

**CITY OF FAIRHOPE
CITY COUNCIL AGENDA**

MONDAY, 12 DECEMBER 2011 - 6:00 P.M. - CITY COUNCIL CHAMBER

Invocation and Pledge of Allegiance

1. Approve Minutes of 28 November 2011 Regular City Council Meeting.
2. Report of the Mayor
Recognition of the Finance Department for the CAFR for Fiscal Year End September 30, 2010
3. Council Comments
4. City Administrator
5. Public Participation
6. **Public Hearing**
Application for Package Store License by Patricia DeRouen, Vintage Wine and Liquor, L.L.C., dba Vintage Wine and Liquor, located at 903 Fairhope Avenue, 96 Plantation Point, Fairhope, Alabama.
7. Resolution – Supporting the RESTORE the Gulf Act of 2011.
8. Resolution – Authorizing Mayor Timothy M. Kant to execute a Contract for Electrical Engineering Services with Custom Engineering Solutions for the 46kv Re-conductoring and Substation Expansion.
9. Resolution – Authorizing Mayor Timothy M. Kant to execute a Contract for Surveying Engineering Services with Beaufort Engineering Services, Inc. for the 46kv Re-conductoring and Substation Expansion.
10. Resolution – To purchase a 2012 Ford F-250 4x2 Pick-Up Truck for the Electric Department.
11. Resolution – To award the bid for Theatre 98 Building Project to BES, Inc. (Bid Number 038-11).
12. Ordinance – Final Adoption – Amend Zoning Ordinance No. 1253.
Zoning Ordinance Amendments - Article V Special Districts, Section H. Medical Overlay District. (Introduced at November 28, 2011 City Council Meeting)
13. Ordinance – Amending Ordinance No. 1312, Known as the Towing and Recovery Rotation Ordinance – Section 4. Insurance Requirements and Vehicle Inspection
14. Ordinance – Amending Ordinance No. 700, Ordinance No. 1121 and Ordinance No. 1417, an Ordinance to Amend and Add to Chapter 21, Article V, Gas, Section 21-61.

15. Request – Approval to Fill vacancy for Collection System Foreman for the Sewer Department; to Fill vacancy for Service Person I for the Water Department; to Fill vacancy for Fitness Room Attendant for the Recreation Department; to approve job description and pay of Work Order Coordinator and to fill said position.
16. Adjourn

**The City of Fairhope will be closed Friday, December 23, 2011
and Monday, December 26, 2011 for Christmas Holidays**

Next Regular Meeting Tuesday, December 27, 2011 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, 12 December 2011.

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

There being a quorum present, Council President Mixon called the meeting to order. The invocation was given by David Stookey, Pastor of Fairhope Community Church, and the Pledge of Allegiance was recited. Council President Mixon asked if there were any corrections to the minutes from the 28 November 2011, regular meeting. He then stated if there are no corrections, the minutes stand approved as written.

Mayor Kant addressed the City Council regarding the following items:

- 1) Recognized Rose Fogarty, Finance Director, for the fourth year in a row to receive The Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association (“GFOA”) for its comprehensive annual financial report (CAFR). Jill Cabaniss, Nancy Wilson, Belinda Job, and Nancy Bell were thanked for all of their help with the CAFR.
- 2) Mentioned the ordinance on the agenda regarding gas rates and explained that based on his bill it would be a 9 percent reduction. The reduction percentage will be based on usage by the consumer.

Councilmember Quinn addressed the City Council regarding the following items:

- 1) Wished everyone a Merry Christmas and Happy Holidays; and asked for everyone to keep the troops in our thoughts and prayers.
- 2) Mentioned our New Years Eve Celebration and asked that the noise ordinance be looked at for other businesses who may want to be included in the New Year Eve Celebration and extend from 10:00 p.m. to midnight.

Council President Mixon announced that the agenda deadline for the next meeting would be Wednesday for agenda and packets instead of Thursday.

12 December 2011

A Public Hearing was held as advertised on the request for a Package Store License by Patricia DeRouen, Vintage Wine and Liquor, L.L.C., d/b/a Vintage Wine and Liquor, located at 903 Fairhope Avenue, Fairhope, Alabama. The public hearing was opened at 6:09 p. m. No one present opposed the proposed Package Store License the Public Hearing closed at 6:09 p.m. Councilmember Kingrea moved to approve the issuance of the license. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution to support the RESTORE the Gulf Act of 2011. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

RESOLUTION NO. 1881-11

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

WHEREAS the City of Fairhope was directly impacted environmentally and economically by the BP Deepwater Horizon Crisis of 2010 and the negative impacts of the oil crisis were severe and devastating to many citizens and businesses; and

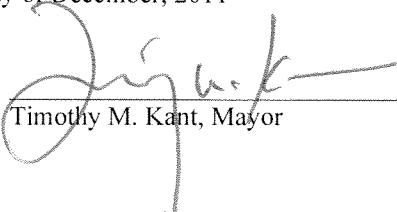
WHEREAS the City of Fairhope worked diligently to protect its environment along the shores of the Alabama Gulf Coast bays and bayous during the impact of the oil, while working to aid and foster an economic recovery of the tourist economy that was devastated by the lack of tourism due to the spill; and

WHEREAS the City of Fairhope acknowledges that significant investment is needed to ensure the long-term health of the Gulf Coast ecosystem and economies; and

WHEREAS the City of Fairhope wishes to thank United States Senators Richard Shelby and Jeff Sessions for sponsoring the RESTORE the Gulf Coast Act of 2011 in the Senate with the support of Senators from other Gulf of Mexico states; and


BE IT FURTHER RESOLVED that the City of Fairhope's City Council, supports the Resource's and Ecosystems Sustainability, Tourism Opportunities and Revived Economy (RESTORE) The Gulf Coast Act of 2011 which will allow the five Gulf States to lead dynamic recovery efforts with environmental and economic impacts for the benefit of all affected by the largest manmade disaster in history.

Adopted on this 12th day of December, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

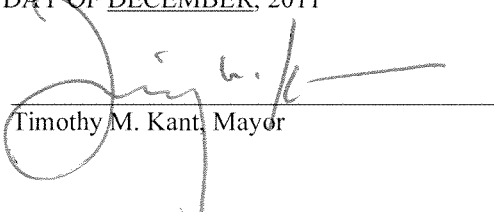
12 December 2011

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to execute a contract for engineering services, specifically electrical engineering services, for 46kv re-conductoring and substation expansion. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 1882-11

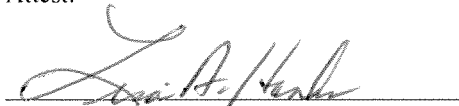
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a Contract for Engineering Services, specifically electrical engineering services, for 46kv Re-conductoring and Substation Expansion with Custom Engineering Solutions (PS002-12) with an approximate cost of \$135,000.00.

DULY ADOPTED THIS 12TH DAY OF DECEMBER, 2011



Timothy M. Kant, Mayor

Attest:



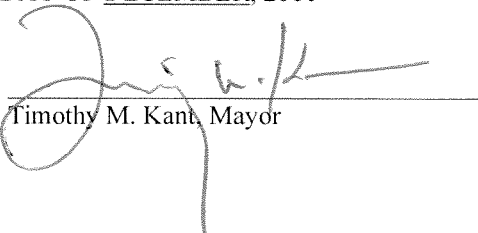
Lisa A. Hanks, MMC
City Clerk

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to execute a contract for engineering services, specifically surveying services, for 46kv re-conductoring and substation expansion. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 1883-11

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 Engineering Services, specifically surveying services, for 46kv Re-conductoring and Substation Expansion with Beaufort Engineering Services, Inc. (PS002-12) with an approximate cost of \$30,000.00.

DULY ADOPTED THIS 12TH DAY OF DECEMBER, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

12 December 2011

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase a 2012 Ford F-250 4/2 Pick-Up Truck for the Electric Department. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 1884-11

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 2012 Ford F-250 4x2 Pick-Up Truck for the Electric 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:

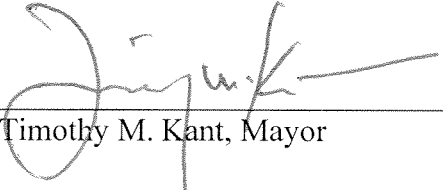
Bid Number for Vehicle: T193A

Contract Number: 4011356

2012 Ford F-250 4x2 Pick-Up Truck

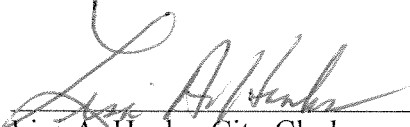
Not to Exceed \$23,696.00

Adopted on this 12th day of December, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution to award the bid for Theatre 98 Building Project to BES, Inc. (Bid Number 038-11). Seconded by Councilmember Kingrea, motion passed by the following voice votes: AYE – Quinn, Mixon, Ford, and Kingrea. NAY – None. ABSTAIN – Stankoski.

12 December 2011

RESOLUTION NO. 1885-11

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

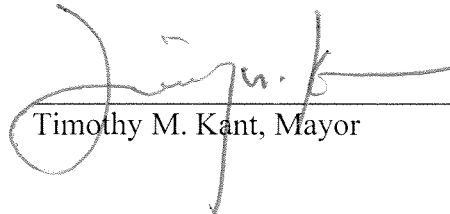
[1] That the City of Fairhope did request, receive, and open bids for the Theatre 98 Building Project (Bid Number 038-11) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for
the Theatre 98 Project

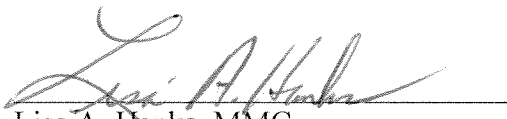
[3] After evaluating the bid proposals with the required bid specifications, BES, Inc., with the total bid proposal of \$72,634.00, is now awarded the bid for the Theatre 98 Project.

Adopted on this 12th day of December, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

12 December 2011

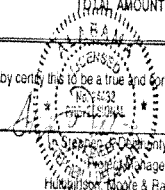
CITY OF FAIRHOPE
THEATRE 98 BUILDING

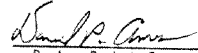
NOVEMBER 4, 2011

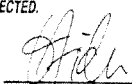
Hutchinson, Moore & Rauch, LLC Engineers • Surveyors • Land Planners		BIDDER #1 BES, INC.		BIDDER #2 SCC GROUP, LLC		BIDDER #3 E-J BUILDERS		BIDDER #4 G.M. STUART, INC.		BIDDER #5 YOUNGBLOOD-BARRETT			
ITEM#	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	BUILDING (includes plumbing rough in, electrical and wall facade)	LS	1	\$ 40,000.00		\$ 43,884.00		\$ 47,250.00		\$ 64,353.00		\$ 84,917.00	
2	BUILDING SLAB (includes termite treatment, forms, footings and reinforcement)	CY	38	\$ 200.00	\$ 7,600.00	\$ 285.00	\$ 10,830.00	\$ 245.00	\$ 9,310.00	\$ 248.00	\$ 9,424.00	\$ 447.29	\$ 16,997.02
							*\$285.00						*\$16,897.00
3	CONCRETE SIDEWALK, 4" THICK	SY	32	\$ 32.00	\$ 1,024.00	\$ 32.00	\$ 1,024.00	\$ 48.00	\$ 1,536.00	\$ 27.00	\$ 864.00	\$ 47.06	\$ 1,505.92
													*\$1,506.00
4	CONCRETE CURB REMOVAL	LF	10	\$ 50.00	\$ 500.00	\$ 30.00	\$ 300.00	\$ 16.60	\$ 166.00	\$ 4.00	\$ 40.00	\$ 19.40	\$ 194.00
5	NYLOPLAST YARD INLET	EA	3	\$ 600.00	\$ 1,800.00	\$ 750.00	\$ 2,250.00	\$ 1,280.00	\$ 3,840.00	\$ 2,100.00	\$ 6,300.00	\$ 1,389.33	\$ 4,167.99
													*\$4,168.00
6	10" PVC STORM DRAIN	LF	140	\$ 12.00	\$ 1,680.00	\$ 20.00	\$ 2,800.00	\$ 13.90	\$ 1,946.00	\$ 18.70	\$ 2,618.00	\$ 25.12	\$ 3,516.80
													*\$3,517.00
7	3/4" PVC WATER LINE	LF	50	\$ 10.00	\$ 500.00	\$ 10.00	\$ 500.00	\$ 3.10	\$ 155.00	\$ 6.60	\$ 330.00	\$ 23.44	\$ 1,172.00
8	4" PVC SEWER LATERAL	LF	50	\$ 15.00	\$ 750.00	\$ 15.00	\$ 750.00	\$ 10.20	\$ 510.00	\$ 10.00	\$ 500.00	\$ 33.66	\$ 1,693.00
9	ASPHALT PATCHING AND BASE COURSE (minimum 1 1/2" overlay)	SY	5	\$ 100.00	\$ 500.00	\$ 200.00	\$ 1,000.00	\$ 62.40	\$ 312.00	\$ 90.00	\$ 450.00	\$ 195.40	\$ 977.00
10	JUNCTION BOX	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 2,500.00	\$ 2,500.00	\$ 1,308.00	\$ 1,308.00	\$ 2,150.00	\$ 2,150.00	\$ 2,605.00	\$ 2,605.00
11	UNCLASSIFIED EXCAVATION (TBM)	CY	84	\$ 10.00	\$ 840.00	\$ 12.00	\$ 1,008.00	\$ 15.00	\$ 1,260.00	\$ 8.25	\$ 693.00	\$ 13.18	\$ 1,107.12
													*\$1,107.00
12	SOLID SODDING (ST. AUGUSTINE)	SY	400	\$ 5.00	\$ 2,000.00	\$ 6.00	\$ 2,400.00	\$ 7.85	\$ 3,140.00	\$ 2.75	\$ 1,100.00	\$ 7.94	\$ 3,176.00
													*\$3,178.00
13	FOUNDATION BACKFILL (for slab)	CY	108	\$ 30.00	\$ 3,240.00	\$ 7.00	\$ 756.00	\$ 18.40	\$ 1,987.20	\$ 11.95	\$ 1,290.60	\$ 19.54	\$ 2,110.32
													*\$1,291.00
14	MOBILIZATION	LS	1	\$ 8,000.00		\$ 7,500.00		\$ 6,156.00		\$ 2,050.00		\$ 782.00	
15	CONCRETE REMOVAL	SY	8	\$ 25.00	\$ 200.00	\$ 54.00	\$ 432.00	\$ 47.00	\$ 376.00	\$ 125.00	\$ 1,000.00	\$ 61.38	\$ 651.04
													*\$651.00
16	EROSION CONTROL	LS	1	\$ 400.00		\$ 500.00		\$ 1,155.00		\$ 1,065.00		\$ 1,758.00	
17	BONDS/INSURANCE	LS	1	\$ 1,600.00		\$ 2,276.00		\$ 2,402.00		\$ 3,200.00		\$ 3,153.00	
	TOTAL AMOUNT				\$ 72,634.00		\$ 80,710.00		\$ 82,809.20		\$ 97,367.60		\$ 130,483.21
													*\$97,368.00

* INDICATES AN ERROR IN THE EXTENSION OF UNIT PRICE - BIDDER RESULTS WERE NOT EFFECTED.

We hereby certify this to be a true and correct tabulation on the above named project.


Stephen G. Cochran, P.E.
Professional Engineer
Hutchinson, Moore & Rauch, LLC


Dan Ames, Purchasing Department
City of Fairhope


Jennifer Fidler, Public Works Director
City of Fairhope

12 December 2011

Councilmember Quinn moved for final adoption of Ordinance No. 1464, an Ordinance to amend Zoning Ordinance No. 1253 by amending Article V Special Districts, Section H. Medical Overlay District. (Introduced at November 28, 2011 City Council Meeting). Seconded by Councilmember Ford, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY - None.

Councilmember Quinn introduced in writing Ordinance No. 1465, an Ordinance to amend Ordinance No. 1312, known as the Towing and Recovery Rotation Ordinance; Section 4. Insurance Requirements and Vehicle Inspection. In order to take immediate action, Councilmember Kingrea moved for immediate consideration. Seconded by Councilmember Stankoski, motion for immediate consideration passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY - None. Councilmember Quinn then moved for final adoption of Ordinance No. 1465. Seconded by Councilmember Kingrea, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY - None.

Councilmember Stankoski introduced in writing Ordinance No. 1466, an Ordinance to amend Ordinance No. 700, Ordinance No. 1121, and Ordinance No. 1417, Chapter 21, Article V, Gas, Section 21-61. Rates - Schedules. In order to take immediate action, Councilmember Stankoski moved for immediate consideration. Seconded by Councilmember Quinn, motion for immediate consideration passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None. Councilmember Stankoski then moved for final adoption of Ordinance No. 1466. Seconded by Councilmember Kingrea, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None.

Councilmember Quinn moved to grant the request of the Water & Sewer Department to fill the vacancy for Collection System Foreman. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Ford moved to grant the request of the Water & Sewer Department to fill the vacancy for Service Person I. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Stankoski moved to grant the request of the Recreation Department to fill the vacancy for Fitness Room Attendant. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.


12 December 2011

Councilmember Quinn moved to pull the request to approve the Job Description and Pay for a Work Order Coordinator; and to fill said position. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:20 p.m.



Lonnie L. Mixon, Council President



Lisa A. Hanks, MMC
City Clerk