

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, 14 December 2009.

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 Reverend Mike McKnight, pastor at Fairhope United Methodist Church, and the Pledge of Allegiance was recited. Council President Mixon asked if there were any corrections to the minutes from the 23 November 2009, regular meeting. Councilmember Quinn replied that on the third from the last page in the minutes, in the Grandman Triathlon request, the City of Fairhope did not waive any fees. He then stated if there are no other corrections, the minutes stand approved as corrected.

Council President Mixon asked if there were any corrections to the minutes from the 23 November 2009, work session. He then stated if there are no corrections, the minutes stand approved as written.

Council President Mixon stated on behalf of the City Council and the City of Fairhope we offer condolences to Mike Ford for the loss of his brother. He said our thoughts and prayers are with you and your family.

Sherry Sullivan made the following announcements:

- The City of Fairhope will be closed next Thursday and Friday for the Christmas Holidays, December 24 and December 25, 2009.
- The City of Fairhope New Year Eve Celebration, December 31, 2009 in Downtown Fairhope.
- The City of Fairhope will also be closed on January 1, 2010, New Years Day.

Council President Mixon announced that they needed to amend the agenda by adding on the request to authorize the purchase of City Sketches per contract with Nall Printing.

Councilmember Ford moved to address the above-mentioned item **not** on the printed agenda. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

14 December 2009

Councilmember Stankoski presented the following proclamation on behalf of the Fairhope City Council to Chief of Police Bill Press:

FROM THE CITY COUNCIL OF THE CITY OF FAIRHOPE

**PROCLAMATION TO COMMEND THE SERVICE PERFORMED
BY THE FAIRHOPE POLICE DEPARTMENT AND THOSE AGENCIES WHO
ASSISTED IN THE STANDOFF ON NOVEMBER 24, 2009**

WHEREAS, ON NOVEMBER 24, 2009 AT 4:07 A.M., FAIRHOPE POLICE DEPARTMENT RECEIVED A DISPATCH CALL OF A DISTRESSED INDIVIDUAL WHICH RESULTED IN AN OVER SIX HOUR "STAND-OFF" BETWEEN THIS INDIVIDUAL AND VARIOUS LAW ENFORCEMENT AGENCIES; AND

WHEREAS, THE FAIRHOPE POLICE DEPARTMENT ACTED IN A VERY PROFESSIONAL MANNER RESOLVING THIS SITUATION AND BRINGING IT TO A PEACEFUL END WITHOUT HARM BEING INFLICTED TO ANY INDIVIDUAL INVOLVED.

WHEREAS, THE FAIRHOPE POLICE DEPARTMENT WAS ASSISTED BY VARIOUS CITY OF FAIRHOPE DEPARTMENTS, FAIRHOPE VOLUNTEER FIRE DEPARTMENT, BALDWIN COUNTY SHERIFF'S DEPARTMENT, MOBILE FBI, DAPHNE POLICE DEPARTMENT, FOLEY POLICE DEPARTMENT, ATF, STATE FIRE MARSHALL AND LOCAL BUSINESSES.

NOW THEREFORE, WE, THE FAIRHOPE CITY COUNCIL, DO HEREBY COMMEND AND RECOGNIZE BY THIS PROCLAMATION THE SERVICE PERFORMED BY THE FAIRHOPE POLICE DEPARTMENT AND THOSE AGENCIES WHO ASSISTED IN THIS SITUATION, AND EXPRESS OUR SINCERE APPRECIATION TO THEM FOR THEIR EXEMPLARY SERVICE AND DEDICATED SERVICE TO OUR COMMUNITY.

Chief Press thanked the FBI and recognized all of the individuals in his department, other agencies, and other City departments for their help in the standoff. He said we used sound police procedures and practices. We should be thankful that no one was injured or killed. The City of Fairhope should be proud of its Police Department. Chief Press stated he specially thanked Gregg Mims and the City Council for all of their support.

A Public Hearing was held as advertised to approve the issuance of the Bonds to refund certain outstanding debt incurred to finance improvements and additions to and equipment for Thomas Hospital, and (ii) the location and nature of the System Facilities in the City of Fairhope, Alabama.

14 December 2009

Council President Mixon opened the Public Hearing at 6:17 p.m.

Joe Denton, CFO of Infirmiry Health Services, Inc., addressed the City Council and explained this public hearing is a 501(c)(3) requirement. He stated that the City of Fairhope would not be financially liable for this debt, but has to authorize the issuance of bonds when there are facilities in the municipality. The bonds are to restructure the existing debt and we are not taking on additional debt.

No one present opposed the issuance of the Bonds for Infirmiry Health the benefit of Infirmiry Health Services, Inc. and its affiliates, the Public Hearing closed at 6:19 p.m.

Councilmember Kingrea moved to approve Timothy M. Kant and Debbie Quinn to attend the 2010 Congressional City Conference, March 13-17, 2010 and to approve Timothy M. Kant to attend the American Planning Association National Conference, April 10 – 13, 2010, New Orleans, Louisiana. Seconded by Councilmember Stankoski, motion passed by the following voice votes: AYE – Stankoski, Mixon, Ford, and Kingrea. NAY – None. Councilmember Quinn recused herself.

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution approving the issuance of the Bonds to finance improvements and additions for Infirmiry Health System, Inc. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

RESOLUTION NO. 1598-09

WHEREAS, Infirmiry Health System Special Care Facilities Financing Authority of Mobile, a public corporation organized under the laws of the State of Alabama (the “Authority”), proposes to issue its revenue bonds in an amount not to exceed \$350,000,000 (the “Bonds”). The Bonds will be issued to provide financing for the benefit of Infirmiry Health System, Inc. (“IHS”) and its affiliates, Mobile Infirmiry Association (“Mobile Infirmiry”), Gulf Health Hospitals, Inc. (“Gulf Health”) and Infirmiry Health Hospitals, Inc. (“Infirmiry Hospitals”). IHS and its affiliates (collectively referred to as the “IHS System Affiliates”) operate health care facilities in Mobile and Baldwin Counties; and

WHEREAS, the Bonds may be issued in a single series or in two or more series over a period ending December 1, 2012; and

WHEREAS, proceeds of the Bonds will be used to refund certain outstanding debt or bonds of the IHS System Affiliates incurred or issued to finance the costs of acquiring, constructing, improving, expanding, renovating, equipping or furnishing the various acute care hospital and outpatient facilities (collectively the “System Facilities”) of the IHS System Affiliates. The System Facilities include: (i) Mobile Infirmiry Medical Center located at 5 Mobile Infirmiry Circle (near Springhill Avenue and Mobile Infirmiry Boulevard), in Mobile, Alabama; (ii) Thomas Hospital, located at 750 Morphy Avenue in Fairhope,

14 December 2009

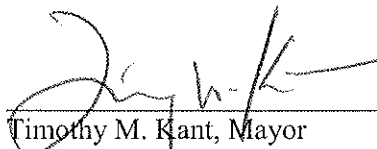
Alabama; (iii) Thomas Medical Center located at 27961 U.S. Highway 98 in Daphne, Alabama; (iv) North Baldwin Infirmary located at 1815 Hand Avenue in Bay Minette, Alabama; (v) Infirmary Eastern Shore Outpatient Center located at 7101 Highway 90 in Daphne, Alabama; and (vi) Infirmary West and Infirmary LTAC Hospital located at 5600 Girby Road and 5644 Girby Road, respectively, in Mobile, Alabama.

WHEREAS, the proceeds of the Bonds will be loaned to one or more of the IHS System Affiliates pursuant to one or more loan agreements between the Authority and IHS System Affiliates. The loan agreements will provide for loan payments by one or more of the IHS System Affiliates in amounts sufficient to pay debt service on the Bonds when due. The Bonds will be limited obligations of the Authority and will be payable solely from the loan payments by the IHS System Affiliates to the Authority. The Bonds will not be general obligations of the Authority and will not in any way constitute a debt, liability or obligation of the State of Alabama or any political subdivision of the State of Alabama, including without limitation the political subdivisions holding the hearings described above or the political subdivisions where the System Facilities are located. The Bonds will not be payable from any tax revenues; and

WHEREAS, a public hearing concerning the proposed issuance of the Bonds was held in Council Chambers at City Hall in the City of Fairhope at 6:00 p.m. on Monday, December 14, 2009; notice of such hearing was given by publication in *The Mobile Press Register* on November 29, 2009, and such hearing provided an opportunity for persons with different views on the proposed issuance of the Bonds and the location and nature of the bond-financed facilities to express their views, both orally and in writing.

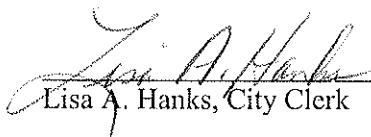
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA that they hereby approve (i) the issuance of the Bonds to refund certain outstanding debt incurred to finance improvements and additions to and equipment for Thomas Hospital, and (ii) the location and nature of the System Facilities in the City of Fairhope, Alabama, in accordance with the foregoing proposal of the Authority.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, this 14th day of December, 2009.



Timothy M. Kant, Mayor

ATTEST:



Lisa A. Hanks, City Clerk

14 December 2009

Mayor Kant addressed the City Council and requested approval to present a Comprehensive List for Purchases in Alabama State Department of Purchasing bid list. This list will consist of items over the \$7,500 limit and be submitted for approval at the next City Council meeting. There were no objections from the City Council for Mayor Kant to present this list at the next meeting.

Councilmember Kingrea brought up the issue of recording the meetings of the City Council and the Planning Commission. We need the record accurate and the ability to go back to what was said and not said. There were questions raised at the last Planning Commission meeting regarding minutes not being accurate. He asked the City Council to think about this issue and stated he would be bringing back a resolution to start recording the meetings in some way. Council President Nixon said they would discuss same at the work session prior to the next meeting.

Councilmember Quinn mentioned she had spoken with Dr. Harvey and will be back in touch with him after the New Year. Council President Nixon said we need to put off this issue until after the election for the County Sales Tax by the Baldwin County Commission.

Councilmember Quinn brought up a question for Mayor Kant regarding a light that was put up at Sea Cliff and Main Street. There have been several complaints of the light being too bright. Councilmember Quinn stated she asked Chief Press to look into this matter and do a study. Mayor Kant replied that citizens donated the money for the light and requested it to be put up.

Chief Press said that Officer Jimmy Davis had already looked into this issue. Officer Davis said the Police Department had received some complaints on the light being too bright and in his opinion the light is too bright. Scott Sligh, Electric Department Supervisor, stated that the light is too low to the ground and the pole was already purchased when asked to install it. Council President Nixon asked City Administrator Gregg Mims to look into the legality of this issue and how to correct the problem.

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

1. Mentioned the e-mail he sent to the Mayor and Councilmembers with copies of the contracts that the City of Gulf Shores and Daphne approved with Dr. Ira Harvey. These contracts can be used as a guide if the City of Fairhope moves forward with a contract with Dr. Harvey.

14 December 2009

2. Working on Zoning Ordinance amendments.
3. In the second meeting in January, we will have a resolution regarding prequalifying of professional services.
4. Requested that the resolution listed under 9.c.) be changed from presenting to City Council by the second meeting in January to presenting to City Council within 90 days after approval date.
5. Explained that the request for bid solicitation under 9.p.)3.a. for the roof at the Nix Center was for \$40,000 not \$60,000 as stated on the enclosed memo.

Councilmember Kingrea asked; where do we stand on our permit checklist. Jonathan Smith, Director of Planning and Building, replied we are refining the checklist that we have been using in the past and trying to make it better.

Council President Mixon asked Gregg Mims to work with Councilmember Kingrea on the Zoning and Tree Ordinance.

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution to award Bid for the Wheel Loader Three Year Lease for Public Works (Bid No. 024-09). Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Quinn questioned; how are we going to pay for this item and mentioned the General Fund borrowed money from the Electric Department. City Treasurer Nancy Wilson replied we have a loan for capital improvements that comes due in April and we are going to renew this loan. Ms. Wilson also mentioned our "due to froms" and stated the General Fund did not borrow from the Electric.

*

*

14 December 2009

RESOLUTION NO. 1587-09

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

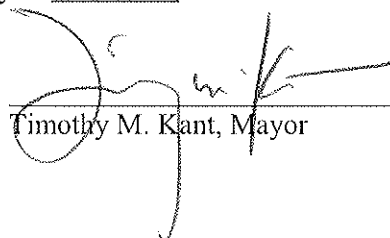
[1] That the City of Fairhope did request, receive, and open bids for a Three Year Lease for a Wheel Loader for the Public Works Department (Bid Number 024-09) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

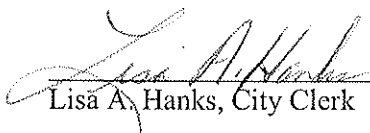
Please see attached Bid Tabulation for Three Year Lease for a Wheel Loader for the Public Works Department

[3] After evaluating the bid proposals with the required bid specifications, Pittman Tractor, with the total bid proposal of \$89,448.84, is now awarded the bid for Three Year Lease for a Wheel Loader for the Public Works Department

Adopted on this 14th day of December, 2009


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, City Clerk

CITY OF FAIRHOPE
 BID TAB AND RECOMMENDATION
 BID NO: 024-09
 BID NAME: WHEEL LOADER THREE YEAR LEASE
 BID OPENED: 11-10-09

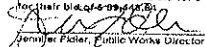
VENDOR	BEARD EQUIPMENT	PITTMAN TRACTOR	SAMPSON TRACTOR	THOMPSON TRACTOR	TRACTOR & EQUIPMENT
SPECIFICATION COMPLIANCE ACKNOWLEDGED	yes	yes	no bid	No. See Note 1	yes
SPECIFICATION SUBSTITUTION EQUAL OR BETTER	yes	yes	no bid		yes
ARO DELIVERY	60 days	20 days	no bid		20 days
MANUFACTURER / MODEL	John Deere / 444K Powerski	Hytindel / Mod#1740TM	no bid		Komatsu / WA200PZ-6
FIELD TRIAL RANKING	#2 (See Note 2)	#1 (See Note 2)	no bid		#3 (See Note 2 & 3)
BID SIGNED / NOTARIZED	yes / yes	yes / yes	no bid		yes / yes
ADDENDA #1 & #2 RETURNED / SIGNED	yes	yes	no bid		yes
LEASE PRICE PER MONTH	\$4,320.44	\$2,484.84	no bid		\$2,000.00
LEASE PRICE PER MONTH TOTAL BID	\$185,630.64	\$89,448.84	no bid		\$83,240.00
LEASE PRICE PLUS PURCHASE PER MONTH	\$2,097.26	\$2,484.84	no bid		\$2,000.00
LEASE PRICE PLUS PURCHASE PER MONTH TOTAL BID	\$178,302.44	\$129,418.84	no bid		\$137,432.04

Note 1: Bid unacceptable. Vendor did not comply with bid requirements

Note 2: Numbers shown represent the order of field trial performance of the offered machines with "1" being the best.

Note 3: Tractor & Equipment Company's offered machine did not perform sufficiently to be recommended for the service the City requires.

Recommendation: Award bid for 3 year lease to Pittman Tractor


 Daniel P. Amos, Public Works Director 11/23/09

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


 Daniel P. Amos, Purchasing Manager 11/23/09

14 December 2009

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase a Trash Truck Chassis for Public Works from the Alabama State Department of Purchasing bid list. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 1588-09

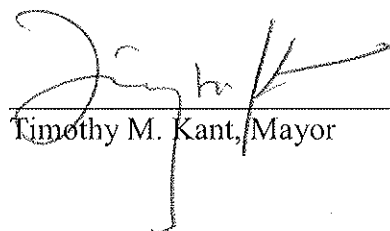
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase a Trash Truck Chassis for Public Works and the type of vehicle 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:

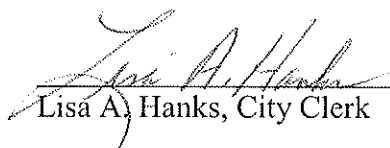
International Truck Chassis – Dual Fuel

Adopted on this 14th day of December, 2009



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 a Refuse Truck Chassis for Public Works from the Alabama State Department of Purchasing bid list. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

14 December 2009

RESOLUTION NO. 1589-09

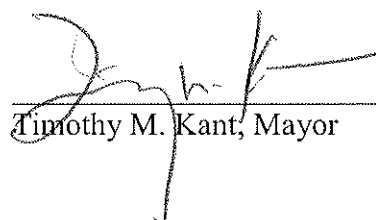
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase a Refuse Truck Chassis for Public Works and the type of vehicle 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:

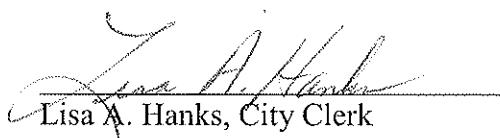
Refuse Truck Chassis

Adopted on this 14th day of December, 2009



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase three Garbage Truck Chassis for Public Works from the Alabama State Department of Purchasing bid list. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

*

*

14 December 2009

RESOLUTION NO. 1590-09

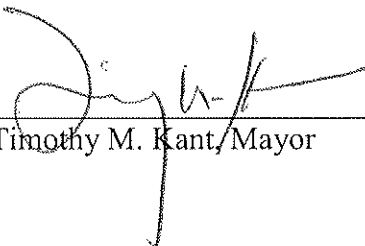
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase Three Garbage Truck Chassis for Public Works and the type of vehicles needed are 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:

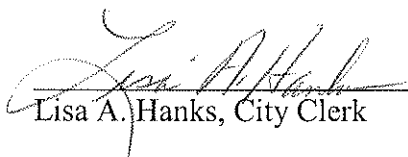
Garbage Truck Chassis

Adopted on this 14th day of December, 2009



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase a Leafsucker Truck for Public Works from the Alabama State Department of Purchasing bid list. Seconded by Councilmember Ford, motion passed by the following voice votes: AYE – Stankoski, Mixon, Ford, and Kingrea. NAY – Quinn.

*

*

14 December 2009

RESOLUTION NO. 1591-09

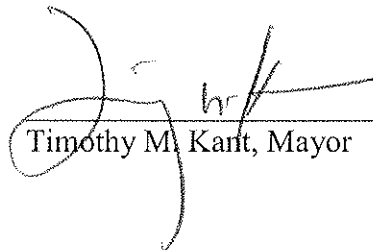
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase Leafsucker Truck for Public Works and the type of vehicle 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:

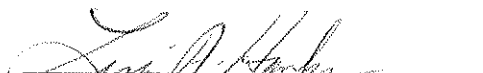
Leafsucker Truck

Adopted on this 14th day of December, 2009



Timothy M. Karit, Mayor

Attest:



Lisa A. Hanks, City Clerk

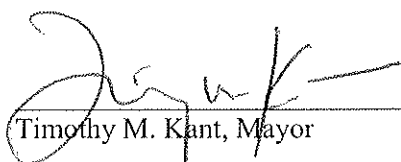
Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase services to clean the HVAC ductwork for Police Department and seconded by Councilmember Ford. Councilmember Kingrea stated this item is not budgeted and we should send to the Financial Advisory Committee ("FAC"). Councilmember Ford asked if there were health issues. Chief Press replied some of the dispatchers have been gasping for breath and this is a health issue. Council President Mixon stated we will put this on the FAC agenda for the December 28, 2009 meeting.

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase materials to re-skin aluminum refuse trailer for Public Works. Seconded by Councilmember Ford, motion passed by the following voice votes: AYE – Stankoski, Mixon, Ford, and Kingrea. NAY – Quinn.

14 December 2009

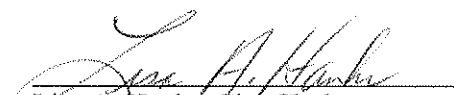
RESOLUTION NO. 1592-09**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, as follows:

[1] That the City of Fairhope has voted to purchase materials to re-skin aluminum refuse trailer for the Public Works Department. The cost will be approximately \$8,000.

Adopted on this 14th day of December 2009

Timothy M. Kant, Mayor

Attest:

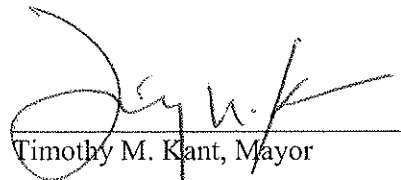


Lisa A. Hanks, City Clerk

Councilmember Stankoski introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase Fire Truck Annual Inspections for Fire Department. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

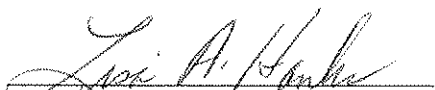
RESOLUTION NO. 1593-09**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, as follows:

[1] That the City of Fairhope has voted to purchase Fire Truck Annual Inspections for the Fire Department. The cost will be approximately \$14,000.

Adopted on this 14th day of December 2009

Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

14 December 2009

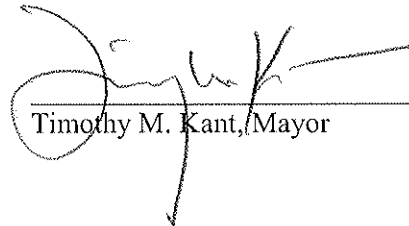
Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase Concrete work for Fire Department. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 1594-09

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

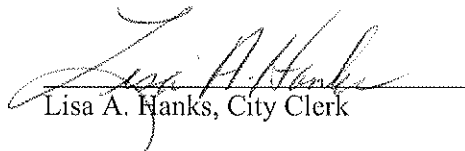
[1] That the City of Fairhope has voted to purchase Concrete work for the Fire Department. The cost will be approximately \$9,000.

Adopted on this 14th day of December 2009



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

Council President Mixon stated that the City Council cannot individually act without being a body as a whole with requests from employees. We should be going through the Mayor or the City Administrator for all of these requests.

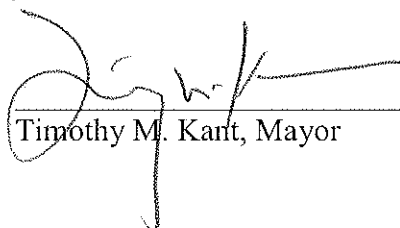
David E. Bishop, Chairman of the Baldwin County Commission, addressed the City Council and discussed the transit hub to be located behind Big Lots. With all parties working together has made this project more meaningful. Taylor Rider, Director of Transportation, said we are promoting public transit and recommended Fairhope to be the first hub built.

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute an Intergovernmental Funding Agreement between the City of Fairhope and the Baldwin County Commission regarding a County Property Lease for a Transit Hub located in the City of Fairhope, Alabama. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

14 December 2009

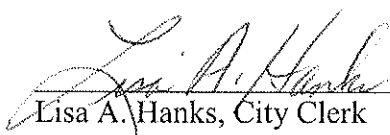
RESOLUTION NO. 1595-09

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to execute an Intergovernmental Funding Agreement between the City of Fairhope and the Baldwin County Commission regarding a County Property Lease for a Transit Hub located in the City of Fairhope, Alabama.

Adopted on this 14th day of December, 2009


 Timothy M. Kant, Mayor

Attest:

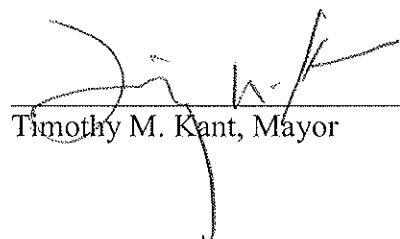


 Lisa A. Hanks, City Clerk

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute a Work Order for Engineering Services with Volkert, Inc. to perform a signal warrant analysis for the intersection of Section Street and Oak Street. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

RESOLUTION NO. 1596-09

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute an Agreement (a/k/a Work Order) for Engineering Services with Volkert, Inc. to perform a signal warrant analysis for the intersection of Section Street and Oak Street. The lump sum fee signal warrant cost is \$2,500.00.

DULY ADOPTED THIS 14TH DAY OF DECEMBER, 2009


 Timothy M. Kant, Mayor

Attest



 Lisa A. Hanks, City Clerk

14 December 2009

Councilmember Kingrea introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing the Mayor and City Administrator to prepare a five year projection of all anticipated major long term capital requirements for infrastructure improvements and additions; and amending the resolution from stating "be presented to City Council at its second regular meeting in January, 2010" to stating "to be presented to City Council within 90 days after approval date." Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

RESOLUTION NO. 1597-09

WHEREAS, the City Council desires to improve its awareness of major long term capital requirements for infrastructure improvements and additions in both the governmental sector and the respective City utilities; and

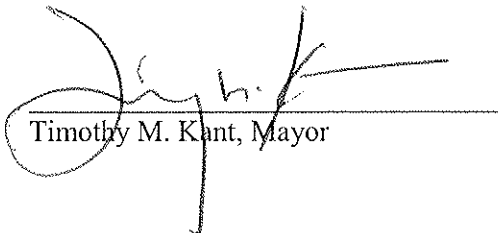
WHEREAS, the City Council desires to improve its awareness of the financing options for those anticipated infrastructure improvements and additions; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA that the Mayor and City Administrator shall jointly prepare a five-year projection of all anticipated major long term capital requirements for infrastructure improvements and additions in both the governmental sector and the respective City utilities, including for each anticipated project the estimated cost and timing; and

NOW, FURTHER BE IT RESOLVED, that the Mayor and City Administrator shall jointly prepare recommendation(s) on financing options for each project; and

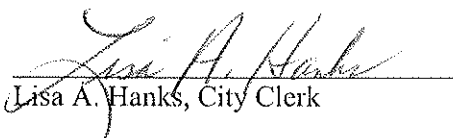
NOW, FURTHER BE IT RESOLVED, that these projections and recommendations be presented to City Council within 90 days after approval date; and that updated projections and recommendations be presented to City Council every six months thereafter.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, this 14th day of December, 2009.



Timothy M. Kant, Mayor

ATTEST:



Lisa A. Hanks, City Clerk

14 December 2009

Councilmember Stankoski moved for final adoption of Ordinance No. 1404, an Ordinance establishing that no employment to fill non-budgeted positions shall be allowed without the approval of the Fairhope City Council. Further, no pay raises or promotions whatsoever shall be allowed without the approval of the Fairhope City Council. (Introduced at the November 23, 2009 City Council meeting) Seconded by Councilmember Kingrea, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Mixon, Ford and Kingrea. NAY – None.

Councilmember Ford questioned; why is this coming up at this time. Council President Mixon replied to control payroll and all pay must be approved by the City Council. Councilmember Ford mentioned a position that was open and filled in the Purchasing Department which possibly caused this ordinance to be introduced. Mayor Kant commented that the position went through proper channels and was signed off by James Gillespie and Gregg Mims before making it to his desk for approval. It also was posted and advertised which is following our procedures. City Administrator Mims stated that this only affected non-budgeted positions and raises which would be required to come before the City Council. The other budgeted positions would not be affected.

City Council reviewed an application for a Restaurant Liquor License by Richard Coll, as member for S and R Holdings, LLC, d/b/a Mama's Pizza, located at 333 S. Greeno Road, Suite 1-A, Fairhope, Alabama. Councilmember Quinn moved to approve the issuance of the license. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Marvin Lee Broadus, as member for MLB Ventures, LLC, d/b/a Middlebay Market, located at 17236 Greeno Road, Fairhope, Alabama. Councilmember Kingrea moved to approve the issuance of the license. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Ford moved to approve the request from Public Works for bid solicitation on the following items: services to repair the landfill bulldozer track system, two outfront mowers, three garbage truck bodies, refuse truck trailer, two trash truck bodies, and a three-year lease for one backhoe. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Stankoski moved to approve the request from the Electric Department for bid solicitation on three new substation breakers for Nichols Street substation and send the small service type bucket truck back to the FAC due to it being over the approved budget. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

14 December 2009

Councilmember Ford moved to approve the request from Sherry Sullivan for bid solicitation for services to repair the roof at the James P. Nix Center. Seconded by Councilmember Kingrea, motion passed unanimously by voice vote.

Councilmember Ford moved to approve the request from The Fairhope Volunteer Fire Department for bid solicitation for repairs to their "Burn Building." Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Council President Mixon announced the next item of the agenda to discuss is the appointments to the Board of Adjustments & Appeals. Councilmember Kingrea addressed the City Council regarding the need to have a process for appointments to boards, committees, commissions, etc. He stated it was no reflection on these two individuals on the agenda tonight, but we need some type of process. Council President Mixon said he spoke with Gregg Mims and will have something to present to the City Council. Councilmember Stankoski stated that the board or committee should have some say so in the appointment. Councilmember Ford said that is how the Recreation Board does appointments. Council President Mixon told the City Council if you have any suggestions for this process forward to Gregg Mims.

After further discussion, Councilmember Kingrea moved to carry forward or any other future appointments for all committees until a process or procedure has been approved by the City Council. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Council President Mixon stated a motion was needed to approve the accounts payables on the agenda. Councilmember Quinn said she wanted to pull the invoice for Hunter Trees, LLC in the amount of \$7,488.00 and wants more discussion regarding this purchase. Councilmember Quinn moved to pay bills as presented and hold invoice for Hunter Trees, LLC. Councilmember Kingrea seconded the motion. City Treasurer Nancy Wilson stated these bills are what we paid in November. Councilmember Quinn said this is not a proper purchase and needs more discussion. Council President Mixon replied that this invoice can't be held aside because it has already been paid and this is a list for information only and we are approving the payment of future bills.

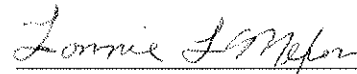
Council President Mixon stated he needed a motion to approve the accounts payables on the agenda. Councilmember Quinn questioned was her motion not valid and correct. Council President Mixon replied no, it was not valid. Councilmember Stankoski said to put in on the FAC agenda and discuss.

After further discussion, Councilmember Ford moved to pay bills as presented. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

14 December 2009

Councilmember Ford moved to approve the purchase for City Sketches, a Community Development project, per contract with Nall Printing. 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 7:13 p.m.



Lonnie L. Mixon, Council President



Lisa A. Hanks, City Clerk