

**CITY OF FAIRHOPE
CITY COUNCIL AGENDA**

MONDAY, 10 JANUARY 2011 - 4:00 P.M. - CITY COUNCIL CHAMBER

Invocation and Pledge of Allegiance

1. Approve Minutes of 27 December 2010, Regular City Council Meeting and minutes of the 27 December 2010 Work Session.
2. Old Business
Rick Kingrea
3. Report of the Mayor
4. Council Comments
5. City Administrator
6. Public Participation
7. Resolution – To purchase a Service Truck for the Water Department.
8. Resolution – Award RFQ for Fire Alarm System for the James P. Nix Center (RFQ No. 001-11).
9. Resolution – That the City of Fairhope will pledge \$35,000.00 per year to Blueprint for a Better Tomorrow beginning in 2011 and extending through 2015.
10. Resolution – That the City of Fairhope may increase the elevation of the landfill by thirty (30) feet and establish a buffer for the landfill.
11. Resolution – That all City of Fairhope Committees and Advisory Boards shall hold meetings in rooms that are spacious and easily accessible to the public, i.e. the Delchamps Room or the Council Chambers if available.
12. Ordinance – Final Adoption - An Ordinance Amending Ordinance No. 1371 and Ordinance No. 1437 known as the City Council Rules of Procedure; Amending Section VIII regarding Public Participation. (Introduced at the December 13, 2010 City Council Meeting)
13. Adjourn

***The City of Fairhope will be CLOSED on the following days:
Monday, January 17, 2010***

Next Regular Meeting Monday, January 24, 2010 at 6:00 p.m. in Council Chambers

STATE OF ALABAMA)
 :
 COUNTY OF BALDWIN)(

The City Council, City of Fairhope, met in regular session at 4:00 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 10 January, 2011.

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 Dr. Jerry Henry, Pastor at First Baptist Church, and the Pledge of Allegiance was recited. Council President Mixon commented on the 1165th National Guard send-off and how well employees and citizens showed their patriotism.

Council President Mixon asked if there were any corrections to the minutes from the 27 December 2010, regular meeting and the 27 December 2010, work session. He then stated if there are no corrections, the minutes stand approved as written.

Councilmember Kingrea addressed the City Council regarding the following issues:

- 1) Inventory Control System status – Gregg Mims replied that Nancy, Rose, and James are working on this and should have by March 2011.
- 2) Personnel Chart status – Council President said this would be presented on January 28, 2011 by Lorenzo Howard, Personnel Board member.

Mayor Kant addressed the City Council regarding the following issues:

- 1) George Roberds would be replacing Fran Slade on the Planning Commission and filling her term.
- 2) Senior Bowl Practice for the South begins on January 24, 2011 at 2:45 p.m. and everyone is invited to come and watch.

Councilmember Quinn addressed the City Council and thanked Mayor Kant and Jennifer Fidler for the restriping of the streets and put in some bike lanes on some of the streets. This goes along with our Complete Streets Policy that we passed two years ago.

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City Administrator Gregg Mims addressed the City Council regarding the following issues:

- 1) BP Oil Spill – Mayor instructed staff to run water samples along the bay and came back with no oil residue. An e-mail with the results was given to the City Clerk to be inserted in the minutes.
- 2) Working with Jason Colee for a section on the website for feedback and place comment cards in each department.
- 3) One of the benefits of the Fairhope Police Department's involvement with FBI Violence Task Force is the department gets a percentage from seizures. The Police Department recently used some of the funds to replace handguns and shotguns.
- 4) BP money status was questioned; Mr. Mims stated a revised plan will be submitted to the State for use of funds and Jennifer Fidler is working on the new plan. Mayor Kant said that BP must agree to the new plan and amend the grant agreements.

From: Ken Eslava
Sent: Monday, January 31, 2011 9:20 AM
To: Tim Kant
Cc: Gregg Mims; Gregg Mims
Subject: FW: Files from 700-54532-1 Bay Test (Oil)

Mayor,

The final water samples of Mobile Bay, tested by TestAmerica, have come back negative for the existence of VAH's and PAH's(oil & oil by-products).

Comparatively speaking, the first set of samples taken and tested back in May of last year and the most recent samples taken and tested have both proved negative for the existence of the constituents of concern.

Related to the sand testing, if you will recall I sent an e-mail several weeks ago indicating that TestAmerica found no existence of oil or oil by-products in the sands of our beaches.

This should close the book on sand and water testing related to the DeepWater Horizons Oil Spill event.

Please let me know if you need additional information on any of these tests.

Thanks,

Ken

Council President Mixon announced there would be no Public Participation tonight.

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase a 2011 Ford F-250 Service Truck GVWR 8600 for the Water Department. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

10 January 2011

RESOLUTION NO. 1730-11

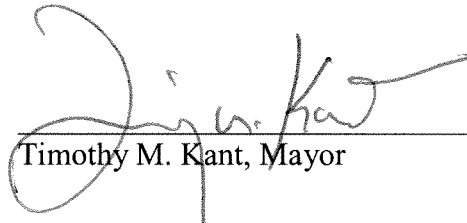
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase a 2011 Ford F-250 Service Truck GVWR 8600 for the Water Department and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and

[2] The following is the Alabama State Department of Purchasing contract information:

Bid Number: T193-A	Contract Number: 4011356
Service Truck	Cost is \$19,457.00
Bid Number: T195-A	Contract Number: 4011156
Service Body	Cost is \$ 4,058.53
Ford F-250 Service Truck	Total Cost is \$23,515.53 each

Adopted on this 10th day of January, 2011


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, City Clerk

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution to award the RFQ for Fire Alarm System for the James P. Nix Center (RFQ No. 001-11). Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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RESOLUTION NO. 1731-11

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

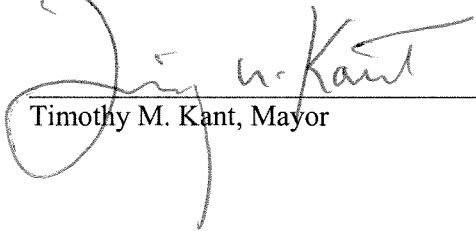
[1] That the City of Fairhope did request and receive RFQs for Fire Alarm System for the James P. Nix Center at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

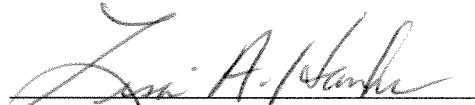
Please see attached RFQ Tabulation for Fire Alarm System for the James P. Nix Center

[3] After evaluating the RFQ proposal with the required specifications, ADS of Mobile, with the total RFQ proposal of \$12,530.00 for installation and \$540.00 per year for monitoring, is now awarded RFQ No. 001-11 for Fire Alarm System.

Adopted on this 10th day of January, 2011.


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, City Clerk

CITY OF FAIRHOPE
 BID TABULATION & RECOMMENDATION
 BID NO: RFQ 001-11
 BID NAME: Fire Alarm for Nix Center
 BID OPENED: December 10, 2010

VENDOR	Non-Collusion Statement Signed / Notarized	Delivery lead time ARO	Model	Quotation Total	Monthly Monitoring Cost
MOSES ELECTRIC	NO QUOTE				
S & S SPRINKLER COMPANY, LLC	NO	32 business days	Gamewell/FCI	\$32,500.00	\$40.00
ADS OF MOBILE	NO	10 days		\$12,530 (includes \$400 discount with monitoring)	\$45 (541.25 if pd annually in advance)
HILLER SYSTEMS, INC	See Note 1				
JOHNSON CONTROLS	NO QUOTE				
WALTERS CONTROLS, INC.	NO QUOTE				
HUNTERS SECURITY	NO QUOTE				
ADT SECURITY	NO QUOTE				
ADTS	NO QUOTE				
SIMPLEX GRINNELL	NO QUOTE				
INTERNATIONAL FIRE PROTECTION, INC	NO QUOTE				
INTEGRATED ELECTRONIC TECHNOLOGIES, INC	NO QUOTE				

Note 1: Bid submission did not meet Fire Code requirements.

Recommendation Award bid to : ADS of Mobile in the amount of \$12530 for installation, \$540.00 /yr. monitoring


 Ken Esleva, Assistant Director of Public Works 12/20/10


 Dan Ames, Purchasing Manager 12/20/10

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Council President Mixon announced that Item #9 a resolution that the City of Fairhope will pledge \$35,000.00 per year to Blueprint for a Better Tomorrow beginning in 2011 and extending through 2015 would be tabled and sent to the Financial Advisory Committee for review.

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves and authorizes, based on the recommendation of the Garbage Advisory Committee, to increase the elevation of the City of Fairhope's landfill by thirty (30) feet and to establish a buffer for the landfill. Councilmember Kingrea seconded the motion.

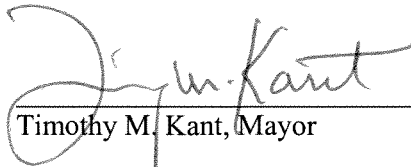
Councilmember Quinn stated there were some people in the audience who had pictures of the landfill. Kathryn Tunstall and Loetta Bell spoke regarding flooding problems in the backyard; and problems with rodents and termites. Their property is adjacent to the landfill. They requested other options to be looked at other than the proposed resolution and for humanity to be taken into consideration. When the landfill is closed, items are thrown on the road.

Councilmember Ford mentioned that the landfill contained no garbage and a buffer will be put in. Council President Mixon mentioned everyone is concerned with this issue. Councilmember Quinn said that the pictures show mattresses, box springs, etc. We voted to close the landfill three years ago and this is still my recommendation. After further discussion, motion passed by the following voice votes: AYE – Stankoski, Mixon, Ford, and Kingrea. NAY – Quinn.


RESOLUTION NO. 1732-11

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves and authorizes, based on the recommendation of the Garbage Advisory Committee, to increase the elevation of the City of Fairhope's landfill by thirty (30) feet and to establish a buffer for the landfill.

Adopted on this 10th day of January, 2011


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, City Clerk

10 January 2011

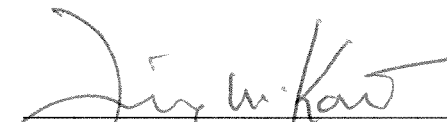
Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution that all City of Fairhope Committees and Advisory Boards shall hold meetings in rooms that are spacious and easily accessible to the public, i.e. the Delchamps Room or the Council Chambers if available. The motion was seconded by Councilmember Stankoski.

Councilmember Quinn stated this should be a suggestion and not a resolution. She said the Committee Chairs and Committees know the capacity that they have to have for their meeting; and this is way over doing things. Councilmember Kingrea stated one of the problems he has is that you have to be buzzed through to get to the meetings. He said people should be allowed to walk through and not be buzzed in to go to a meeting. We want to increase public awareness and public participation. After further discussion, motion passed by the following voice votes: AYE – Stankoski, Mixon, Ford, and Kingrea. NAY – Quinn.

RESOLUTION NO. 1733-11


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that all City of Fairhope Committees and Advisory Boards shall hold meetings in rooms that are spacious and easily accessible to the public, i.e. the Delchamps Room or the Council Chambers if available.

Adopted on this 10th day of January, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

Councilmember Quinn moved for final adoption of an Ordinance amending Ordinance No. 1371 and Ordinance No. 1437 known as the City Council Rules of Procedure; Amending Section VIII regarding Public Participation. (Introduced at the December 13, 2010 City Council Meeting) The motion was seconded by Councilmember Kingrea.

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Councilmember Quinn read the ordinance and then explained it. Council President Nixon suggested that after the business meeting has been terminated, and then allow people to come forward and speak. Councilmember Ford questioned the two ladies who were allowed to speak on the landfill.

Councilmember Stankoski stated he did not have a problem with anyone coming in and signing in to talk about anything on the agenda. He said the agenda is published and out seven days in advance; and he does not have a problem with someone signing in and present to presiding officer. Councilmember Stankoski said he did have a problem with public participation at the end because we have had numerous instances of Council bashing and personnel bashing. When we are in the middle of the business meeting, we have no opportunity to respond to that type of situation. He said people have the right to speak and everyone knows what the rules are. If you want to raise an issue, get on the agenda; you have seven days and you will be put on the agenda. You can say what you want to say. At least we have advanced notice of what you want to address. For those who don't want to be on the agenda, they can come down to City Hall or call. Public participation at the end of the business meeting is counter-productive.

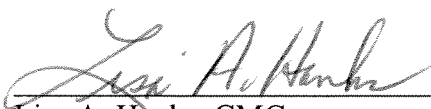
Councilmember Kingrea said he tends to agree with Councilmember Stankoski. He thinks it good to have public participation. We should shut down the business meeting and allow citizens to bring up an issue; and whomever it is directed at could respond. We would do this at a separate meeting; and tape and keep minutes of what is said and done. You get a chance to speak to the citizens as opposed to just listening to what they have to say. After further discussion, motion for final adoption failed unanimously by the following votes: AYE – None. NAY – Quinn, Stankoski, Nixon, Ford, and Kingrea.

Councilmember Kingrea and Councilmember Quinn will work on a resolution to handle public participation at the end of the meeting.

There being no further business to come before the City Council, the meeting was duly adjourned at 4:34 p.m.



Lonnie L. Nixon, Council President



Lisa A. Hanks, CMC
City Clerk