

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, 8 February 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 25 January 2010, regular meeting. He then stated if there are no corrections, the minutes stand approved as written. He then asked if there were any corrections to the minutes from the 25 January 2010, work session. Councilmember Quinn stated there are no minutes and she was opposed to these minutes. Council President Mixon stated if there are no corrections, the minutes stand approved as written.

Mayor Timothy M. Kant addressed the City Council and reported on the following items:

- Article regarding the City of Fairhope in "USA Today"
- Stimulus Grant for Electric Department was received in the amount of \$62,000 and Scott Sligh explained the usage for the money was upgrading street lights with LED lights
- Update on Revenue for the General Fund and Expenses
- Commented on the Fairhope School meeting
- Work Sessions needed for lengthy discussions

Councilmember Kingrea asked Mayor Kant about the street signs to direct people to parking areas and when this project would be done. Mayor Kant replied that the signs were being ordered, would find out the status, and let the City Council know what he found out.

Councilmember Kingrea also reported on the Volkert study on Section and Oak Street. There are five recommendations from stop bars to shaving the corner off. Randy Davis from Volkert Engineering stated that this intersection did not meet any criteria for a street light or stop sign.

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Councilmember Quinn mentioned the Citizens for Responsible Government want to hold a forum on the 1 percent sales tax referendum and would like to use one of the city's facilities. We should approve the use with no fee. Council President Mixon stated they need to figure out the date and work with staff. Councilmember Stankoski mentioned the City should not be perceived for or against the tax for allowing the usage of our facility.

City Administrator Gregg Mims addressed the City Council regarding the following items:

- (1) The Intergovernmental Funding Agreement between the City of Fairhope and the Baldwin County Commission regarding a County property lease for a transit hub needs to be amended. The Baldwin County Commission was contacted by the Federal Government regarding the terms of the lease and told that the minimum for the lease needed to be changed to 40 years.

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

Councilmember Quinn moved to authorize the change from 20 years to 40 years in the Intergovernmental Funding Agreement between the City of Fairhope and the Baldwin County Commission regarding a County property lease for a transit hub located in Fairhope, Alabama. Seconded by Councilmember Stankoski, motion passed by the following voice votes: AYE – Quinn, Stankoski, Mixon, and Ford. NAY – Kingrea. Councilmember Ford mentioned the City of Fairhope having the first right of refusal in case it ever comes on the market.

- (2) The Water & Sewer Department had issue with a surge arrestor which caused the Ultra Violet Disinfection back-up system bulb failure. The surge blew the bulbs on the system. We need to approve Jim House & Associates as the sole source for the necessary parts for maintenance and/or repairs and approve the expenditure for the new bulbs.

Scott Sligh mentioned that the generator was running for over 20 minutes before the bulbs were blown and mentioned he wanted to talk with Jim House & Associates. Dan McCrory explained that this is a budgeted item under Maintenance and Repairs for the Water & Sewer Department. Councilmember Stankoski commented that the City had passed a sales tax for updating infrastructure which includes this back-up system.

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

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Councilmember Quinn moved to approve the request from the Water & Sewer Department requesting for Jim House & Associates as Sole Source Provider for the necessary parts for maintenance and/or repairs and the expenditure for the necessary parts for maintenance and repairs on the Ultra Violet Disinfection System, approximately \$21,880.00. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution to award the Bid for Three Substation Breakers for the Electric Department (Bid No. 035-09). Seconded by Councilmember Ford, motion passed unanimously by voice vote.

**RESOLUTION NO. 1614-10**

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

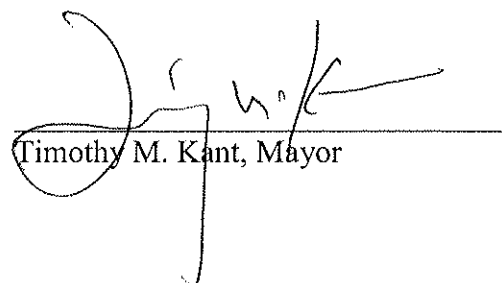
[1] That the City of Fairhope did request, receive, and open bids for Three Substation Breakers for the Electric Department (Bid Number 035-09) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

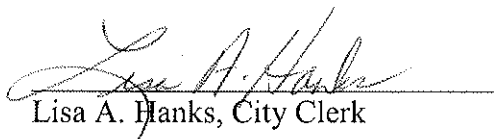
Please see attached Bid Tabulation for Three Substation  
Breakers for the Electric Department

[3] After evaluating the bid proposals with the required bid specifications, Siemens Energy, Inc., with the total bid proposal of \$58,161.00, is now awarded the bid for Three Substation Breakers for the Electric Department.

