BE IT RESOLVED THE GOVERNING BODY OF THE CITY OF FAIRHOPE**, that the August 28, 2012 City of Fairhope Municipal Election be postponed due to the possible effect of Hurricane Isaac.

**BE IT FURTHER RESOLVED**, that the Mayor of the City of Fairhope is hereby directed to file a copy of this resolution with the Secretary of State as provided in Section 17-7-21 of the Code of Alabama 1975.

**ADOPTED AND APPROVED THIS 27TH DAY OF AUGUST, 2012**

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

Attest

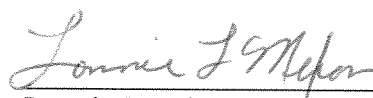
  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

27 August 2012

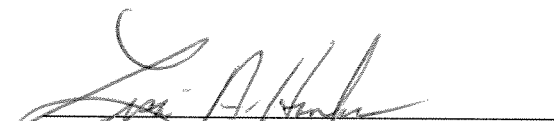
Councilmember Stankoski introduced in writing an Ordinance of General and Permanent Nature Re-Scheduling the City of Fairhope's August 28, 2012 Municipal Election to September 11, 2012; and a Run-off Election, to be held if necessary, on October 23, 2012.

In order to take immediate action, Councilmember Quinn moved for immediate consideration. Councilmember Stankoski seconded the motion for immediate consideration, motion for failed for lack of a unanimous vote. This ordinance will layover for final adoption at the August 27, 2012 regular City Council meeting scheduled for 6:00 p.m.

There being no further business to come before the City Council, the meeting was duly adjourned at 3:13 p.m.



Lonnie L. Mixon, Council President



Lisa A. Hanks, MMC  
City Clerk