

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, 13 September 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 Deacon George Yeend of St. Lawrence Catholic Church and the Pledge of Allegiance was recited. Council President Mixon asked if there were any corrections to the minutes from the 23 August 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 23 August 2010, work session. He then stated if there are no corrections, the minutes stand approved as written.

Council President Mixon announced that Councilmember Quinn would be the City Council liaison for the Fairhope Volunteer Fire Department.

Councilmember Kingrea addressed the City Council regarding “Where Do We Stand” with the following issues:

- 1) Nichols Street Deck – City Attorney Wynne stated the deck was pending on Judge Wilters’ decision.
- 2) Jubilee Lounge – The Business License hearing has been postponed per the request of Mr. McKay’s attorney.
- 3) Parallel parking at the Police Department has been complete.
- 4) Marking of Flowerbeds – Jennifer Fidler stated Fairhope and Magnolia were completed. Councilmember Kingrea mentioned anywhere flowerbeds are located needed to be marked.

Councilmember Quinn moved for the City Council to write a letter to the Baldwin County Commission regarding Highway 104 and 13 lack of safety, visibility, and not seeing stop signs. This letter needs to piggyback on the two previously written letters by the Chief of Police. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Stankoski stated there has been some sales tax talk with a misconception of all going into the General Fund. He explained that one-half of the sales tax is being put into the “Rainy Day Fund.”

13 September 2010

City Attorney Marion E. Wynne addressed the City Council regarding the “Show Cause Hearing” for the house on 7141 Gable Street. He stated a notice of hearing has been given to Ms. Jackson. Barry Fulford, Building Official, stated that the house had been abandoned several years ago. The sides are starting to collapse, the flooring is bad, and parts have been removed by vandals.

Councilmember Quinn moved to declare the house as a dangerous building based on the evidence presented. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

City Attorney Wynne stated the next step for the City Council is to issue an “Order” for the homeowner to repair, vacate, or demolish any building found to be a dangerous building. If the owner, occupant, mortgagee, or lessee fails to comply with the order within thirty (30) days, the City Council shall cause such building or structure to be repaired, vacated, or demolished as the facts may warrant, and, with the assistance of the City Attorney, shall cause the costs of such repair, vacation, or demolition to be charged against the land on which the building existed as a municipal lien or cause such costs to be recovered in a suit against the owner. City Attorney Wynne stated that he and City Clerk Lisa Hanks would prepare the order to be sent to Ms. Jackson.

Councilmember Stankoski moved to authorize City Attorney Wynne to prepare the order for the homeowner to repair, vacate, or demolish the dangerous building and failure for the homeowner to comply within 30 days, the City Council shall cause such building to be repaired, vacated, or demolished and shall cause the costs of such repair, vacation, to demolition to be charged against the land on which building existed as a municipal lien or cause such costs to be recovered in a suit against the owner. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Councilmember Kingrea moved to approve the appointment of Anil Vira on the Board of Adjustments and Appeals for a three-year term. The term will expire in September 2013. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to terminate the three year lease contract between the City of Fairhope and ABS Business Systems due to the vendor failing to perform to the standards of the contract. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

13 September 2010

RESOLUTION NO. 1692-10

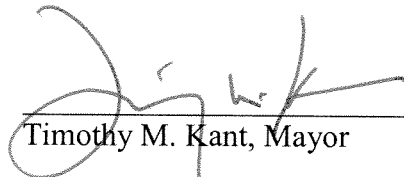
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That on February 26, 2009 the City of Fairhope did award ABS Business Systems, (Bid No. 001-09), for a three year contract lease on (4) multi- function network devices (Type 1 copiers).

[2] That on March 6, 2009, a Notice of Award was issued to ABS Business Systems.

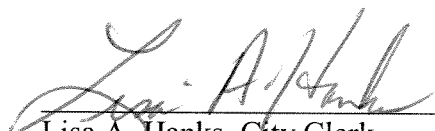
[3] That the City of Fairhope hereby terminates the three year lease contract titled Three Year Lease of Multi-function Network Devices, between the City of Fairhope and ABS Business Systems due to the vendor failing to perform to the standards of the contract.

Adopted on this 13th day of September, 2010



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase Fingerprint Scanning Equipment for the Fairhope Police Department off the Alabama State Department of Purchasing bid list. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

13 September 2010

RESOLUTION NO. 1693-10

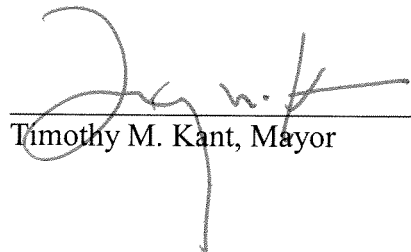
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase Fingerprint Scanning Equipment for the Fairhope Police Department and the type of equipment that is needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and


[2] The following is the Alabama State Department of Purchasing contract information:

| | |
|---|--------------------------------|
| Bid Number: T710 | Contract Number: 4011134 |
| Line Numbers: 00001-00006 | Commodity Number: 205-41079076 |
| Line Numbers: 00001-00006 | \$ 20,216.00 |
| Additional Required Items | <u>7,500.00</u> |
| | \$ 27,716.00 |
| Less Bundle Discount | \$ 2,716.00 |
| Total cost of Fingerprint Scanning Equipment and optional equipment | <u>\$ 25,000.00</u> |

Adopted on this 13th day of September, 2010


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, City Clerk

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase a Server for Live Scan Fingerprint System for the Police Department. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

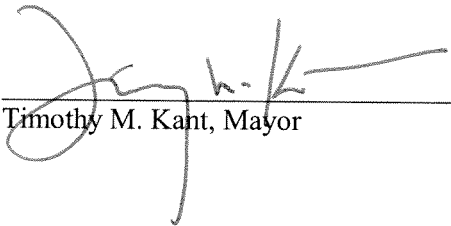
13 September 2010

RESOLUTION NO. 1694-10

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

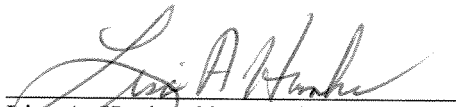
[1] That the City of Fairhope has voted to purchase a Server for Live Scan Fingerprint System for the Police Department. The cost will be approximately \$10,689.00.

Adopted on this 13th day of September 2010



Timothy M. Kant, Mayor

Attest:



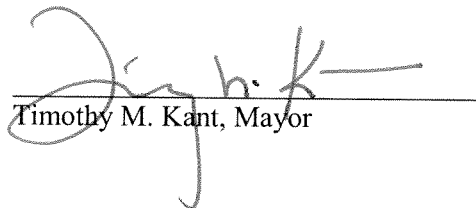
Lisa A. Hanks, City Clerk

Councilmember Quinn 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 Jinright & Associates Development Engineers Consulting, L.L.C. to perform FEMA repairs on South Mobile Street. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

RESOLUTION NO. 1695-10


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute an Agreement for Professional Services with Jinright & Associates Development Engineers Consulting, L.L.C. to perform FEMA Repairs on South Mobile Street for the repair (Project Number PW007-10).

DULY ADOPTED THIS 13TH DAY OF SEPTEMBER, 2010



Timothy M. Kant, Mayor

Attest



Lisa A. Hanks, City Clerk

13 September 2010

Councilmember Kingrea moved to amend the resolution to purchase Services to construct an asphalt road behind the Fairhope Recreation Center as a Capital Project by changing the wording from "to purchase Services" to read "to purchase Services and Asphalt" and changing the amount from \$6,144.00 to \$13,294.00. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

