

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, 22 February 2016.

Present were Council President Jack Burrell, Councilmembers: Rich Mueller, Diana Brewer, Michael A. Ford, and Kevin Boone, Mayor Timothy M. Kant, City Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Reverend Matt McCollum, Pastor of Trinity Presbyterian Church, and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 11 February 2016, regular meeting; minutes of the 11 February 2016, work session; and minutes of the 11 February 2016, agenda meeting. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council and presented City of Fairhope plaques to Ted Dwyer and Gary Turner for their service on the Christmas Parade Committee. He mentioned the Chili Cook-off at Oak Hollow Farm on Saturday for Ecumenical Ministries; Arbor Day also on Saturday at the Faulkner Campus; and the State of the City Address on Sunday at 2:00 p.m.

The following individual addressed the City Council during Public Participation for Agenda Items:

- 1) Gary Gover, 300 Lincoln Street, addressed the City Council regarding Agenda Item Number 13, a resolution that the Fairhope City Council supports the March 1, 2016 ballot measure to continue the needed taxes to maintain needed teachers, administrators and programs which promote student safety and academic success; and encourages its citizens and all of Baldwin County to vote for the renewal of the two expiring taxes.

Council President Burrell addressed the City Council regarding the Alabama League of Municipalities' Certified Municipal Official session he attended in Montgomery. He briefly explained a new law being proposed which will have serious financial consequences if adopted. He said the City would have to have a paid full-time Police Department and a paid full-time Fire Department to request from the Legislature a law to expand our Police Jurisdiction from 1.5 miles to the maximum 3.0 miles outside our City limits. Council President Burrell stated this would mean our Police Jurisdiction, pursuant to the proposed act, could only be 1.5 miles from our City limits; and this would affect our taxes and licenses we collect.

22 February 2016

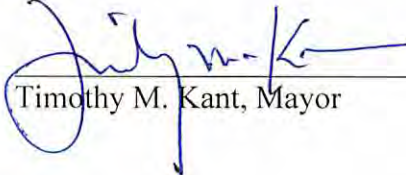
Councilmember Brewer moved for final adoption of Ordinance No. 1570, an Ordinance to Establish Monthly Salary for the Mayor and Councilmembers; City of Fairhope Code of Ordinance (Section 2-21). (Introduced at the February 11, 2016 City Council Meeting) Seconded by Councilmember Mueller, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Timothy M. Kant is hereby authorized to execute a Temporary Construction and Access Easement between the City of Fairhope and The Protestant Episcopal Church in the Diocese of the Central Gulf Coast, Inc. for purposes incidental to the City's sidewalk and drainage improvement project in, upon, over, under, and across that certain real property described in the easement as Exhibit "A". (A copy of Exhibit "A" is on file in the City Clerk's office) Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2481-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to execute a Temporary Construction and Access Easement between the City of Fairhope and The Protestant Episcopal Church in the Diocese of the Central Gulf Coast, Inc. for purposes incidental to the City's sidewalk and drainage improvement project in, upon, over, under, and across that certain real property described in the easement as Exhibit "A".

Adopted on this 22nd day of February, 2016


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, MMC
 City Clerk

22 February 2016

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to reject all Bids for Ready-mix Concrete for the City due to only one bid received (Bid No. 010-016). Seconded by Councilmember Boone, motion passed unanimously by voice vote. Council President Burrell stated he hoped to get more bids by rejecting the one bid and rebidding.

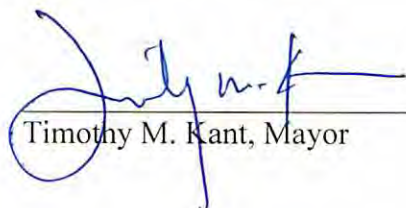
RESOLUTION NO. 2482-16

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 Ready-mix Concrete for the City (Bid No. 010-16) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] After further consideration and only one bid received, the recommendation is to reject all bids for Bid No. 010-16.

Adopted on this 22nd day of February, 2016



Timothy M. Kant, Mayor

Attest:



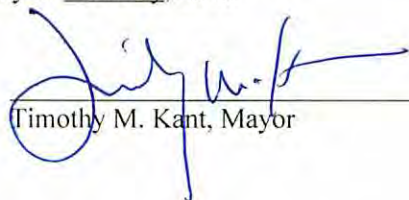
Lisa A. Hanks, MMC
City Clerk

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase a Baler Machine for the Public Works (Recycling) Department and the requested item is available for direct procurement through the National Joint Powers Alliance (“NJPA”) Buying Group Contract; and therefore does not have to be let out for bid. The total cost is \$87,895.00. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

22 February 2016

RESOLUTION NO. 2483-16**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 Baler Machine for the Public Works (Recycling) Department and the requested item is available for direct procurement through the National Joint Powers Alliance ("NJPA") Buying Group Contract; and therefore does not have to be let out for bid. The total cost is \$87,895.00.

Adopted on this 22nd day of February, 2016


 Timothy M. Kant, Mayor

Attest:

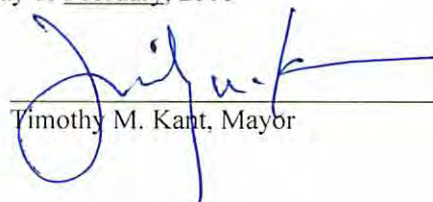


 Lisa A. Hanks, MMC
 City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase 24,500 feet of 2 inch Gas Pipe for the Gas Department; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain informal quotes. The total cost will be \$15,925.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2484-16**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 24,500 feet of 2 inch Gas Pipe for the Gas Department; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain informal quotes. The total cost will be \$15,925.00.

Adopted on this 22nd day of February, 2016


 Timothy M. Kant, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

22 February 2016

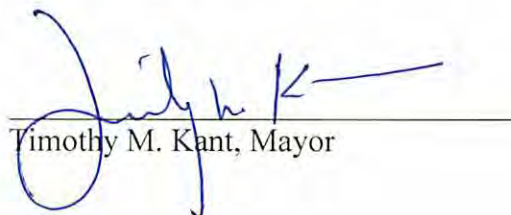
Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase an Electronic Storage for Email for the IT Department and the requested item is available for direct procurement through the National Joint Powers Alliance (“NJPA”) Buying Group Contract; and therefore does not have to be let out for bid. The total cost is \$21,450.00. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2485-16

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 an Electronic Storage for Email for the IT Department and the requested item is available for direct procurement through the National Joint Powers Alliance (“NJPA”) Buying Group Contract; and therefore does not have to be let out for bid. The total cost is \$21,450.00.

Adopted on this 22nd day of February, 2016


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, MMC
 City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for SUV for Police Chief (Bid No. 013-16) with a delivered cost of \$30,928.45. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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22 February 2016

RESOLUTION NO. 2486-16

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

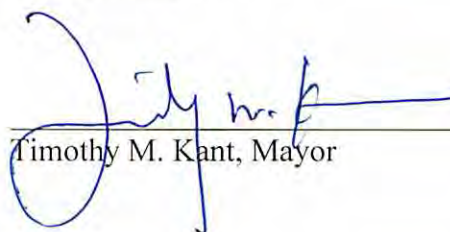
[1] That the City of Fairhope did request, receive, and open bids for a Ford Expedition SUV for Police Chief (Bid Number 013-16) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for a Ford Expedition SUV for Police Chief

[3] After evaluating the bid proposals with the required bid specifications, Stivers Ford Lincoln, with the total bid proposal of \$30,928.45, is now awarded the bid for a Ford Expedition SUV for Police Chief.

Adopted on this 22nd day of February, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

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22 February 2016

CITY OF FAIRHOPE
 BID TABULATION
 BID NUMBER: 015-16
 BID NAME: SUV for Police Chief
 OPENED: February 4, 2016 9:00 AM.
 Bonds waived.

