

**CITY OF FAIRHOPE
CITY COUNCIL AGENDA**

MONDAY, 14 NOVEMBER 2011 - 6:00 P.M. - CITY COUNCIL CHAMBER

Invocation and Pledge of Allegiance

1. Approve Minutes of 19 October 2011 Special City Council Meeting, 24 October 2011 Regular City Council Meeting, and 24 October 2011 Work Session.
2. Report of the Mayor
 - Request – Approval of reorganization of Recreation Department: Two Positions and Public Works Department: Two Positions
 - Mayor’s Veto of Proposed Amendment to Noise Ordinance
3. Council Comments
4. City Administrator

ADD ON Resolution – That Police General Order 3.400 is hereby amended to state that the Mayor and Chief of Police shall recommend for appointment a Department Review Officer for the Fairhope Police Department and the City Council has the authority to approve such appointment.

ADD ON Motion – Approving the appointment of Deputy Chief James Barber of the City of Mobile Police Department as the Department Review Officer for the City of Fairhope Police Department.

5. Public Participation
6. **Public Hearing**
Application for Lounge Liquor License by Lisa Kincheloe, dba The Jube Reunion, located at 902 Morphy Avenue, Fairhope, Alabama.
7. Resolution – One-Time Pay Increase for Permanent Full Time and Permanent Part-Time Employees.
8. Resolution – Accepting all of Fairhope’s public utilities within Watershed Subdivision.
9. Resolution – Authorizing Mayor Kant to accept fee schedule and execute a contract for Professional Engineering Services for Volanta Watershed Management Plan with Jinright & Associates Development Engineers Consulting, LLC.
10. Resolution – Award Bid for Sidewalk Improvements 2011 for the Greeno Road Sidewalk Improvement Project between Southland and Spring Run Road (Bid No. 036-11).
11. Resolution – Award RFQ for On-Line Utility Payments for any Internet Connection to City’s Website with Paymentus.

12. Resolution – Authorizing Mayor Kant to execute a One-Year Contract for Advertising with the Press-Register for the Quail Creek Golf Course.
13. Resolution – Authorizing Mayor Kant to execute a Contract for Advertising with Yellowbook, Inc. for the Quail Creek Golf Course.
14. Resolution – To Purchase two (2) Air Conditioner Units for the Pro Shop and the Locker Rooms at the Quail Creek Golf Course.
15. Resolution – To Purchase Twenty-One (21) Sets of SCBA Breathing Equipment Cylinders for the Fairhope Volunteer Fire Department.
16. Resolution – Authorizing the City Administration to negotiate with Victory Real Estate and the Baldwin County Commission regarding the retention area known as the “Winn Dixie Pond” for transfer, terms and conditions, ownership, and maintenance; and Mayor Kant to sign all documents needed to facilitate the transfer and relative to inter-local agreement.
17. Resolution - Authorizing Mayor Kant to execute a Contract for Professional Consulting Services for Procuring Radio Frequencies and Licenses for the new radio system with Pros RF (PS005-12).
18. Resolution – That the City of Fairhope elects to be covered under the AMEA Energy Cost Levelization Rider (ECL-2008) for the period of October 2011 through March 2012.
19. Ordinance – Final Adoption - Annexation – Charles F. Carr and Lyn W. Carr’s property, located at 8931 County Road 34, Fairhope, Alabama. 46-08-28-0-000-023-009. (Introduced at the October 24, 2011 City Council Meeting)
20. Ordinance – Final Adoption - Amending Ordinance No. 1384, Section 2, An Ordinance Allocating the Funds Collected from The City of Fairhope’s Sales and Use Tax. (Introduced at the October 24, 2011 City Council Meeting)
21. Ordinance – Final Adoption - Amending Ordinance No. 1385, Section 6, known as the City of Fairhope’s Sales and Use Tax Ordinance. (Introduced at the October 24, 2011 City Council Meeting)
22. Ordinance – Annexation – Gary L. Wolfe and Judy M. Wolfe’s property, located at 8940 County Road 34, Fairhope, Alabama. 46-08-33-0-000-001.006.
23. Ordinance – An Ordinance Amending Chapter 20, Traffic, Article I, General, Section 20-2. Authority of City Council.
24. Ordinance – An Ordinance to Authorize the Issuance of the City’s General Obligation Warrant in the Principal amount of \$2,000,000.
25. Application for a Restaurant Liquor License by Misty Rider, R Bistro L.L.C., d/b/a R Bistro and Pastry, located at 334 Fairhope Avenue, Fairhope.

26. Application for a Beer/Wine Off-Premises License by Thomas Caine, T. Cain Grocery, Inc., d/b/a Cains Piggly Wiggly 4, located at 903 Fairhope Avenue, Fairhope.
27. Request – Tyler Kean, The Fairhope Inn & Restaurant - Requesting a variance in the sound ordinance for the Wiseman’s Ball, which is a Christmas “Toys for Tots” Charity Fundraiser, on Saturday, December 17, 2011 from 7:00 p.m. until 10:30 p.m.
28. Request – Approval to Fill vacancy for Equipment Operator and Convert the three Temporary Grass Mowing Positions to Full Time Permanent Positions for the Public Works Department; to Convert the Part-Time Customer Service Representative to Full Time Position for Revenue Department; to Fill Vacancy for Part-Time Dispatcher and to Appoint Two Police Corporals as Acting Sergeants for the Police Department, and to Fill Vacancy for IT Director.
29. Election of Council President and Council President Pro Tempore.
30. Adjourn

**Public Participation/Work Session begins at
4:30 p.m. in Council Chambers**

Next Regular Meeting Monday, November 28, 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, 14 November 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 Austin Lee with Celebration Church and the Pledge of Allegiance was recited. Council President Mixon asked if there were any corrections to the minutes from the 19 October 2011 special city council 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 24 October 2011, regular city council 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 24 October 2011, work session 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 Fairhope High School for their outstanding year.
- 2) Recognized Jason Colee, IT Director, who will be leaving us and a replacement is on the agenda.
- 3) Recreation Department will be divided into two sections: Inside and Outside Recreation. Public Works Department will be divided with a Public Works Director and a Project Management Director who will be over construction and maintenance, custodians, fleet maintenance, and outside contracts.
- 4) Veto of Proposed Amendment to Noise Ordinance was presented.

Councilmember Ford moved to approve the proposed divisions for the Recreation Department and the Public Works Department as presented by Mayor Kant. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

14 November 2011

The next item on the agenda was the Mayor's veto of the proposed amendment to the Noise Ordinance which was adopted by the City Council on October 24, 2011. Due to no motion to overturn the veto, the Mayor's veto stands as presented.

Councilmember Quinn addressed the City Council and mentioned someone from the City should go to Mobile and meet with Google representatives. Councilmember Quinn mentioned that she did not vote to overturn the Mayor's veto because music is a large industry in Fairhope.

Councilmember Stankoski addressed the City Council on the following items:

- 1) Funeral Escorts – Tuscaloosa recently changed the rules for funeral escorts and their Police Department does not participate in the escorts.
- 2) Noise Ordinance – He challenges the Mayor to come up with a workable solution. The decibel level is not the only component that needs to be addressed. Time and duration should be considered and is important. He mentioned setting precedents for a small number of individuals: Duck Pond closing at dusk, short-term rentals ordinance, and halting the sidewalks in a certain subdivision which was going to be paid by the Fairhope Single Tax Corporation. He said we are not trying to close down businesses.

Council President Mixon welcomed back Jonathan Smith, Director of Planning and Building, from his honeymoon.

Councilmember Ford addressed the City Council and stated the committee made a decision to try reducing the decibel level or find a solution. The complainers used to come to court and settle. Councilmember Ford mentioned that the Councilmembers' e-mails are not very civil right now. He then read an e-mail from a citizen regarding the Noise Ordinance as an example.

City Attorney Wynne mentioned that a decibel level is an objective standard and not a subjective standard. This would hold up in court, but our old ordinance could have been questioned.

Councilmember Kingrea moved to address the following item **not** on the printed agenda. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

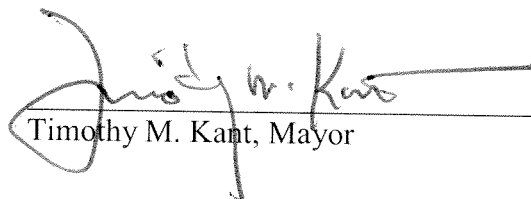
Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution that Police General Order 3.400 is hereby amended to state that the Mayor and Chief of Police shall recommend for appointment a Department Review Officer for the Fairhope Police Department and the City Council has the authority to approve such appointment. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

14 November 2011

RESOLUTION NO. 1866-11


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Police General Order 3.400 is hereby amended to state that the Mayor and Chief of Police shall recommend for appointment a Department Review Officer for the Fairhope Police Department and the City Council has the authority to approve such appointment. The Department Review Officer must be an impartial individual to serve in this capacity. Said Order is further amended to state that the Review Officer shall continue to serve in that capacity until removed by the City Council.

DULY ADOPTED THIS 14TH DAY OF NOVEMBER, 2011



Timothy M. Kant, Mayor

Attest



Lisa A. Hanks, MMC
City Clerk

Councilmember Kingrea moved to address the following item **not** on the printed agenda. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Kingrea moved to approve the appointment of Deputy Chief James Barber of the City of Mobile Police Department as the Department Review Officer for the City of Fairhope Police Department. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

A Public Hearing was held as advertised on the request for a Lounge License by Lisa Kincheloe, d/b/a The Jube Reunion, located at 902 Morphy Avenue, Fairhope, Alabama. The public hearing was opened at 6:16 p.m. No one present opposed the proposed Lounge Liquor License the Public Hearing closed at 6:16 p.m. Councilmember Kingrea moved to approve the issuance of the license. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

14 November 2011

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution that each Full Time Permanent Employee and Part Time Permanent Employee with a minimum of six (6) months longevity shall receive a One Time Pay Increase for the period 1 December 2010 through 30 November 2011. Councilmember Ford questioned why this was not two percent across the board. Councilmember Kingrea replied that the City Council budgeted two percent. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

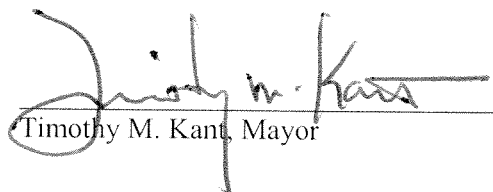
RESOLUTION NO. 1867-11

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that each Full Time Employee and Part Time Employee with a minimum of six (6) months longevity shall receive a One Time Pay Increase for the period 1 December 2010 through 30 November 2011. Each qualifying Full Time Employee shall receive \$900.00 and each qualifying Part Time Employee shall receive \$100.00. To qualify, the employee must be a Permanent Full-Time Employee or Permanent Part Time Employee during this period.


An employee hired on or before the fifteenth (15th) day of a month will be given credit for the full month; an employee hired on or after the sixteenth (16th) day of a month will not be given credit for that month. In order to receive this One Time Pay Increase, an employee must be employed on the 20th of November.

This One-Time Pay Increase will be awarded prior to 15 December 2011.

ADOPTED THIS 14TH DAY OF NOVEMBER, 2011


Timothy M. Kant, Mayor

ATTEST:


Lisa A. Hanks, MMC
City Clerk

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to accept all of Fairhope's public utilities within Watershed Subdivision. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

14 November 2011

RESOLUTION NO. 1868-11

WHEREAS, the Owners of *Watershed Subdivision* desire to have all public utilities dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2459-B and 2459-C, 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 as indicated on the recorded plat, and;

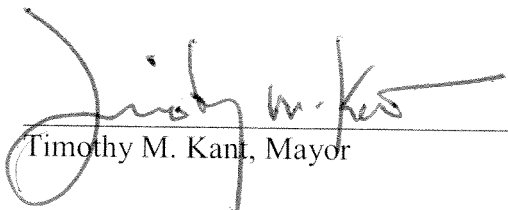
WHEREAS, the Public Works Director has indicated that the improvements meet City requirements, and;

WHEREAS, the City of Fairhope, Alabama, is not and in no manner will be responsible for the maintenance of common areas in the subdivision as indicated on the recorded plat, and;

WHEREAS, the City of Fairhope, Alabama, has received from the owners of *Watershed Subdivision* 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 *Watershed Subdivision* are hereby accepted for public maintenance subject to the bond posted.

Adopted, this 14th day of November, 2011



Timothy M. Kant, Mayor

Attest:



Lisa Hanks, MMC
City Clerk

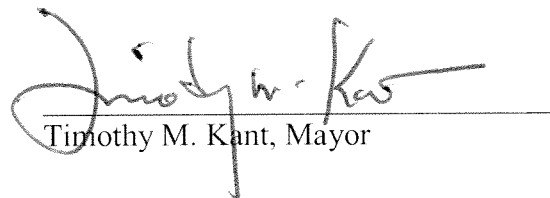
14 November 2011

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution to authorize Mayor Kant to accept fee schedule and execute a contract for Professional Engineering Services for Volanta Watershed Management Plan with Jinright & Associates Development Engineers Consulting, LLC. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

RESOLUTION NO. 1869-11

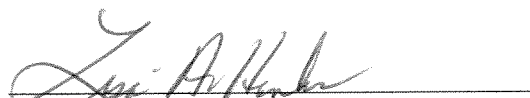
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to accept fee schedule and execute a Contract for Professional Engineering Services for Volanta Watershed Management Plan (Volanta Gully) with Jinright & Associates Development Engineers Consulting, LLC (PS014-11) not to exceed \$30,000.00.

DULY ADOPTED THIS 14TH DAY OF NOVEMBER 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 to award Bid for Sidewalk Improvements 2011 for the Greeno Road Sidewalk Improvement Project between Southland and Spring Run Road (Bid No. 036-11). Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

14 November 2011

RESOLUTION NO. 1870-11

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

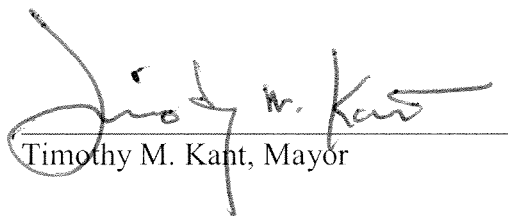
[1] That the City of Fairhope did request, receive, and open bids for Sidewalk Improvements 2011 for the Greeno Road Sidewalk Improvement Project between Southland and Spring Run Road (Bid Number 036-11) (PW005-11) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Bid Tabulation is on file in the City Clerk's Office for
Sidewalk Improvements 2011 for the Greeno Road Sidewalk
Improvement Project between Southland and Spring Run Road


[3] After evaluating the bid proposals with the required bid specifications, C. Thornton, Inc., with the total bid proposal not to exceed \$260,485.00 is now awarded the bid for Sidewalk Improvements 2011 for the Greeno Road Sidewalk Improvement Project between Southland and Spring Run Road.

Adopted on this 14th day of November, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to award RFQ for On-Line Utility Payments for any Internet Connection to City's Website with Paymentus. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

14 November 2011

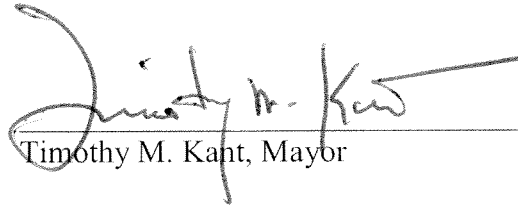
RESOLUTION NO. 1871-11

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 On-Line Utility Payments for any Internet Connection to City's Website at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

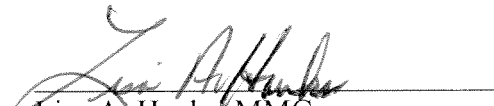
[2] At the appointed time and place; after evaluating the RFQ proposal with the required specifications, Paymentus, is now awarded for On-Line Utility Payments.

Adopted on this 14th day of November, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to authorize Mayor Kant to execute a One-Year Contract for Advertising with the Press-Register for the Quail Creek Golf Course. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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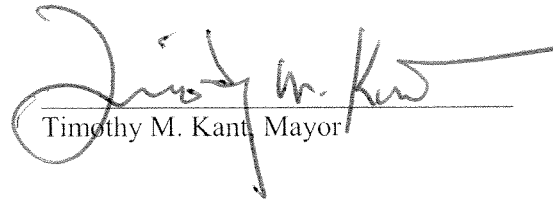
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14 November 2011

RESOLUTION NO. 1872-11

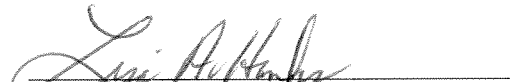
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a One-Year Contract for Advertising with the Press-Register for the Quail Creek Golf Course with a cost not to exceed \$5,492.24 (\$105.62 weekly, for 3-day ads).

DULY ADOPTED THIS 14TH DAY OF NOVEMBER, 2011



Timothy M. Kant, Mayor

Attest:



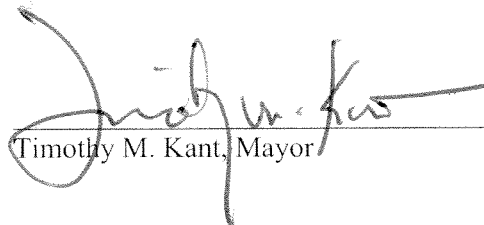
Lisa A. Hanks, MMC
City Clerk

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to authorize Mayor Kant to execute a Contract for Advertising with Yellowbook, Inc. for the Quail Creek Golf Course. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

RESOLUTION NO. 1873-11


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 Advertising with Yellowbook, Inc. for the Quail Creek Golf Course with a cost not to exceed \$2,436.00 per year (\$203.00 per month).

DULY ADOPTED THIS 14TH DAY OF NOVEMBER, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

14 November 2011

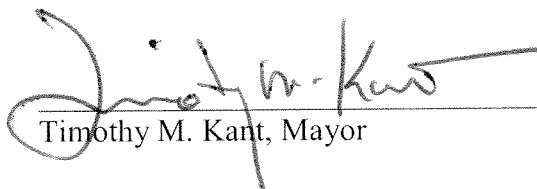
Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase two (2) Air Conditioner Units for the Pro Shop and the Locker Rooms at the Quail Creek Golf Course. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

RESOLUTION NO. 1874-11

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 two (2) Air Conditioner Units for the Pro-Shop and the Locker Rooms at the Quail Creek Golf Course. The cost will be approximately \$9,474.70.

Adopted on this 14th day of November, 2011



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 to purchase Twenty-One (21) Sets of SCBA Breathing Equipment Cylinders for the Fairhope Volunteer Fire Department. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

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14 November 2011

RESOLUTION NO. 1875-11

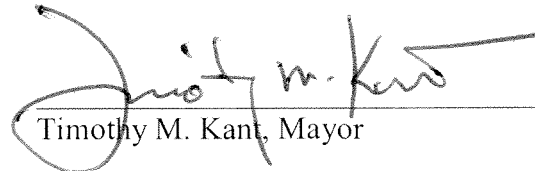
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase Twenty-One (21) Sets of SCBA Breathing Equipment Cylinders for the Fairhope Volunteer Fire Department. The cost will be approximately \$18,459.00.

[2] Section 41-16-51-(13) states that contractual services and purchases of commodities for which there is only one vendor or supplier and contractual services and purchases of personal property which by their very nature are impossible to award by competitive bidding.


[3] Sunbelt Fire, Inc. is the only authorized MSA SCBA Distributor and Accessories for the State of Alabama.

Adopted on this 14th day of November, 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 to authorize the City Administration to negotiate with Victory Real Estate and the Baldwin County Commission regarding the retention area known as the "Winn Dixie Pond" for transfer, terms and conditions, ownership, and maintenance; and Mayor Kant to sign all documents needed to facilitate the transfer and relative to inter-local agreement. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

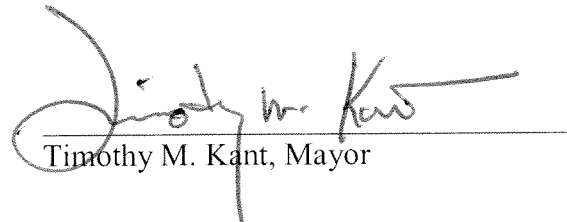
14 November 2011

RESOLUTION NO. 1876-11

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby authorizes the following pertaining to the retention area known as the "Winn Dixie Pond":

1. The City Administration to negotiate the transfer and terms of conditions including the necessary documents, deed and title to transfer the ownership of the retention area known as the "Winn Dixie Pond" from Victory Real Estate Investments to the City of Fairhope; and Mayor Timothy M. Kant to sign all documents needed to facilitate the transfer.
2. The City Administration to negotiate a inter-local agreement between the City of Fairhope and the Baldwin County Commission to establish the terms and conditions of the ownership and maintenance of the retention area known as the "Winn Dixie Pond." The terms to include the requirement that the Baldwin County Commission bare all cost associated with the engineering, redesign, reconstruction of the pond; and that the County Engineer or his agent certify that the completed projects meet all Federal, State, and Local Laws; and Mayor Timothy M. Kant to sign all documents relative to this inter-local agreement.

Adopted on this 14th day of November, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

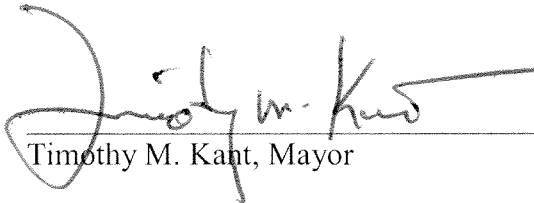
Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to authorize Mayor Kant to execute a Contract for Professional Consulting Services for Procuring Radio Frequencies and Licenses for the new radio system with Pros RF (PS005-12). Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

14 November 2011

RESOLUTION NO. 1877-11

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 Professional Consulting Services for Procuring Radio Frequencies and Licenses for the new radio system with Pros RF (PS005-12) with a cost not to exceed \$15,000.00; and to suspend the selection committee process due to severe time restraints.

DULY ADOPTED THIS 14TH DAY OF NOVEMBER, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope elects to be covered under the AMEA Energy Cost Levelization Rider (ECL-2008) beginning for the month of October 2011 and continuing until we notify AMEA of any change. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

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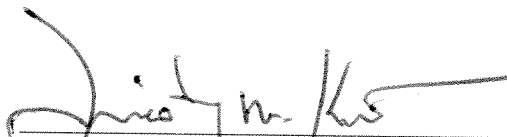
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14 November 2011


RESOLUTION NO. 1878-11

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope elects to be covered under the AMEA Energy Cost Levelization Rider (ECL-2008) beginning for the month of October 2011 and continuing until we notify AMEA of any change.

Adopted on this 14th day of November 2011

Timothy M. Kapt, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Ford moved for final adoption of an Ordinance to annex Charles L. Carr and Lyn W. Carr's property, located at 8931 County Road 34, Fairhope, Alabama. 46-08-28-0-000-023-009. (Introduced at the October 24, 2011 City Council Meeting). Due to a lack of a Second, motion for final adoption failed.

Councilmember Stankoski moved for final adoption of Ordinance No 1459, an Ordinance to amend Ordinance No. 1384, Section 2, An Ordinance allocating the funds collected from the City of Fairhope's Sales and Use Tax. (Introduced at the October 24, 2011 City Council Meeting). 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 for final adoption of Ordinance No. 1460, an Ordinance to amend Ordinance No. 1385, Section 6, known as the City of Fairhope's Sales and Use Tax Ordinance. (Introduced at the October 24, 2011 City Council Meeting). Seconded by Councilmember Stankoski, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY - None.

14 November 2011

Councilmember Mixon announced that Agenda Item Number 22, An Ordinance to annex Gary L. Wolfe and Judy M. Wolfe's property was moot since Agenda Item Number 19 was not approved.

Councilmember Kingrea introduced in writing an Ordinance to amend Chapter 20, Traffic, Article I, General, Section 20-2. Authority of City Council. In order to take immediate action, Councilmember Quinn moved for immediate consideration. Councilmember Kingrea seconded the motion for immediate consideration, motion failed for lack of a unanimous vote. This ordinance will layover for final adoption at the next regular City Council meeting.

Councilmember Quinn introduced in writing Ordinance No. 1461, an Ordinance to authorize the Issuance of the City's General Obligation Warrant in the principal amount of \$2,000,000. In order to take immediate action, Councilmember Quinn moved for immediate consideration. Seconded by Councilmember Kingrea, 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. 1461. Seconded by Councilmember Kingrea, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY - None.

City Council reviewed an application for a Restaurant Liquor License by Misty Rider, R Bistro, L.L.C., d/b/a R Bistro and Pastry, located at 334 Fairhope Avenue, Fairhope, Alabama. Councilmember Kingrea moved to approve the issuance of the license. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

City Council reviewed an application for a Beer/Wine Off-Premises License by Thomas Caine, T. Caine Grocery, Inc., d/b/a Cains Piggly Wiggly 4, located at 903 Fairhope Avenue, Fairhope, Alabama. Councilmember Ford moved to approve the issuance of the license. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Councilmember Ford moved to grant the request of Tyler Kean, The Fairhope Inn & Restaurant, requesting a variance in the sound ordinance for the Wiseman's Ball, which is a Christmas "Toys for Tots" Charity Fundraiser, on Saturday, December 17, 2011 from 7:00 p.m. until 10:30 p.m. The motion was seconded by Councilmember Quinn. Councilmember Kingrea suggested that the music be cut-off at 10:00 p.m. Councilmember Quinn replied the request is just for a half hour. After further discussion, the motion passed by the following voice votes: AYE – Quinn, Stankoski, Mixon, and Ford. NAY – Kingrea.

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Councilmember Kingrea moved to grant the following requests: approval to Fill vacancy for Equipment Operator and Convert the three Temporary Grass Mowing Positions to Full Time Permanent Positions for the Public Works Department; to Convert the Part-Time Customer Service Representative to Full Time Position for Revenue Department; to Fill Vacancy for Part-Time Dispatcher and to Appoint Two Police Corporals as Acting Sergeants for the Police Department, and to Fill Vacancy for IT Director. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

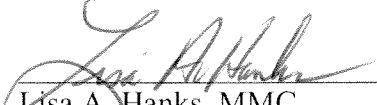
Council President Mixon opened the floor for Council President nominations: Councilmember Kingrea nominated Lonnie Mixon for Council President and no other nominations were made. The nomination was seconded by Councilmember Stankoski. The floor for nominations was then closed. Lonnie Mixon was voted by the Councilmembers as Council President by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None.

The floor was then opened for Council President Pro Tempore nominations: Councilmember Stankoski nominated Mike Ford for Council President Pro Tempore and no other nominations were made. The nomination was seconded by Councilmember Kingrea. The floor for nominations was then closed. Mike Ford was voted by the Councilmembers as Council President Pro Tempore by the following voice votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:41 p.m.



Lonnie L. Mixon, Council President



Lisa A. Hanks, MMC
City Clerk