

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 April 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 Dr. Ed Glaize, Pastor of Fairhope United Methodist Church, and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 11 April 2016, regular meeting; minutes of the 11 April 2016, work session; and minutes of the 11 April 2016, agenda meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council and requested Chief Petties to come up front. Mayor Kant commented that Chief Petties had completed 80 hours of training in the Certification of Law Enforcement Executive Program; and has now received his Level II (“AACOP”) Alabama Association of Chiefs of Police Certification letter. Mayor Kant thanked Chief Petties for all of his hard work and dedication. Mayor Kant mentioned Mother’s Day, downtown attractiveness and thanked Jennifer Fidler and her staff; and asked the citizens to bear with the City during the “Paving Project.”

Council President Burrell welcomed everyone that was viewing our livestreaming City Council meeting on the City’s website or on the City’s Facebook.

Councilmember Boone moved for final adoption of Ordinance No. 1573, an ordinance to amend Ordinance No. 1510 known as the Personnel Rules, Policies and Procedures Ordinance. Section 4.04 Overtime and Section 11.01 Selection of Members of for Personnel Board. (Introduced at the April 11, 2016 City Council Meeting) Seconded by Councilmember Brewer, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None. Mayor Kant commented this will be another tool for dealing with overtime.

Councilmember Brewer introduced in writing Ordinance No. 1574, an ordinance to annex the property of Clifford Street and Jean Street as Trustees of the Street Living Trust Dated July 27, 2005, located at 18543 Greeno Road, Fairhope, Alabama; 46-09-29-0-000-056.000 and 46-09-29-0-000-057.000.

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In order to take immediate action, Councilmember Brewer moved for immediate consideration. Seconded by Councilmember Boone, motion for immediate consideration passed unanimously by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY – None. Councilmember Brewer then moved for final adoption of Ordinance No. 1574. Seconded by Councilmember Mueller, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY – None.

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope authorizes submission of a pre-application to ADECA requesting an FY 2016 Recreational Trails Program (“RTP”) grant and authorizes Mayor Timothy M. Kant to sign the required grant application on behalf of the City. Total projected costs estimate is \$150,000.00 (50/50 match; City’s estimate \$75,000.00). Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2524-16

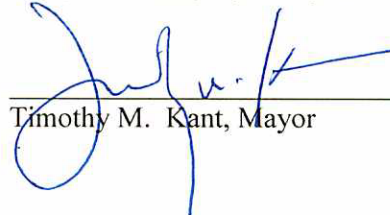
WHEREAS, the Alabama Department of Economic and Community Affairs (ADECA) is accepting pre-applications for the FY 2016 Recreational Trails Program (RTP) grants; and

WHEREAS, the City of Fairhope has identified a need to construct a natural trail for walking, cycling and pedestrian use on property recently deeded to the City from the Fairhope Single Tax Corporation near the intersection of Twin Beech Road and County Road 13; and

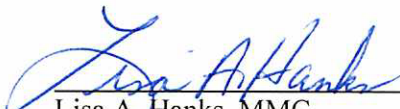
WHEREAS, the total project cost estimate is \$150,000 and the City is requesting \$75,000 in FY16 RTP funds and, if the grant is funded, the City will provide \$75,000 (50%) in local matching funds through a cash contribution;

THEREFORE, BE IT RESOLVED BY THE City of Fairhope, IN REGULAR SESSION ASSEMBLED, that by this Resolution the City of Fairhope authorizes submission of a pre-application to ADECA requesting an FY 2016 RTP grant and authorizes the Mayor to sign the required grant application on behalf of the City.

DONE, under the Seal of the City of Fairhope this 25th day of April, 2016


 Timothy M. Kant, Mayor

ATTEST:


 Lisa A. Hanks, MMC
 City Clerk

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Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope finds the costs associated with the demolition of the property at 761 Northrop Street were reasonably incurred and assesses the same against the property. The cost fixed by this resolution shall constitute a final assessment of \$5,067.90 against the lot or parcel of land upon which the building was located; and that pursuant to Section 7-91 of said Code; the final assessment as made and confirmed shall constitute a lien on the property for the amount of the final assessment; and said lien shall be filed in the Office of the Judge of Probate of Baldwin County by the City attorney. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2525-16

WHEREAS, the Building Official of the City of Fairhope, Alabama, pursuant to provisions of Article V Chapter 7 of the Fairhope Code of Ordinances has investigated a building which existed on Northrop Street (Tax Parcel ID Number 46-04-17-4-000-099.000) and has found the same to be a dangerous building within the meaning of Section 7-88 of said Code and a public nuisance; and

WHEREAS, the said Building Official posted the required notice of the dangerous building and provided a copy of such notice to Alzater B. King ½ int. etal, c/o Elouise Stevens (March 28, 2014 and again on July 8, 2015) to remedy the unsafe condition or the building or structure within forty five (45) days of the date appearing on the notice; and

WHEREAS, neither the Building Official nor the City Clerk has received a written request for a hearing from any person having an interest in the building or structure within thirty (30) days requirement for said hearing; and

WHEREAS, the Building Official has presented to the City Clerk costs associated with demolition of said building which includes labor, transport of demolition debris, and an administrative fee for a total cost of \$5,067.90; and

WHEREAS, the City Clerk, by first class mail, gave notice of the meeting at which costs are going to be fixed to be considered to the owner (April 5, 2016), all entities having an interest in the property whose address and interest is determined from the tax assessor's records on the property which was set for the April 25, 2016 City Council meeting.

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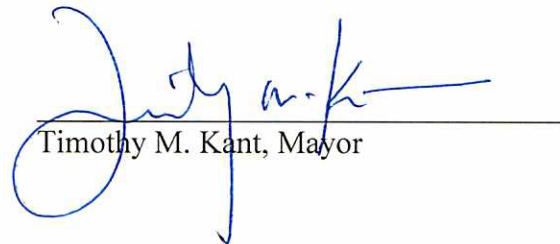
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NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the City of Fairhope finds the costs associated with the demolition of the property at 761 Northrop Street were reasonably incurred and assesses the same against the property. The cost fixed by this resolution shall constitute a final assessment of \$5,067.90 against the lot or parcel of land upon which the building was located.

NOW THEREFORE BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that pursuant to Section 7-91 of said Code; the final assessment as made and confirmed shall constitute a lien on the property for the amount of the final assessment; and said lien shall be filed in the Office of the Judge of Probate of Baldwin County by the City attorney.

ADOPTED ON THIS 25TH DAY OF APRIL, 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 a Contractual Agreement between the City of Fairhope and the Haven to partner the efforts, objectives, resources and manpower of the City and the Haven to better fulfil the needs of homeless and unwanted animals. The term of this agreement is for five (5) years with an option to renew for an additional five (5) years. Seconded by Councilmember Boone, motion passed unanimously by voice vote. Council President Burrell stated that this partnership agreement is the same agreement as the previous one.

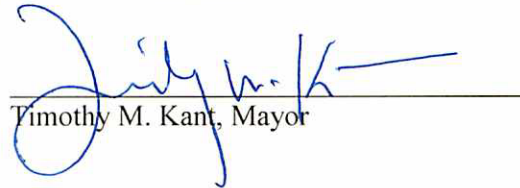
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25 April 2016

RESOLUTION NO. 2526-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a Contractual Agreement between the City of Fairhope and The Haven to partner the efforts, objectives, resources and manpower of the City and The Haven to better fulfil the needs of homeless and unwanted animals. The term of this agreement is for five (5) years with an option to renew for an additional five (5) years

DULY ADOPTED THIS 25TH DAY OF APRIL, 2016


Timothy M. Kant, Mayor

Attest:

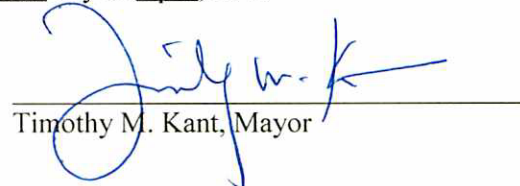


Lisa A. Hanks, MMC
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution That Mayor Timothy M. Kant is hereby authorized to execute a Release and Settlement Agreement between AT&T Corp. and the City of Fairhope. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2527-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a Release and Settlement Agreement between AT&T Corp. and the City of Fairhope.

Adopted on this 25th day of April, 2016


Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

25 April 2016

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute an Agreement with the State of Alabama, acting by and through the Armory Commission of Alabama, for the repaving and restriping by the City of Fairhope at AL-ARNG Readiness Center located in Fairhope, Alabama in strict conformity with the existing City of Fairhope Contract for Maintenance Paving in Fairhope 2016 Plans with a proposal price of \$27,300.00 which payment will be made by the State of Alabama to the City of Fairhope for Contract No. AC-16-C-0015-S. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

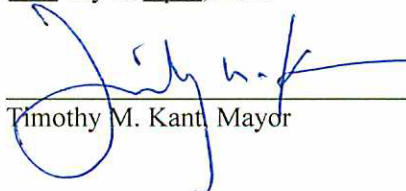
RESOLUTION NO. 2528-16

BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE AS FOLLOWS:

1. That the City of Fairhope, Alabama enters into a construction contract with the State of Alabama, acting by and through the Armory Commission of Alabama, for:
 - [1] The repaving and restriping by the City of Fairhope at AL-ARNG Readiness Center located in Fairhope, Alabama in strict conformity with the existing City of Fairhope Contract for Maintenance Paving in Fairhope 2016 Plans and Specifications and as specifically indicated on sheets C2, C12, C17, C18, and Addendum #1 of these City Contract Documents; and
 - [2] The price proposal dated 1st April 2016 by City of Fairhope Mayor Timothy M. Kant and approved by the Armory Commission in the amount of \$27,300.00 for the repaving and restriping at AL-ARNG Readiness Center which payment will be made by the State of Alabama to the City of Fairhope for Contract No. AC-16-C-0015-S.
2. That the construction contract shall be executed in the name of the City of Fairhope, by its Mayor Timothy M. Kant, for and on its behalf.
3. That the construction contract shall be attested by the City Clerk, Lisa A. Hanks, and the seal of the City of Fairhope affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

Adopted and Approved this 25th day of April, 2016


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, MMC
 City Clerk

25 April 2016

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase a 206 Altec Model AM55E Bucket Truck for the Electric Department and the requested item is available for direct procurement through the National Joint Powers Alliance (“NJPA”) Buying Group Contract. This has been nationally bid through the NJPA’s bid process. The total cost is \$196,874.00. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 2529-16

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 206 Altec Model AM55E Bucket Truck for the Electric Department and the requested item is available for direct procurement through the National Joint Powers Alliance (“NJPA”) Buying Group Contract. This has been nationally bid through the NJPA’s bid process.

[2] The following is the National Joint Powers Alliance (“NJPA”) Buying Group Contract information:

Quote Number: 314606-1

Altec Model AM55E Bucket Truck Total Cost **\$196,874.00**

Adopted on this 25th day of April, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Boone moved to grant the request of Jennifer Flad, Executive Director of The Exceptional Foundation of the Gulf Coast, requesting permission to block streets (South Church Street, Morphy Avenue, Section Street, and De La Mare Street); use the Fairhoper’s Community Park; and use of barricades for the Exceptional 4th of July Parade on July 2, 2016 from 8:00 a.m. to 10:00 a.m. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 6:25 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk