

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, 24 May 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 Hank O'Brien, 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 10 May 2010, regular meeting. Councilmember Quinn stated she had one amendment: "that the Recreation Board needed some diversity." Council President Mixon then stated if there are no other corrections, the minutes stand approved as amended. Council President Mixon then asked if there were any corrections to the minutes from the 17 May 2010, work session. He then stated if there are no corrections, the minutes stand approved as written.

Council President Mixon announced that they needed to amend the agenda by adding on the following items: motion to go into executive session, request to hire Slaughter Construction Company, Inc. to repair leaks around Three Incoming Pipes in Manhole on North Creek Circle Cul-de-Sac, Fee Waiver Requests from Mobile Baykeepers for the Grandman Triathlon, Eastern Shore Honda for Bicycle Fun Ride, Bayshore Ballet, and Jitterbug Theatre for presentation of "Willy Wonka."

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

Councilmember Kingrea addressed the City Council and stated he would be bringing up "Where Do We Stand" at each meeting. First, he thanked Ken Eslava and Mayor Kant for a great job of handling the Oil Spill Crisis. He said the City owes them both a debt of thanks. Then, Councilmember Kingrea addressed the following issues:

- 1) Boat still docked at the Yacht Club. Mayor Kant stated we are waiting on ADECA to move and it was on Ed Walsh's property.

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- 2) Traffic Controls at Oak and Section Street. Councilmember Kingrea said the approximate cost for painting is \$500 and shaving the corner would be around \$23,000. Mayor Kant replied that Ms. Fidler would now have time to devote her attention to downtown.
- 3) Ms. Burns has asked about the paving of Bancroft and Morphy. Mayor Kant replied that the paving of streets would be in the next budget cycle.
- 4) Nichols Street Deck. City Attorney Wynne stated he was still looking into the issue. He asked permission for Chris Gill to help sort out the issue.
- 5) Painting beds with luminary paint. Mayor Kant replied he would look into this with Jennifer Fidler.
- 6) Annexations and study being done. Mayor Kant replied that with Cities less than 25,000 citizens there are only a couple of types of annexation allowed. The Planning Department is still working on this issue.

Mayor Kant addressed the City Council on the following items:

- 1) Treasury Ordinance: on August 5th I met with Council President Mixon and Nancy Wilson. On August 6th, we transferred monies to Compass Bank. Colonial Bank was changing the lock box payments remittance to North Carolina. At that time Mayor Kant stated he told the City Treasurer to move the lock box to Compass Bank located in Fairhope; and we have a letter from Compass stating we would not be charged. Mayor Kant stated the City Treasurer should not report to a non-elected official.
- 2) Police Escorts Resolution: This is an on-going saga. It was first stated to be done as an ordinance. The liability issues for police escorts will have no effect on our premium. The National League of Cities trend is to do away with escorts. The South is not in that trend. Larger metro areas are getting away with this, but I spoke with the Mayor from Prattville and they purchased motorcycles to continue with escorts. Mayor Kant said the resolution will be voted on and I am asking the Council to layover until the next meeting.

Council President Mixon reminded the audience that the council is always available to speak to civic groups, POA associations; etc. and folks can call the Clerk's office to schedule a time with the council.

Councilmember Stankoski announced that May 9, 2010 thru May 15, 2010 was National Police Week and he thanked our men and women who are in the Police Department. He then went on to state that the City of Fairhope has several main issues in his opinion to deal with: public safety is number one, cultural education, and when funds are available use of City facilities. Councilmember Stankoski said that Debbie Quinn, Sherry Sullivan, and he have been looking at a resolution regarding the waiver of user fees. Over the last year, we have waived approximately \$32,500 for the Civic Center and Nix Center, \$21,300 for the parks and streets, and \$6,400 for golf for a total of \$60,200 waived. The resolution would enact a fifty (50) percent reduction in fee waivers. We also have approximately \$15,000 used for escorts and \$4,500 for tap fees for a grand total of approximately \$80,000 waivers.

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We need to review all aspects of spending. We have major issues that are needed such as our sewer plant upgrade and street paving. He went on to say "it is hard to say no. But, we must say no. You should see where your tax money is going."

City Administrator Gregg Mims addressed the City Council and briefly went over the detailed list of money saving issues. He mentioned the City had approximately 96 personal printers and how high the cost to maintain each was, such as the printer cartridges. Mr. Mims said he thinks these can be reduced to around 20 printers which could save \$45,000 on printer supplies. Another issue mentioned was the security gate at the warehouse and we have had the same keys for 30 over years. Mr. Mims requested permission for the City of Fairhope to prepare Request for Bid Proposals (RFPs) for Custodial Services, Fleet Maintenance, Sales Tax Collection, and to hire a Firm or Firms to help with Collection of Outstanding Fines and Utility Fees. After further discussion, Councilmember Ford moved to grant the request for the City of Fairhope to prepare RFPs for the above mentioned items and to hire a firm or firms to help with collections of outstanding fines and utility fees. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Stankoski moved to authorize the City of Fairhope to hire Slaughter Construction Company, Inc. to repair leaks around three incoming pipes in the manhole on North Creek Circle cul-de-sac in Rock Creek. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Stankoski moved to deny waiving fees for Mobile Bay Keepers for \$1500, Eastern Shore Toyota for \$150, Bay Shore Ballet for \$2399, and Jitterbug Theatre for \$4250. The fee waivers were for use or intended use of the parks, streets, and Civic Center. The motion was seconded by Councilmember Ford.