VENDOR	Non-Collusive Proposal Executed / Signed / Notarized	ARD days	2016 Ford Expedition (U/P) 2WD 4 DR XL (or equivalent) Manufacturer	Model	Bid Price Per (1) Unit	Points awarded - not required in State of Alabama
JEFFERSON MOTOR CO, INC						
STIVERS FORD	926	30	FORD	Expedition XL	\$30,926.45	
TERRY THOMPSON CHEVROLET						
MULLINAX FORD Mobile						
AUTO NATION DODGE RAM JEEP						
SANDY SANSING FORD LINCOLN						
LONG-LEVIE FORD						
CHRIS MEYERS						
ADPA Comparison Group National Auto Fleet Group	Contract #102611		FORD	Expedition XL	\$38,886.14	

Recommendation: Award Bid to Stivers Ford in the amount of \$30,926.45

Joseph A. Pettit 02/05/16
 Joseph Pettit, Chief of Police
 City of Fairhope

To my knowledge this is an accurate bid tabulation
David P. Amos 2/5/16
 Dan P Amos, Purchasing Manager

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to Purchase four (4) Vehicles for the Police Department off the Alabama State Purchasing bid list and therefore does not have to be let out for bid with a total cost of \$140,122.08. Seconded by Councilmember Boone, motion passed unanimously by voice vote. Council President Burrell mentioned the five vehicles are all under budget with more funds available for equipment.

22 February 2016

RESOLUTION NO. 2487-16

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 four (4) Vehicles for the Police 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:

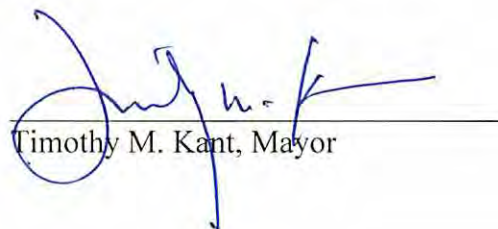
Bid Number: T191L

Contract Number: 4013369

2016 Chevy Tahoe SUV Vehicle **Cost is \$35,030.52 each**

Total Cost for Four is \$140,122.08

Adopted on this 22nd day of February, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for Employee Uniforms for the City (Bid No. 008-16) with a total bid proposal per unit bid prices listed in the Bid Tabulation (Current Use total is \$37,449.22), is now awarded the bid for Employee Uniforms for the City to be ordered as needed and does not include alteration costs if any. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

22 February 2016

RESOLUTION NO. 2488-16

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

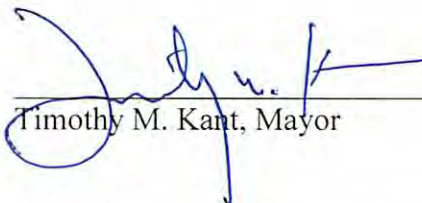
[1] That the City of Fairhope did request, receive, and open bids for Employee Uniforms for the City (Bid Number 008-16) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for
Employee Uniforms for the City

[3] After evaluating the bid proposals with the required bid specifications, Riverbend Enterprises, Inc., with the total bid proposal per unit bid prices listed in the Bid Tabulation (Current Use total is \$37,449.22), is now awarded the bid for Employee Uniforms for the City to be ordered as needed and does not includes alteration costs if any.

Adopted on this 22nd day of February, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

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22 February 2016

Councilmember Brewer introduced in writing, and moved for the adoption of a resolution accepting the public streets, public right-of-ways, and all of Fairhope's public utilities located in public right-of-ways within Firefly Subdivision for maintenance and to authorize Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Firefly, LLC. The motion was seconded by Councilmember Mueller. Planning Director Jonathan Smith addressed the City Council and mentioned the issue with speed calming devices and the change in the plan that was submitted. Mr. Smith recommended the approval of this resolution for accepting the public improvements to be contingent that the applicant works with the Public Works Director to comply with DOT and to be effective.

After further discussion, Councilmember Brewer and Councilmember Mueller withdrew the motion and the second to adopt the resolution as presented.

