

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, 27 April 2009.

Present were Council President Debbie W. Quinn, Councilmembers: Daniel Stankoski, Lonnie L. Mixon, Michael A. Ford, and Rick Kingrea, City Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks. Mayor Timothy M. Kant was absent.

There being a quorum present, Council President Quinn called the meeting to order. The invocation was given by City Attorney Marion E. Wynne and the Pledge of Allegiance was recited. Councilmember Mixon moved to approve minutes of the April 13, 2009, regular meeting. Seconded by Councilmember Stankoski, motion passed by the following votes: AYE – Stankoski, Mixon, Ford, and Kingrea. NAY - None. ABSTAIN – Quinn.

Councilmember Stankoski moved to address the following items **not** on the printed agenda: Declare Emergency for Well #1 regarding a pump failure, Baldwin County Sewer Service under Presentations, and request for Chief of Police under Other Business. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Sherry Sullivan made the following announcements:

- Friday will be “Walk a Child to School Day”
- May 21, 2009 will begin our Farmers Market and ending on July 9, 2009

Jo Ann Broadus, Executive Director of the Eastern Shore Optimist Club of Fairhope, and The Dogwood Trail Court of 2008 and 2009 addressed the City Council to thank them for their part in sending The Court to Washington, D.C. for the National Cherry Blossom Festival Parade. Mrs. Broadus said this was a trip of a life time. The Washington Post printed “The Baldwin Belles Dazzled Washington.” The Dogwood Trail Court thanked the City Council; then curtsied.

Dan McCrory addressed the City Council and explained the need to declare an emergency for Well #1 due to pump failure. This is the primary line for Thomas Hospital. Mr. McCrory mentioned he had prepared a letter for the City Council with all this information plus the Code of Alabama section which allows the City to send bids out without advertising. City Attorney Wynne said the letter needs to be part of the record for declaring an emergency.

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After further discussion, Councilmember Kingrea moved to add the letter as part of the minutes, declare this as an emergency, and go out on bid. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Fairhope Public Utilities



ZH

John D. Singh, P.E.
City of Fairhope
Dan McCrory
Fairhope Water & Sewer Department
Steve Salyer
City of Fairhope

Date: April 27, 2009

Re: Emergency declaration of repairs to well #1

To: City Council,

As per section 41-16-53, I am requesting that the council declare an emergency affecting public safety and convenience due to the failure of Well # 1. This memo is to serve as written notice to the emergency. This emergency exists due to the fact that this is a one of the primary pumps that supplies water to Thomas Hospital. The solution will include removal and replacement of the pump, casing, shaft and other components as necessary to restore the necessary service. As per the quoted section I am requesting that contracts maybe let to the extent that maybe necessary to meet the emergency without public advertisement.

This action will allow us to resolve the emergency while keeping the risk to Public health and safety to a minimum.

Thank you,

Dan McCrory
Superintendent Water & Sewer Dept.
City of Fairhope

150 South Jackson Street
PO Drawer 477
Fairhope, Alabama 36534
251-924-4100
251-924-4100 FAX
www.fairhope.org
http://www.cityoffairhope.com
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Dan Ames, Purchasing Manager, addressed the City Council and requested for Items #7. a.) and #7. b.) to be heard at this time. Councilmember Ford moved to amend the agenda and move the above mentioned items as requested. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Mixon introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase for a Service Truck for the Fairhope Gas Department from the Alabama State Department of Purchasing bid list and required optional equipment (Bid Numbers T195A and T193. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

RESOLUTION NO. 1514-09

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 Service Truck for the Fairhope Gas Department and the type of vehicle 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 for Body: T195A	Contract Number: 4010383
Line Number: 00024	Commodity Number: 065-10-077418
Bid Number for Chassis: T193	Contract Number: 4008672
Line Number: 00019	Commodity Number: 070-51-086622

Knapheide 6132O54LPJ Body	
Modified to 6132D54LPJ	\$ 20,755.00
Truck Chassis w/ Required Optional Equipment	<u>54,529.82</u>
Total cost of Service Truck	<u>\$ 75,284.82</u>

Adopted on this 27th day of April, 2009


Timothy M. Kant, Mayor

Attest:


Lisa A. Hanks, City Clerk

27 April 2009

Councilmember Mixon introduced in writing, and moved for the adoption of the following resolution, a resolution to award Bid for Greensmix Sand and Top Dressing Sand for Regrassing Project at the Quail Creek Golf Course. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 1515-09

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

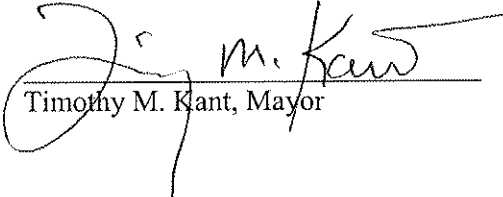
[1] That the City of Fairhope did request, receive, and open bids for Greensmix Sand and Top Dressing Sand for Regrassing Project at the Quail Creek Golf Course (Bid Number 006-09) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for Greensmix Sand and
Top Dressing Sand for Regrassing Project at the Quail Creek Golf Course

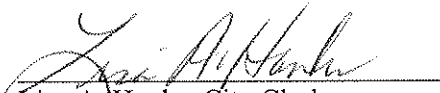
[3] After evaluating the bid proposals with the required bid specifications, Agromax, with the total bid proposal of \$22.50 per Cubic Yard, is now awarded the bid for Greensmix Sand and Top Dressing Sand Regrassing for the Greens Project at the Quail Creek Golf Course.

Adopted on this 27th day of April, 2009



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

The following proclamation was presented by Councilmember Ford to Jennifer Fidler, Public Works Director, proclaiming May 17, 2009 through May 23, 2009 as National Public Works Week.

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The following proclamation was presented by Councilmember Stankoski to Lisa Hanks, City Clerk, proclaiming May 3, 2009 through May 9, 2009 as Municipal Clerks Week.

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Fairhope, Alabama

Proclamation



MUNICIPAL CLERKS WEEK

WHEREAS, THE OFFICE OF THE MUNICIPAL CLERK, A TIME HONORED AND VITAL PART OF LOCAL GOVERNMENT EXISTS THROUGHOUT THE WORLD; AND

WHEREAS, THE OFFICE OF THE MUNICIPAL CLERK IS THE OLDEST AMONG PUBLIC SERVANTS; AND

WHEREAS, THE OFFICE OF THE MUNICIPAL CLERK PROVIDES THE PROFESSIONAL LINK BETWEEN THE CITIZENS, THE LOCAL GOVERNING BODIES AND AGENCIES OF GOVERNMENT AT OTHER LEVELS; AND

WHEREAS, MUNICIPAL CLERKS HAVE PLEDGED TO BE EVER MINDFUL OF THEIR NEUTRALITY AND IMPARTIALITY, RENDERING EQUAL SERVICE TO ALL; AND

WHEREAS, THE MUNICIPAL CLERK SERVES AS THE INFORMATION CENTER ON FUNCTIONS OF LOCAL GOVERNMENT AND COMMUNITY; AND

WHEREAS, MUNICIPAL CLERKS CONTINUALLY STRIVE TO IMPROVE THE ADMINISTRATION OF THE AFFAIRS OF THE OFFICE OF THE MUNICIPAL CLERK THROUGH PARTICIPATION IN EDUCATION PROGRAMS, SEMINARS, WORKSHOPS AND THE ANNUAL MEETINGS OF THEIR STATE, PROVINCE, COUNTY AND INTERNATIONAL PROFESSIONAL ORGANIZATIONS; AND

WHEREAS, IT IS MOST APPROPRIATE THAT WE RECOGNIZE THE ACCOMPLISHMENTS OF THE OFFICE OF THE MUNICIPAL CLERK.

NOW THEREFORE, I, TIMOTHY M. KANT, MAYOR OF FAIRHOPE DO HEREBY PROCLAIM THE WEEK OF MAY 3 THRU MAY 9, 2009, AS MUNICIPAL CLERKS WEEK, AND FURTHER EXTEND APPRECIATION TO OUR MUNICIPAL CLERK, LISA HANKS FOR THE VITAL SERVICE SHE PERFORMS AND HER EXEMPLARY DEDICATION TO THE COMMUNITY.

In witness whereof I have heretunto set my hand and caused this seal to be affixed.

T. M. Kant

 MAYOR
Lisa Hanks

 DATE: *May 3, 2009*

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David Connor and Michael Delaney, attorneys for Baldwin County Sewer Service (BCSS), addressed the City Council regarding a proposal to buy the Sewer System from the City of Fairhope. Mr. Connor stated there were two reasons for being at this City Council meeting:

1. Review all parts of the City and BCSS was interested in purchasing the City's sewer system. He mentioned in October 2010 the City would break even if everything stays the same. Also, BCSS has requested some documents from the City. By purchasing the sewer system, the City would gain approximately \$150,000 to \$200,000 in revenue a year, get a franchise fee of 3% to 5% on gross revenues, Mobile Bay would not be fed sewage, and there would be no need for a new sewage treatment plant.
2. Planning & Zoning – both the City and BCSS were approved to run lines. There are 85 homes in Key Allegro. BCSS would like the City Council's approval to run those lines and service the communities.

Councilmember Ford asked; how much will the citizens have to pay. Mr. Connor replied the prevailing rate of BCSS and the City will go from losing money to gaining money. Councilmember Mixon said he wants action in writing of what you are telling us. Mr. Connor asked the City Council to get with the City's Utility Department and delay putting in those lines. Council President Quinn said we would put BCSS on the next Work Session.

Rose Fogarty, Finance Reporting Manager, and Nancy Wilson, City Treasurer, presented a PowerPoint presentation for March 2009 no action was taken by City Council.

Council President Quinn announced Items B and C are minutes from Special Boards and Commissions being presented and reviewed by the City Council:

- B. Tree Committee
Review minutes from meeting held January 15, 2009
- C. Strategic Planning Committee
Review minutes from meeting held April 2, 2009

Jim Horner, Chairman of the Fairhope Environmental Advisory Board, addressed the City Council and gave a project update on the following: energy audits, grant money, Winn Dixie detention pond and ALDOT, parking regulations, Fly Creek Watershed Sedimentation Study, and upgrading of the Stormwater Regulations. Council President Quinn mentioned the need for a part-time engineer to help with the issues. She gave Jonathan Smith a list of ideas and asked him to report back in two weeks.

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Bobby Green addressed the City Council and read the following two documents:

"The City of Fairhope is committed to a sustainable future by promoting environmentally sound conservation, preservation and restoration practices that maintain and improve the ecological integrity of the Fairhope community."

Not the statement of the Sierra Club but a part of Fairhope's newly-adopted mission statement.

In pursuing that mission we currently have the Comprehensive Plan, Site Design Standards, Subdivision Regulations, Zoning Ordinances, and Tree and Landscape Ordinances.

Specific to the tree committee all of the above have language regarding tree preservation on right-of-ways and commercial properties.

Though the language in the ordinances would seem straight-forward it obviously contains enough ambiguity for creative interpretation or unintended exceptions.

The Tree Committee, including former members, Councilmen Stankoski and Gentle, plus current council member, Mr. Kingrea, have expressed concerns over the interpretation and enforcement of the tree and landscape ordinance.

With this in mind the tree committee is beginning a process of ordinance revision to ensure the Planning and Zoning and Council approval of all projects, *including specific conditions of approval*, are implemented.

To achieve these ends the tree committee will be working with city staff and the Environmental Committee to:

- 1-Ensure the same language is incorporated in all regulations pertaining to tree and landscape ordinances.
- 2-Insert the exact language of the Tree and Landscape ordinances into the zoning ordinances.
- 3-Define and clarify the various buffers used within regulations.
- 4-Simplify tree and landscape portions of the Site Design Standards and Subdivision Regulations so they defer to the Tree and Landscape Ordinances.

The Comprehensive Plan and many ordinances allow for deviations within Planned Unit Developments but in all cases the stated purpose is to *elevate* those developments to a higher standard.

Any deviations from approved plans should be in the form of benefits accrued to the citizens of Fairhope and to the spirit and intent of the Comprehensive Plan.

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FAIRHOPE TREE COMMITTEE

April 19, 2009

Bobby Green



Honorable Tim Kant:

RE: Tree Survey-"The Shoppes at Fairhope Village"

Dear Mayor Kant,

At the April 16th meeting of the Fairhope Tree Committee a number of possible procedural problems specific to "The Shoppes At Fairhope Village" (see attached document) were brought to light by a member of the committee. At this time, the committee has asked me to write you concerning one item regarding proper procedures at the site. Following are the questions the committee has:

1. Was the Tree Survey taken by Volkert and Associates for Regency Center Corporation and dated 01/08/08 presented to any City official? Please provide documentation.
2. If answer to "1" is yes, to whom and on what date? Please provide documentation.
3. Was the tree survey ever submitted to, and signed by, the City Horticulturist before Planning and Zoning and Council approval of "The Shoppes at Fairhope Village". Please provide documentation.
4. Was the tree survey submitted to the Planning and Zoning Commission prior to or during their preliminary approval hearing? Please provide documentation.

In order to fulfill our obligation to "oversee and implement this (tree and landscape) ordinance" we are asking for an immediate review to satisfy the concerns of the committee. We know that you share our concerns as you have expressed publically on several occasions that a certificate of occupancy for this site would not be issued until all the concerns of the tree committee had been addressed.

Again, please provide us with all the documentation for the above questions. We respectfully ask that these questions be answered on a timely basis in order to conclude our review.

Sincerely,

Bobby Green

Chair, Fairhope Tree Committee

Cc: Fairhope City Council, Fairhope Tree Committee, Jennifer Fidler, Jonathan Smith, Jean Wilson

Attachments: "Publix Violations" 4/16/09

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Council President Quinn asked the City Clerk to make sure the Mayor responds to the Tree Committee's letter before the next City Council meeting. She mentioned the need for a subcommittee to help the Strategic Planning Steering Committee gather information. Councilmember Kingrea stated a final report should be given to the Council; let them finish their jobs. John Gutknecht replied the committee needs cost estimates and establish priorities right now. Councilmember Kingrea said isn't part of the report prioritizing the list and giving input now? Councilmember Mixon said the committee has no authority and brings back to the Council; now they will look at other facets of the City. Councilmember Ford said critiquing what you have done now is premature. Mr. Gutknecht said the City needs an equipment and vehicle replacement program. He asked; who is going to list the items and put together a schedule. Councilmember Kingrea said the Council needs to see a report at end of day and you need to identify the problem, not the solution. Mr. Gutknecht stated we need the best qualified to help. Gregg Mims, General Superintendent, addressed the City Council and stated "Nancy Wilson, James Gillespie, and himself are willing to help for cost estimates and plan. Councilmember Stankoski said this was more than I thought you would do as a committee.

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution stating that the City Council requests staff to report to the City Council at their next regularly scheduled meeting, May 12, 2009, ideas on ways to cut the budget. The resolution died for lack of a second to the motion.

Councilmember Stankoski moved to address Item No. 7.d.) after Item No. 7.f.). Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Kingrea introduced in writing Ordinance No. 1384, an ordinance allocating the funds collected from the City of Fairhope's Sales and Use Tax. In order to take immediate action, Councilmember Mixon moved for immediate consideration. Seconded by Councilmember Kingrea, motion for immediate consideration passed unanimously by the following votes: AYE - Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY - None.

Councilmember Ford mentioned he was worried about the half in the General Fund. Councilmember Mixon replied they would put a cap on the transfers.

Councilmember Stankoski suggested the following: 1/3 of sales tax goes to debt reduction; 1/3 goes to a true rainy day fund until money is in this fund for hurricane clean up, repairs and other emergency uses. When there is money in the fund then the funds must then go to debt reduction; and 1/3 to general fund. At the same time we must limit utilities transfers to general fund at 50% and we must continue efforts to reduce costs. Then we would limit transfers to the General Fund.

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Councilmember Mixon stated they looked at this resolution in-depth with the City Treasurer and these were the recommendations.

Councilmember Kingrea stated the City needs a tax and will have to cut costs. We need a plan and must move forward. The City will not have to borrow money in the summer with the passage of the tax. We will be approximately \$1 million to \$1-1/2 million dollars in the red. This is not a short-term problem and we must work together with the Mayor on the tax. He said; "I am irritated with the Mayor who said he would not oppose the tax."

Councilmember Mixon moved to amend the original ordinance by changing the wording from "three (3) years" to "one (1) year, and the anniversary date of each successive year." Seconded by Councilmember Stankoski, motion passed unanimously by the following votes: AYE - Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY - None.

After further discussion, Councilmember Mixon then moved for final adoption of Ordinance No. 1384 with the amendment. Seconded by Councilmember Stankoski, motion for final adoption passed unanimously by the following votes: AYE - Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY - None.

Councilmember Mixon moved for final adoption of Ordinance No. 1385, an ordinance to levy a privilege, license or excise tax against persons, firms or corporations storing, using, or otherwise consuming or engaged in the business of selling at retail tangible personal property or conducting places of amusement in the City of Fairhope, Alabama and its Police Jurisdiction. (Introduced at the February 26, 2009 City Council meeting). Councilmember Kingrea seconded the motion for final adoption of Ordinance No. 1385.

Councilmember Stankoski read the following statement in favor on the tax:

Our financial dilemma has been festering since 2003 when \$1.7 M was borrowed from bond money to pay the bills. This was a red flag that the utilities cannot pay the bills for 16,000 residents action should have been taken before today. As of today, I don't see any proposals from the absent Mayor. The use of 50% of profits or transfers from the utilities is acceptable to support the general fund, but transferring 80% is foolish. If we continue draining the utilities, "The golden goose, our utilities, won't be sick but dead." To keep our city and utilities healthy and vibrant and maintain our quality of life we need another source of revenue other than BORROWING MONEY.

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For those who say Fairhope is unique because we don't have a city sales tax, I say this - Fairhope is unique because we have policemen who risk their lives daily, unique because electrical department employees get our power back on 4 hours after a hurricane, because gas and water department employees get out of bed in the middle of the night so we can drink our morning coffee, and because firemen protect our lives and property on a volunteer basis. Unique because when you call for services you get a real person on the phone and not run around a voice mail nightmare. I am proud of all our city employees. I have read and re read this Visitor Guide and City Sketches. I have gone to the City web site: I see flowers, lights, library, museum, pier, the clock and yes green tree lined road medians, but nowhere does it mention Fairhope being unique because we have no city sales tax. Mobile Bay Monthly Magazine Best of 2009 the Best Public Park Fairhope Pier, the Best Street, Fairhope Ave .. .further characterized - The yellow brick road of Baldwin County. Nowhere did it mention being best of 2009 because of no sales tax.

We don't object to paying sales tax all around us. Let's get the 100,000 Arts and Crafts visitors and other visitors who come to our unique city to smell our flowers and walk our pier to help us pay for them, help maintain the parks and pier, infrastructure and services ... so we can be proactive and plan for the future and not reactive and manage by crisis.

Truth: There is no free lunch!! Truth: Property values are higher in Fairhope than surrounding areas! Truth you cannot borrow yourself out of debt. Myth: Fairhope is unique because there is no city sales tax! We want to keep the quality of life we came here for, but ugly is cheap and quality costs money. Let's do the right thing and keep Fairhope the most desirable city in the Country.

Council President Quinn began to read a statement regarding the sales tax, but was interrupted by Councilmember Mixon who called "Point of Order" and stated the Chair should not debate but conduct the meeting. Council President Quinn replied the State allows her to debate. City Attorney Wynne mentioned he had looked over the issue and said in the twenty years he has been the City Attorney, the Council never got that technical with Roberts Rules of Order. He did state the Mixon was correct in the rules. Councilmember Mixon stated he withdrew the request for Point of Order.

Council President Quinn read the following statement: I believe that we have to make some policy changes to cut expenses. City Staff and I have come up with over 16 policy changes that should be done before we raise any Sales Tax... But we also need to have a plan for any additional monies that may be raised. For the last 5 months of this fiscal year we have transferred 86% of the Utilities profit. If a 2% Sales Tax is voted in.....it will probably raise approximately 4-5M a year. The original estimate of 7.8M is based on the City of Foley's collection....which they have Wal-Mart, car sales and the Outlet Mall.

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The Wal-Mart on Hwy 181 is just outside our city limits and will only contribute a 1% Sales Tax to the city. We also need to keep in mind that the sales tax is only collected and given to the city on a quarterly basis by the businesses...it's not a monthly check to the city. So...until staff can come back to us with cost cutting measures....and this council formulates a Capital Expenditure plan....I will vote against the sales tax. I don't believe that we as a council have done our due diligence on cost saving measures and until we do, the sales tax issue is premature and should be done only as a last resort.

Councilmember Mixon told Council President Quinn that she had eight years to cut expenses and this does not fly. Councilmember Kingrea said if the Mayor feels so strongly against the ordinance and vetoes, we need him to let the citizens know: "Where the money is coming from." Councilmember Stankoski stated the Mayor must balance the budget and asked; "How are you going to do that and what cuts are you going to make?" Councilmember Ford said we need to wait until absolutely necessary and "I never seen one put on and then taken off. He said we have hit a bump in the road and now putting a tax on the City." Councilmember Kingrea said the economy is part of the problem, but our audit showed revenues less than expenses; and the problem has been growing and growing. Councilmember Stankoski stated services are at a loss and Utilities cannot cover this anymore because 6,400 cannot fund the City.

After further discussion, motion for final adoption passed by the following votes: AYE – Stankoski, Mixon, and Kingrea. NAY – Quinn and Ford.

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution requiring the Department of Revenue to administer and collect Sales and Use Taxes levied by the City of Fairhope, with the deletion of the Lodging Tax. The City of Fairhope collects its own Lodging Tax. Seconded by Councilmember Mixon, motion passed unanimously by voice vote.

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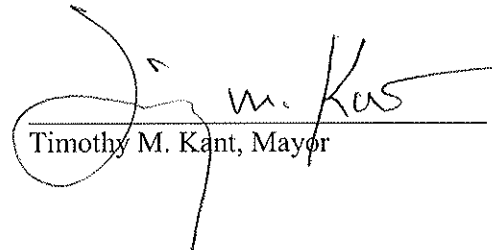
27 April 2009

RESOLUTION NO. 1516-09**A RESOLUTION REQUIRING THE DEPARTMENT OF REVENUE
TO ADMINISTER AND COLLECT SALES AND USE TAXES LEVIED
BY THE CITY OF FAIRHOPE****BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE,
ALABAMA, AS FOLLOWS:****SECTION 1. Administration and Collection by State Department of Revenue.**

Pursuant to the provisions of Code of Alabama 1975, Section 11-51-207, the City Council hereby directs that the Department of Revenue of the State of Alabama shall administer and collect all taxes levied and assessed under the provisions of this Resolution to the fullest extent allowed by Alabama law.

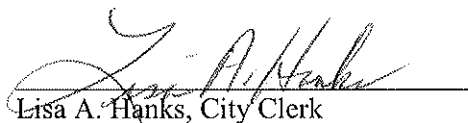
SECTION 2. Certified Copy.

The City shall provide a certified copy of this Resolution to the Alabama Department of Revenue and shall also provide such other information and take such other steps as may be required by said Department of Revenue to enable it to administer and collect taxes levied and assessed under the provisions of this Resolution.

ADOPTED AND APPROVED THIS THE 27TH DAY OF APRIL, 2009


Timothy M. Kant, Mayor

ATTEST:



Lisa A. Hanks, City Clerk

Councilmember Stankoski introduced in writing Ordinance No. 1386, an ordinance to provide for an Identify Theft Prevention Program; to comply with Federal Regulations relating to Address Discrepancies; and to comply with Federal Regulations relating to Red Flags and Identify Theft. In order to take immediate action, Councilmember Stankoski moved for immediate consideration. Seconded by Councilmember Kingrea, motion for immediate consideration passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None. Councilmember Stankoski then moved for final adoption of Ordinance No. 1386. Seconded by Councilmember Mixon, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None.

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Councilmember Mixon introduced in writing Ordinance No. 1387, an ordinance to annexing the property of Christopher and Laura W. Oberg, located at 7125 Forest Park Drive, Fairhope, Alabama. Contains .42 acres 43-09-43-0-000-018.000. In order to take immediate action, Councilmember Kingrea moved for immediate consideration. Seconded by Councilmember Stankoski, motion for immediate consideration passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None. Councilmember Stankoski then moved for final adoption of Ordinance No. 1387. Seconded by Councilmember Mixon, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford, and Kingrea. NAY – None.

Council President Quinn announced that Item No. 7.i.) was pulled for a franchise agreement to be prepared and it must be in the form of an ordinance. Council President Quinn also recognized Boy Scout Will Burch from Troop 47.

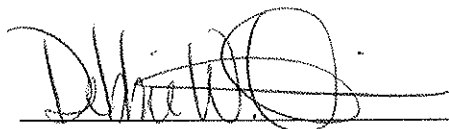
Councilmember Mixon moved to grant the sale of Surplus Property. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Mixon moved to grant the request from Chief of Police Terry Sanders to reassign department personnel. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.


Dean Mosher addressed the City Council regarding the need for an outside audit of the City's finances. He said one year ago everything was said to be great; "We were lied to." An outside auditor would ask the questions; find if money is missing and discrepancies. The audit would be a public document. Councilmembers ran their campaigns on transparencies. Mr. Mosher stated; "Who's lying and who's telling the truth?"

Councilmember Mixon moved to adjourn the meeting. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 8:01 p.m.



Debbie W. Quinn, Council President


Lisa A. Hanks, City Clerk