

STATE OF ALABAMA)(
 :
 COUNTY OF BALDWIN)(

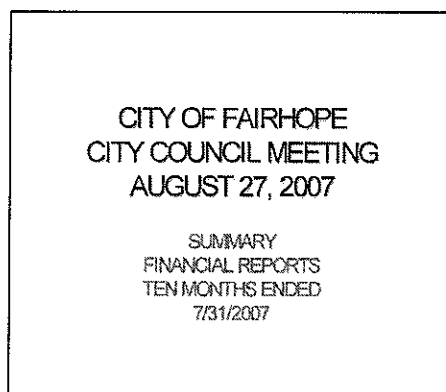
The City Council, City of Fairhope, met in regular session at 5:30 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 27 August, 2007.

Present were Council President Robert C. Gentle, Councilmembers: Debbie W. Quinn, Daniel Stankoski, Cecil Christenberry, and Michael A. Ford; Mayor Timothy M. Kant, City Attorney Marion E. Wynne, and Assistant City Clerk Lisa A. Hanks. City Clerk Geniece W. Johnson was absent.

There being a quorum present, Council President Gentle called the meeting to order. The Pledge of Allegiance was recited, and Rev. Jack Koehler, Pastor of Fairhope Christian Church, gave the invocation. Councilmember Stankoski moved to approve minutes of the 13 August 2007, regular meeting. Seconded by Councilmember Christenberry, motion passed by the following votes: AYE – Stankoski, Christenberry, Ford, and Gentle. Councilmember Quinn recused herself.

Mayor's Comments and Staff Reports:

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



Slide 1

GENERAL FUND			
	10 MONTHS ENDED 7/31/07	10 MONTHS ENDED 7/31/06	INCREASE (DECREASE)
REVENUES (INCLUDES UTILITY TRANSFERS)	17,584,523	14,821,935	2,762,588
EXPENSES	17,267,421	15,297,501	1,970,320
EXCESS REVENUE OVER (UNDER) EXPENSE	337,097		

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27 August 2007

GAS FUND

	10 MONTHS ENDED 7/31/07	10 MONTHS ENDED 7/31/06	INCREASE (DECREASE)
REVENUES	6,665,549	6,457,174	208,374
COST OF ENERGY	3,257,348	3,794,466	(537,120)
EXPENSES - INCLUDING TRANSFERS	2,455,465	2,302,668	152,797
TOTAL COST/EXPENSE	5,712,813	6,177,134	(464,321)
EARNINGS (LOSS)	952,736	(20,960)	973,696

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ELECTRIC FUND

	10 MONTHS ENDED 7/31/07	10 MONTHS ENDED 7/31/06	INCREASE (DECREASE)
REVENUES	12,662,137	11,692,932	1,299,205
COST OF ENERGY	7,269,754	7,219,700	50,054
EXPENSES - INCLUDING TRANSFERS	4,638,024	5,907,845	(1,269,821)
TOTAL COST/EXPENSE	11,974,778	11,123,543	851,235
EARNINGS (LOSS)	687,359	(430,611)	1,117,970

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WATER/SEWER FUND

	10 MONTHS ENDED 7/31/07	10 MONTHS ENDED 7/31/06	INCREASE (DECREASE)
REVENUES	7,212,982	7,021,082	191,900
COST OF ENERGY	325,679	425,512	(100,834)
EXPENSES - INCLUDING TRANSFERS	5,961,335	4,062,090	1,899,245
TOTAL COST/EXPENSE	6,405,031	4,475,352	1,929,679
EARNINGS (LOSS)	777,951	(2,454,270)	3,232,221

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GOLF FUND

	10 MONTHS ENDED 7/31/07	10 MONTHS ENDED 7/31/06	INCREASE (DECREASE)
REVENUES	1,262,207	1,269,273	(7,066)
EXPENSES	1,244,131	1,240,698	3,433
EARNINGS (LOSS)	17,076	28,575	(11,499)

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ALL FUNDS

	10 MONTHS ENDED 7/31/07	10 MONTHS ENDED 7/31/06	INCREASE (DECREASE)
REVENUES	45,613,775	41,200,979	4,412,796
EXPENSES	42,684,237	38,480,724	4,203,513
EXCESS REVENUE OVER (UNDER) EXPENSE	2,929,538	(2,279,745)	5,209,283

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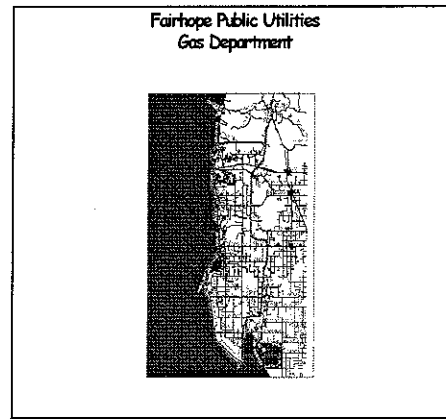
CASH BALANCE COMPARISON AT JULY 31, 2007

	CURRENT 7/31/07	PRIOR MONTH 6/30/07	PRIOR YEAR 7/31/06
GENERAL FUND	2,030,799	2,001,199	1,717,852
GAS FUND	639,920	648,086	543,912
ELECTRIC FUND	1,343,415	1,634,744	2,331,132
WATER FUND	4,125,982	3,662,775	4,724,392
GOLF FUND	123,053	114,299	123,800
GAS TAX FUND	302,350	315,692	299,369
CAPITAL PROJECTS (INCLUDES LIBRARY PROJECT ACCOUNT)	4,229,087	4,779,402	373,115
TOTAL - ALL FUNDS	13,998,748	12,697,228	10,113,530
IRRIG FUND	1,857,625	1,744,946	1,645,326
WARRANT FUNDS	4,573,932	5,243,033	649,124
TOTAL EXCLUDING IRRIG/WARRANTS	7,038,596	8,008,596	7,822,886

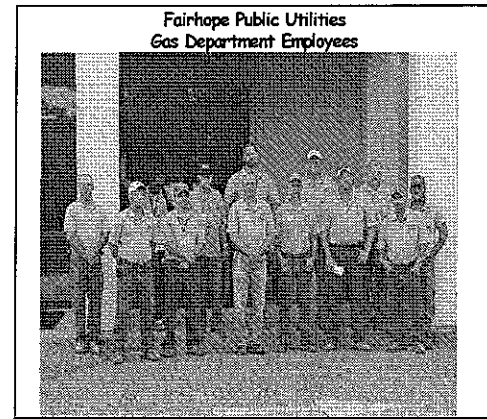
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27 August 2007

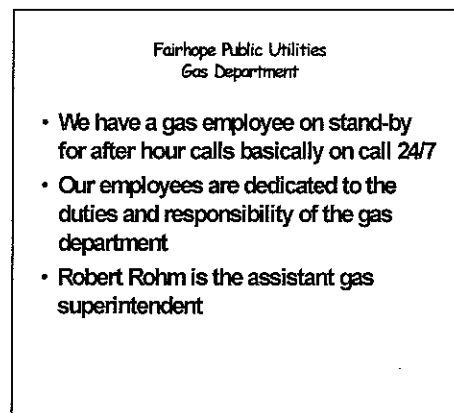
- Steve Seay presented the following PowerPoint presentation on the Fairhope Public Utilities Gas Department.



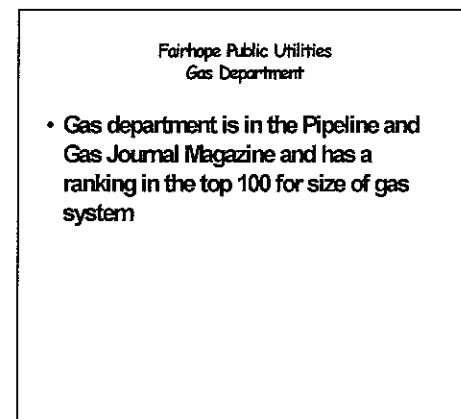
Slide 1



Slide 2



Slide 3



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27 August 2007

Fairhope Public Utilities
Gas Department

- Gas line was installed in 1950
- An additional gas line was installed in the sixties
- The gas, sewer and water were all one department at that time
- When the departments began to be regulated it was decided to make the gas department its own department
- Daphne owns 10% gas line from Daphne to Bay minette and 12.5% of Hwy 181 line

