

STATE OF ALABAMA)
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 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, 14 March 2011.

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

There being a quorum present, Council President Mixon called the meeting to order. The invocation was given by Reverent Matt McCollum, Trinity Presbyterian Church, and the Pledge of Allegiance was recited. Council President Mixon asked if there were any corrections to the minutes from the 28 February 2011, regular meeting. He then stated if there are no corrections, the minutes stand approved as written. Council President Mixon asked if there were any corrections to the minutes from the 28 February 2011, work session. He then stated if there are no corrections, the minutes stand approved as written.

Councilmember Kingrea asked Jennifer Fidler, Public Works Director, to give a brief report on the Nichols Avenue extension. She mentioned that both sides met in Judge Wilters' courtroom and the right-of-ways were discussed. She commented that they are still approximately four weeks out for the hearing.

Councilmember Stankoski moved that the City Council draft a letter to the Baldwin County Board of Education in support of the K-1 Center and have it delivered prior to their Board meeting. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Stankoski also mentioned going to Volanta Park on Saturday and how the fields look great. He gave kudos to the Recreation Department and Boosters.

Councilmember Ford addressed the following issues:

- 1) Status of Street Sweeper for Public Works Department – Ms. Fidler stated she was working on the paving plan and needing to get an engineer of record for project.

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2) We need to revisit the Tree Ordinance which has been adopted. We took off the certified horticulturist and are telling people outside the City what to do. Councilmember Kingrea replied we are looking toward the future and may not have someone or need someone who is certified.

Councilmember Kingrea also commented that he was at Volanta Park on Saturday. The fields are great and it was exciting to see all the people there. He gave kudos to the Recreation Department and Boosters.

Steve Seay, Gas Superintendent, gave an update on the Gas Department. He stated his five-year plan was turned in last week. The replacement of the gas pipes in the Fruit and Nut Section will be increased from 2,500 feet per year to 5,000 feet per year. The Alabama Department of Transportation "ALDOT" requires odor in the gas and the City puts twice as much in order to detect leaks in the system. We have new lines coming on to the gas system: 200 acres in Stapleton and 35 homes in another subdivision. We hope to have in place a new SCADA system which should help all of the utilities. He mentioned his department helps the others with boring jobs as well as with welding jobs.

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing the adoption of the 2010 Baldwin County Multi-Hazard Mitigation Plan. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

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RESOLUTION NO. 1756-11

WHEREAS, The Federal Disaster Mitigation Act of 2000 (DMA 2000), as administered by the Alabama Emergency Management Agency (AEMA) and the Federal Emergency Management Agency (FEMA) provides Federal assistance to local governments to alleviate suffering and damage from disasters, and broadens existing relief programs to encourage disaster preparedness plans and programs, coordination and responsiveness, insurance coverage, and hazard mitigation measures; and,

WHEREAS, the DMA 2000 requirements for local mitigation plans are set forth in 44 C.F.R. Section 201.6 and the Local Multi-Hazard Mitigation Planning Guidance, FEMA, July 1, 2008 (Federal planning criteria); and,

WHEREAS, as a prerequisite for each Baldwin County jurisdiction to continue to qualify for FEMA mitigation grant assistance programs, the DMA 2000 requires the five year update of the Baldwin County, Alabama, Natural Hazards Mitigation Plan, which was approved by FEMA on February 2, 2005; and,

WHEREAS, the AEMA had awarded a planning grant funded through the FEMA Hazard Mitigation Grant Program (HMGP) to the Baldwin County EMA to fund 75% of the total cost of the five year plan update for all jurisdictions within Baldwin County; and,

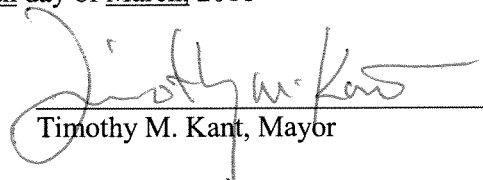
WHEREAS, the 2010 Baldwin County Multi-Hazard Mitigation Plan has been prepared in accordance with DMA 2000 requirements under the direction of the Baldwin County Hazards Mitigation Planning committee which represents all of the jurisdictions within Baldwin County; and,

WHEREAS, said mitigation plan addressees all natural hazards deemed to threaten property and persons within the unincorporated and incorporated areas of Baldwin County.; and,

WHEREAS, the Federal planning criteria require formal adoption of the FEMA-approved plan update by each participating jurisdiction.

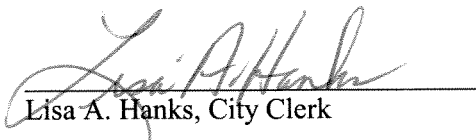
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the 2010 Baldwin County Multi-Hazard Mitigation Plan is hereby adopted and immediately made effective.

Adopted on this 14th day of March, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

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Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute the Second Amendment to the Water Tower Lease Agreement dated July 5, 2005, between the City of Fairhope and Verizon Wireless. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

RESOLUTION NO. 1757-11

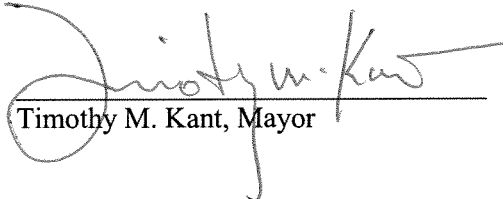
WHEREAS, this Second Amendment, dated March 14, 2011, is entered into by the City of Fairhope, Alabama, an Alabama Municipal Corporation, hereinafter referred to as "Lessor", and Verizon Wireless Personal Communications LP d/b/a Verizon Wireless, hereinafter referred to as "Lessee" and,

WHEREAS, the Lessor and Lessee entered into a "Water Tower Lease Agreement" dated July 5, 2005 and such Agreement remains in effect; and,

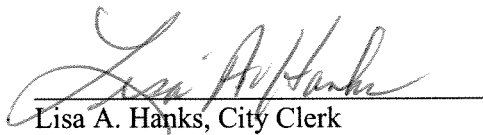
WHEREAS, the Lessor and Lessee desire to modify the Agreement in order to document Lessee's authorization to install and maintain antennas, lines and ground equipment to support the antennas and lines; and,

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to execute the Second Amendment to the Water Tower Lease Agreement dated July 5, 2005, between the City of Fairhope and Verizon Wireless.

Adopted this 14th Day of March, 2011


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, City Clerk

Councilmember Stankoski introduced in writing Ordinance No. 1446, an Ordinance to Restrict Use of Wireless Communication Devices While Driving. In order to take immediate action, Councilmember Stankoski moved for immediate consideration. Seconded by Councilmember Kingrea, motion for immediate consideration passed unanimously by the following votes: AYE – Stankoski, Mixon, Ford, and Kingrea. NAY - None. Councilmember Stankoski then moved for final adoption of Ordinance No. 1446. Seconded by Councilmember Kingrea, motion for final adoption passed unanimously by the following votes: AYE – Stankoski, Mixon, Ford, and Kingrea. NAY - None.

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Councilmember Stankoski introduced in writing an Ordinance repealing portions of Ordinance No. 860 relating to Dangerous Buildings. Since there was no motion for immediate consideration, this ordinance will layover until the March 28, 2011 City Council meeting.

Councilmember Ford moved to approve the hiring of Ben Goldman of Hand Arendall, L.L.C. (Birmingham office) to represent the City of Fairhope in a preference litigation in the United State Bankruptcy Court of the Northern District of Alabama. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Stankoski moved to grant the request of Randall Gautney, Kiwanis Fairhope and the Eastern Shore, requesting waiver of fees for security for Bookin 4 Books on April 9, 2011. The motion was seconded by Councilmember Ford. Councilmember Kingrea stated he had a little problem with agenda items 13, 14, and 15. We need to control costs of organizations and having the organization to sign contract; an unwritten policy to put these things under contract. Councilmember Stankoski said the Financial Advisory Committee should look at these in the budget cycle and say this is the dollar amount and funds available. Chief Press stated this was a budgeted item and said he listed 15 events for his Police Officers in the budget. Councilmember Kingrea stated that all organizations should come back June 1, 2011 for the new budget process. Council President Mixon commented the things that are Fairhope should be approved in the budget. After further discussion, the motion passed unanimously by voice vote.

Councilmember Ford moved to grant the request of Jim Jeffries, Rolling Thunder Chapter 1 Alabama, requesting permission to do a road block at the Rose Garden for Veteran and Patriotic initiatives on March 19, 2011 and March 26, 2011. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Ford moved to grant the request of Karin Wilson, Page & Palette, requesting waiver of fees for use of parks and streets for the Kids Triathlon on June 5, 2011 with Page & Palette paying \$900.00 for security. Ms. Wilson mentioned the funds raised at this event will be used for a Fitness Trail with exercise equipment. There will also be 100 volunteers helping with this event. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

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Councilmember Kingrea moved to grant the request of BG Hinds, Eastern Shore Art Center, requesting permission to use the streets during their show during the 2011 Arts & Crafts Show beginning March 18, 2011 and to expand their show to include Equality Street. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Jose R. Leon, LA Cocina Mexican Restaurant, L.L.C., d/b/a LA Cocina Mexican Restaurant #2, located at 800 North Section Street, Fairhope, Alabama. Councilmember Kingrea moved to approve the issuance of the license. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

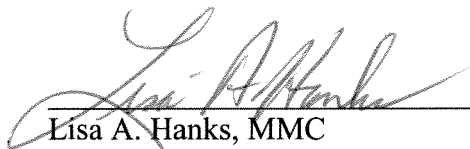
City Council reviewed an application for a Special Events Retail License by James A. Ketchum, Andree's Wine Cheese & Things, Inc., located at 403 Fairhope Avenue, Fairhope, Alabama. Councilmember Stankoski moved to approve the issuance of the license. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Jacqueline Boroski, JAK Restaurant, L.L.C., d/b/a Gumbo Shack, located at 9356 County Road 24, Fairhope, Alabama. Councilmember Kingrea moved to approve the issuance of the license. 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 6:50 p.m.



Lonnie L. Mixon, Council President



Lisa A. Hanks, MMC
City Clerk