Adopted on this 8th day of February, 2010

  
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Timothy M. Kant, Mayor

Attest:

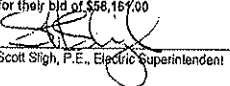
  
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Lisa A. Hanks, City Clerk

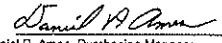
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CITY OF FAIRHOPE  
 BID TABULATION AND RECOMMENDATION  
 BID NO. : 035-09  
 BID NAME: THREE SUBSTATION BREAKERS  
 BID OPENED: 01-21-10  
 Note: Bid Bond waived.

VENDOR	Non-Collusion Statement Signed / Notarized	Bid Proposal Executed / Signed / Notarized	Delivery lead time ARO	Manufacturer	Model	Instructions /Specification Compliance	Bid Price Per Unit	Total Bid For 3 Units
Brasfield Sales, Inc.	See Note 1			See Note 1				See Note 1
Gresco, Inc. Utility	signed/in notary	YES	98 DAYS	Areva T&D, Inc.	EOX-15	YES	\$20,980.00	\$62,940.00
Intermountain Electronics, Inc.	YES	YES	16-18 WKS	Siemens Energy, Inc.	SDV6-15.5-20-1200amp	YES	\$26,240.00	\$78,720.00
Siemens Energy, Inc.	YES	YES	98 DAYS	Siemens	SDV6	YES	\$19,387.00	\$58,161.00
Sourhcon	YES	YES	8-10 WKS	MEPPI	17kv distribution breaker	YES	\$24,420.00	\$73,260.00
Global Power Supply	NO RESPONSE			NO RESPONSE				NO RESPONSE
Graybar	NO RESPONSE			NO RESPONSE				NO RESPONSE
HD Supply Utilities	NO RESPONSE			NO RESPONSE				NO RESPONSE
Mayer Electric	NO RESPONSE			NO RESPONSE				NO RESPONSE
Moses Electric	NO RESPONSE			NO RESPONSE				NO RESPONSE
Power Connections	NO RESPONSE			NO RESPONSE				NO RESPONSE
Stuart C. Irbly Co.	NO RESPONSE			NO RESPONSE				NO RESPONSE
Substation Service Company	NO RESPONSE			NO RESPONSE				NO RESPONSE
Utility Power, Inc.	NO RESPONSE			NO RESPONSE				NO RESPONSE

Note 1: This vendor bid through Siemens Energy, Inc.

Recommendation: Award bid to Siemens Energy, Inc., for their bid of \$58,161.00  
  
 Scott Sligh, P.E., Electric Superintendent 1/21/2010

To the best of my knowledge this is a true and accurate bid tabulation  
  
 Daniel P. Ames, Purchasing Manager 1/21/2010

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution stating that the City of Fairhope does hereby accept, approve and adopt the described Procedure for acquiring redundant items, warehouse stock items, and/or items used exclusively by each department, known as the "Potential Items to Bid List." The motion was seconded by Councilmember Quinn. Councilmember Kingrea asked; is this just off the shelf items. Mayor Kant replied these items are over \$7,500.00 and the ones with an asterisk were off the State Bid list during course of the year. Any item over \$15,000.00 limit must be brought back to Council for awarding the bid. Councilmember Quinn stated she did not understand and would not be voting. After further discussion, motion passed by the following voice votes: AYE – Stankoski, Mixon, and Ford. NAY – Kingrea. ABSTAIN – Quinn.

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**RESOLUTION NO. 1615-10**

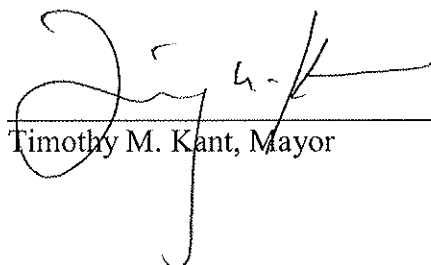
WHEREAS, the City of Fairhope acquires items and/or services from the State of Alabama contracts, U.S. Communities contracts, and through bids required by the Code of Alabama; and

WHEREAS, the purpose of the following list, known as the "Potential Items to Bid List," will allow the Purchasing Department for the City of Fairhope to procure these items which are used redundantly by some, or all departments (i.e., office supplies); as well as items used almost exclusively by each department; and

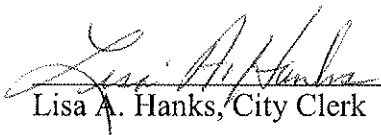
WHEREAS, in an effort to maintain services to the citizens of Fairhope and to alleviate any delay in services, this will also allow the Purchasing Department to maintain the inventory levels in our warehouse and allow the redundant items as well as the exclusive items by each department to be in stock as necessary; and

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the City of Fairhope does hereby accept, approve and adopt the above described Procedure for acquiring redundant items, warehouse stock items, and/or items used exclusively by each department.

ADOPTED THIS 8TH DAY OF FEBRUARY, 2010

  
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Timothy M. Kant, Mayor

ATTEST:

  
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Lisa A. Hanks, City Clerk

City Council reviewed an application for a Restaurant Liquor License by Mark White, as President for Moes Original BBQ Daphne, LLC, d/b/a Moes Original BBQ at the Market, located at 85 North Bancroft Street, Suite A Fairhope, Alabama. Councilmember Kingrea moved to approve the issuance of the license. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

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Councilmember Kingrea moved to update the Fairhope Police Reserve Officers Roster by adding Andrew Babb. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Quinn moved to grant the request of Sherry Sullivan requesting permission to use the public parking area surrounding the Fairhope Public Library (on Magnolia, School, and a portion of Bancroft) for designated food vendor parking and designate a portion of the parking area adjacent to Julwin's as handicap parking during the Arts and Crafts Festival in March. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Council President Mixon commented that people have asked who would have access to the garden. He stated the garden will be advertised in the newspaper and on the radio, there will be an application process, and it will cost \$30.00 per year for maintenance fees. After further discussion, Councilmember Kingrea moved to grant the request of Fairhope Community Garden requesting the City of Fairhope to fund the proposed costs for the community garden west of the K-1 Center between Summit Street and the gully. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Kingrea moved to grant the request of Will D. Carlton, Sr., for the Fairhope Rotary Club, requesting permission to serve alcohol May 14, 2010 for "The Steak Cook Off," within the barricaded areas, on De La Mare Avenue and Church Street, to close the streets early, and to waive any fees normally associated with an event of this type. Seconded by Councilmember Quinn, motion passed by the following voice votes: AYE – Quinn, Stankoski, Mixon, and Kingrea. NAY – None. ABSTAIN – Ford.

Councilmember Kingrea moved to grant the request of Randall Gautney, President, Kiwanis of Fairhope and the Eastern Shore, requesting permission the City of Fairhope to waive of fees associated with police officers used during "Bookin 4 Books" on April 24, 2010. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Ford moved to approve the \$15,000 contribution to the Downtown Merchants for the City of Fairhope's part in the tourism brochure. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Paulette Fedor, 104 Cliff Drive, addressed the City Council on the parking spaces which ranged from 16 feet 4 inches to 30 feet. She stated parking is a premium and requested the City Council to perform a parking space study.

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Hop Allen, 410 Miller Avenue, addressed the City Council and stated there is too much cost for the City to use fluorescent lighting on flower beds. Citizens cannot see the extension of the flower beds. He suggested using a reflective paint on the curbing.

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 with its attorneys the legal options for pending litigation. The approximate time to be in Executive Session is 15 minutes. Councilmember Stankoski moved to go into Executive Session. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Exited the dais at 6:47 p.m. Returned at 7:00 p.m.

There being no further business to come before the City Council, the meeting was duly adjourned at 7:51 p.m.

  
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Lonnie L. Mixon, Council President

  
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Lisa A. Hanks, City Clerk