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Fairhope Public Utilities
Gas Department

Miles of gas mains installed from 1950 to 2006

1950 – 1959	45 Miles
1960 – 1969	147 Miles
1970 – 1979	25 Miles
1980 – 1989	49 Miles
1990 – 1999	128 Miles
2000 – 2006	73 Miles

Total gas mains installed for 2006: 15 Miles of 2' plastic Pipe
Projected gas main extension for the remainder of decade 2007, 2008 and 2009 is 45 miles

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Fairhope Public Utilities
Gas Department

Services installed from 1950 to 2006

1950 – 1959	1834
1960 – 1969	1498
1970 – 1979	818
1980 – 1989	864
1990 – 1999	2875
2000 – 2006	1924

Total gas services installed for 2006: 518 approximately 50,000 feet of 3/4" plastic pipe (10 miles)
Total gas services at the end of 2006: 9370
Total gas meters at the end of 2006: 8600

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Fairhope Public Utilities
Gas Department

- Curtailment of new gas services in the seventies
- Installation of Gas: ERT's (Encoder Receiver Transmitters) for the Automatic Meter Reading System
- Other projects that the gas department performs

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Fairhope Public Utilities
Gas Department

- Gas leaks responded to for 2006:
Contractor/Outside Force: 142
- Leaks called in by Customer: 58
false alarm or no leak found that were called in by customer: 81

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Fairhope Public Utilities
Gas Department

- Natural gas has no odor
- We put odorant in the gas three times the amount required D.O.T.

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27 August 2007

Fairhope Public Utilities
Gas Department

- Gas inspections completed by the Department for 2006: 871
- New Construction: 517
- Re-inspection and Remodeling: 354

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Fairhope Public Utilities
Gas Department

- Line locates received from Alabama Line
- Locates for 2006: Approximately "11,000"
- Public Awareness Program (1162)

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Fairhope Public Utilities
Gas Department

- Work Orders completed for 2006: 1737
- New Gas Services
- Gas Mains
- Maintenance
- Work performed for other departments
- Gas meter sets
- Call outs

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Fairhope Public Utilities
Gas Department

- Gas Leak Survey for critical area (downtown and cast iron) is performed once a year and entire system is performed every five years
- Line Markers
- High Pressure Regulators

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Fairhope Public Utilities
Gas Department

- Safety Procedures
- Cathodic Protection
- Operating Pressures
- Natural Disasters
- Operator qualification
- Welders
- Emergency Assistance
- Alcohol and Drug Program

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Fairhope Public Utilities
Gas Department

- Upcoming Regulation: DIMP
- Cast iron pipe replacement Program

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Fairhope Public Utilities
Gas Department

- The gas department is members of several organization Alabama Natural Gas Association, American Public Gas Association and United Municipal Distributors Group
- UMDG is made up of local municipalities Atmore, Brewton, Riveria, Bay Minette, Pensacola, Okaloosa, Milton, South Alabama Utilities, and South Alabama Gas District
- We are represented in Washington D.C. by Miller Balis and Oneil

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Fairhope Public Utilities
Gas Department

- Gas rate: Comparison
- 20 CCF of gas at residential rate
- Fairhope: \$41.32
- Bay Minette: \$42.79
- Daphne Utilities:\$44.41
- Mobile Gas: \$46.00

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Fairhope Public Utilities
Gas Department

- The gas department has never had a gas rate increase to fund day to day operation and maintenance

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Jim Byrd, Chairman of the Eastern Shore Chamber of Commerce's Business Survey Task Force addressed the City Council and presented the following report:

Business Survey Task Force
Report to Eastern Shore City Councils
Jim Byrd, Task Force Chairman

Beginning last summer, our task force accepted the goal of interviewing 30 businesses using the Synchronist Survey. Synchronist is a software program specially designed to organize, analyze and report company information giving decision-makers invaluable insight into the dynamics of the local economy. Synchronist identifies companies with the best growth potential and is also able to predict companies at risk.

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We provide these surveys, which are submitted anonymously, to the Baldwin County Economic Development Alliance, which they then input into the software program. Our data is then aggregated with the data collected by other chambers in Baldwin County, and indeed across the state, to give elected officials and economic development officials the information they need to assess and understand the local business economy.

Each of the surveys takes, on average, about 1 hour to complete and therefore our task force volunteered a combined 30 hours of time specifically to talking with business owners about their project. I'll share with you some key facts garnered from the survey:

- 74% of businesses surveyed on the Eastern Shore have existing plans to expand operations in the next 36 months.
- On a scale of 1 to 7, with one being low and 7 being high, employers rank the availability of workers on the Eastern Shore a 3.35, the quality of workers a 4.39, and the stability of workers a 4.57.
- The most common responses when asked to list the STRENGTHS of the Eastern Shore as a place to do business was:
 - Quality of Life
 - Location
 - Demographics
- The most common duplicated responses when asked to list the WEAKNESSES of the Eastern Shore as a place to do business was:
 - Affordable Housing
 - Available workers
 - Coordinated inter-governmental planning/cooperation
 - Land, Building, Construction costs
 - Transportation/Transit

We have committed to once again in this fiscal year to interview an additional 30 local businesses.

Dr. John Meyer, President of Fairhope Garden Club, addressed the City Council and presented the following report:

As the community of Fairhope enters into its centennial celebrations and the beginning of another century of growth, continuous planning, and the values it has placed on horticultural beauty, the Fairhope Garden Club wishes to share with you its goals for this centennial celebration.

The bay area, Mobile and Baldwin counties, will have an anticipated growth rate of 37%, with 50% of the population being under the age of 34, 28% of that under the age of 18. (Navigator, Press Register, August 26, 2007) This is a wonderful opportunity to focus on youth and their contributions to the community.

Thus, the Fairhope Garden Club, as our goal, in honor of the new century would like to encourage young people to become involved in horticulture and instill in them an appreciation for the lovely green environment in their Fairhope Community.

27 August 2007

First, we plan on offering contests for elementary, middle school and high school age boys and girls, several times during the year. These contests, with cash prizes awarded, will be to design and plant, with explanations for their choices, flower containers which will be located on the east side of the new historical museum. I have met with Jennifer, Donnie Barrett, and Dean Moser who have all been extremely supportive and helpful in our plan for encouraging youth to become involved in the beautification of our community. The flower containers will be created and watered by the city. The garden club will support maintenance and cost for the plantings. Although there are still some logistics to work through, the first contest will be in the spring of 2008.

Next, the garden club has enhanced its scholarship policy. Beginning with our centennial year we will now offer two horticultural or botany scholarships; one for attending a community college; another for attending a 4 year college or university of the recipients choice. Previously we had only offered 1 scholarship for Auburn.

Hence, as we enter into a new centennial epoch, the Fairhope Garden Club has as one of its goals the encouragement of young people into botanical engagement and community involvement.

The garden club has appreciated the opportunities the last 5 years through its successful garden walks to contribute to the planting of trees, replacing damaged rose bushes by the pier, and most recently the donation of \$3500 to the development of a sensory garden behind the new Fairhope Library. We hope our new projects will continue to enhance what makes Fairhope so special—the abundance of plantings for the esthetics of our community.

Councilmember Quinn introduced in writing Ordinance No. 1342. A \$1,458,578 General Obligation Refunding Warrant Series 2007 (FBO Library Board). In order to take immediate action, Councilmember Quinn moved for immediate consideration. Seconded by Councilmember Christenberry, motion for immediate consideration passed unanimously by the following votes: AYE – Quinn, Stankoski, Christenberry, Ford, and Gentle. NAY-None. Councilmember Christenberry then moved for final adoption of Ordinance No. 1342. Seconded by Councilmember Stankoski, motion for final adoption passed unanimously by the following votes: AYE – Quinn, Stankoski, Christenberry, Ford, and Gentle. NAY – None.

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute an agreement between the City of Fairhope and Hutchinson, Moore & Rauch, LLC to conduct environmental consulting services to maintain compliance with the conditions of the MS4 Permit. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

27 August 2007

RESOLUTION NO. 1400-07

WHEREAS, the City of Fairhope shall enter into agreement with Hutchinson, Moore & Rauch, LLC (HMR), to provide environmental consulting services in an effort to maintain compliance with the conditions of the Municipal Separate Storm Sewer System (MS4) Permit; and,

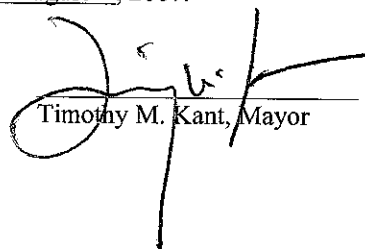
WHEREAS, to provide environmental consulting services, the following plan of action will be implemented by Hutchinson, Moore & Rauch:

1. Represent the City at meetings of the Stormwater Consortium.
2. Address related correspondence on behalf of the City.
3. Complete the annual stormwater sampling and analysis (one time each year).
4. Complete and submit the City's required annual report.

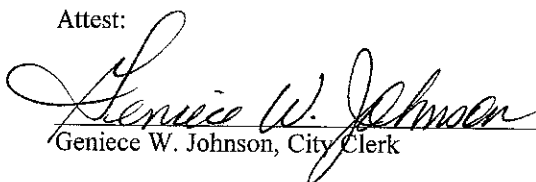
WHEREAS, the cost to provide environmental consulting services shall not exceed \$2,000.00; and,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute an agreement between the City of Fairhope and Hutchinson, Moore & Rauch, LLC, to conduct environmental consulting services to maintain compliance with the conditions of the MS4 Permit.

Adopted this 27th Day of August, 2007.


Timothy M. Kant, Mayor

Attest:


Geniece W. Johnson, City Clerk

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to execute Amendment # 2 to the Natural Gas Purchase and Sales Agreement dated April 1, 2002 between the City of Fairhope and BP Energy Company formerly Prior Energy Corporation. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

27 August 2007

RESOLUTION NO: 1401-07

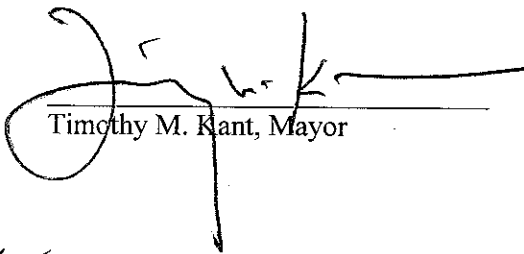
WHEREAS, this Amendment, dated August 27, 2007, is entered into by the City of Fairhope, Alabama, an Alabama Municipal Corporation and BP Energy Company, a private corporation; and,

WHEREAS, the City of Fairhope purchases natural gas from Seller pursuant to the terms of that certain Natural Gas Purchase and Sale Agreement dated April 1, 2002, by and between City of Fairhope and Prior Energy Corporation, with BP becoming the assignee of such agreement effective as of February 1, 2004, as the same was amended by that certain Amendment dated November 1, 2003 (collectively the "Agreement"); and,

WHEREAS, the City of Fairhope and BP Energy Company desire to further amend the Agreement in order to clarify the Gas delivery obligations and related issues under the Agreement.

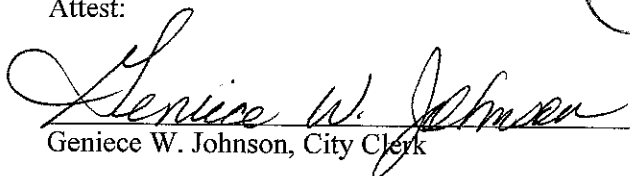
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant, is hereby authorized to execute an Amendment # 2 to the Natural Gas Purchase and Sales Agreement dated April 1, 2002, between the City of Fairhope and BP Energy Company formerly Prior Energy Corporation.

Adopted this 27th Day of August, 2007



Timothy M. Kant, Mayor

Attest:



Geniece W. Johnson, City Clerk

I, the undersigned qualified and acting City Clerk of the City of Fairhope, Alabama, do hereby certify that the above and forgoing is a true copy of a resolution passed and adopted by the City Council of the City named therein, at a regular meeting of such Council held on the 27th day of August, 2007 and that such resolution is on file in the City Clerk's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 27th day of August, 2007.

Seal

City Clerk

Date

27 August 2007

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to accept the subgrant from the Alabama Department of Economic and Community Affairs from the FY 2006 Land and Water Conservation Fund program in the amount of \$38,000, for the construction of Fairhope Skate Plaza. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

RESOLUTION NO. 1402-07

WHEREAS, the City of Fairhope proposed to construct recreational resources at Volanta park to provide for the health and well being of the general public; and

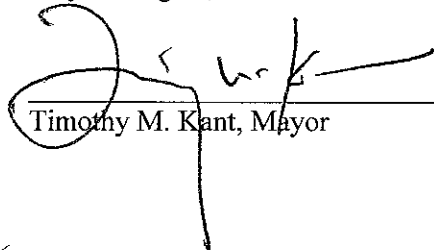
WHEREAS, the City of Fairhope presented an application to the Alabama Department of Economic and Community Affairs for grant assistance to develop a multipurpose trail for walkers, joggers, skaters, bicycles at Volanta Street Municipal facility from the Land and Water Conservation Fund; and

WHEREAS, the Alabama Department of Economic and Community Affairs awarded the City of Fairhope the subgrant from the FY 2006 Land and Water Conservation Fund (LWCF) program in the amount of \$38,000. The project number is LWCF Project 07-LW-904 and the name of the project is the Fairhope Skate Plaza. The City of Fairhope holds in reserve fifty percent (50%) of the proposed projected cost for the purpose of matching the Land and Water Conservation Fund assistance, and

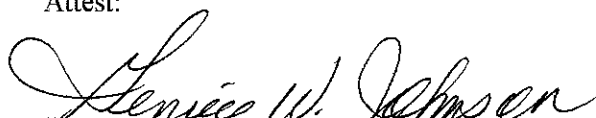
WHEREAS, the City of Fairhope will construct a skatepark with support facilities at the Fairhope Municipal Park (30°32'20"N--87°53'24"W) as set forth in the standard subgrant Conditions and Assurances attached hereto, the Subgrantee's Application, the *Recreation Programs Administrative Manual*, or as mandated by the Alabama Department of Economic and Community Affairs.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to accept the subgrant from the Alabama Department of Economic and Community Affairs from the FY 2006 Land and Water Conservation Fund program in the amount of \$38,000, for the construction of Fairhope Skate Plaza.

Adopted This 27th Day of August, 2007.


 Timothy M. Kant, Mayor

Attest:


 Geniece W. Johnson, City Clerk

27 August 2007

I, the undersigned qualified and acting City Clerk of the City of Fairhope, Alabama, do hereby certify that the above and forgoing is a true copy of a resolution passed and adopted by the City Council of the City named therein, at a regular meeting of such Council held on the 27th day of August, 2007 and that such resolution is on file in the City Clerk's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 27th day of August, 2007.

