

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 August 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 Reverend Mike McKnight, pastor at Fairhope United Methodist Church, and the Pledge of Allegiance was recited. Council President Quinn said there was one addition to the minutes: Council President Quinn mentioned the need for a Councilmember to be on the Christmas Parade Committee. Mayor Kant volunteered to be on the committee and Council President Quinn said she would attend if needed. Councilmember Stankoski moved to approve minutes of the 10 August 2009, regular meeting with the addition and the 10 August 2009, work session. Seconded by Councilmember Mixon, motion passed unanimously by voice vote.

Sherry Sullivan made the following announcements:

- Fairhope Museum of History will hold an Elderberry Festival on September 5, 2009 from 10:00 a.m. to 2:00 p.m.
- The Fairhope Recreation Center will hold its Grand Opening on September 12, 2009 at 10:00 a.m.
- Fairhope Pier Players every Thursday evening from 5:30 p.m. until sunset at the Fairhope Municipal Pier.

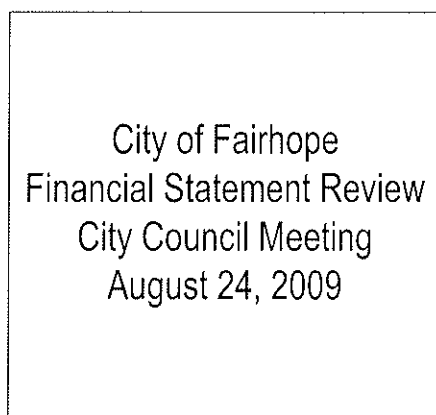
Charlene Lee and Wendy Allen from Smart Coast addressed the City Council and gave a brief update from last year's "WOOF" Walk on First Friday which was modeled after "National Walk to School Day" held each year in October. Organizers pledge to walk "rain or shine." Ms. Lee stated they want the City Council to walk this year and join them on these Fridays.

Diane Burnett from South Alabama Regional Planning Commission addressed the City Council and briefly discussed the Transportation Investment Generating Economic Recovery (TIGER) Grant application for the City of Mobile (aka Ferry Grant). The grant application also includes a pedestrian bridge, a parking garage to serve the waterfront and ferry terminal, and a visitor's square. Ms. Burnett asked the City Council for their support.

24 August 2009

Sally Deane, Director of Ecumenical Ministries Incorporated (ECI), addressed the City Council requesting a \$10,000 appropriation for ECI. Ms. Deane said the ministry is seeing more people than ever before and August 31, 2009 is our year-end. She said they were \$50,000 less than their budget and were concerned if they could meet the needs.

Rose Fogarty, Finance Reporting Manager, and Nancy Wilson, City Treasurer, presented the following PowerPoint presentation no action was taken by City Council.



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Category	2009	2008
TAXES	\$3,997,274	\$5,515,879
LICENSES & PERMITS	\$2,546,700	\$1,996,081
FINES & FORFEITURES	\$236,621	\$188,505
INTER-GOVERNMENTAL	\$364,838	\$464,585
INTERESTS & RENTS	\$204,321	\$177,615
CHARGES FOR SERVICE	\$4,960,700	\$4,600,259
OTHER REVENUE	\$1,637,556	\$329,327

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Category	2009	2008
GENERAL GOVT EXPENDITURES	\$4,600,909	\$4,812,643
POLICE DEPT	\$3,346,959	\$3,370,241
FIRE DEPT	\$729,792	\$672,228
RECREATION DEPT	\$1,005,177	\$1,049,167
STREET DEPT	\$1,889,171	\$2,053,186
SANITATION DEPT	\$1,414,415	\$1,211,292
GOLF OPERATIONS	\$1,315,288	\$1,360,394
STAFF AGENCIES & APPROPRIATION	\$955,133	\$716,757
DEBT SERVICE	\$3,036,188	\$1,633,704

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Category	2009	2008
REVENUE	\$6,877,942	\$7,542,462
ENERGY COST	-\$3,721,152	-\$2,485,397
EXPENSES	-\$2,091,531	-\$2,176,710
EARNINGS	\$1,065,260	\$2,880,354

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24 August 2009

Electric Income Summary

REVENUE	\$14,003,177	
	\$14,920,270	
ENERGY COST	-\$8,835,469	Y-T-D July 2008
	-\$8,757,027	Y-T-D July 2009
EXPENSES	-\$3,631,226	
	-\$3,781,185	
EARNINGS	\$1,536,482	
	\$2,382,058	

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Water/Sewer Income Summary

REVENUE	\$6,807,533	
	\$6,566,435	
ENERGY COST	-\$544,352	Y-T-D July 2008
	-\$585,819	Y-T-D July 2009
EXPENSES	-\$4,798,667	
	-\$4,874,795	
EARNINGS	\$1,464,514	
	\$1,105,821	

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Profits/Loss Statement

UTILITIES		As of July 2009
Revenue	\$	29,029,167
-Expenses	\$	(22,660,933)
Total	\$	6,368,233
-Transfers	\$	4,190,603
UTILITIES EARNINGS	\$	2,177,630
GENERAL		
Revenue	\$	13,272,229
Transfers	\$	4,190,603
-Expenses	\$	16,882,189
GENERAL TOTAL	\$	580,643

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City of Fairhope Cash Allocation As of July 2009

COMPASS	\$1,863,283	
	\$1,065,177	
COLONIAL	\$99,457	
	\$274,631	
CITIZENS	\$608,784	COMMITTED
	\$3,053,972	
VISION	\$-	NON-COMMITTED
	\$110,173	
WACHOVIA	\$193,362	
	\$-	
REGIONS	\$1,659,367	
	\$-	
WACHOVIA SECURITIES	\$612,538	
TOTALS	\$4,425,752	
	\$5,116,492	

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TOTAL CASH SUMMARY

COMMITTED	\$5,571,285	
	\$4,425,252	
NON-COMMITTED	\$3,616,477	As of July 2008
	\$5,116,492	As of July 2009
TOTAL	\$9,187,762	
	\$9,541,744	

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24 August 2009

Nancy Wilson presented the following Preliminary Financial Request: a request to go out for proposals on credit card processing from all local banks for the Fairhope Recreation Center, Fairhope pool, Quail Creek Golf Course, and the James P. Nix Center. Councilmember Kingrea asked if this could be tracked for six (6) months to evaluate funds, court fees especially. Ms. Fogarty questioned if they wanted the rate on defaults, bad checks, etc. Ms. Wilson replied yes this could be tracked and they would make a new general ledger code for credit card processing. After further discussion, Councilmember Mixon moved to allow the City Treasurer to get proposals on credit card processing from all local banks for the above mentioned places. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Mixon discussed the request from Mayor Kant for rye grass at Quail Creek Golf Course for the fairways and tee ways; and would help the appearance of the course during the winter. We received two quotes which are over the \$7,500 limit which needs City Council approval. Councilmember Mixon stated he thought the new grass previously put in would be sufficient for when the course reopens in September. Council President Quinn stated a motion was needed to proceed. This request died for lack of a motion.

Dan McCrory, Water & Sewer Supervisor, addressed the City Council regarding the Water & Sewer Treatment Plant and the need for a Sewer Plant Coordination Study as well as the reprogramming of the four computer systems monitoring the plant. Mr. McCrory requested permission to spend up to \$25,000 for both projects to help with upgrading the treatment plant. After further discussion, Councilmember Ford moved to grant the request of Dan McCrory. Seconded by Councilmember Mixon, motion passed unanimously by voice vote.

Councilmember Stankoski stated that the system's monitor was connected to the system it was monitoring. This system is approximately 14 to 15 years old and needs updating. He said part of the reason we passed the 2% sales tax was to help with upgrading the Utilities.

City Attorney Marion E. Wynne made a statement regarding the proposed fire station. He stated that the Planning & Zoning Commission approved the site based on Section 11-52-11 of the Code of Alabama:

Whenever the commission shall have adopted the master plan of the municipality or of one or more major sections or districts thereof, no street, square, park or other public way, ground or open space or public building or structure or public utility, whether publicly or privately owned, shall be constructed or authorized in the municipality or in such planned section and district until the location, character and extent thereof shall have been submitted to and approved by the commission.

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City Attorney Wynne stated the Planning & Zoning Commission did approve and the Fairhope Volunteer Fire Department is moving toward a new station. The City does not own the Fire Department, it is a separate entity.

Council President Quinn brought up the Baldwin County Economic Development Alliance (BCEDA) and the Blueprint for Tomorrow appropriations and said the City of Fairhope had signed a five-year contract with both of these. Council President Quinn said she would entertain a motion to approve the payment of these appropriations. Councilmember Mixon said he would like for all donations to be put on hold until after the budget process for the 2009-2010 year was completed. Council President Quinn stated that these are this year's appropriations: BCEDA's appropriation is \$10,000 and Blueprint for Tomorrow appropriation is \$35,000.

After further discussion, Councilmember Mixon moved to put on hold all donations/appropriations until the City of Fairhope goes through the budget process and has the new budget for the year-ending 2010. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Stankoski stated we would like to honor all appropriations, look to see if the money is there, and if we have the money we will fund these agencies.

Council President Quinn announced Item 8. a.) are minutes from Special Boards and Commissions being presented and reviewed by the City Council:

a.) Noise Committee

Review minutes from meeting held July 21, 2009

Councilmember Mixon discussed the idea of allowing all City of Fairhope Police Officers and members of the City of Fairhope Volunteer Fire Department free membership to the City of Fairhope Recreation Center. We could look at the option of making it mandatory and the minimum times someone must use the membership. Council President Quinn asked Chief Press, Liz Chandler, Eddie Boyett, and Gregg Mims to look at this and report back to the City Council. She also said this needed to go through the Recreation Board and would come back in the form of an ordinance.

Councilmember Mixon introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope endorses and supports the City of Mobile's Transportation Investment Generating Economic Recovery (TIGER) Grant application. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

24 August 2009

RESOLUTION NO. 1551-09**ENDORING THE CITY OF MOBILE AS THE GRANT APPLICANT
FOR TRANSPORTATION INVESTMENT GENERATING
ECONOMIC RECOVERY (TIGER)**

WHEREAS, the City of Mobile has been undertaking regional initiatives in the pursuit of improvements in intermodal passenger transportation since 2001 through the implementation of its strategic plans and the ongoing development of an intermodal waterfront terminal complex; and

WHEREAS, this intermodal waterfront terminal complex, now known as GulfQuest, will accommodate the terminal operations for passenger ferry services and passenger rail services that will enhance transportation options throughout Alabama's Mobile Bay as well as the entire Gulf Coast region; and

WHEREAS, the City of Mobile is applying for 2009 Transportation Investment Generating Economic Recovery (TIGER) Funds to enhance transportation and economic opportunities associated with intermodal passenger transit and the GulfQuest complex; and

WHEREAS, the City of Fairhope recognizes the importance and strongly supports multi-modal transportation initiatives, as well as regional economic opportunities; and

WHEREAS, the City of Mobile TIGER grant application includes projects that provide for multi-modal transportation and regional economic opportunities that will benefit the City of Fairhope and its economy; now therefore;

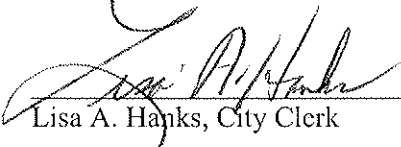
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that The City of Fairhope endorses and supports the City of Mobile's Transportation Investment Generating Economic Recovery (TIGER) Grant application.

Adopted on this 24th day of August 2009



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

Councilmember Mixon introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to accept the Hazard Mitigation Grant Program funds in the amount of \$50,623.78 to assist in the repair of damages due to the Rainstorm from March 25th through April 3rd, 2009. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

24 August 2009

RESOLUTION NO. 1552-09**HAZARD MITIGATION GRANT PROGRAM
FEMA-1835-DR-AL
SUBGRANTEE DISASTER ASSISTANCE AGREEMENT**

WHEREAS, the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) has been established to assist local governments with taking critical mitigation measures to protect life and property from future disasters; and

WHEREAS, the City of Fairhope, Alabama, as a recipient of HMGP funds as the subgrantee is required to provide and make available funds for the local non-federal share for the above stated mitigation activities.

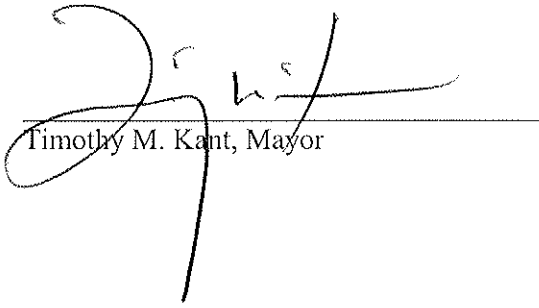
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, as follows:

THAT, the City of Fairhope, Alabama, acting by and through its Council, authorizes Mayor Timothy M. Kant to accept the HMGP funds in the amount of \$50,623.78 to assist in the repair of damages due to the Rainstorm from March 25, 2009 through April 3, 2009: Storm Drain on North Bayview Drive, Culvert Crossing on South Mobile Street, and Seawall at South Mobile Street (South Beach); and

THAT, the City of Fairhope hereby obligates to provide up to \$16,874.59 (25% of the total \$67,498.37) in cash match in order to complete the proposed mitigation project; and


THAT, Mayor Timothy M. Kant, or his/her designed alternate, be and is hereby designated and appointed as Administrative/Financial Officer under the terms and pursuant to the provisions of the HMGP State Subgrantee Disaster Assistance Agreement, and is directed and empowered to make necessary assurances and to perform on behalf of the City of Fairhope, Alabama, those acts and assume such duties as are consistent with said position.

ADOPTED THIS 24TH DAY OF AUGUST 2009



Timothy M. Kant, Mayor

ATTEST:



Lisa A. Hanks, City Clerk

24 August 2009

Councilmember Mixon introduced in writing, and moved for the adoption of the following resolution, a resolution to award the RFQ/Quote for Single Phase Pole Mount Conventional Transformers for the Electric Department (RFQ No. 006-09). Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

RESOLUTION NO. 1553-09

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

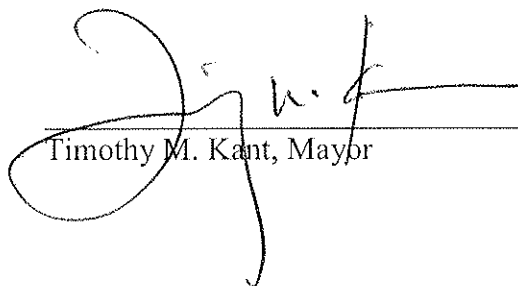
[1] That the City of Fairhope did request and receive RFQs for Single Phase Pole Mount Conventional Transformers for the Electric Department (RFQ No. 006-09) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached RFQ Tabulation for Single Phase Pole Mount Conventional Transformers (9) 25 KVA, (12) 37.5 KVA, (12) 50 KVA, and (6) 100 KVA for the Electric Department

[3] After evaluating the RFQ proposal with the required specifications, HD Supply Utilities, with the total RFQ proposal of \$35,595.00, is now awarded the RFQ for Single Phase Pole Mount Conventional Transformers.

Adopted on this 24th day of August 2009



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

24 August 2009

CITY OF FAIRHOPE
 RFQ TABULATION AND RECOMMENDATION
 RFQ NO.: 1206-09
 RFQ NAME: SINGLE PHASE POLE MOUNT CONVENTIONAL TRANSFORMER
 RFQ DUE: 10:00 AM July 23, 2009

VENDOR	ARG DELIVERY	MANUFACTURER	MODEL/DESCRIPTION	QUANTITY	PRICE EACH	ITEM TOTAL	QTY PRICE BREAKS	QUOTATION TOTAL
SOLOMON CORPORATION 25 KVA 37.5 KVA 50 KVA 75 KVA		NO RESPONSE	NO RESPONSE					NO RESPONSE
MB-TN TRANSFORMERS 25 KVA 37.5 KVA 50 KVA 75 KVA	45 DAYS 45 DAYS 45 DAYS 45 DAYS			6 10 10 6	\$600.00 \$750.00 \$875.00 \$990.00	\$ 3,000.00 \$ 7,500.00 \$ 8,750.00 \$ 5,940.00	\$789.06	\$25,248.94 -789.06 24,459.88
MAYER ELECTRIC 25 KVA 37.5 KVA 50 KVA 75 KVA	42 DAYS 42 DAYS 42 DAYS 42 DAYS	GE - PROLEC GE - PROLEC GE - PROLEC GE - PROLEC		6 10 10 6	\$603.00 \$687.00 \$1,159.00 \$1,079.00	\$4,818.00 \$6,870.00 \$11,590.00 \$6,474.00	NONE NONE NONE NONE	\$30,233.00
STUART C. IRBY 25 KVA 37.5 KVA 50 KVA 75 KVA	30-40 WK DAYS 30-40 WK DAYS 30-40 WK DAYS 30-40 WK DAYS	PPHABB PPHABB PPHABB PPHABB		6 10 10 6	\$880 \$884 \$1,108 \$1,682.00	\$5,124 \$8,840 \$11,080.00 \$10,092	NA NA NA NA	\$34,148.00
UTILITY POWER 25 KVA 37.5 KVA 50 KVA 75 KVA	10-12 WKS 10-12 WKS 10-12 WKS 10-12 WKS	HOWARD TRANS. HOWARD TRANS. HOWARD TRANS. HOWARD TRANS.		6 10 10 6	\$254.00 \$1,097.00 \$1,337.00 \$2,130.00	\$1,524.00 \$10,970.00 \$13,370.00 \$12,780.00	NONE NONE NONE NONE	\$42,244.00
GRECO UTILITY 25 KVA 37.5 KVA 50 KVA 75 KVA	6-8 WKS 6-8 WKS 6-8 WKS 6-9WKS			6 10 10 6	\$648.00 \$802.00 \$990.00 \$1,405.00	\$3,876.00 \$8,020.00 \$9,900.00 \$8,430.00		\$30,233.00
GRAYBAR ELECTRIC 25 KVA 37.5 KVA 50 KVA 75 KVA		NO RESPONSE	NO RESPONSE					NO RESPONSE
HO SUPPLY 25 KVA 37.5 KVA 50 KVA 75 KVA	42-48 DAYS 42-48 DAYS 42-48 DAYS 42-48 DAYS			6 10 10 6	\$643.00 \$708.00 \$986.00 \$1,400.00	\$3,858.00 \$7,080.00 \$9,860.00 \$8,400.00		\$30,028.00
BRASFIELD 25 KVA 37.5 KVA 50 KVA		SEE LETTER	SEE LETTER	6 10 6	SEE LETTER			NO QUOTE NOT SUPPLIER FOR THIS PRODUCT SEE LETTER

TRI-STATE UTILITY PRODUCTS 25 KVA 37.5 KVA 50 KVA 75 KVA		NO RESPONSE	NO RESPONSE					NO RESPONSE
MOSES ELECTRIC 25 KVA 37.5 KVA 50 KVA 75 KVA		NO RESPONSE	NO RESPONSE					NO RESPONSE
REXEL, INC 25 KVA 37.5 KVA 50 KVA 75 KVA		NO RESPONSE	NO RESPONSE					NO RESPONSE
UTILICOR 25 KVA 37.5 KVA 50 KVA 75 KVA		NO RESPONSE	NO RESPONSE					NO RESPONSE
WESCO DISTRIBUTING, INC 25 KVA 37.5 KVA 50 KVA 75 KVA								
WESCO DISTRIBUTING, INC 25 KVA 37.5 KVA 50 KVA 75 KVA								
POWER SUBSTATIONS 25 KVA 37.5 KVA 50 KVA 75 KVA		NO RESPONSE	NO RESPONSE					NO RESPONSE
GLOBAL POWER SUPPLY 25 KVA 37.5 KVA 50 KVA 75 KVA		NO RESPONSE	NO RESPONSE					NO RESPONSE

note 1 extension error by vendor. Vendor had \$5,490.04, actual extension is \$5,999.04. Vendor would not confirm new product.
 note 2 Vendor submission disqualified, submitted quotes after deadline.

RECOMMENDATION:
 Procure from HDS Supply Utilities, Inc.
 TO THE BEST OF MY KNOWLEDGE THIS IS AN ACCURATE TABULATION
 [Signature] 8/10/09
 Daniel F. Ames
 Purchasing Manager

24 August 2009

Councilmember Mixon introduced in writing, and moved for the adoption of the following resolution, a resolution to award the RFQ/Quote for Hydrofluorosilicic Acid for the Water & Sewer Department. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

RESOLUTION NO. 1554-09

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 Hydrofluorosilicic Acid for the Water & Sewer Department at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

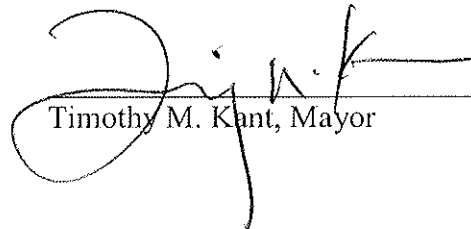
[2] At the appointed time and place, the following RFQs were received and tabulated as follows:

HYDROFLUOROSILICIC ACID

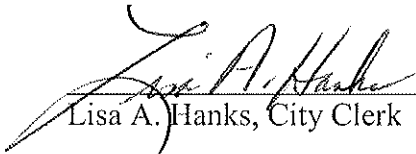
Industrial Chemicals, Inc.	\$15,661.80
All Other Vendors did not quote or meet quote requirements	

[3] After evaluating the RFQ proposal with the required specifications, Industrial Chemicals, Inc., with the total RFQ proposal of \$15,661.80, is now awarded the RFQ for Hydrofluorosilicic Acid.

Adopted on this 24th day of August 2009


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, City Clerk

Councilmember Mixon moved to grant the request of America Lynn Jones d/b/a America Designs, LLC requesting a franchise agreement with the City of Fairhope for a Mullet Run retail merchandise kiosk on the Fairhope Museum of History property. Seconded by Councilmember Kingrea, motion passed by the following voice votes: AYE – Quinn, Mixon, Ford, and Kingrea. NAY – Stankoski.

24 August 2009

Councilmember Mixon moved to grant the request of Karin Wilson for the Page & Palette Foundation requesting permission to close De La Mare on Saturday, October 24, 2009 at 5:00 p.m. for their 7th Annual Dancin' in the Streets and 2nd Annual Runnin' in the Streets, to serve alcohol (beer and wine), waive the closing of the streets fee, and the use of barricades for Section Street and Church Street (with the approval of Chief Press). Page and Palette will pay for Police Security. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Dr. Barry Booth addressed the City Council and requested to be heard at the end of the meeting.

Paul Ripp, 22985 High Ridge, addressed the City Council regarding the proposed Fire Station on Parker Road. He said this item would be on the Planning & Zoning Commission agenda for October. Mr. Ripp said that the fire station would ruin the neighborhood and asked the City Council not to allow this to go before Planning & Zoning.

Elizabeth Byars, 134 Paddock Drive, on behalf of the League of Women's Voters, addressed the City Council and commended whoever put together the Town Meeting with the three (3) Cities. She told the City Council to continue the cooperative effort.

Dr. Barry Booth addressed the City Council and gave a brief update on the Honor Flight South Alabama trip to Washington, D.C. on May 6, 2009. He mentioned 92 veterans flew to Washington on this trip. There are 36 World War II veterans from Fairhope who have applied for this program and several went on the trip in May.

Dr. Booth requested a contribution on behalf of the veterans to help support Honor Flight South Alabama. He stated that Baldwin County had contributed \$10,000 and most of the municipalities, except for a few down south, have given up to \$7,500. Dr. Booth also read an excerpt from a letter he received from a 95 year old veteran who went on the May 2009 trip and thoroughly enjoyed it.

Hop Allen, 410 Miller Avenue, addressed the City Council and stated these men are down with their health throughout the year and once they arrive in Washington, D.C. act as if they have a new life.

After further discussion, Councilmember Ford moved to grant the request of Dr. Booth and suggested a contribution of \$7,500 to Honor Flight South Alabama. Seconded by Councilmember Mixon, motion passed unanimously by voice vote.


24 August 2009

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

There being no further business to come before the City Council, the meeting was duly adjourned at 7:19 p.m.



Debbie W. Quinn, Council President



Lisa A. Hanks, City Clerk