Erin Reimer from Mobile Baykeeper addressed the City Council and stated two-thirds of the participants are out of state, this is our largest fund raiser, 37 states were represented, and 100 rooms were rented in Fairhope. We contribute to the Gulf Coast Trailblazers, Gulf Coast Triathlons, Camp Rap-a-Hope, and the Mobile Baykeeper. After further discussion, motion failed by the following voice votes: AYE – Stankoski. NAY – Quinn, Mixon, Ford, and Kingrea.

Councilmember Quinn moved to grant the request waiving fees for Mobile Baykeeper, Eastern Shore Toyota, Bay Shore Ballet, and the Jitterbug Theatre. Seconded by Councilmember Ford, motion passed by the following voice votes: AYE – Quinn, Mixon, Ford, and Kingrea. NAY – Stankoski.

Council President Mixon announced that there were three positions vacant on the Fairhope Recreation Board. Votes were taken by all Councilmembers for three out of the eight applicants and the following were the tabulated votes from the first round:

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Eric Cortinas (5), Robert Keyser (2), Jan McElroy (2), Hank Mullins (3), Jenna Smart (1), Michelle Smith (2). Charles Diard, Jr. and Kevin Grimes did not receive a vote. Eric Cortinas and Hank Mullins were appointed for a 5-year term based on the votes.

The following were the tabulated votes from the second round: Robert Keyser (1), Jan McElroy (2), and Michelle Smith (2).

The following were the tabulated votes from the third round: Jan McElroy (1), Michelle Smith (3). Michelle Smith was appointed for a 5-year term based on the votes. Councilmember Quinn abstained on the third round voting.

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to award the RFQ for an Underground Primary Conductor for the Electric Department (RFQ No. 009-10). Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

RESOLUTION NO. 1645-10

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

[1] That the City of Fairhope did request and receive RFQs for an Underground Primary Conductor for the Electric Department at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

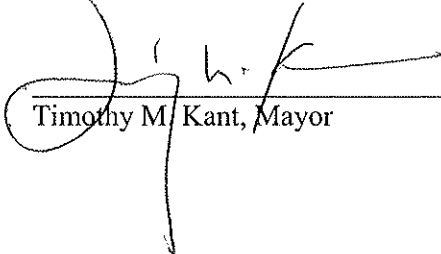
[2] At the appointed time and place, the following RFQs were received and tabulated as follows:

UNDERGROUND PRIMARY CONDUCTOR

Utility Power, Inc.	\$28, 625.00
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[3] After evaluating the RFQ proposal with the required specifications, Utility Power, Inc., with the total RFQ proposal of \$28,625.00, is now awarded RFQ No. 009-10 for an Underground Primary Conductor.

Adopted on this 24th day of May, 2010



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

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Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to award the RFQ for Three Phase Pad Mount Transformers – 150 KVA for the Electric Department (RFQ No. 008-10). Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

RESOLUTION NO. 1646-10

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

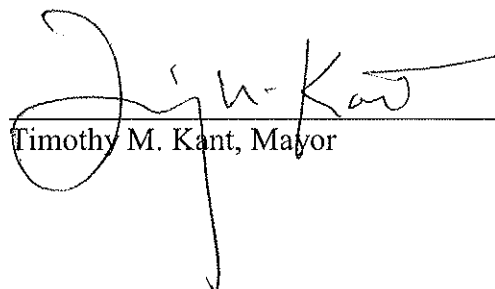
[1] That the City of Fairhope did request and receive RFQs for Three Phase Pad Mount Transformers – 150 KVA for the Electric Department at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached RFQ Tabulation for
Three Phase Pad Mount Transformers – 150 KVA for the Electric Department

[3] After evaluating the RFQ proposal with the required specifications, Utility Power, Inc., with the total RFQ proposal of \$19,161.00, is now awarded RFQ No. 008-10 for Three Phase Pad Mount Transformers – 150 KVA.

Adopted on this 24th day of May, 2010



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

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CITY OF FAIRHOPE
 BID TABULATION AND RECOMMENDATION
 RFL NO. 1008-10
 THREE PHASE PAD MOUNT TRANSFORMERS 150 KVA

OPENED: 5/10/2010

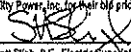
	QUANTITY	PRICE		DELIVERY IN WEEKS		MANUFACTURER	MODEL	ADDEND. Sign/Return	RESPONSE SIGNED/NOTIFIED	LIFE CYCLE COST PER EACH
		EXCLUSIVE OF OPTION #1		INCLUSIVE OF OPTION #1						
Mayer Electric Supply Co.	Per Each	\$ 5,058.00	5-7 weeks	\$ 6,173.00	5-7 weeks	CG Power Systems	n/a	YES	yes	\$8,358.54
	For (3) Units	\$ 15,177.00		\$ 18,519.00						
alternate bid	Per Each	\$ 5,085.00	10 weeks	\$ 5,449.00	10 weeks	GE Protec	OPD1334/350	YES	yes	\$9,181.43
	For (3) Units	\$ 15,255.00		\$ 16,347.00						
Stuart C. Irby	Per Each	\$ 4,830.00	8-10 weeks	\$ 5,860.00	8-10 weeks	ABB	n/a	YES	yes - not notified	\$4,642.23
	For (3) Units	\$ 14,490.00		\$ 17,580.00						
Utility Power, Inc.	Per Each	\$ 5,538.00	6-8 weeks	\$ 6,387.00	6-8 weeks	Howard Ind.	8100	no add Note 1	yes	\$6,540.21
	For (3) Units	\$ 16,614.00		\$ 19,161.00						
H.D. Supply	Per Each	\$ 6,317.50	3 weeks	\$ 6,828.00	3 weeks	Cooper Power	150KV/37P Pad	YES	yes	\$9,085.13
	For (3) Units	\$ 18,952.50		\$ 20,484.00						

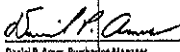
Life Cycle Cost calculated using Microsoft Access 2007 evaluation program

Note 1: Bidder did not sign/return Addendum No.1. However, Bidder's Response specifications fully comply with Addendum No.1.

Recommendation: Award bid to the lowest responsible bidder based on Life Cycle Cost:
 Utility Power, Inc. for their bid price of : \$16,614.00

To the best of my knowledge this is a true and accurate bid tabulation.


 Scott Sligh, P.E., Electric Superintendent
 5/12/2010


 Daniel P. Ames, Purchasing Manager
 5/12/2010

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to award bid for Traffic Signal Equipment for the Electric Department (Bid No. 010-10). Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

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RESOLUTION NO. 1647-10

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 Traffic Signal Equipment for the Electric Department (Bid Number 010-10) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

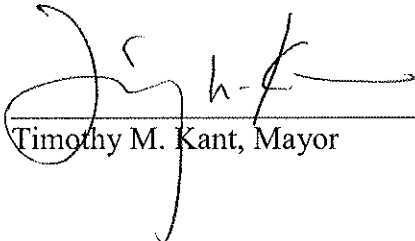
[2] At the appointed time and place, the following bids were opened and tabulated as follows:

TRAFFIC SIGNAL EQUIPMENT

Traffic Parts, Inc.	\$55,997.98
Quality Traffic	\$55,180.40

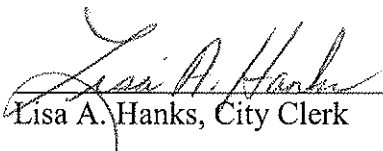
[3] After evaluating the bid proposals with the required bid specifications, Quality Traffic, with the total bid proposal of \$55,180.40, is now awarded the bid for Traffic Signal Equipment for the Electric Department.

Adopted on this 24th day of May, 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 twenty-one thousand (21,000) feet of two (2) inch Gas Pipe for the Gas Department. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote. It was mentioned that our Gas Department received a national profile from the American Public Gas Association "APGA." Steve Seay, Gas Department Superintendent, and his staff were thanked for their good work.

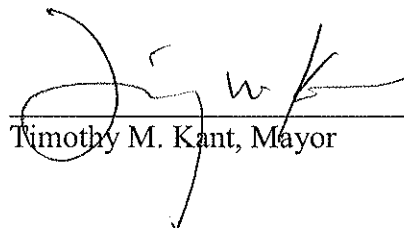
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RESOLUTION NO. 1648-10

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 twenty-one thousand (21,000) feet of two (2) inch Gas Pipe for the Gas Department and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain informal quotes and purchase the Gas Pipe from Consolidated Pipe & Supply Co., Inc. The cost will be approximately \$13,020.00.

Adopted on this 24th day of May 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 that the City of Fairhope will not provide police escorts by the Fairhope Police Department for funerals, except in the case of firefighters, police officers, and citizens of Fairhope on active military duty who are killed in the line of duty. Councilmember Stankoski seconded the motion.

Councilmember Quinn stated last year we hired Bill Press as Chief of Police. The Mayor told him to be the best Chief in Fairhope, Alabama. She also stated the Mayor did not need to micro manage the Department Heads. The Police Department will use two cars to get the funeral out.

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Councilmember Ford stated the Mayor gave a directive and someone says I'm not going to do this. If all the Department Heads refused directives, we would have a mess. He also stated that last week he saw an escorted funeral procession and you could see both ways; and this is a safety issue. Councilmember Ford said we will have a few accidents now. If 60 cars are in a process and must stop at each traffic light, other cars will pull into procession. You say we cannot subsidize a funeral home, but look at all we did for downtown merchants. The escorts are the last bit of respect for citizens and I am against stopping escorts.

Councilmember Kingrea replied a subsidy is not when we make Fairhope what it is like; such as planting trees in downtown. The Police Chief, City Attorney, and the Alabama League of Municipalities all stated this is a public safety issue and is not good. Councilmember Kingrea stated he believes it is a subsidy and not double taxation. He said we have spent three hours in the last few weeks cutting costs.

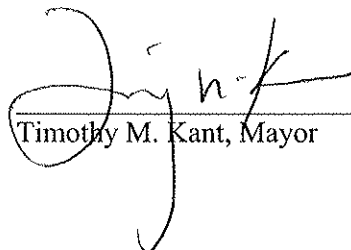
Councilmember Ford said we helped the downtown area with flowers. Greeno Road merchants said we subsidized downtown. He said Roger Owens and others at the League said they were misquoted in the newspaper. We are talking about \$12,000.

Councilmember Stankoski replied we took away \$30,000 from the Fire Department for a training building. He spoke with others who just say they want to get from Point A to Point B. We have received legal opinions and saying "we have always done it that way" is not correct. After further discussion, motion passed by the following voice votes: AYE – Quinn, Stankoski, Mixon, and Kingrea. NAY – Ford.

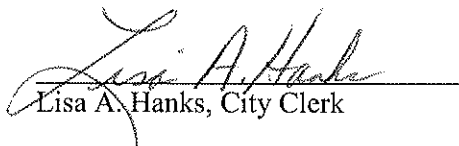
RESOLUTION NO. 1649-10

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope will not provide police escorts by the Fairhope Police Department for funerals, except in the case of firefighters, police officers, and citizens of Fairhope on active military duty who are killed in the line of duty.

Adopted on this 24th day of May 2010


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, City Clerk

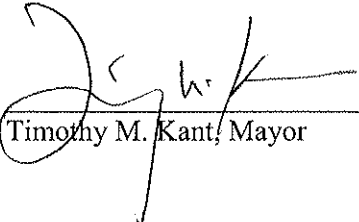
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Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves and declares the attached list of flowers as Unique "Like Items," and the extension of this categorization to include any cultivated varieties, differentiated by scientific name. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

RESOLUTION NO. 1650-10


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves and declares the attached list of flowers as Unique "Like Items," and the extension of this categorization to include any cultivated varieties, differentiated by scientific name.

Adopted on this 24th day of May, 2010



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

Botanical Nomenclature is the orderly classification and naming of plants. Plant anatomy is the avenue taken to identify plants into their correct classifications or likeliness. Plants are composed of different parts: leaves, stems, buds, and roots. Flowers are further classified by life cycles, sexual parts, structure, production, and flower types. Plant cultivated varieties include differences such as height, color, and growth habit. When describing plant differences, the botanical nomenclature uses terms such as genus, species, variety and cultivar. The nomenclature is written in Latin, a universal language. Cultivated varieties are not "like" items and should be declared as such. The below is not an all-inclusive list of flowers used for the city. In addition to the plant list found below, the acquisition of "not like" flowers should extend to any cultivated varieties.

Common Name	Scientific Name	Color	Growth Habit
1 Geranium- Oglevea "Mini Cascade"	hy Pelargonium "Mini Cascade"	Lavender	Compact, mounding habit, very floriferous, heat tolerant
2 Victorian-Flasher "Life Compact Cascade"	hy Pelargonium "Life Compact Cascade"	Lilac	Vigorous, trailing, mounding habit, moderate heat tolerant
3 "Victoria Blue" Salvia	Salvia splendens "Victoria Blue"	Blue	Extra Early, dwarf, compact, blooms well until frost, 12" height
4 "Victoria White" Salvia	Salvia splendens "Victoria White"	White	Extra Early, dwarf, compact, blooms well until frost, 18" height
5 "Cobalt" Daisy	Argyranthemum frutescens "Cobalt"	Pink	Very compact - early flowering, light tender habit
6 Geranium "Tornado White"	Pelargonium peltatum "Tornado White"	White	Early flowering, very compact, naturally branching
7 Geranium "Tornado Fuschia"	Pelargonium peltatum "Tornado Fuschia"	Fuchsia	Early flowering, very compact, naturally branching
8 Geranium "Tornado Pink"	Pelargonium peltatum "Tornado Pink"	Pink	Early flowering, very compact, naturally branching
9 Petunia "Bravo Pink"	Petunia x hybrida - grandiflora "Bravo Pink"	Pink	Early blooming, consistent blooming, uniformly compact and non stretching
10 Petunia "Bravo Blue"	Petunia x hybrida - grandiflora "Bravo Blue"	Blue	Early blooming, consistent blooming, uniformly compact and non stretching
11 Petunia "Bravo White"	Petunia x hybrida - grandiflora "Bravo White"	White	Early blooming, consistent blooming, uniformly compact and non stretching
12 Petunia "Celebrity Mint"	Petunia x hybrida - multiflora "Celebrity Mint"	White	Early blooming, consistent blooming, uniformly compact and non stretching
13 Salvia "Red Hot Sally"	Salvia splendens - frutescens "Red Hot"	Red	Large flower, heat tolerant, compact early flowering
14 Impatiens "Sun Devil Orange"	Impatiens walleriana hybrida "Sun Devil Orange"	Orange	Upright bushy habit 10" tall 14" wide, heat and drought tolerant
15 Impatiens "Sun Devil White"	Impatiens walleriana hybrida "Sun Devil White"	White	Tight uniform habit and plant vigor, early flowering and big blooms
16 Impatiens "Super Elin Blue Pearl"	Impatiens walleriana hybrida "Super Elin Blue Pearl"	Blue Pearl	Tight uniform habit and plant vigor, early flowering and big blooms
17 Impatiens "Super Elin Lt. Pink"	Impatiens walleriana hybrida "Super Elin Lt. Pink"	Lt. Pink	Tight uniform habit and plant vigor, early flowering and big blooms
18 Impatiens "Super Elin Lipstick"	Impatiens walleriana hybrida "Super Elin Lipstick"	Lipstick	Tight uniform habit and plant vigor, early flowering and big blooms
19 Impatiens "Super Elin Pink"	Impatiens walleriana hybrida "Super Elin Pink"	Pink	Tight uniform habit and plant vigor, early flowering and big blooms

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20	Impatiens 'Super Elm White'	Impatiens westerlani hybrida 'Super Elm White'	White	Tight uniform habit and plant vigor, early flowering and big blooms
2	Impatiens 'Tempo Orange'	Impatiens westerlani hybrida 'Tempo Orange'	Orange	Large blooms, compact, heavy bloomer
	Impatiens 'Tempo White'	Impatiens westerlani hybrida 'Tempo White'	White	Large blooms, compact, heavy bloomer
	Veronica 'Sunny Border Blue'	Veronica spicata 'Sunny Border Blue'	Blue	Full Sun, clumping habit, 18" height, 2" wide, blooms early summer through fall
	Pennis 'Red Lace Grass'	Pennis lanceolata 'Red Lace Grass'	Red lace	compact growing to 30" height, free flowering, with branching, uniform
	Pennis 'White Grass'	Pennis lanceolata 'White Grass'	White	compact growing to 30" height, free flowering, with branching, uniform
	Lantana 'Silver Mound'	Lantana hybrida 'Silver Mound'	Yellow	Mounding habit, heat tolerant, 24" height
	Lantana 'Spreading Sunset'	Lantana camara 'Spreading Sunset'	Orange-Yellow	Heat and drought tolerant, full sun-blooms late spring through fall
	Lantana 'Red Spruce'	Lantana camara 'Red Spruce'	Red	Drought tolerant, 12-18" height, mounding and spreading habit
	Lantana 'New Gold'	Lantana hybrida 'New Gold'	Gold	Heat and drought tolerant, compact and floriferous
	Liatris 'Simpliciflora'	Impatiens x hybrida 'Simpliciflora Liatris'	Liatris	Sun and heat tolerant, will grow in sun or shade, excellent garden vigor
	White Sunpatiens	Impatiens x hybrida 'Sunpatiens White'	White	Sun and heat tolerant, will grow in sun or shade, excellent garden vigor
	'Liliput' Zinnia	Zinnia elegans 'Liliput'	Mix	Small double flower heads, dwarf in habit and heat tolerant
	Blue Wave Petunia	Petunia x hybrida 'Blue Wave'	Blue	Spreading, Sun tolerant, 2" blooms, vigorous spreading up to 4 feet
	White Wave Petunia	Petunia x hybrida 'White Wave'	White	Spreading, Sun tolerant, 2" blooms, vigorous spreading up to 4 feet
	Mix Wave Petunia	Petunia x hybrida 'Mix Wave'	Mix	Spreading, Sun tolerant, 2" blooms, vigorous spreading up to 4 feet
	White Sunpatiens	Gomphrena globosa	White	drought and heat tolerant, uniform height
	Purple Fan Scrovia	Scrovia nemosa 'Purple Fan'	Purple	Low growing and spreading, very floriferous
	'Sunbrite Red' Begonia	Begonia x Semperflorens cultorum 'Sunbrite'	Red	Robust semi cane, large semibranching, super showy and vigorous
	'Lemon Symphony' Osteospermum	Osteospermum hybrid seedling 'Lemon Symphony'	Yellow	Mounding growth habit, large colorful daisy like blooms, 8-14" height
	'Orange Symphony' Osteospermum	Osteospermum hybrid seedling 'Orange Symphony'	Orange	Mounding growth habit, large colorful daisy like blooms, 8-14" height
	Mini Purple Superbunia	Petunia hybrida 'Mini Purple'	Purple	Extremely free flowering, very compact and uniform
	'Vista Silverberry' Superbunia	Petunia hybrida 'Vista Silverberry'	White/Pink	Mounding habit, with clavate, vigorous
	Berlinia Patio Petunia	Petunia hybrida 'Berlinia Patio'	Yellow	Compact, upright, spreading, heat and light frost tolerant
	Yellow Starflower Helica	Helichrysum 'Yellow Starflower'	Yellow	Heat and drought tolerant, upright, straw like daisy flowers
	Black Orange Starflower Helica	Helichrysum 'Black Orange'	Black/Orange	Heat and drought tolerant, upright, straw like daisy flowers
	Mix Cosmos	Cosmos sulphureus	Mix yellow, orange	2' bushy, heat and drought tolerant, very drought and sun tolerant
	'Zorro' Marigold	Tagetes patula 'Zorro'	Mix	Early and floriferous, dwarf 6" plant with exceptional uniform habit 1 1/2" blooms
	'Bonanza Bolero' Marigold	Tagetes patula 'Bonanza Bolero'	Orange/Gold	Early large flowers uniform and superior performance 2-2 1/2" blooms
	'Safari Marigold'	Tagetes patula 'Safari'	Gold	Double bloom, early flowering and compact, 2 1/2" bloom, Sun tolerant
	'Duckfoot Yellow' Coleus	Solenostemon scutellarioides 'Duckfoot'	Yellow	Upright 12-18" tall

	'Duckfoot Yellow' Coleus	Solenostemon scutellarioides 'Duckfoot'	Yellow	Upright 12-18" tall
	'Strawberries and Cream' Polka Dot	Euphorbia pulcherrima 'Strawberries and Cream'	Pink/White	Early flowering, responsive, novelty distinct cream and dark pink bracts, short compact habit, early flowering, medium height
	'Sonora Jungle' Polka Dot	Euphorbia pulcherrima 'Sonora Jungle'	Red/White	Upright, compact habit, medium vigor, moderate heat tolerance
	'Fiesta' Polka Dot	Euphorbia pulcherrima 'Fiesta'	Red	Upright, compact habit, moderate vigor, moderate heat tolerance
	'Oasis' Polka Dot	Euphorbia pulcherrima 'Oasis'	Red	Early flowering, medium vigorous growth habit, moderate heat tolerance
	'Pink Champagne Bubbles' Ice Poppy	Papaver nudicaule 'Pink Champagne Bubbles'	Pink	vigorous, dwarf, showy flowers, full sun
	'White Champagne Bubbles' Ice Poppy	Papaver nudicaule 'White Champagne Bubbles'	White	vigorous, dwarf, showy flowers, full sun
	'Silverdust' Dusty Miller	Senecio cineraria 'Silverdust'	Silver	low growing, bushy plants, abundant flowers
	Dianthus 'Telsar White'	Dianthus x 'Telsar White'	White	low growing, bushy plants, abundant flowers
	Dianthus 'Telsar Crimson'	Dianthus x 'Telsar Crimson'	Crimson	low growing, bushy plants, abundant flowers
	Dianthus 'Telsar Phloxes'	Dianthus x 'Telsar Phloxes'	Phloxes	low growing, bushy plants, abundant flowers
	Accord mix Pansy	Viola wittrockiana 'Accord Mix'	Mix	Large flowers, short sturdy stems, early and uniform
	Delta White Pansy	Viola wittrockiana 'Delta White'	White	extra early flowering, extremely uniform in habit and timing, heat tolerant
	Delta Blue Pansy	Viola wittrockiana 'Delta Blue'	Blue	extra early flowering, extremely uniform in habit and timing, heat tolerant
	Delta Yellow Pansy	Viola wittrockiana 'Delta Yellow'	Yellow	extra early flowering, extremely uniform in habit and timing, heat tolerant
	'Ultima Morpho' Pansy	Viola wittrockiana hybrid 'Ultima Morpho'	Blue/Yellow	early blooming, very floriferous, well branched mounded plants, low growing
	'Purple Rain' Pansy	Viola wittrockiana hybrid 'Purple Rain'	Purple	Mini pansy with unique spreading habit, vigorous
	'Lemon Chiffon' Viola Sorbet	Viola cornuta 'Lemon Chiffon'	Yellow	Early blooming, free flowering, compact, cold and heat tolerant
	'General Eisenhower' Tulip	Tulipa 'General Eisenhower'	Red	Darwin hybrid group, size 14+
	'Pink Impression' Tulip	Tulipa var. 'Parade' 'Pink Impression'	Pink	Darwin hybrid group, size 12+
	'Golden Parade' Tulip	Tulipa var. 'Parade' 'Golden Parade'	Yellow	Darwin hybrid group, size 12+
	'Oscar' Tulip	Tulipa var. 'Oscar'	Red	size 12+, Holland Group, sandy soils, Triumph Group
	'Dutch Master' Daffodil	Narcissus grandiflorus 'Dutch Master'	Yellow	Amaryllidaceae family, Trumpet group, size 16-18, large form
	'Ice Follies'	Narcissus Ice Follies	White	Amaryllidaceae family, Large cupped Group, size 16-18
	'Tete a Tete'	Narcissus 'Tete a Tete'	Yellow	Amaryllidaceae family, Cyclamineus group, size 12+, dwarf form
	Topolia Daffodil	Narcissus var. Topolia	Purple	Amaryllidaceae family, size 10-12
	Purple Hyacinthus	Hyacinthus orientalis var. 'Atlantic'	Purple	Hyacinthaceae family, size 17-18, grown near ocean behind dunes where calcium is high, Bretagne France
	Pink Hyacinthus	Hyacinthus orientalis var. 'Pink Pearl'	Pink	Hyacinthaceae family, size 17-18, grown near ocean behind dunes where calcium is high, Bretagne France
	Paperwhite	Narcissus grandiflorus 'Ziva'	White	Tazetta group, size 16-18, subtropical plant, Israel grown
	'Postman Joyner' Caladium	Caladium x Hortulanum 'Postman Joyner'	Red/ Green	Araceae family, size super Jumbo
	'Candidum' Caladium	Caladium x Hortulanum 'Candidum'	White	Araceae family, size super Jumbo
	'Red Flash' Caladium	Caladium x Hortulanum 'Red Flash'	Red	Araceae family, size super Jumbo
	'White Queen' Caladium	Caladium x Hortulanum 'White Queen'	White	Araceae family, size super Jumbo
	'Moonlight' Caladium	Caladium x Hortulanum 'Moonlight'	White	Araceae family, size super Jumbo
	'White Wing' Caladium	Caladium x Hortulanum 'White Wing'	White	Araceae family, size super Jumbo
	'Mona Lisa' Lily	Lilium var. 'Mona Lisa'	Pink	Liliaceae family, size 16-18, North East Holland
	'Stargazer' Lily	Lilium var. 'Stargazer'	White/ Pink	Liliaceae family, size 16-18, North East Holland

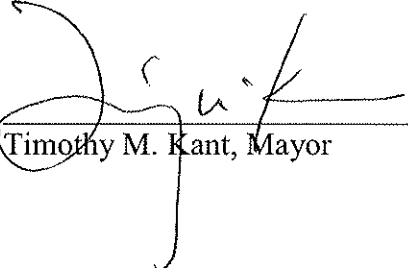
24 May 2010

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby approves and requires all payments for mileage reimbursement be submitted to the City Treasurer on the attached "Mileage Reimbursement Form" completely filled out. Councilmember Stankoski seconded the motion. Councilmember Ford said this is another point at the day-to-day operations of the Mayor. Then, he asked how many others have to fill out this form? Council President Mixon replied this is a standard form for anyone who applies for money for mileage. After further discussion, motion passed by the following voice votes: AYE – Quinn, Stankoski, Mixon, and Kingrea. NAY – Ford.

RESOLUTION NO. 1651-10

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby approves and requires all payments for mileage reimbursement be submitted to the City Treasurer on the attached "Mileage Reimbursement Form" completely filled out. There will be no payments made for mileage unless this form is completed.

Adopted on this 24th day of May, 2010



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

*

*

24 May 2010

**CITY OF FAIRHOPE
MILEAGE REIMBURSEMENT FORM**

Name		ADDRESS, CITY, STATE, ZIP				PHONE #			
DATE	DEPARTURE	ARRIVAL	PURPOSE	BEGIN	END	TOTAL MILES	PAID MILES	OTHER MILES	DATE
I certify that I used my personal vehicle on City of Fairhope business.						Total Miles:			
Signature:						Mileage Allowance:			
Approval Signature:						Reimbursement Due:			

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Timothy M. Kant is authorized to accept the \$650,000 from the State of Alabama which our share of the \$25 million block grant directly from British Petroleum for expenses incurred by the City of Fairhope for additional protective measures over and above what British Petroleum puts in place as part of the Federal Response Plan. Councilmember Kingrea seconded the motion. Ken Eslava, Assistant Public Works Director, stated that the \$650,000 was a block grant from BP for protective measure expenses over and above what BP has done. Mayor Kant stated he would call a meeting before spending any of the money. Councilmember Quinn asked; how do we spend money outside the City limits. Mayor Kant replied the Governor said we are in a State of Emergency and can spend however you want for the protection of our Cities. We met on Saturday at 10:00 a.m. and at noon were told who would get money. Councilmember Quinn asked; what is your plan for spending the money. Mr. Eslava replied we are putting protective measures in place from the Yacht Club to the Grand Hotel and purchasing more absorbent booms. As of today, 25,000 feet of boom has been deployed.

Councilmember Stankoski moved to amend the resolution by adding the following verbiage: “the funds will be deposited in an interest bearing account; and before spending any of the \$650,000 this will be brought back to the City Council.” Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

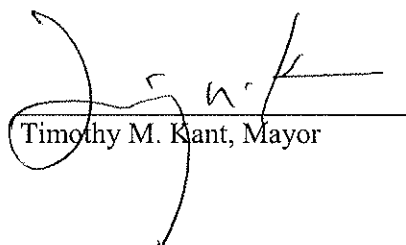
24 May 2010

Then, the original motion for the adoption of the resolution as amended passed unanimously by voice vote.

RESOLUTION NO. 1652-10

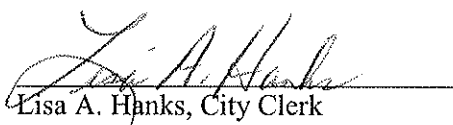
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to accept the \$650,000 from the State of Alabama which is our share of the \$25 million block grant directly from British Petroleum for expenses incurred by the City of Fairhope for additional protective measures over and above what British Petroleum puts in place as part of the Federal Response Plan; the funds will be deposited in an interest bearing account; and before spending any of the \$650,000 this will be brought back to the City Council.

Adopted on this 24th day of May, 2010



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

Councilmember Quinn moved for final adoption of Ordinance No. 1423, the Red Soil (Clay and Silt) Ordinance, an Ordinance to Repeal and Replace Ordinance No. 759 and Ordinance No. 1313, known as the Coastal Protection Ordinance. (Introduced at the May 10, 2010 City Council Meeting) Seconded by Councilmember Kingrea, motion for final adoption passed by the following voice votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None.

Councilmember Kingrea introduced in writing Ordinance No. 1424, an Ordinance amending Ordinance No. 1401 to amend Article I, in General, Section 12-5.2 relating to the Noise Section, Fairhope Code of Ordinances. In order to take immediate action, Councilmember Kingrea moved for immediate consideration. Seconded by Councilmember Quinn, motion for immediate consideration passed unanimously by the following votes: AYE – Quinn, Mixon, Ford, and Kingrea. NAY – None. ABSTAIN - Stankoski. Councilmember Kingrea then moved for final adoption of Ordinance No. 1424. Seconded by Councilmember Quinn, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Mixon, Ford, and Kingrea. NAY – None. ABSTAIN - Stankoski.

24 May 2010

Councilmember Kingrea introduced in writing Ordinance No. 1425, an Ordinance to amend and add to Chapter 4 Alcoholic Beverages, Article I, in General, Section 4-2, relating to Hours of Sale, Fairhope Code of Ordinances. In order to take immediate action, Councilmember Kingrea moved for immediate consideration. Seconded by Councilmember Quinn, motion for immediate consideration passed unanimously by the following votes: AYE – Quinn, Mixon, Ford, and Kingrea. NAY – None. ABSTAIN - Stankoski. Councilmember Kingrea then moved for final adoption of Ordinance No. 1425. Seconded by Councilmember Quinn, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Mixon, Ford, and Kingrea. NAY – None. ABSTAIN - Stankoski.

Councilmember Quinn introduced in writing an Ordinance establishing that the placement, use and investment of City funds will be at the sole discretion of the City Treasurer. In order to take immediate action Councilmember Quinn moved for immediate consideration. Seconded by Councilmember Kingrea, motion for immediate consideration failed for lack of a unanimous vote. This ordinance will layover for final adoption at the next regular City Council meeting.

Councilmember Stankoski introduced in writing an Ordinance establishing that no waivers or reductions of fees shall be allowed without the approval of the Fairhope City Council. In order to take immediate action Councilmember Quinn moved for immediate consideration. Councilmember Kingrea seconded the motion. Councilmember Kingrea moved to amend the ordinance by adding “not effective until October 1, 2010. Seconded by Councilmember Quinn, motion passed unanimously by voice vote. After further discussion, motion for immediate consideration failed for lack of a unanimous vote. This ordinance as amended will layover for final adoption at the next regular City Council meeting.

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 pending litigation. The approximate time to be in Executive Session is 15 minutes. Councilmember Quinn moved to go into Executive Session. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Exited the dais at 7:15 p.m. Returned at 7:35p.m.

Councilmember Kingrea moved to instruct City Attorney Marion E. Wynne and attorneys in the PCP case to negotiate within the parameters set in the Executive Session. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

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Sam Crosby, attorney representing Wolfe Bayview Funeral Home, addressed the City Council and thanked them for their public service and friendship. He mentioned 13 other Cities give this service. He stated there were three items he wanted to discuss:

- 1) He does not agree with Kingrea, it is not a subsidy; no fee will be passed on to citizens.
- 2) There are no reports of a single accident in the past 60 years and agreed with Ford on being an accident issue if escorts are stopped.
- 3) He was not sure about change in safety side; important issue. Willie Williams mentioned to me about a funeral with a hazard situation recently.

Mr. Crosby also addressed Councilmember Quinn stating he was not sure where they were in the compromise. We need to be involved in the final drafting of the final document.

Willie Williams, 17420 Confederate Rest Road, addressed the City Council and mentioned his uncle, Alphonse Payne, who recently passed away. The funeral was handled through the City of Mobile and did not have an escort. It was a mess and hazard. To not provide escorts is very disrespectful to people. This is not a subsidy; it is a service. We need to have the utmost respect for our seniority. This is a community service and Mr. Williams asked the City Council to reconsider their motion.

Gary Wolfe, owner of the only funeral home in Fairhope, thanked Mayor Kant and Councilmember Ford for their support. He stated you passed the resolution and this stopped funeral escorts beginning tomorrow. Mr. Wolfe said he was sorry for getting into this squabble between the Mayor and Council.

Councilmember Quinn asked Chief Press about the letter he sent stating there would be an officer at the front and end of the funeral procession. Chief Press replied the resolution nullifies this part of the letter and went on to say we did not have any manpower with escorts. Chief Press said he would give a two-week grace period for what we have been doing. Council President told Chief Press you have the resolution in place and can do what you would like at this time.

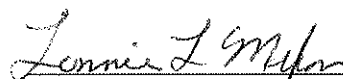
Chief Press stated he left his family and friends when he took this job. He said I have a house here in Fairhope and do not intend to leave. Public safety comes first and foremost.

24 May 2010

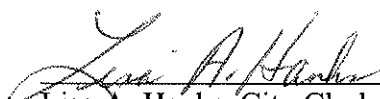
Mr. Wolfe said it was not in his power to make someone pay the \$250 for an escort. There are a lot of families that will not pay for an escort.

Ron Allen, 435 Liberty Street, addressed the City Council and said Quinn praised the Chief of Police; and she said the boss should support staff and not micro manage. Council President Mixon asked Mr. Allen not to talk about individual Councilmembers, but to be more objective. Then, Mr. Allen said someone should not micro manage the Mayor.

There being no further business to come before the City Council, the meeting was duly adjourned at 7:35 p.m.



Lonnie L. Mixon, Council President



Lisa A. Hanks, City Clerk