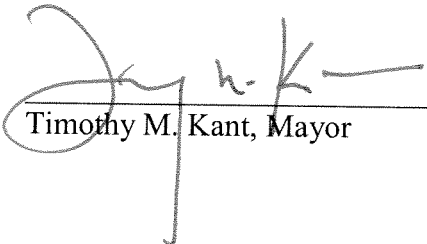
Councilmember Ford introduced in writing, and moved for the adoption of the following resolution as amended, a resolution to purchase Services and Asphalt to construct an asphalt road behind the Fairhope Recreation Center as a Capital Project. The cost will be approximately \$13,294.00. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

RESOLUTION NO. 1696-10

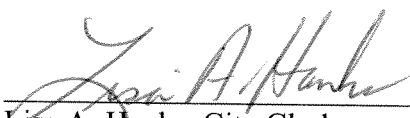
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase services and asphalt to construct an asphalt road behind the Fairhope Recreation Center as a Capital Project. The cost will be approximately \$13,294.00.

Adopted on this 13th day of September 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 to purchase Touchpads and Brackets for the Fairhope Swimming Pool for the Recreation Department. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

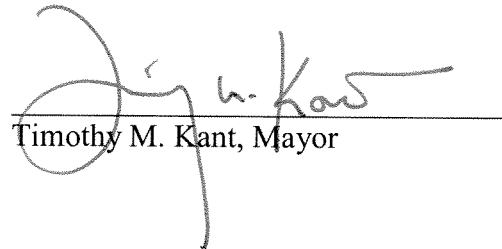
13 September 2010

RESOLUTION NO. 1697-10

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

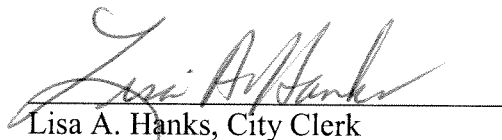
[1] That the City of Fairhope has voted to purchase Touchpads and Brackets for the Fairhope Swimming Pool for the Recreation Department. The cost will be \$7,775.00 and will be 100% reimbursed by the Fairhope Area Swim Team.

Adopted on this 13th day of September, 2010



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

Councilmember Stankoski moved to amend the resolution to authorize Mayor Timothy M. Kant to execute a contract between the City of Fairhope and the Eastern Shore Chamber of Commerce for the use of City Facilities and Resources by adding the wording “depending on availability and permission from the Rental Facilities Manager.” Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution as amended, a resolution to execute a contract between the City of Fairhope and the Eastern Shore Chamber of Commerce for use of the City facilities depending on availability and permission from the Rental Facilities Manager; and resources including personnel, but not security after normal business hours. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

13 September 2010

RESOLUTION NO. 1698-10

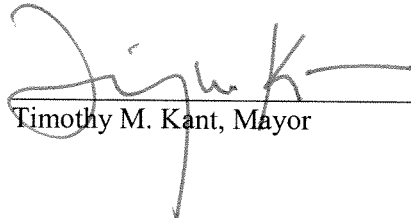
WHEREAS, the Eastern Shore Chamber of Commerce serves a public purpose and the publicity that the Eastern Shore Chamber of Commerce gives the City of Fairhope is a public service; and,

WHEREAS, We, the Eastern Shore Chamber of Commerce, agree to work with the Mayor, and/or his agent(s), advertise (regionally and nationally) and promote the City of Fairhope and to enhance City revenues through economic development including sales & use taxes, lodging taxes, business licenses, etc.; and to provide public arts and crafts for residents and visitors through its annual arts and crafts festival.

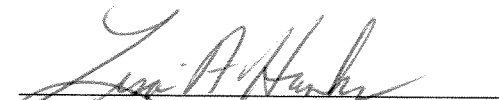
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute contract between the City of Fairhope and the Eastern Shore Chamber of Commerce for use of the City facilities depending on availability and permission from the Rental Facilities Manager; and resources including personnel, but not security after normal business hours.

BE IT FURTHER RESOLVED that the Mayor Timothy M. Kant is hereby authorized to enter into a contract with the Eastern Shore Chamber of Commerce to promote the City of Fairhope. The contract shall be for one year, 1 October 2010 - 30 September 2011, but may be canceled at any time. The contract shall call for a payment to the Eastern Shore Chamber of Commerce of \$125.00 per month from the General Fund and \$125.00 per month from each of the Utility Funds; or \$6,000.00 for the one year term.

ADOPTED this 13th day of September, 2010


 Timothy M. Kant, Mayor

ATTEST:


 Lisa A. Hanks, City Clerk

Councilmember Ford moved to amend the resolution to authorize Mayor Timothy M. Kant to execute a contract between the City of Fairhope and the Eastern Shore Art Center and the Fairhope Committee of Public Arts for the use of City Facilities and Resources by adding the wording “depending on availability and permission from the Rental Facilities Manager.” Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

13 September 2010

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution as amended, a resolution to authorize Mayor Timothy M. Kant to execute a contract between the City of Fairhope and the Eastern Shore Art Center and the Fairhope Committee of Public Art (COPA) for use of the City facilities depending on availability and permission from the Rental Facilities Manager; and resources including personnel, but not security after normal business hours. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

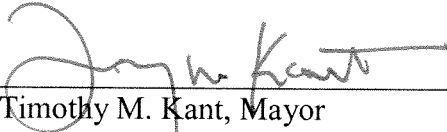
RESOLUTION NO. 1699-10

WHEREAS, the Eastern Shore Art Center and the Fairhope Committee of Public Art (COPA) serves a public purpose and the publicity that the Eastern Shore Art Center and the Fairhope Committee of Public Art (COPA) gives the City of Fairhope is a public service; and,

WHEREAS, We, the Eastern Shore Art Center and the Fairhope Committee of Public Art (COPA), agree to work with the Mayor, and /or his agent(s), advertise (regionally and nationally) and promote the City of Fairhope and to enhance City revenues through economic development including sales & use taxes, lodging taxes, business licenses, etc.; and provide public art as well as cultural opportunities, art education, and art festivals for residents and visitors; and

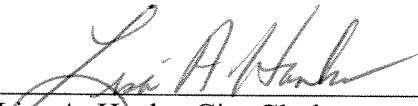
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a contract between the City of Fairhope and the Eastern Shore Art Center and the Fairhope Committee of Public Art (COPA) for use of the City facilities depending on availability and permission from the Rental Facilities Manager; and resources including personnel, but not security after normal business hours.

ADOPTED this 13th day of September, 2010



 Timothy M. Kant, Mayor

ATTEST:



 Lisa A. Hanks, City Clerk

13 September 2010

Councilmember Stankoski moved to amend the resolution to authorize Mayor Timothy M. Kant to execute a contract between the City of Fairhope and the Baldwin Pops for the use of City Facilities and Resources by adding the wording “depending on availability and permission from the Rental Facilities Manager.” Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution as amended, a resolution to authorize Mayor Timothy M. Kant to execute a contract between the City of Fairhope and the Baldwin Pops for use of the City facilities depending on availability and permission from the Rental Facilities Manager; and resources including personnel, but not security after normal business hours. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

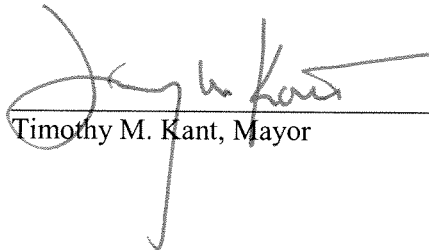
RESOLUTION NO. 1700-10

WHEREAS, the Baldwin Pops serves a public purpose and the publicity that the Baldwin Pops gives the City of Fairhope is a public service; and,


WHEREAS, We, the Baldwin Pops, agree to work with the Mayor, and /or his agent(s), to advertise and promote the City of Fairhope; and to provide free concerts yearly for the residents of Fairhope, also performs at the City’s July 4th celebration and the Founder’s Day Concert and when available participates in the Veteran Day parade; and

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute contract between the City of Fairhope and the Baldwin Pops for use of the City facilities depending on availability and permission from the Rental Facilities Manager; and resources including personnel, but not security after normal business hours.

ADOPTED this 13th day of September, 2010


 Timothy M. Kant, Mayor

ATTEST:


 Lisa A. Hanks, City Clerk

13 September 2010

Councilmember Quinn moved to amend the resolution to approve the new membership fees for the Recreation Center, the Nix Center, and the Municipal Pool by adding the new membership fees for the Quail Creek Golf Course. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution as amended, a resolution to approve the new membership fees for the Recreation Center, the Nix Center, the Municipal Pool, and the Quail Creek Golf Course; and to approve the Holiday Schedule for 2010 – 2011 for the City of Fairhope Recreation Center and the City of Fairhope Municipal Pool. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

RESOLUTION NO. 1701-10

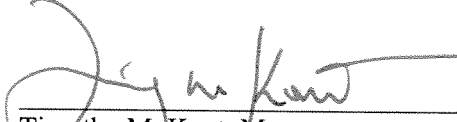
WHEREAS, The City of Fairhope hereby proposes the following membership fees for the City of Fairhope Recreation Center which includes pool, gyms, fitness, etc. (attached as Exhibit A), the City of Fairhope Municipal Pool (attached as Exhibit B), and the Quail Creek Golf Course (attached as Exhibit C); and

WHEREAS, The City of Fairhope also hereby proposes to increase the membership fees for the City of Fairhope James P. Nix Center from \$20.00 to \$25.00 annually for residents inside the corporate city limits of Fairhope and from \$20.00 to \$40.00 for residents living outside the corporate city limits of Fairhope; and


WHEREAS, The City of Fairhope hereby proposes and recommends the following Holiday Schedules for 2010-2011 for the City of Fairhope Recreation Center and Municipal Pool (attached as Exhibit D); and

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that the proposed fees shall take effect October 1, 2010.

ADOPTED THIS 13TH DAY OF SEPTEMBER, 2010


 Timothy M. Kant, Mayor

ATTEST:


 Lisa A. Hanks, City Clerk

13 September 2010

EXHIBIT "A"



Fairhope Recreation Center 2011 Membership Rates

| Membership Rates Within the Corp. City Limits | | | |
|---|--------------|----------------|-------------|
| Category | Monthly Rate | Quarterly Rate | Yearly Rate |
| Single | \$45.00 | \$120.00 | \$360.00 |
| Couple | \$55.00 | \$150.00 | \$420.00 |
| Family (immediate family members) | \$65.00 | \$180.00 | \$480.00 |
| Senior Single (60 and over) | \$35.00 | \$100.00 | \$320.00 |
| Senior Couple (60 and over) | \$45.00 | \$130.00 | \$375.00 |

| Membership Rates Outside of the Corp. City Limits | | | |
|---|--------------|----------------|-------------|
| Category | Monthly Rate | Quarterly Rate | Yearly Rate |
| Single | \$60.00 | \$150.00 | \$450.00 |
| Couple | \$70.00 | \$190.00 | \$525.00 |
| Family (immediate family members) | \$85.00 | \$225.00 | \$600.00 |
| Senior Single (60 and over) | \$45.00 | \$125.00 | \$400.00 |
| Senior Couple (60 and over) | \$60.00 | \$165.00 | \$470.00 |

| Trial Membership Rates | |
|---------------------------|---------|
| Day-Pass (Single day) | \$5.00 |
| 10-Pack (10 daily Visits) | \$40.00 |

| Recreation Center Hours of Operation | |
|--------------------------------------|---|
| Monday - Friday | 5:00 AM - 8:00 PM |
| Saturday | 8:00 AM - 2:00 PM |
| Sunday | 1:00 PM - 5:00 PM |
| Nursery | 8:00 AM - 11:00 AM & 4:00 PM - 7:00 PM M-Th |

13 September 2010

EXHIBIT "B"



Fairhope Municipal Pool 2011 Membership Rates

| Membership Rates Within the Corp. City Limits | | | |
|---|--------------|----------------|-------------|
| Category | Monthly Rate | Quarterly Rate | Yearly Rate |
| Single | \$30.00 | \$60.00 | \$150.00 |
| Family (immediate family members) | \$50.00 | \$120.00 | \$250.00 |
| Senior Single (60 and over) | \$25.00 | \$50.00 | \$125.00 |
| Senior Couple (60 and over) | \$40.00 | \$70.00 | \$175.00 |
| Day-Pass (Single day) \$3.00 | | | |

| Membership Rates Outside of the Corp. City Limits | | | |
|---|--------------|----------------|-------------|
| Category | Monthly Rate | Quarterly Rate | Yearly Rate |
| Single | \$50.00 | \$100.00 | \$200.00 |
| Family (immediate family members) | \$100.00 | \$175.00 | \$300.00 |
| Senior Single (60 and over) | \$40.00 | \$150.00 | \$175.00 |
| Senior Couple (60 and over) | \$80.00 | \$160.00 | \$200.00 |

| | | | |
|------------------------------|--|--|--|
| Day-Pass (Single day) \$5.00 | | | |
|------------------------------|--|--|--|

| Recreation Center Hours of Operation | |
|--------------------------------------|--------------------|
| Monday - Thursday | 5:00 AM - 7:00 PM |
| Friday | 5:00 AM - 6:00 PM |
| Saturday | 10:00 AM - 6:00 PM |
| Sunday | 12:00 PM - 6:00 PM |

13 September 2010

EXHIBIT "C"

QUAIL CREEK GOLF FEES (Effective 10/01/2010)

DAILY GOLF RATES:

Green Fee (18 holes) \$24.00
(9 holes) \$15.00

After 12 o'clock noon
(18 holes) \$16.00
(9 holes) \$10.00

Golf Cart Fees:
(18 holes) \$16.00 per person
(9 holes) \$ 8.00 per person
League Play Cart Fee \$14.00 per person

Child/Junior (age 6-18) green fee \$12.00
After 12 PM green fee \$8.00
(Ages 6-12 must be accompanied by an adult; Children under 6 not allowed on course)

MONTHLY & SPECIAL RATES:

30 Day Green Pass \$135.00 (Cart rental required)
Six Packs (6 -18 Hole Rounds with Cart) \$198.00 (Expires April 30, 2011)

ANNUAL MEMBERSHIP RATE: (Fees Due On Anniversary Date)

Member Resides Within Fairhope Corporate City Limits
Senior (age 60+) \$700
Senior Couple \$850
Adult \$750
Adult Couple \$900

Member Resides Outside Fairhope Corporate City Limits

Senior (age 60+) \$750
Senior Couple \$900
Adult \$800
Adult Couple \$950

Active Duty Military/City employees (currently employed): Cart fee only**RANGE BALLS**

| | | | |
|----------------|--------|-------------------|----------|
| Adult | \$3.00 | Annual Range pass | \$500.00 |
| Junior/Student | \$2.00 | Un-limited person | |

PULL CART Fee:

18 holes \$3.00
9 holes \$2.00

Rental Clubs:

18 holes \$15.00
9 holes \$ 9.00

13 September 2010

Exhibit "D"

City of Fairhope Recreation Center and Municipal Pool
Recommendation for Holiday Schedule 2010-2011

| | | |
|------------------------|-----------------------------|------------------|
| Veterans Day | Thursday, November 11, 2010 | Regular Hours |
| Thanksgiving Day | Thursday, November 25, 2010 | Closed |
| Black Friday | Friday, November 26, 2010 | Regular Hours |
| Christmas Eve | Friday, December 24, 2010 | Closed |
| Christmas Day | Saturday, December 25, 2010 | Closed |
| New Years Eve | Friday, December 31, 2010 | 8:00am to 5:00pm |
| New Years Day | Saturday, January 1, 2011 | Closed |
| Martin Luther King Jr. | Monday, January 17, 2011 | Regular Hours |
| Easter | Sunday, April 3, 2011 | Closed |
| Memorial Day | Monday, May 30, 2011 | Regular Hours |
| Independence Day | Monday, July 4, 2011 | Regular Hours |
| Labor Day | Monday, September 5, 2011 | Regular Hours |

13 September 2010

Council President Mixon announced that the next item on the agenda was the request to rezone the property of Maria Gilheart and Laticia Peralez from R-2 Medium Density Single Family Residential District to B-2 General Business District. The property is located at 20132 State Highway 181, Fairhope, Alabama. This ordinance was introduced at the August 9, 2010 City Council meeting. Council President Mixon stated he needed a motion for final adoption of this ordinance. Councilmember Quinn moved for final adoption and then immediately withdrew the motion. The ordinance failed for lack of a motion.

Councilmember Quinn moved to amend Ordinance No. 1435, an ordinance repealing Ordinance No. 1128 and Ordinance No. 1155 and to establish the Bylaws of the Fairhope Environmental Advisory Board by adding "Members will be appointed by the City Council" to the end of Section 2. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Quinn moved for final adoption of Ordinance No. 1435, an ordinance repealing Ordinance No. 1128 and Ordinance No. 1155 and to establish the Bylaws of the Fairhope Environmental Advisory Board as amended. (Introduced at the August 23, 2010 City Council Meeting). Seconded by Councilmember Stankoski, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY - None.

Councilmember Quinn introduced in writing an Ordinance prohibiting Tobacco Use in All Recreational Settings (Any Place for Physical Activity). Since there was no motion for immediate consideration, this ordinance will lay over until the September 27, 2010 City Council meeting.

Councilmember Stankoski moved to grant the request to hire a part-time Golf Cart Attendant and a part-time Pro Shop Employee at Quail Creek Golf Course. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Stankoski moved to grant the request to hire two part-time Lifeguards, one part-time Desk Attendant, and on part-time Fitness Floor Attendant for the Fairhope Recreation Center. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Stankoski moved to grant the request of ADECA requesting the City of Fairhope to waive fees for the Civic Center on April 1, 2010 through April 3, 2011 for the First Annual Parks and Trails Conference. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

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Councilmember Kingrea moved to approve the charge-off of 2004-2005 and 2005-2006 uncollectible utility accounts. These accounts total \$99,729.46 for the 2004-2005 year and \$82,668.72 for the 2005-2006 year. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Dr. Ira Harvey addressed the City Council and gave a brief presentation. He stated it gets deeper and more complexed with each study. Statutorily the ball is in the City Council's lap. Mayor Kant questioned the debt limit and the City's constitutional debt limit. Dr. Harvey replied that revenue warrants are not counted toward that limit. The Board was also questioned by Mayor Kant. Dr. Harvey replied the Council would need to discuss items with the Board. He also said it would take at least two years after the Council passes a resolution and needs to be ready to go by July 1st. Councilmember Kingrea asked how much more would be needed other than the \$2.6 million per year for debt service. Dr. Harvey replied between \$600,000 to \$1,000,000 for administration; approximately \$800,000 more or less.


Vince Valentim, 203 Perdido Avenue, addressed the City Council regarding an article he read in the paper and only one copy of the School Feasibility Study was given. He said all Councilmembers should have been given a copy. It also stated that Dr. Harvey would be presenting study tonight. He mentioned Council President Mixon's statement regarding not wanting to hear comments from citizens or anyone outside the City limits. He said that comes across to me as a level of arrogance; and he also said the Council works for the citizens. Councilmember Quinn stated she did not have a final draft until tonight and this past week numbers from the School Board were still coming in for the study.

Gary Gover, 300 Lincoln Street, addressed the City Council and announced that Saturday would be a joint clean-up day with Coastal Clean Up. He stated items could be picked up at the Nix Center.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:49 p.m.



Lonnie L. Mixon, Council President



Lisa A. Hanks, City Clerk