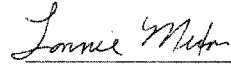


11 March 2011

NOTICE AND CALL OF SPECIAL MEETING

Notice is hereby given of a special meeting of the City Council of the City of Fairhope, Alabama, to be held at the Fairhope Municipal Complex on Friday, March 11, 2011, at 8:30 a.m., for the purpose to:

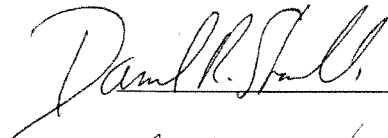
1. Appeal to City Council from Department Head regarding Termination.



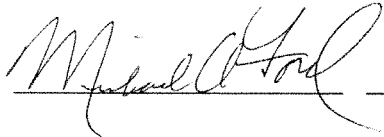
\_\_\_\_\_  
Lonnie Mixon, Council President

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 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.



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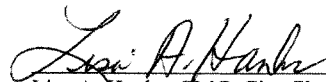


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Attest:



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

11 March 2011

STATE OF ALABAMA            )  
   :  
 COUNTY OF BALDWIN        )(

The City Council, City of Fairhope, met in Special Session at 8:30 a.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Friday, March 11, 2011.

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

There being a quorum present, Council President Mixon called the meeting to order, explained the reason for the special meeting, and read the following statement:

#### Appeal Hearing

The agenda for this council meeting is to hear the appeal of Rhonda Bishop regarding her termination of employment from the City of Fairhope. This hearing is in accordance with City Ordinance No. 1379 and with Section 9.04 City Grievance Procedure of the Personnel Handbook.

The Council will be acting in a Quasi Judicial capacity for this hearing. Since the Good name and Character of the appellant is not an issue—this Hearing will be open to the public in accordance with the Alabama **Open Meetings Act**. Witnesses will be allowed. This Hearing pertains to job performance only. No character or other issues will be heard.

Ms. Bishop, do you desire this Hearing to be open to the public? Ms. Bishop replied “yes.”

The City Administrator will speak for the City and lay out the reasons for dismissal. Rhonda Bishop then will have the opportunity to speak to each of the items listed and present witnesses if desired. The witnesses will speak to job performance issues.

The Council may then go into “executive session” for deliberation and discussion only.

The Council shall make the final decision to approve the Mayor’s decision to terminate or may rescind or modify the Mayor’s decision.

11 March 2011

City Administrator Gregg Mims briefly went over the reasons for the termination of Rhonda Bishop which were based on job performance and confidentiality issues. Mr. Mims mentioned Ms. Bishop had been given several written warnings; a suspension without pay which was not appealed; and a letter recommending to the Mayor her termination and at that time she was put on administrative leave with pay until further notice. Ms. Bishop did respond to the letter stating the reasons for recommending termination and delivered to Mayor Kant to review. City Clerk Lisa Hanks was asked to review the responses and verify for Mayor Kant if valid or not. Based on all of the information obtained, Mayor Kant issued the letter of termination which she appealed to the City Council per Ordinance No. 1379.

Mayor Kant stated one of the hardest things to do is termination and stated his final recommendation was to terminate based on the information presented to him.

The City Council questioned whether Personnel Board was brought up to date, the timeline of when Ms. Bishop was promoted to the Human Resources Director position, what did the City do to help with the issues, specifics regarding confidentiality issues and suspension without pay, if all personnel policies have been followed for this termination, and if Ms. Bishop had an assistant would these errors continue. Mr. Mims responded to all questions by the City Council.

The City Council took a break and exited the dais at 9:36 a.m. Returned at 9:46 a.m.

Ms. Bishop addressed the City Council and stated that the request to terminate was not valid. She presented a timeline of all the actions which she stated took place. She mentioned voicing her opinion regarding the Police Department issues and was transferred to City Hall. Ms. Bishop refuted the allegations for termination and stated she was formally asking to return to work and felt like these are retaliatory issues due to the Police Department. Ms. Bishop mentioned a group called "BOB" which consisted of seven City employees who felt like they were being targeted and got together to discuss issues; we stood behind each other and supported each other.

Council President Mixon asked Ms. Bishop if she was satisfied that the City Council had given her a fair hearing on her appeal. Ms. Bishop responded "yes."

11 March 2011


At the request of the City Attorney, Marion E. Wynne, the City Council will rise from the meeting to go into Executive Session to deliberate and discuss evidence or testimony presented during a public or contested case hearing and vote upon the outcome of the proceeding or hearing if the governmental body is acting in the capacity of a quasi-judicial body. Councilmember Kingrea moved to go into Executive Session. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

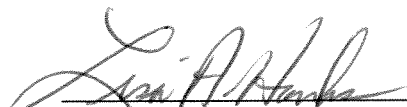
Exited the dais at 10:41 a.m. Returned at 11:20 a.m.

Council President Mixon stated for the record that there was no vote during the executive session and then asked if there was a motion to overturn the Mayor's decision to terminate Ms. Bishop. Council President Mixon asked once again if there was a motion to overturn the Mayor's termination decision. Councilmember Ford mentioned if they were going to vote he would abstain due to voting against the ordinance that gave the Council the authority to hire and hearing appeals; and he had issues with this process. Due to no one moving to overturn the termination, the appeal was denied.

Councilmember Kingrea moved to allow Ms. Bishop the ability to apply for a position with the City of Fairhope outside of the Human Resources Department. 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 11:25 a.m.

  
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Lonnie L. Mixon, Council President

  
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Lisa A. Hanks, MMC  
City Clerk