

**CITY OF FAIRHOPE
CITY COUNCIL AGENDA**

MONDAY, 25 JULY 2011 - 6:00 P.M. - CITY COUNCIL CHAMBER

Invocation and Pledge of Allegiance

1. Approve Minutes of 11 July 2011, Regular City Council Meeting, minutes of the 11 July 2011 Public Hearing/Work Session.
2. Old Business
3. Report of the Mayor
4. Council Comments
5. City Administrator
6. Public Participation
7. **Public Hearing** - Ordinance - Amend Zoning Ordinance No. 1253.
Zoning Ordinance Amendments - Article IV Site Design Standards, Section E. Pervious Parking.
8. **Public Hearing** - Ordinance - Amend Zoning Ordinance No. 1253.
Zoning Ordinance Amendments - Article III Zoning Districts, Section A. Purpose and Intent; 10. B-1 Local Shopping District.
9. **Public Hearing** - Ordinance - Amend Zoning Ordinance No. 1253.
Zoning Ordinance Amendments - Article IV Site Design Standards, Section H. Tree Preservation.
10. Resolution – Approving the First Amendment of the Pole Attachment Agreement for Attachments of Fiber Optic Cables, Amplifiers, and Associated Equipment for the Distribution of Optical Communication Signals with Southern Light, LLC.
11. Resolution - Authorizing Mayor Timothy M. Kant to accept the FAA Grant for rehabilitation of the South Apron and replacement of the rotary beacon and tower at the H. L. "Sonny" Callahan Airport. The grant amount is \$586,276.00 - Project Number 3-01-0029-013- 2011.
12. Resolution – Authorizing Mayor Timothy M. Kant to execute a Contract for Professional Consulting Services for Research and Processing Grants with The Premier Grants Consulting, LLC (PS012-11).
13. Resolution – Rejecting all bids for Bid No. 021-11 and authorize rebid.
14. Resolution – Rejecting all bids for Bid No. 011-11 and authorize Mayor Timothy M. Kant to negotiate a contract.
15. Resolution - Award bid for a Golf Course Mower and Equipment Four-Year Lease/Purchase for the Quail Creek Golf Course (Bid No. 023-11).

16. Resolution - that the City Council directs and allows the Magistrates and Chief of Police access to the City Attorney at any time in the performance of their City duties without prior approval, but will notify the Mayor and the City Administrator as soon as practical after the fact.
 17. Ordinance – Final Adoption - An Ordinance to Adopt a False Alarm Ordinance and Repeal Ordinance No. 1335. (Introduced at the July 11, 2011 City Council Meeting)
 18. Site Plan – Request of Mike Bernhardt for Site Plan approval of a proposed Mixed Use building – located at the west side of Section Street, just north of Morphy Avenue.
 19. Application for a Restaurant Liquor License by Adam Hwang, Hwang’s Holding, LLC d/b/a Tokyo Japanese Restaurant, located at 94 Plantation Pointe, Fairhope, Alabama.
 20. **Executive Session** – To discuss the legal ramifications of and legal options for pending litigation; and controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action.
- ADD ON** Resolution – Authorizing Mayor Timothy M. Kant to settle the case involving Augusta Court.
- ADD ON** Resolution – Authorizing the City of Fairhope to run the water line on Bishop Road to the Groves at Point Clear subdivision.
21. Adjourn

Next Regular Meeting Monday, August 8, 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, 25 July 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 City Attorney Marion E. Wynne and the Pledge of Allegiance was recited. Council President Mixon asked if there were any corrections to the minutes from the 11 July 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 11 May 2011, public hearing/work session. He then stated if there are no corrections, the minutes stand approved as written.

Mayor Kant addressed the City Council with the following items:

- 1) Pedestrian Signs were taken down; Jennifer Fidler and Chief Press to get together regarding signs.
- 2) Garbage RFQ status was mentioned and it should go out this week.

Councilmember Quinn addressed the City Council and mentioned the following items:

- 1) E-Coli update was requested; Mayor Kant replied we are testing for what actually is the material causing the problem and we took more samples up the gully. He mentioned the levels were high around the Auburn property.
- 2) Chief Press discussed www.crimereports.com which is a website where crimes, i.e. burglaries and robberies monitors all cases on this site. The Fairhope Police Department has listed our cases since February 2011.

Councilmember Ford addressed the City Council and mentioned the following item: He spoke with proprietors regarding the noise issue and everyone wants a happy ending.

Councilmember Kingrea addressed the City Council and mentioned the electrical rates will increase due to the AMEA rate increase. The City Council does not have any control over this increase.

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Public Participation:

1) Billie Carlisle, 104 North Bayview, addressed the City Council on the Ordinance regarding the Zoning Ordinance amendments, Article IV Site Design Standards, Section H. Tree Preservation. Ms. Carlisle questioned R-1 properties with regards to this ordinance.

2) Clay Adams, 117 Magnolia Avenue, addressed the City Council on the Ordinance regarding the Zoning Ordinance amendments, Article IV Site Design Standards, Section H. Tree Preservation. He recommended the Tree Preservation section and stated this amendment was not overly restrictive.

A Public Hearing was held as advertised on a proposed ordinance to Amend Zoning Ordinance No. 1253. Councilmember Quinn introduced in writing Ordinance No. 1451, an ordinance to amend Article IV Site Design Standards, Section E. Pervious Parking. . The Planning Commission decision was a favorable recommendation of this ordinance. Council President Mixon read the proposed ordinance.

Council President Mixon opened the Public Hearing at 6:19 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:19 p.m.

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 moved for final adoption of Ordinance No. 1451. Seconded by Councilmember Kingrea, motion passed for final adoption by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY - None.

A Public Hearing was held as advertised on a proposed ordinance to Amend Zoning Ordinance No. 125. Councilmember Ford introduced in writing an Ordinance to amend Article III Zoning Districts, Section A. Purpose and Intent; 10. B-1 Local Shopping District. The Planning Commission decision was a favorable recommendation of this ordinance. Council President Mixon read the proposed ordinance.

Council President Mixon opened the Public Hearing at 6:21 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:21 p.m.

Jonathan Smith, Planning and Building Director, explained the ordinance briefly in regards to B-1 District, Village Concept, and its limitations.

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Due to a lack of a motion for immediate consideration, this ordinance will layover until the next City Council meeting.

A Public Hearing was held as advertised on a proposed ordinance to Amend Zoning Ordinance No. 1253. Councilmember Quinn introduced in writing an ordinance to amend Article IV Site Design Standards, Section H. Tree Preservation. The Planning Commission decision was a favorable recommendation of this ordinance. Council President Mixon read the proposed ordinance.

Council President Mixon opened the Public Hearing at 6:26 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:26 p.m.

Jonathan Smith, Planning and Building Director, explained the ordinance briefly in regards to B-1 District, Village Concept, and its limitations.

In order to take immediate action Councilmember Quinn moved for immediate consideration. The motion failed for lack of a Second. This ordinance will layover until the next regular City Council meeting.

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution approving the First Amendment of the Pole Attachment Agreement for Attachments of Fiber Optic Cables, Amplifiers, and Associated Equipment for the Distribution of Optical Communication Signals with Southern Light, L.L.C. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

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25 July 2011

RESOLUTION NO. 1810-11

RESOLUTION OF THE CITY OF FAIRHOPE, ALABAMA APPROVING THE FIRST AMENDMENT OF THE POLE ATTACHMENT AGREEMENT FOR ATTACHMENTS OF FIBER OPTIC CABLES, AMPLIFIERS AND ASSOCIATED EQUIPMENT FOR THE DISTRIBUTION OF OPTICAL COMMUNICATION SIGNALS WITH SOUTHERN LIGHT, LLC

WHEREAS, on or about the 14th day of February, 2006 the City of Fairhope, Alabama (the "Licensor") entered into a Pole Attachment Agreement ("Agreement") with Southern Light, LLC ("Licensee") to attach its cables, wires and associated equipment to the Licensor's poles within the municipal corporate boundaries of the City; and

WHEREAS, it has been more than five (5) years since rental payments set forth in Section 8 of said Agreement have been readjusted.

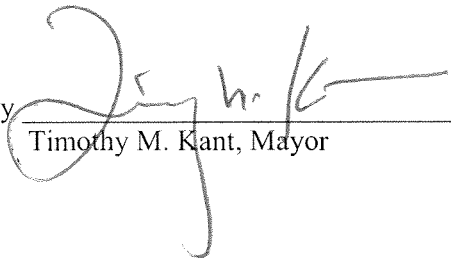
WHEREAS, it has been requested by Licensor that all rental payments set forth in Section 8 of said Agreement be readjusted; and

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained in this Amendment and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Licensor and Licensee agree as follows:

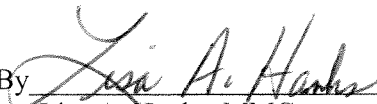
Amendment Terms

1. Section 8 [Rentals], *et.seq.*, of the Agreement is hereby amended by increasing the rental rate per pole effective January 1, 2012 from \$16.50 per pole per annum to \$20.00 per pole per annum.
2. Except as specifically modified herein, the Agreement shall remain in full force and effect.
3. Within thirty (30) days of the date of adoption of this Resolution, Licensee shall provide the Licensor with a signed acceptance of this Resolution in the form attached hereto and incorporated by reference.

PASSED, ADOPTED AND APPROVED by the City of Fairhope, Alabama this 25th day of July 2011.

By  _____
 Timothy M. Kant, Mayor

ATTEST:

By  _____
 Lisa A. Hanks, MMC
 City Clerk

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Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to accept the FAA Grant for rehabilitation of the South Apron and replacement of the rotary beacon and tower at the H. L. “Sonny” Callahan Airport. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 1811-11

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRHOPE,
ALABAMA, APPROVING AND AUTHORIZING THE MAYOR AND THE
CITY TO ENTER INTO A GRANT AGREEMENT WITH THE
FEDERAL AVIATION ADMINISTRATION FOR THE BENEFIT
OF FAIRHOPE AIRPORT AUTHORITY AND THE FAIRHOPE AIRPORT**

WHEREAS, the United States of America acting through the Federal Aviation Administration has offered to pay a maximum of \$586,276.00 for rehabilitation of the South Apron and replacement of the rotary beacon and tower at the H.L. [“Sonny”] Callahan Airport in Fairhope, being project number 3-01-0029-013-2011; and

WHEREAS, the purpose of this grant is that the Federal Aviation Administration pay a 95% share of the allowable costs incurred in accomplishing said project; and

WHEREAS, this offer of the Federal Aviation Administration is contingent upon acceptance of the grant in accordance with its terms, namely and including, among others, the “Terms and Conditions of Accepting Airport Improvement Program Grants” dated December 15, 2009; and

WHEREAS, the grant application was originally processed with the recipient to be the City of Fairhope, Alabama; and

WHEREAS, during the pendency of the processing of the grant, the City of Fairhope has fully cooperated in the creation of a new entity to own and control the H.L. [“Sonny”] Callahan Airport in Fairhope by the newly-created Fairhope Airport Authority; and

WHEREAS, the transferring of the properties and assets and liabilities concerning the H.L. [“Sonny”] Callahan Airport in Fairhope is still to some extent in progress; and

WHEREAS, the Federal Aviation administration retains the right to approve any such transfer from the City to the Airport Authority of such assets and liabilities of and pertaining to an airport such as H.L. [“Sonny”] Callahan Airport in Fairhope which has received and retained grant money or assets from the Federal Aviation administration; and

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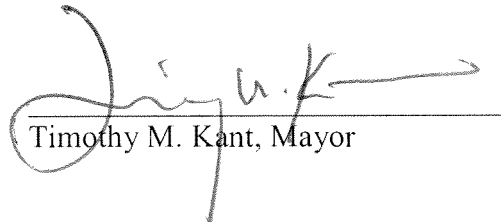
WHEREAS, the process of getting approval of the transfer from the Federal Aviation Administration is still ongoing and is not completed; and

WHEREAS, the deadline date for the receipt of the grant from the Federal Aviation Administration is almost upon us; and

WHEREAS, some intermediate solution to these problems is in the best interests of all concerned;

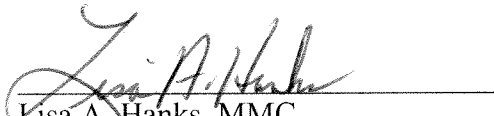
NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City, in a regular meeting of the City Council, that the Mayor be and he is hereby authorized to sign and execute any necessary and appropriate documents so that the City can receive the grant during this interim period, acting for and in behalf of the H.L. ["Sonny"] Callahan Airport in Fairhope and Fairhope Airport Authority as Sponsor, so that pending and during the period when the Federal Aviation Administration is approves the transfer of the airport and the grants and liabilities concerning the airport, this grant is not lost unnecessarily but is, instead, accepted in accordance with applicable law and procedures.

Adopted this the 25th day of July, 2011



Timothy M. Kant, Mayor

ATTEST:



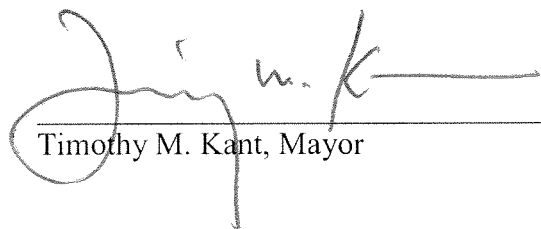
Lisa A. Hanks, MMC
City Clerk

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to execute a Contract for Professional Consulting Services for Research and Processing Grants with The Premier Grants Consulting, LLC. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

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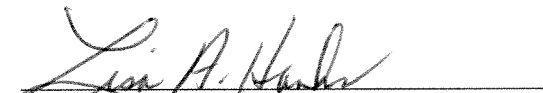
RESOLUTION NO. 1812-11

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 Researching and Processing Grants with The Premier Grants Consulting, LLC (PS012-11), beginning October 1, 2012, with a cost not to exceed \$24,000.00 per year.

DULY ADOPTED THIS 25TH DAY OF JULY 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 reject all bids for Bid No. 021-11 and authorize rebid. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

RESOLUTION NO. 1813-11

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 Fairway Mower and Infield Drag Machine (Bid Number 021-11) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

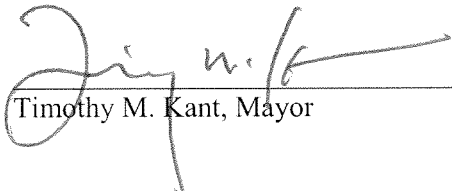
[2] At the appointed time and place, the following bids were opened and tabulated as follows:

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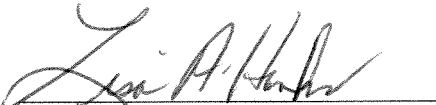
Please see attached Bid Tabulation for
Fairway Mower and Infield Drag Machine

[3] After evaluating the bid proposals with the required bid specifications, only one bid met all specifications and that bid was substantially high; and we request that all bids be rejected for Bid No. 021-11 and authorize rebid.

Adopted on this 25th day of July, 2011

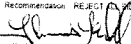

Timothy M. Kant, Mayor

Attest:


Lisa A. Hanks, MMC
City Clerk

City of Fayette
BID TABULATION and RECOMMENDATION
BID NO. 021-11 FAIRWAY MOWER AND INFIELD DRAG MACHINE-4 YEAR LEASE
DATE OPENED: 06/21/2011 2:00 P.M.
BID BOND: WAIVED

VENDORS:	Non-Collusion Statement Signed/Noted	Bid Proposal Executed/Noted	Delivery Lead Time ANUM in Days	Manufacturer	Model	Meets or Exceeds Specifications	PROPOSAL OPTION 1: OUTRIGHT TOTAL BID	PROPOSAL OPTION 2: 48 MONTH LEASE PER MONTH	LEASE PLUS PURCHASE		Signed Addenda # 1,2,3,4,5
									lease using vendor supplied	Total Lease Plus Purchase Bid	
Beard Equipment Company	yes	yes	10-14 days	John Deere	7700	no	\$ 82,300.00	\$ 1,173.61	\$ 88,233.28	\$ 1.00	yes
Cluck and Powertrain	no bid	no bid	no bid	John Deere	12304	no bid	no bid	no bid	no bid	no bid	no bid
Dutchman's Lawn and Garden, LLC	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid
Jerry Pale and Turf	yes	yes	30 days	Toro WheelMaster Turf Sand Pile	4415-D 2022	no	\$ 64,687.61	\$ 1,011.26	\$ 61,666.97	\$ 12,211.88	yes
Kingline Equipment	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid
Southern Pride Lawn Care, Inc	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid
Sun South, LLC	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid
Toomey Equipment Company, Inc	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid
Tri-County Implement, Inc	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid	no bid
Golf Ventures West	yes	yes	30 days	Jacobson Smithco	LF 57067881 Superstar 46.001	yes	\$59,449.00	\$ 1,289.88	\$ 66,928.00	\$ 1.00	yes

Recommendation: REJECT

Tom Kant, Director of Recreation

7.8.11

To the best of my knowledge this is an accurate Bid Tabulation

Daniel P. Ames, Purchasing Manager

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Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution to reject all bids for Bid No. 011-11 and authorize Mayor Kant to negotiate a contract. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

RESOLUTION NO. 1814-11

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

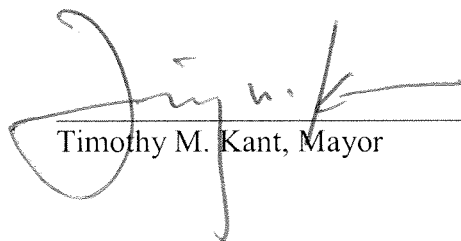
[1] That the City of Fairhope did request, receive, and open bids for 2011 Fairhope Paving Projects for the Public Works Department (Bid Number 011-11) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for
2011 Fairhope Paving Projects for the Public Works Department

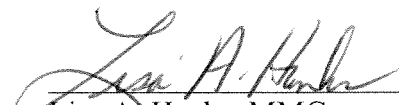
[3] After evaluating the bid proposals with the required bid specifications, only one bidder responded and we request that all bids be rejected for Bid No. 011-11; and to allow Mayor Timothy M. Kant to negotiate a contract as allowed by Code of Alabama 1975, Section 29-2-6(b).

Adopted on this 25th day of July, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

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Fairhope Repaving Projects		Mobile Asphalt Company	
Bid No. 011-11, Project No. PW002-111		P. O. Box 090279	
June 29, 2011, 2:00, Fairhope Public Works Building		Mobile, AL 36619	
Bid Tabulation		License No. 21229	
		BASE BID	OPTION 1
1. BID PART 'A'	Total Bid Part 'A' (4-29 hot mix asphalt)	\$ 694,663.23	\$ 1,609,562.64
2. BID PART 'A'	Total Bid Part 'A' (4-29 hot mix asphalt / itemized)	\$ 694,663.23	\$ 1,609,562.64
3. BID PART 'A'	Price per square yard (4-29 hot mix asphalt)	\$ 4.37	\$ 10.13
4. BID PART 'B'	Total Bid Part 'B' (4-29 hot mix asphalt/rock)	\$ 61,954.20	\$ 66,379.50
5. BID PART 'B'	Total Bid part 'B' (4-29 hot mix asphalt/rock/ itemized)	\$ 61,954.20	\$ 66,379.50
6. BID PART 'B'	Price per square yard (4-29 hot mix asphalt/rock)	\$ 20.79	\$ 22.28
7. BID PART 'B'	Total Bid Part 'B' (porous asphalt/rock)	NO BID	NO BID
8. BID PART 'B'	Total Bid Part 'B' (porous asphalt/rock/ itemized)	NO BID	NO BID
9. BID PART 'B'	Price per square yard (porous asphalt/rock)	NO BID	NO BID
10. BID PART 'C'	Total Bid Part 'C' (micro-surfaced)	NO BID	NO BID
10a. BID PART 'C'	Total Bid Part 'C' Alternate (pavement rejuvenation)	\$ 400,050.35	
11. BID PART 'C'	Total Bid Part 'C' (micro-surfaced / itemized)	NO BID	
12. BID PART 'C'	Price per square yard (micro-surfaced)		
12a. BID PART 'C'	Total Bid Part 'C' Alternate (pavement repv. / itemized)		
13. BID PART 'C'	Price per square yard (pavement rejuvenation)	\$ 400,050.35	
		\$ 1.50	
14. BID PART 'D'	Total Bid Part 'D' (milled & overlaid)	\$ 113,679.75	\$ 195,517.76
15. BID PART 'D'	Total Bid Part 'D' (milled & overlaid / itemized)	\$ 113,679.75	\$ 195,517.76
16. BID PART 'D'	Price per square yard (milled and overlaid)	\$ 7.31	\$ 12.57

Bid Part "A" (4-29 hot mix asphalt / itemized)

	BASE BID	OPTION 1
North Section St	NO BID	NO BID
Delemer Court	\$ 7,181.68	\$ 14,916.37
Summit Ave	\$ 18,963.14	\$ 37,001.26
Morphy Ave. (from Section St. to Summit Ave.)	\$ 20,032.86	\$ 39,088.50
Morphy Ave. (from Greeno Rd. to Thompssn Hall Rd.)	\$ 66,937.73	\$ 203,532.53
Morphy Ave. (from Greeno to Young St.)	\$ 26,351.62	\$ 69,575.00
Quail Hill Dr.	\$ 1,601.49	\$ 3,339.60
Countryside Drive	\$ 24,678.96	\$ 60,581.88

Lowry Drive	\$ 26,956.17	\$ 71,156.25
Huckel Drive	\$ 7,947.10	\$ 19,502.08
Orange St. Pier Parking Lot	\$ 2,413.36	\$ 5,032.59
Bishop Road (South of Fairhope Ave.)	\$ 41,154.87	\$ 125,135.91
North Beach Park Rd. (Fairhope Public Beach and circle at fountain)	\$ 77,181.60	\$ 150,586.25
Fairhope Avenue	\$ 262,089.68	\$ 451,367.81
Church Street	\$ 38,996.79	\$ 92,834.75
Inglewood Street	\$ 13,012.11	\$ 27,194.25
Alley behind the Colony Shop	\$ 7,779.75	\$ 15,180.00
Bay Breeze Lane	NO BID	NO BID
Clubhouse Drive (from end of new paving at Old Mill to Cedar Pointe)	\$ 8,140.61	\$ 16,976.30
Clubhouse Drive (from end of new paving at N Creek Cir to Clubhouse Cir.)	\$ 24,355.59	\$ 50,789.75
Chestnut Ridge	\$ 12,789.68	\$ 26,670.42
Cedar Pointe	\$ 10,128.71	\$ 23,627.92
North Creek Circle	\$ 3,064.66	\$ 10,436.25
Mockingbird Lane	\$ 10,609.31	\$ 20,872.50
Sweetwater Lane	\$ 8,897.17	\$ 18,553.33
Beaver Dam Road	\$ 22,020.49	\$ 45,919.50
TOTAL	\$ 694,663.23	\$ 1,609,562.64

Bid Part "B" (4-29 hot mix asphalt / rock/ itemized)

Gayler Avenue (dirt portion)	\$ 15,246.00	\$ 10,335.00
Fels Avenue (dirt portion)	\$ 10,395.00	\$ 11,127.50
Miller Avenue (dirt portion)	\$ 9,702.00	\$ 10,395.00
North Mobile (dirt portion)	\$ 14,553.00	\$ 15,582.50
Pensacola Avenue (dirt portion)	\$ 12,058.20	\$ 12,919.50
TOTAL	\$ 61,954.20	\$ 66,379.50

Gayler Avenue (dirt portion)	NO BID	NO BID
Fels Avenue (dirt portion)	NO BID	NO BID
Miller Avenue (dirt portion)	NO BID	NO BID
North Mobile (dirt portion)	NO BID	NO BID
Pensacola Avenue (dirt portion)	NO BID	NO BID
TOTAL	NO BID	NO BID

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Bid Part "C" (micro-surfaced / itemized)	Microsurface	Rejuvenation
Section Street	NO BID	NO BID
Days St	NO BID	\$ 6,547.20
Bancroft Ave. (NOTE: Parking spaces on Library side of street are excluded)	NO BID	NO BID
Pine St	NO BID	\$ 976.50
Equality St	NO BID	NO BID
Magnolia Ave. (Section St. to Bancroft Ave.)	NO BID	NO BID
Magnolia Ave. (Bancroft Ave. to School St.)	NO BID	\$ 1,736.00
Johnson Ave	NO BID	NO BID
Benning Ave	NO BID	NO BID
School St. (Mozzly Ave. to Fairhope Ave.)	NO BID	\$ 7,412.10
School St. (Fairhope Ave. to Bancroft St.)	NO BID	\$ 3,127.90
S. Summit St. (St. James Ave. to Magnolia Ave.)	NO BID	\$ 3,961.95
S. Summit St. (Kirkman Lane to Shorn St.)	NO BID	\$ 19,004.55
Church St.	NO BID	\$ 23,391.05
St. James Ave.	NO BID	\$ 2,923.30
Colonial Acres (Hancock Rd., Colonial Drive, Washington Dr., Cherry Ct.)	NO BID	\$ 15,969.65
Ingleside St. (CR 44 to Neekals Ave.)	NO BID	\$ 19,646.25
Ingleside St. (Neekals Ave. to Fairhope Ave.)	NO BID	\$ 7,636.40
Ingleside St. (Fairhope Ave. to Gayler Ave.)	NO BID	\$ 9,693.85
Middle St. (Ingleside St. to Young St.)	NO BID	\$ 8,550.55
Middle St. (Mershon St. to Dogwood St.)	NO BID	\$ 2,563.65
Parking lot behind The Colony Shop	NO BID	NO BID
Parking lot behind Masonic Lodge	NO BID	NO BID
Masonic Drive	NO BID	NO BID
Bay Breche Lane	NO BID	\$ 1,523.65
Pecan Ave.	NO BID	\$ 15,963.45
Horton Lane	NO BID	\$ 3,628.55
Haver Lane	NO BID	\$ 723.65
Pinecrest Lane	NO BID	\$ 4,541.50
Orange Ave.	NO BID	\$ 9,339.20
Hig Ave.	NO BID	\$ 13,529.95
Dier Ave.	NO BID	\$ 9,738.85
Kirkman Lane	NO BID	\$ 6,356.50

White Ave.	NO BID	\$ 12,153.65
Nichols Ave.	NO BID	\$ 9,720.05
Gaston Ave.	NO BID	\$ 6,748.20
Fels Ave.	NO BID	\$ 15,696.85
Shurt St.	NO BID	\$ 2,171.55
Bayview St.	NO BID	\$ 9,019.70
L-berty St.	NO BID	\$ 12,916.15
Church St.	NO BID	NO BID
Hy Circle	NO BID	\$ 1,054.00
Beeche Lane	NO BID	\$ 5,077.80
Aryn St.	NO BID	\$ 1,322.10
Francilla Circle	NO BID	\$ 1,033.85
Ridgewood Circle	NO BID	\$ 1,033.85
Kumquat St.	NO BID	\$ 2,197.90
Pramble St.	NO BID	\$ 965.90
Longleaf Circle	NO BID	\$ 4,152.45
Woodlands Blvd	NO BID	\$ 10,433.05
Pleasant Avenue	NO BID	\$ 4,168.10
Hospital Dr.	NO BID	\$ 3,969.00
Prospect Ave.	NO BID	\$ 3,704.50
Mazigan Ave.	NO BID	\$ 2,929.50
Colerain Ave.	NO BID	\$ 2,929.50
Grand Blvd	NO BID	NO BID
Royal Lane	NO BID	NO BID
Idawette Blvd	NO BID	\$ 9,196.45
Cumb Court	NO BID	\$ 2,531.15
Onheans Drive	NO BID	\$ 3,544.85
Quail Creek Drive	NO BID	\$ 35,913.50
Lake Ridge Road	NO BID	\$ 14,570.00
Par Circle	NO BID	\$ 2,914.00
Wedge Loop (includes cul-de-sac on West side of Lakensha Dr.)	NO BID	\$ 1,666.25
Fairway Court	NO BID	\$ 9,738.85
South Tee Drive	NO BID	\$ 9,586.75
TOTAL	NO BID	\$ 400,950.35

25 July 2011

Bid Part "D" (initial & overbid/renormed)	BASIC BID	OPTION 1
Nichols Avenue (Greene Rd. to School St.)	\$ 73,297.06	\$ 126,128.41
Nichols Avenue (School St. to Section St.)	18,750.00	32,245.41
Nichols Avenue (Section St. to just West of Church St.)	11,079.82	19,065.92
Middle Street (Young St. to Merston St.)	10,552.21	19,158.02
TOTAL	\$ 113,679.75	\$ 195,617.76

Bold and Italicized indicates Different Value Than As-Read Bid

I certify that the above bids were opened and were publicly opened and read aloud at the time and place indicated in this bid, and that this is a true and correct tabulation of all bids received for this project.

BY: *[Signature]* 7/19/11

Signature: *[Signature]* 7/19/11

[Signature] 7/19/11
 Public Works Director

To the best of my knowledge, this is an accurate tabulation

[Signature]
 Daniel P. Ames, Purchasing Manager

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to award bid for a Golf Course Mower and Equipment Four-Year Lease/Purchase for the Quail Creek Golf Course (Bid No. 023-11). Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

RESOLUTION NO. 1815-11

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 a Golf Course Mower and Equipment Four-Year Lease/Purchase for the Quail Creek Golf Course (Bid Number 023-11) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

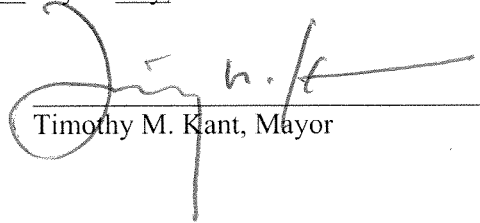
[2] At the appointed time and place, the following bids were opened and tabulated as follows:

Please see attached Bid Tabulation for a
 Golf Course Mower and Equipment Four-Year Lease/Purchase
 for the Quail Creek Golf Course

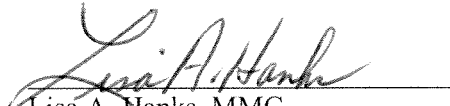
25 July 2011

[3] After evaluating the bid proposals with the required bid specifications, Beard Equipment Company, with the total bid proposal of \$202,094.32, is now awarded the bid for a Golf Course Mower and Equipment Four-Year Lease/Purchase for the Quail Creek Golf Course.

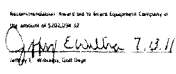
Adopted on this 25th day of July, 2011


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, MMC
 City Clerk

CITY OF TALLAHASSEE SOLICITATION AND RECOMMENDATION SOLICITATION NUMBER 11-03-11 SOLICITATION TITLE: Golf Course Mower and Equipment Lease/Purchase SOLICITATION OPENING DATE: 7/20/11 SOLICITATION CLOSING DATE: 7/20/11												
Item	Manufacturer	Model	Quantity	Unit Price	Total Price	Manufacturer's Bid	Manufacturer's Bid	Manufacturer's Bid	Manufacturer's Bid	Manufacturer's Bid	Manufacturer's Bid	Manufacturer's Bid
Beard Equipment Company												
Farmy Mower	John Deere	770	1	\$175,995.00	\$175,995.00							
Golf Course Mower	John Deere	770GP	1	27,000.00	27,000.00							
John Deere 770GP	John Deere	770GP	1	27,000.00	27,000.00							
Jerry Park and Turf												
Farmy Mower	John Deere	770	1	\$175,995.00	\$175,995.00							
Golf Course Mower	John Deere	770GP	1	27,000.00	27,000.00							
John Deere 770GP	John Deere	770GP	1	27,000.00	27,000.00							
Golf Adventure West												
Farmy Mower	John Deere	770	1	\$175,995.00	\$175,995.00							
Golf Course Mower	John Deere	770GP	1	27,000.00	27,000.00							
John Deere 770GP	John Deere	770GP	1	27,000.00	27,000.00							
Dutchman's Lawn and Garden, LLC												
Farmy Mower	John Deere	770	1	\$175,995.00	\$175,995.00							
Golf Course Mower	John Deere	770GP	1	27,000.00	27,000.00							
John Deere 770GP	John Deere	770GP	1	27,000.00	27,000.00							
Kingstone Equipment												
Farmy Mower	John Deere	770	1	\$175,995.00	\$175,995.00							
Golf Course Mower	John Deere	770GP	1	27,000.00	27,000.00							
John Deere 770GP	John Deere	770GP	1	27,000.00	27,000.00							
Clutch and Powertrain												
Farmy Mower	John Deere	770	1	\$175,995.00	\$175,995.00							
Golf Course Mower	John Deere	770GP	1	27,000.00	27,000.00							
John Deere 770GP	John Deere	770GP	1	27,000.00	27,000.00							
Southern Pines Lawn Care, Inc.												
Farmy Mower	John Deere	770	1	\$175,995.00	\$175,995.00							
Golf Course Mower	John Deere	770GP	1	27,000.00	27,000.00							
John Deere 770GP	John Deere	770GP	1	27,000.00	27,000.00							
Toumey Equipment Company Inc.												
Farmy Mower	John Deere	770	1	\$175,995.00	\$175,995.00							
Golf Course Mower	John Deere	770GP	1	27,000.00	27,000.00							
John Deere 770GP	John Deere	770GP	1	27,000.00	27,000.00							
Tan County Equipment, Inc.												
Farmy Mower	John Deere	770	1	\$175,995.00	\$175,995.00							
Golf Course Mower	John Deere	770GP	1	27,000.00	27,000.00							
John Deere 770GP	John Deere	770GP	1	27,000.00	27,000.00							
Butt South, LLC												
Farmy Mower	John Deere	770	1	\$175,995.00	\$175,995.00							
Golf Course Mower	John Deere	770GP	1	27,000.00	27,000.00							
John Deere 770GP	John Deere	770GP	1	27,000.00	27,000.00							

Recommendation: Award bid to Beard Equipment Company of the amount of \$202,094.32
 Approved:  7/23/11
 Jennifer E. Wallace, City Clerk

To the best of my knowledge this is an accurate bid tabulation
 Approved:  7/23/11
 David P. Owen, Purchasing Manager

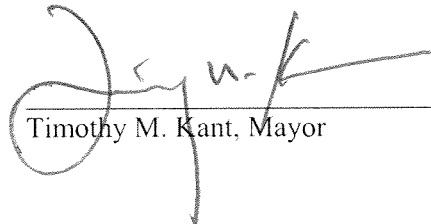
25 July 2011

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council directs and allows the Magistrates and Chief of Police access to the City Attorney at any time in the performance of their City duties without prior approval, but will notify the Mayor and the City Administrator as soon as practical after the fact. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

RESOLUTION NO. 1816-11

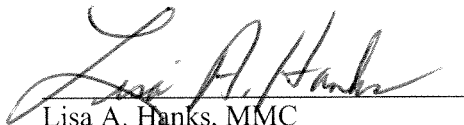
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council directs and allows the Magistrates and Chief of Police access to the City Attorney at any time in the performance of their City duties without prior approval, but will notify the Mayor and the City Administrator as soon as practical after the fact.

Adopted on this 25th day of July, 2011



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Stankoski moved for final adoption of Ordinance No.1453, an ordinance to adopt a False Alarm Ordinance and Repeal Ordinance No. 1335. (Introduced at the July 11, 2011 City Council Meeting) Councilmember Kingrea seconded the motion for final adoption.

Councilmember Kingrea moved to amend the False Alarm Ordinance by adding the effective date to read "This ordinance shall take effect January 1, 2012 and upon its due adoption and publication as required by law." Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

After further discussion, motion for final adoption passed unanimously, as amended, by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY - None.

25 July 2011

Jonathan Smith, City Planner, addressed the City Council to explain the Site Plan Review of property owned by Mike Bernhardt which is located at the west side of Section Street, just north of Morphy Avenue, Fairhope, Alabama for a proposed Mixed Use Building.

Councilmember Kingrea moved to approve the Site Plan property owned by Mike Bernhardt listed above. The motion was seconded by Councilmember Ford.

Councilmember Kingrea mentioned receiving letters raising objections to the Site Plan. Mr. Smith explained there is an abundance of parking. Councilmember Quinn mentioned there must be off-street parking, loading and unloading in two spots; and said this is one way to get around the rules.

After further discussion, the motion for approve the Site Plan passed by the following votes: AYE – Stankoski, Mixon, and Kingrea. NAY – Quinn and Ford.

City Council reviewed an application for a Restaurant Liquor License by Adam Hwang, Hwang's Holding, LLC, d/b/a Tokyo Japanese Restaurant, located at 94 Plantation Pointe, Fairhope, Alabama. Councilmember Quinn moved to approve the issuance of the license. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

At the request of the City Attorney, Marion E. Wynne, the City Council will rise from the meeting to go into Executive Session based on Section 36-25A-7(a)(3) to discuss the legal ramifications of and legal options for pending litigation; and controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action. The approximate time to be in Executive Session is 30 minutes. Councilmember Kingrea moved to go into Executive Session. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Exited the dais at 6:52 p.m. Returned at 7:29 p.m.

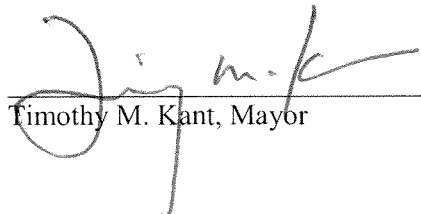
Councilmember Quinn moved to address the following item **not** on the printed agenda. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to settle the case involving Augusta Court. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

25 July 2011


RESOLUTION NO. 1817-11

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to settle the case regarding Augusta Court.

Adopted on this 25th day of July 2011

Timothy M. Kant, Mayor

Attest:



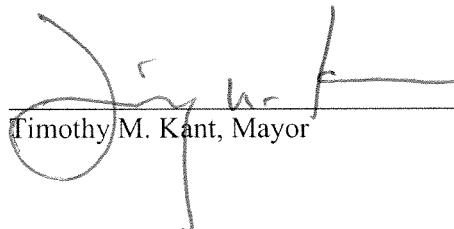
Lisa A. Hanks, MMC
City Clerk

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

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing the City of Fairhope to run the water line on Bishop Road to the Groves at Point Clear Subdivision. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

RESOLUTION NO. 1818-11

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope is hereby authorized to run the water line on Bishop Road to the Groves at Point Clear subdivision.

Adopted on this 25th day of July 2011

Timothy M. Kant, Mayor

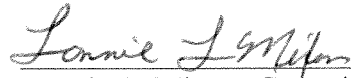
Attest:



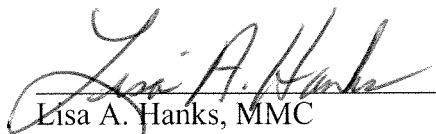
Lisa A. Hanks, MMC
City Clerk

25 July 2011

There being no further business to come before the City Council, the meeting was duly adjourned at 7:31 p.m.



Lonnie L. Mixon, Council President



Lisa A. Hanks, MMC
City Clerk