Councilmember Brewer then introduced in writing, and moved for the adoption of the following resolution, a resolution accepting the public streets, public right-of-ways, and all of Fairhope's public utilities located in public right-of-ways within Firefly Subdivision for maintenance and to authorize Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Firefly, LLC contingent that applicant works with the Public Works Director for DOT compliance and to be effective. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2489-16

WHEREAS, the Owners of Firefly Subdivision desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2549-B, and all Fairhope public utilities located in public right-of-ways accepted for maintenance by the City of Fairhope, Alabama, and;

WHEREAS, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements, and;

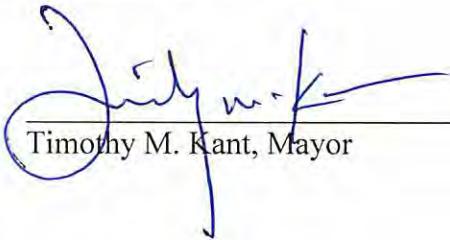
WHEREAS, the Public Works Director has indicated that the improvements meet City requirements, and;

WHEREAS, the City of Fairhope, Alabama, has received from the owners of Firefly Subdivision, maintenance bonds for the public improvements constructed for a period of 2 years, and;

22 February 2016

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for Firefly Subdivision are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Firefly, LLC (the "Subdivider"); contingent that applicant works with the Public Works Director for DOT compliance and to be effective.

Adopted this 22nd day of February, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution accepting the public streets, public right-of-ways, and all of Fairhope's public utilities located in public right-of-ways within Woodlawn Phase Two for maintenance and to authorize Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Woodlawn Development Company 2014, Inc. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 2490-16

WHEREAS, the Owners of Woodlawn, Phase Two desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2546-E, and all Fairhope public utilities located in public right-of-ways accepted for maintenance by the City of Fairhope, Alabama, and;

WHEREAS, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements, and;

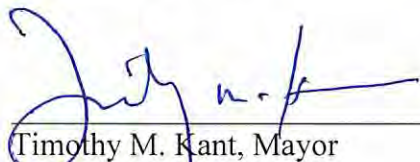
22 February 2016

WHEREAS, the Public Works Director has indicated that the improvements meet City requirements, and;

WHEREAS, the City of Fairhope, Alabama, has received from the owners of Woodlawn, Phase Two, maintenance bonds for the public improvements constructed for a period of 2 years, and;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for Woodlawn, Phase Two are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Woodlawn Development Company 2014, Inc. (the "Subdivider").

Adopted this 22nd day of February, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution accepting the all of Fairhope's public utilities located in public right-of-ways within Battles Trace at the Colony Phase II for maintenance and to authorize Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and the Teachers' Retirement System of Alabama and The Employees' Retirement System of Alabama. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

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22 February 2016

RESOLUTION NO. 2491-16

WHEREAS, the Owners of Battles Trace at the Colony, Phase II desire to have all public utilities dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2549-E and 2549-F, accepted for maintenance by the City of Fairhope, Alabama, and;

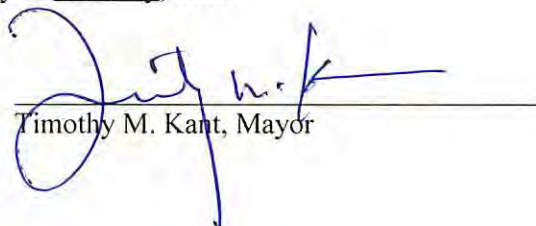
WHEREAS, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements, and;

WHEREAS, the Water and Sewer Superintendent has indicated that the improvements meet City requirements, and;

WHEREAS, the City of Fairhope, Alabama, has received from the owners of Battles Trace at the Colony, Phase II, maintenance bonds for the public improvements constructed for a period of 2 years, and;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for Battles Trace at the Colony, Phase II are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and the Teachers' Retirement System of Alabama and The Employees' Retirement System of Alabama (collectively the "Subdivider").

Adopted this 22nd day of February, 2016


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, MMC
 City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the Fairhope City Council supports the March 1, 2016 ballot measure to continue these needed taxes to maintain needed teachers, administrators and programs which promote student safety and academic success; and encourages its citizens and all of Baldwin County to vote for the renewal of the two expiring taxes. Seconded by Councilmember Boone, motion passed unanimously by voice vote. Councilmember Brewer said she encourages everyone to vote; and to remember this is just a renewal and not new taxes. Council President Burrell commented these taxes have been in effect for at least 30 to 40 years.

22 February 2016

RESOLUTION NO. 2492-16

**Supporting Passage and Renewal of the County-Wide One-Mill School Tax and
the Three-Mill District School Tax to Maintain Educational Programs
and Services in the Baldwin County Public Schools**

Whereas, the correlation between strong, well-funded schools and thriving, prosperous communities is demonstrated daily across our nation; and

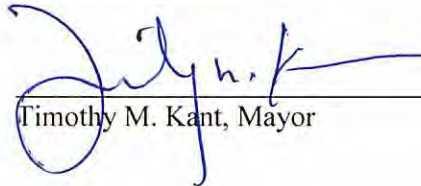
Whereas, our own public schools are often cited as the single most important factor in attracting new residents and businesses to Baldwin County; and

Whereas, many improvements in the Fairhope schools have been noted over the past twenty years which continue to benefit our children as well as every aspect of life in our community; and

Whereas, failure to pass the renewal of the One-Mill School Tax and Three-Mill School District No. 2 Tax would result in irredeemable losses to educational and economic development opportunities over the coming years as well as higher dropout and unemployment rates, lower property values and a widely diminished civic reputation.

NOW BE IT RESOLVED, that the Fairhope City Council supports the March 1, 2016 ballot measure to continue these needed taxes to maintain needed teachers, administrators and programs which promote student safety and academic success; and encourages its citizens and all of Baldwin County to vote for the renewal of the two expiring taxes.

ADOPTED THIS 22ND DAY OF FEBRUARY, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

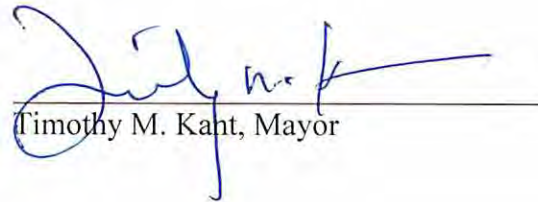
Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Timothy M. Kant is hereby authorized to execute the final extension of the Contract with BioMagic, Inc. for Lift Station Odor Control Chemicals (Bid No. 009-14) for the Sewer Department for an additional one year as per the terms and conditions of the original contract. The price will be \$6.15 per metered gallon, for an estimated annual cost of \$264,000.00. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

22 February 2016

RESOLUTION NO. 2493-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute the final extension of the Contract with BioMagic, Inc. for Lift Station Odor Control Chemicals (Bid No. 009-14) for the Sewer Department for an additional one year as per the terms and conditions of the original contract. The price will be \$6.15 per metered gallon, for an estimated annual cost of \$264,000.00.

Adopted on this 22nd day of February, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

City Council reviewed an application for Non-Profit Tax Exempt License (Alcoholic Beverage License) by Heiko Einfeld for Eastern Shore Chamber Foundation, for the Annual Arts and Crafts Festival located at 161 North Section Street, Fairhope, Alabama on March 18, 2016 from 12:00 p.m. to 10:00 p.m. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Council President Burrell mentioned the Fairhope High School basketball team being in the Sweet Sixteen and won; and now they will be going to the Elite Eight. He mentioned the last time a Fairhope team made it that far was in 1980. He thanked Erik Cortinas, Howard Eddy, and Bob Keyser for their work with the Fairhope Booster Club. Council President Burrell also mentioned Mr. Cortinas' son, Cameron, is playing on this basketball team.

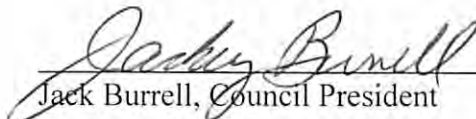
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22 February 2016

Councilmember Brewer moved to adjourn the meeting. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:31 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk