

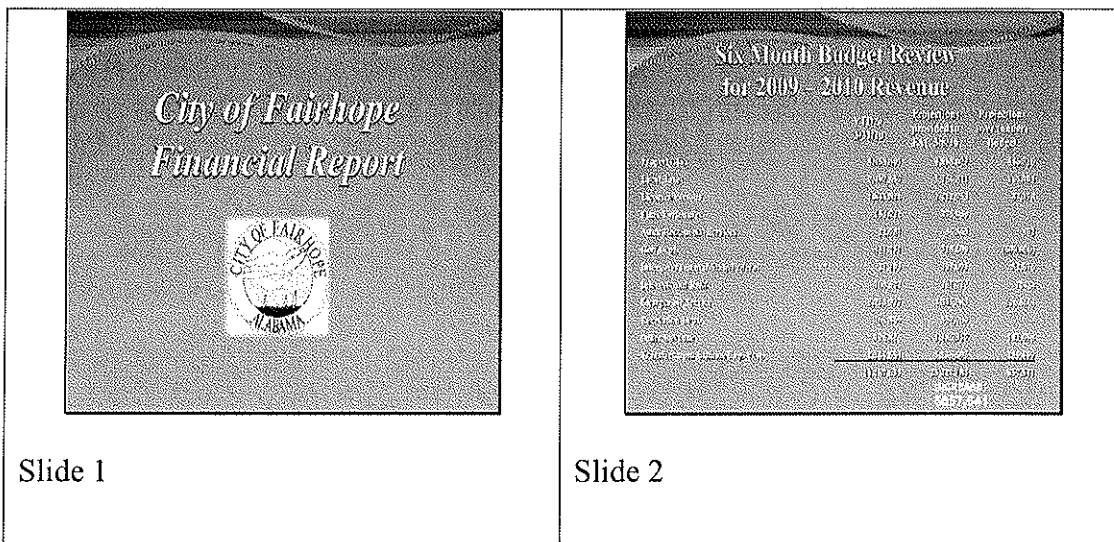
STATE OF ALABAMA            )  
   :  
 COUNTY OF BALDWIN        )

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, 12 April 2010.

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 Reverend Parsons, Pastor of Redeemer Lutheran Church and the Pledge of Allegiance was recited. Council President Mixon asked if there were any corrections to the minutes from the 22 March 2010, regular meeting. He then stated if there are no corrections, the minutes stand approved as written. Council President Mixon then asked if there were any corrections to the minutes from the 22 March 2010, work session. He then stated if there are no corrections, the minutes stand approved as written. Councilmember Quinn stated she did not approve of the minutes.

Mayor Kant addressed the City Council and presented the following Power Point presentation:



12 April 2010

### Six Month Budget Review for 2009 - 2010 Expenses

	2009	2010	2010-2009
	(\$)	(\$)	(\$)
PROFESSIONAL FEES	2,220,000	2,210,000	10,000
CONSULTING FEES	2,220,000	2,200,000	20,000
TRAVEL	2,220,000	2,150,000	70,000
RENTS	2,220,000	2,150,000	70,000
TELEPHONE	2,220,000	2,150,000	70,000
POSTAGE	2,220,000	2,150,000	70,000
OFFICE SUPPLIES	2,220,000	2,150,000	70,000
DEPRECIATION	2,220,000	2,150,000	70,000
REPAIRS	2,220,000	2,150,000	70,000
INSURANCE	2,220,000	2,150,000	70,000
UTILITIES	2,220,000	2,150,000	70,000
SALES AND MARKETING	2,220,000	2,150,000	70,000
<b>TOTAL</b>	<b>22,200,000</b>	<b>21,950,000</b>	<b>250,000</b>

**INCREASE  
\$250,000**

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### Major Variance to 2010 Budget

PROFESSIONAL FEES	2,220,000
CONSULTING FEES	2,200,000
TRAVEL	2,150,000
RENTS	2,150,000
TELEPHONE	2,150,000
POSTAGE	2,150,000
OFFICE SUPPLIES	2,150,000
DEPRECIATION	2,150,000
REPAIRS	2,150,000
INSURANCE	2,150,000
UTILITIES	2,150,000
SALES AND MARKETING	2,150,000
<b>TOTAL</b>	<b>21,950,000</b>

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### YTD Comparison

	2009 YTD	2010 YTD	2010-2009 YTD
PROFESSIONAL FEES	2,220,000	2,210,000	10,000
CONSULTING FEES	2,220,000	2,200,000	20,000
TRAVEL	2,220,000	2,150,000	70,000
RENTS	2,220,000	2,150,000	70,000
TELEPHONE	2,220,000	2,150,000	70,000
POSTAGE	2,220,000	2,150,000	70,000
OFFICE SUPPLIES	2,220,000	2,150,000	70,000
DEPRECIATION	2,220,000	2,150,000	70,000
REPAIRS	2,220,000	2,150,000	70,000
INSURANCE	2,220,000	2,150,000	70,000
UTILITIES	2,220,000	2,150,000	70,000
SALES AND MARKETING	2,220,000	2,150,000	70,000
<b>TOTAL</b>	<b>22,200,000</b>	<b>21,950,000</b>	<b>250,000</b>

**INCREASE  
\$250,000**

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### YTD Comparison

PROFESSIONAL FEES	2,220,000	2,210,000	10,000
CONSULTING FEES	2,200,000	2,200,000	0
TRAVEL	2,150,000	2,150,000	0
RENTS	2,150,000	2,150,000	0
TELEPHONE	2,150,000	2,150,000	0
POSTAGE	2,150,000	2,150,000	0
OFFICE SUPPLIES	2,150,000	2,150,000	0
DEPRECIATION	2,150,000	2,150,000	0
REPAIRS	2,150,000	2,150,000	0
INSURANCE	2,150,000	2,150,000	0
UTILITIES	2,150,000	2,150,000	0
SALES AND MARKETING	2,150,000	2,150,000	0
<b>TOTAL</b>	<b>21,950,000</b>	<b>21,950,000</b>	<b>0</b>

**NO CHANGE  
\$0**

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### Annual Comparison

	2009	2010	2010-2009
PROFESSIONAL FEES	2,220,000	2,210,000	10,000
CONSULTING FEES	2,220,000	2,200,000	20,000
TRAVEL	2,220,000	2,150,000	70,000
RENTS	2,220,000	2,150,000	70,000
TELEPHONE	2,220,000	2,150,000	70,000
POSTAGE	2,220,000	2,150,000	70,000
OFFICE SUPPLIES	2,220,000	2,150,000	70,000
DEPRECIATION	2,220,000	2,150,000	70,000
REPAIRS	2,220,000	2,150,000	70,000
INSURANCE	2,220,000	2,150,000	70,000
UTILITIES	2,220,000	2,150,000	70,000
SALES AND MARKETING	2,220,000	2,150,000	70,000
<b>TOTAL</b>	<b>22,200,000</b>	<b>21,950,000</b>	<b>250,000</b>

**INCREASE  
\$250,000**

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### Annual Comparison

PROFESSIONAL FEES	2,220,000	2,210,000	10,000
CONSULTING FEES	2,200,000	2,200,000	0
TRAVEL	2,150,000	2,150,000	0
RENTS	2,150,000	2,150,000	0
TELEPHONE	2,150,000	2,150,000	0
POSTAGE	2,150,000	2,150,000	0
OFFICE SUPPLIES	2,150,000	2,150,000	0
DEPRECIATION	2,150,000	2,150,000	0
REPAIRS	2,150,000	2,150,000	0
INSURANCE	2,150,000	2,150,000	0
UTILITIES	2,150,000	2,150,000	0
SALES AND MARKETING	2,150,000	2,150,000	0
<b>TOTAL</b>	<b>21,950,000</b>	<b>21,950,000</b>	<b>0</b>

**NO CHANGE  
\$0**

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### City Cash Increase for 12 Months

	2009	2010	% Change
Capital	1,000,000	1,000,000	0%
Operating	1,000,000	1,000,000	0%
Reserve	1,000,000	1,000,000	0%
General	1,000,000	1,000,000	0%
<b>Total</b>	<b>4,000,000</b>	<b>4,000,000</b>	<b>0%</b>

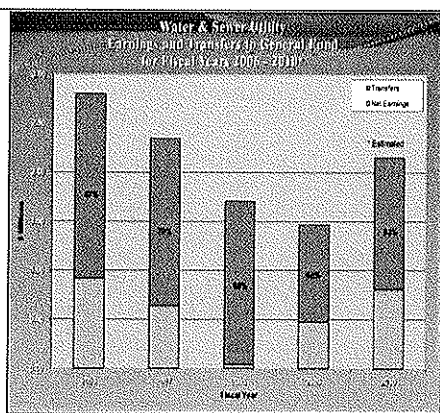
**INCREASE \$3,000,000**

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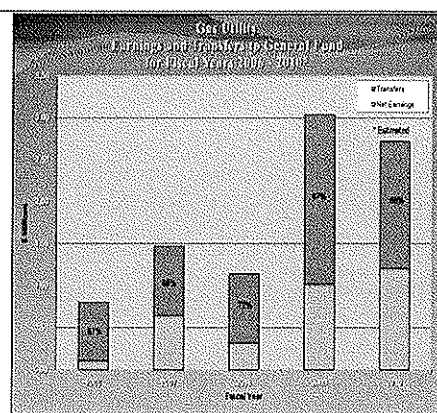
### 2008/2009 Monthly Expense

Category	2008	2009	% Change
Operating	1,000,000	1,000,000	0%
Capital	1,000,000	1,000,000	0%
Reserve	1,000,000	1,000,000	0%
General	1,000,000	1,000,000	0%
<b>Total</b>	<b>4,000,000</b>	<b>4,000,000</b>	<b>0%</b>

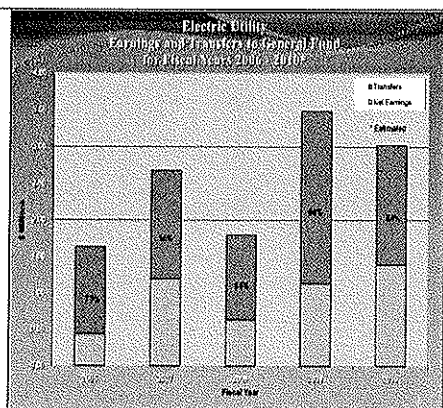
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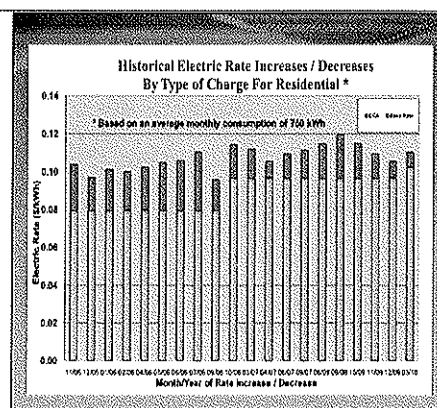
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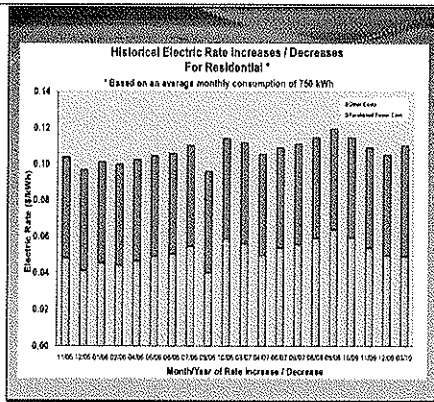


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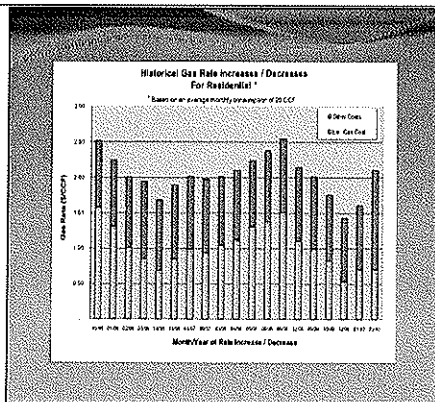


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### Historical Electric Rates For Residential

Month/Year	Electric Rate (\$/kWh)	Change (%)	Total Charge
1985	0.095		
1986	0.098	3.2	
1987	0.100	2.0	
1988	0.102	2.0	
1989	0.105	3.0	
1990	0.108	3.0	
1991	0.110	2.0	
1992	0.112	2.0	
1993	0.115	3.0	
1994	0.118	3.0	
1995	0.120	2.0	
1996	0.122	2.0	
1997	0.125	3.0	
1998	0.128	3.0	
1999	0.130	2.0	
2000	0.132	2.0	
2001	0.135	3.0	
2002	0.138	3.0	
2003	0.140	2.0	
2004	0.142	2.0	
2005	0.145	3.0	
2006	0.148	3.0	
2007	0.150	2.0	
2008	0.152	2.0	
2009	0.080	-47.4	
2010	0.090	12.5	

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### Historical Gas Rate Increases / Decreases for Residential

Month/Year	Gas Rate (\$/CCF)	Change (%)	Total Charge
1985	1.40		
1986	1.45	3.6	
1987	1.50	3.4	
1988	1.55	3.3	
1989	1.60	3.2	
1990	1.65	3.1	
1991	1.70	3.0	
1992	1.75	2.9	
1993	1.80	2.8	
1994	1.85	2.8	
1995	1.90	2.7	
1996	1.95	2.6	
1997	2.00	2.6	
1998	2.05	2.5	
1999	2.10	2.4	
2000	2.15	2.4	
2001	2.20	2.3	
2002	2.25	2.3	
2003	2.30	2.2	
2004	2.35	2.2	
2005	2.40	2.1	
2006	2.45	2.1	
2007	2.50	2.0	
2008	2.55	2.0	
2009	1.00	-61.2	
2010	1.20	20.0	

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### Gas Bill @ 8 Pope Court

DATE	UNIT	START	END
01/07/09	32	01/01/09	01/31/09
02/01/09	35	02/01/09	02/28/09
03/01/09	31	03/01/09	03/31/09
04/01/09	25	04/01/09	04/30/09

Consolidated Utility of the City of Fort Worth, Texas  
Gas Tax: 2.0000 per CCF  
Total Due: \$118.66

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### Mandatory Requirements for City Utility Revenue Warrants

- 11.3 - Jurisdiction: Free Service
- 11.5 - Minimum Adequate Rates

Equal to amount on existing warrants plus 1/4 times the amount of service for that year.

Article 11 - Particular Governments of the City are signed off each year by Auditor and City Treasurer.

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### Revenue/Tax Increases Since October 2008

WATER RATES	21%
SEWER RATES	46%
PROPERTY TAXES	17%
SALES TAX	2%

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### Questions for Council

Department	2010	2011	2012
Police	\$1,200,000	\$1,200,000	\$1,200,000
Fire	\$1,200,000	\$1,200,000	\$1,200,000
Public Works	\$1,200,000	\$1,200,000	\$1,200,000
Administration	\$1,200,000	\$1,200,000	\$1,200,000
Library	\$1,200,000	\$1,200,000	\$1,200,000

2010 Departmental Budgets are based on the 2009 budget.

2011 Departmental Budgets are based on the 2010 budget.

2012 Departmental Budgets are based on the 2011 budget.

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### Five Year Plan

Total for General Fund	\$20,518,000
Total for Utilities	\$3,069,641
<b>Total</b>	<b>\$23,587,641</b>

**Questions:**

1. How do we address the revenue gap?
2. How do we address the revenue gap?
3. How do we address the revenue gap?

- Increase Rates
- Increase Fees
- Increase Taxes
- Increase Grants
- Increase Donations

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Mayor Kant made the following comments:

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Council, I have a report of the City finances for the past six months, which is required by law.

The total revenue for the City's general fund for the first six months is \$14,187,633, which should be about \$857,541 increase over budget based on future projections. The total expenses are \$10,727,412 which should be about \$1,122,443 increase for the year.

Comparing the total revenue for the same period of time one year ago, the city is up \$2,287,176 comparison of expenses, increased \$772,853.

Just to show a total annual comparison from 2008 to present budget, revenues are up \$4,370,452 and expenses are up \$1,260,784 after cutting cost to a minimum a few months ago.

The City cash position has increased \$3,857,779 or about a 53% increase to total of \$11,134,223. Most of the increase in expense is in general government and are employee related costs. This can be contributed to raises, which amounts to \$440,363. These are just cost for this fiscal year.

The general fund benefits from the City utilities, the electric rates have changed over time. I listed all the times since 2005 I changed the rates, except for October 6th and March 10<sup>th</sup> when the Council's new ordinance changed the base rate. The total other cost have stayed the same until this year. Total cost of units since 2005 has grown from \$0.10 to \$0.11; which is the increase March 10<sup>th</sup> by



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ordinance. Gas rates, other than last month has stayed consistent since 2005 ranging from 2.52 to 3.11.

I picked my house to compare with Mobile Gas, which represented the winter, Fairhope was 14.8% savings.

Some might now know that when the Council passes the budget each year, our revenue bond requires that the rate must be equal to expense plus 1.1 times the annual debt service. The Treasurer audits to make sure this happen.

Recap on Revenue/Tax increases shows water is up 23%, sewer is up 46%, electric is up 17%, and we have a 2% sales tax.

I hope that the Council puts the gas price back to \$1.63 or a \$0.40 decrease per unit and possibly rebate the increase from last month if you adjust the budget.

Finally, this is your first look at the City Administrator gave me to work on. I need the FAC Committee to answer these questions.

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**PROMOTIONS/MERIT RAISES**

I have a problem selecting a department over another. There were at least 11 employees in the City who fall into this category, and the Committee and Council said no to any raises for this year.

**POLICE REVIEW OFFICER**

I think having the judge involved is a good thing. If the judge has a conflict, let the judge select another Municipal judge as he currently does for cases that come before him in court.

I want to go on the record stating that the ordinance on take home vehicles is against State Code, along with the ordinance regarding the Utility Superintendent.

**GARY WOLFE AND GENERAL PROCESSION**

For the City Police Department not to help families in a time of great emotional need is just not right. No other city in Baldwin County has motorcycles, and all provide this service to their citizens. To say the City of Fairhope is not going to provide traffic control for the public safety is not the type of community policing we are about in Fairhope.

Councilmember Kingrea addressed Mayor Kant regarding the comments made to the media about the Councilmembers. He told Mayor Kant that he resented the Mayor's accusation of the City Council violating the Open Meetings Act. Councilmember Kingrea told Mayor Kant to show him proof of these accusations. Mayor Kant replied I will have them at the next meeting.



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Councilmember Quinn addressed the City Council and briefly went over the following items:

- (1) Thanked Mayor Kant for sending the ADECA letter for an extension on the skateboard park.
- (2) Stated the County has completed plans for Highway 44 and bridge over Cowpin Creek, but funds are needed.
- (3) Discussed the proposal for RFQs for professional services.
- (4) Requested the RFQs for garbage services be sent to the Public Works Committee before posting.

Chief Press addressed the City Council and requested the approval for the promotions of Joseph H. Petties to Police Patrol Captain and Danny Beaver to Police Corrections Sergeant. Chief Press stated these were proposed last year and both have been working in these upper level positions. He mentioned talking with both Petties and Beaver today. Both are in agreement with the promotions and to not be compensated until October 1, 2010. Their salaries will be part of the next fiscal year's budget. After further discussion, Councilmember Quinn moved to grant the request to promote Joseph H. Petties to Police Patrol Captain. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Kingrea moved to grant the request of Chief Press requesting permission to promote Danny Beaver to Police Corrections Sergeant. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Assistant Chief of Police Sanders addressed the City Council and requested for the approval to hire three part-time Corrections Officers to help with overtime costs. These three will be on a list for when needed and be qualified employees. Chief Press said these three would have background checks, polygraphs, and psychological checks. After further discussion, Councilmember Stankoski moved to grant the request to hire three part-time Corrections Officers for the Police Department. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Chief Press addressed the City Council and requested for approval to hire a full time Corrections Officer to be added on the agenda. Councilmember Kingrea asked if this would be a negative to the budget. Chief Press replied we would like to go through the process and hire the Officer after October 1, 2010.

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Councilmember Quinn moved to add the above mentioned item **not** on the printed agenda. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Quinn moved to grant the request to hire a full time Corrections Officer for the Police Department. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Ford moved to grant the request to approve Mayor Kant and Councilmember Quinn to attend the 2010 Congressional City Conference from November 30 thru December 4, 2010 in Denver, Colorado. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Quinn moved to grant the request of Kathy Moore, on the Board of Directors for Theatre 98, Inc., requesting the City of Fairhope to approve their option to renew the Theatre 98's lease for an additional five (5) years as provided in the said lease. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Kingrea moved to appoint Diane Thomas and Wayne Griffin to the Personnel Board, for a 5-year term. The term shall end April 2015. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution with the amendment for the wording of "appoint a Review Officer" changed to "appoint a Review Officer (a Municipal Judge)", a resolution amending the Police General Order 4.300. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

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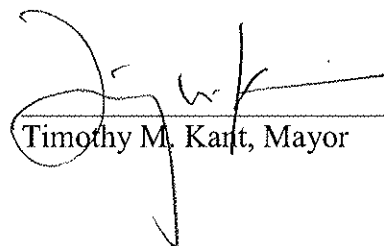
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**RESOLUTION NO. 1633-10**

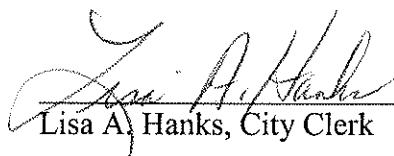
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Police General Order 3.400 is hereby amended to state that the Department Review Officer shall be the Municipal Court Judge. Said Order is further amended to state that the Review Officer shall continue to serve in that capacity until removed by the City Council. Said Order is further amended to state the City Administrator shall have the authority to appoint a Review Officer (a Municipal Court Judge) in the event that the Municipal Court Judge is not available. Said Order is further amended to state that if the Review Officer is a witness or otherwise is involved in a proposed disciplinary action and therefore is not being "impartial," the City Administrator shall appoint a Special Review Officer for the purpose of that disciplinary action.

DULY ADOPTED THIS 12TH DAY OF APRIL, 2010



\_\_\_\_\_  
Timothy M. Kant, Mayor

Attest



\_\_\_\_\_  
Lisa A. Hanks, City Clerk

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute an Agreement for Professional Services with R. E. Pender, Inc. to perform a Gas Rate Study for the City of Fairhope. The motion was seconded by Councilmember Quinn. Councilmember Kingrea mentioned the Fairhope Advisory Committee discussed there would be a \$700,000 shortfall and he had a problem with paying \$12,000 for the Gas Rate Study. We should put this in the 2011 budget cycle. Councilmember Ford stated the City had a \$500,000 savings in one year and a \$750,000 from one connection. Councilmember Stankoski questioned if the December 2009 rate adjustment came from Pender and where do we stand. Mayor Kant replied the City furnishes Pender with budget figures and gets the recommended adjustment from

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Pender. Mayor Kant said that the estimated shortfall for the budget would be around \$300,000. Councilmember Stankoski asked were these faulty calculations on staff mistakes. Mayor Kant replied the labor and insurance budgeted amounts were not correct, the budget was corrected, and the rate adjusted. Councilmember Stankoski asked; can we not just continue with what we have been doing. Mayor Kant stated the City Council and FAC recommended the study. After further discussion, motion failed unanimously by voice vote.

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to award bid for a Used Komatsu, model D39PX-21A Bulldozer, for the City Landfill/Street Department (Bid No. 007-10) and declaring the D-6 Bulldozer with serial number 4RCO1530 as surplus property. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

**RESOLUTION NO. 1634-10**

**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 Used D-5 Bulldozer for the City Landfill/Street Department (Bid Number 007-10) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

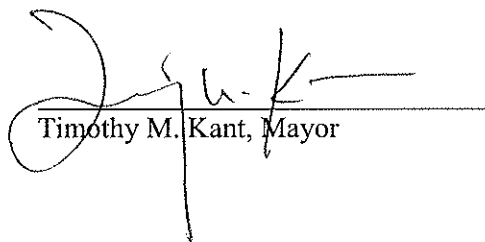
[2] At the appointed time and place, the following bids were opened and tabulated as follows:

Please see attached Bid Tabulation for a  
Used D-5 Bulldozer for the City Landfill/Street Department

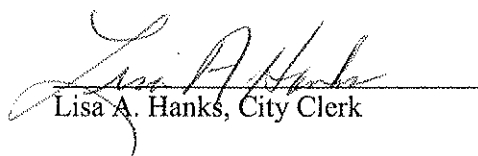
[3] After evaluating the bid proposals with the required bid specifications, Tractor & Equipment Co., Inc., with the total bid proposal of \$24,975.00, is now awarded the bid for a Used Komatsu, model D39PX-21A Bulldozer for the City Landfill/Street Department.

[4] That the City of Fairhope declares the D-6 Bulldozer with serial number 4RCO1530 owned by the City of Fairhope, Alabama as surplus property.

Adopted on this 12th day of April, 2010

  
\_\_\_\_\_  
Timothy M. Kant, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, City Clerk

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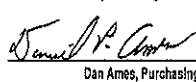
CITY OF FAIRHOPE  
 BID TABULATION AND RECOMMENDATION  
 BID NO. : 007-10  
 BID NAME: Used Bulldozer  
 BID OPENED: 03/08/2010  
 Note: Bid Bond waived.

VENDOR	Beard Equipment	Pittman Tractor Co., Inc.	TEC	Thompson Tractor	Vermeer	Cowin Equipment Co.	WorkTrux
Mandatory Pre-Bid Meeting 3/1/10	yes	yes	yes	yes	no	no bid	no
Addendum No.1 Returned/Signed	yes	yes	yes	yes	n/a	no bid	n/a
Non-Collusion Statement Signed / Notarized	yes	yes	yes	yes	n/a	no bid	n/a
Bid Proposal Executed / Signed / Notarized	yes	yes	yes	yes	n/a	no bid	n/a
Instructions/Specification Compliance							
Delivery lead time ARO	3-5 days	10 days	10 days or less	10 days	n/a	no bid	n/a
Bid Price - Per Unit	58,600.00	49,636.00	48,875.00	65,781.00	n/a	no bid	n/a
Used Bulldozer Trade Allowance	20,000.00	16,000.00	23,900.00	10,000.00	n/a	no bid	n/a
Total	38,600.00	34,636.00	24,975.00	65,781.00	n/a	no bid	n/a
Manufacturer	JD650J	D5GXL	Komatsu				

Recommendation: Award Bid to Tractor & Equipment Company, Inc., for the bid price of \$24,975.00

 3, 25, 10  
 Jennifer Fidler, Public Works Director

To the best of my knowledge this is an accurate tabulation

 3, 25, 2010  
 Dan Ames, Purchasing Manager

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to award bid for a Small Service/ Bucket Truck for the Electric Department (Bid No. 004-10). Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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**RESOLUTION NO. 1635-10**

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

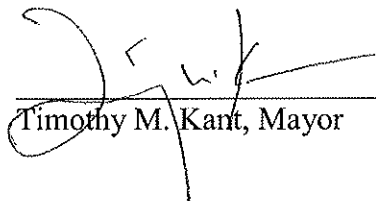
[1] That the City of Fairhope did request, receive, and open bids for a Small Service/Bucket Truck for the Electric Department (Bid Number 004-10) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

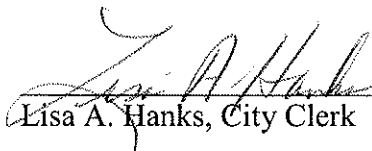
Please see attached Bid Tabulation for a  
Small Service/Bucket Truck for the Electric Department

[3] After evaluating the bid proposals with the required bid specifications, Altec Industries, Inc., with the total bid proposal of \$116,830.00, is now awarded the bid for a Small Service/Bucket Truck for the Electric Department.

Adopted on this 12th day of April, 2010

  
\_\_\_\_\_  
Timothy M. Kant, Mayor

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, City Clerk


12 April 2010

CITY OF FAIRHOPE  
 BID TABULATION AND RECOMMENDATION  
 BID NO. : 004-10  
 BID NAME: Service Truck  
 BID OPENED: 02-17-10  
 Note: Bid Bond waived.

VENDOR	Non-Collusion Statement Signed / Notarized	Bid Proposal Executed / Signed / Notarized	Delivery lead time ARO	Manufacturer	Model	Bid Price per Unit	Addendum No 1 signed / returned
Truck Equipment Sales, Inc.	YES	YES	120-150 Days	Ford F-Series Super Duty	F150 2011 4.6 Super Duty Sport	\$92,357.00	YES
		blank	Opt 1 - Blank				
		blank	Opt 2 - Blank				
Gulf City Body & Trailer	NO	YES	120 Days	Pen Truck Parts	F150 2011 4.6 Super Duty Sport	\$91,465.00	YES
		n/a	Opt 1 - n/a				
		n/a	Opt 2 - n/a				
Altec Industries, Inc.	YES	YES	240-270 Days	Altec	AM0P	\$103,270.00	NO
		n/a	Opt 1 - n/a	Altec	AM0P	\$116,830.00	
		n/a	Opt 2 - n/a		n/a	n/a	
Terex Utilities, Inc.	YES	YES	160-210 Days	Terex Utilities	L40 Terex Utility Truck	\$98,207.00	YES
		n/a	Opt 1 - same	Terex utilities	N Power Truck 1A	\$21,150.00	
		no bid	Opt 2 - no bid			NO BID	
Kenworth of Mobile, Inc.	NO BID	NO BID	NO BID				
Ingram Equipment Company	NO BID	NO BID	NO BID				

Recommendation: Award Bid No.: 004-10 to Altec Industries, Inc. In the amount of \$116,830.00 which is inclusive of Option# 1

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

  
 Scott Sligh, Electric Superintendent  
 3/18/2010

  
 Daniel P. Ames, Purchasing Manager  
 3/18/2010

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to award bid for a Three Year Lease for a Backhoe Loader for the Public Works Department (Bid No. 008-10). Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.



12 April 2010

**RESOLUTION NO. 1636-10**

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

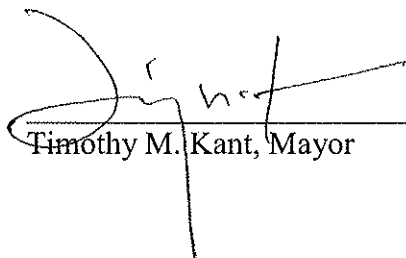
[1] That the City of Fairhope did request, receive, and open bids for a Three Year Lease for a Backhoe Loader for the Public Works Department (Bid Number 008-10) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

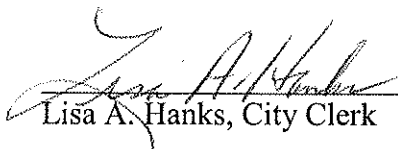
Please see attached Bid Tabulation for Three Year Lease  
for a Backhoe Loader for the Public Works Department

[3] After evaluating the bid proposals with the required bid specifications, Beard Equipment, with the total bid proposal of \$59,849.28, is now awarded the bid for Three Year Lease for a Backhoe Loader for the Public Works Department

Adopted on this 12th day of April, 2010

  
\_\_\_\_\_  
Timothy M. Kant, Mayor

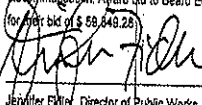
Attest:

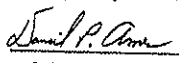
  
\_\_\_\_\_  
Lisa A. Hanks, City Clerk

12 April 2010

CITY OF FAIRHOPE  
 BID TABULATION & RECOMMENDATIONS  
 BID NO.: 008-10  
 BID NAME: Backhoe Loader Three Year Lease  
 BID OPENED: 03/29/10

VENDOR	ARO DELIVERY	NON COLLUSION SIGNED	BID PROPOSAL SIGNED	ADDENDA #1 & #2 SIGNED	MANUFACTURER MODEL	36 Month Lease (per month)	36 Month Lease (total)	36 Month Lease w/Purchase @ Lease End (per month)	36 Month Lease w/Purchase @ Lease End (buyout)	36 Month Lease w/Purchase @ Lease End (total)
BEARD EQUIPMENT	30 days	yes	yes	yes yes	John Deere 310SJ	\$1,662.48	59,849.28	\$1,766.47	50,900.00	115,212.82
THOMPSON TRACTOR	within 30 day	yes	yes	yes yes	Cat 420E 4WD	2,861.84	103,738.04	1,969.89	40,758.00	111,674.04
TRACTOR & EQUIPMENT	30 days	yes	yes	yes yes	Komatsu # WB148	1,897.26	68,302.08	1,897.26	30,800.00	99,102.08

Recommendation Award bid to Beard Equipment Co.  
 for best bid of \$ 59,849.28  
  
 3, 29, 2010  
 Jennifer P. Ames, Director of Public Works

To the best of my knowledge this is a true and accurate bid tabulation  
  
 3, 29, 2010  
 Daniel P. Ames, Purchasing Manager

Councilmember Kingrea introduced in writing an Ordinance amending Ordinance No. 1255 known as the Personnel Rules, Policies and Procedures Ordinance, Article VIII, Section 8.10 Use of City Vehicles. Since there was no motion for immediate consideration, this will lay over until the April 26, 2010 City Council meeting.

Councilmember Kingrea introduced in writing an Ordinance amending Ordinance No. 700 and Ordinance No. 1121, an Ordinance to Amend and Add to Chapter 21, Article V, Gas, Section 21-61. Since there was no motion for immediate consideration, this will lay over until the April 26, 2010 City Council meeting.

12 April 2010

Councilmember Stankoski introduced in writing an Ordinance amending Ordinance No. 1122 and Ordinance No. 1383, an Ordinance to Amend and Add to Chapter 21, Article IV, Sewers, Sections 21-56 and 21-57. Since there was no motion for immediate consideration, this will lay over until the April 26, 2010 City Council meeting.

Councilmember Quinn introduced in writing an Ordinance establishing the Position of Utility Superintendent and Defining the Duties, Authority and Liabilities of said Superintendent. Since there was no motion for immediate consideration, this will lay over until the April 26, 2010 City Council meeting.

City Council reviewed an application for a Restaurant Liquor License by George Ben Alleman, President of Alleman Enterprises, LLC, d/b/a Alleman's by the Bay, located at 18 Laurel Avenue, Fairhope, Alabama. Councilmember Kingrea moved to approve the issuance of the license. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Marcus E. Williams, President of Devereux's, d/b/a Devereux's, located at 333 South Greeno Road, Fairhope, Alabama. Councilmember Stankoski moved to approve the issuance of the license. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Dale Cunningham, 117 Nichols Street, addressed the City Council regarding a patio/deck on Nichols Street at the bay. Ms. Cunningham mentioned that when purchasing her home she was told that there was access to Mobile Bay. Then, when she went to the beach, Ms. Cunningham was told she was trespassing. In the late 1990s she petitioned the City of Fairhope for access to the bay. Ms. Cunningham mentioned that the Fairhope Single Tax Corporation has pledged \$1,500 and is willing to pay for the patio/deck. Mayor Kant responded by stating the Public Works Department has been catching up on projects after the Golf Course renovations. We will complete the Dog Park and then bay access. He stated within a month we can get to the bay access deck.

Gary Wolfe, owner of Wolfe Bayview Funeral Homes, addressed the City Council and stated he was not part of an agenda between the Mayor and Council. Mr. Wolfe said he did not have a problem with the Chief, but he had received a registered letter from Chief Press which said there would be no more funerals handled by the Police Department. "What do I do when I have a funeral in Fairhope?" He stated officers were slandering Wolfe Bayview Funeral Homes and we do not charge for funerals. Mr. Wolfe said no other City in Baldwin County charges funeral homes for escorts.

12 April 2010

Council President Mixon suggested that Councilmembers Stankoski and Quinn, Chief Press and Gary Wolfe get together and work out a solution. Mr. Wolfe refused to meet with Chief Press. Councilmember Ford said this is the last service we provide to the citizens of Fairhope. Councilmember Mixon mentioned that there were legal ramifications and not just fees.

Chief Press invited Mr. Wolfe to the CAC meeting. He said we have no problem with someone representing the City, but we cannot move one person to two places at one time. We don't have personnel or vehicles for escort services. This was a policy decision to safeguard everyone in the procession and the citizens of Fairhope. Chief Press stated my letter stated this was intent only and is up for discussion. Councilmember Ford reiterated this should be the last tribute to the family. Chief Press replied safety is our number one goal.

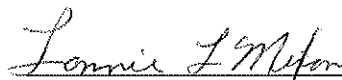
Gary Wolfe said for clarification both statements don't agree. At the last Council meeting, you said the City of Fairhope would not do escorts, but off duty cops could do this. He mentioned I am the only funeral home in the City of Fairhope.


Councilmember Kingrea then said he would do mediation, hear both positions and try to accommodate both. If we can settle this problem! Mr. Wolfe also refused this suggestion and said "I take care of families and run the business."

Councilmember Quinn said let me work with the Police Chief and then work with Mr. Wolfe. She would be the go between for both sides and try to work out a compromise.

Reverend Parsons, Pastor of Redeemer Lutheran Church, addressed the City Council and stated his vocation is helping families. He said sometimes cost is involved. It is nice to see the men in uniform and help get the citizens safely to the funeral.

There being no further business to come before the City Council, the meeting was duly adjourned at 7:26 p.m.

  
\_\_\_\_\_  
Lonnie L. Mixon, Council President

  
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Lisa A. Hanks, City Clerk