Seal

 City Clerk

Date

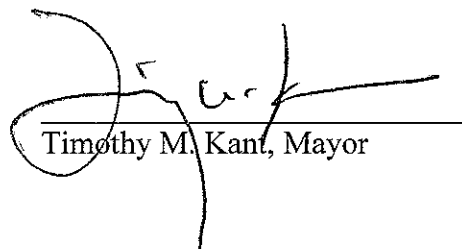
Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to execute an agreement between the City of Fairhope and Gillis Construction, Inc. for the improvements to Gayfer Avenue in the amount of \$38,080.00. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 1403-07

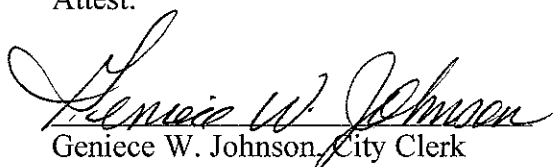
WHEREAS, the City of Fairhope adopted Resolution No. 1371-07 for the NRCS Master Project on May 14, 2007 where additional NRCS funds would pay for the construction of certain projects which are part of Agreement No. 69-4101-7-4. Included in this agreement is DSR Site FAI0905-0015, which is located at Gayfer Avenue.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute an agreement between the City of Fairhope and Gillis Construction, Inc. for the improvements to Gayfer Avenue in the amount of \$38,080.00.

Adopted This 27th Day of August, 2007.


 Timothy M. Kant, Mayor

Attest:


 Geniece W. Johnson, City Clerk

27 August 2007

Councilmember Stankoski introduced in writing, a resolution establishing the City Governmental Structure Committee. At last council meeting we had a lively discussion about "Fairhope City Governmental Structure Committee" and whether it was a citizens committee or an official Council committee. I voiced my support for it either way but had an uneasy feeling about its status and want to be on firm ground.

Council members and the Mayor may disagree on the creation of this committee, but friendly disagreement is good: good for the Council, good for the citizens, and good for Fairhope. While researching committees in the League of Municipalities handbook for Mayors and Council, I ran across a statement about disagreement on page 21 which I think goes to the heart of this issue. If two people think alike all the time, one of them is unnecessary. After the discussion and friendly disagreement, we should all do what is best for the city.

This COMMITTEE should not be about individuals. Harry Truman said as he was leaving the White House, "the pens, pencils, stamps, desks, and all the powers of the presidency do not belong to the man, but to the office of president", and this is what I believe this committee should be about. Not individuals or any one person or one job. It should be about the future of Fairhope.

This is what the council and committee should be doing, looking forward. Mayor Kant - does a good job with utilities because he grew up in this system and I am not in favor of "firing him" as superintendent. And, I do strongly oppose creating a utility board. Fairhope is growing and we need to plan 5, 10, 15 years ahead. The utilities today are big businesses and will get bigger. We may need to change the way we approach management, expansion, profit, rates, and marketing. Maybe we will need a professional business manager as superintendent. Make a strategic plan for at least 5 years and have the Mayor's office run the expanding governmental side. Do we want professionals running these multimillion-dollar enterprises or some elected official?

When we get the committee's report, we don't have to take action or we may take action but it will not hurt to have this committee conduct its survey, free of charge, and give us some recommendations.

After further discussion Councilmember Stankoski moved for the adoption of the following resolution, a resolution establishing the City Governmental Structure Committee.

Councilmember Ford stated that we maybe setting a dangerous precedent here. What changed your minds about the committee since the last meeting? Council President Gentle said we had a resolution ready last meeting, but Mr. Zunk thought that the Open Meetings Act might be too strict. Councilmember Ford said it seems to me some people should be on the committee who have been here for a while. It looks like its payback. Councilmember Christenberry commented I think we should vote. Councilmember Ford said you can vote when I am finished. Seconded by Councilmember Christenberry, motion passed by the following vote: AYE – Quinn, Stankoski, Christenberry, and Gentle. NAY – Ford.

27 August 2007

RESOLUTION NO. 1404-07

WHEREAS, the Council President Gentle appointed Charles Zunk to appoint a separate committee to look into the duties of the Mayor, look into the duties of a Utility Superintendent, and to come up with a fair and reasonable pay for a Utility Superintendent. Mr. Zunk is to report back to the City Council. No further action was taken by the City Council (Regular City Council meeting July 23, 2007).

WHEREAS, the City Council is desirous of officially establishing a city committee entitled the Governmental Structure Committee; and,

WHEREAS, the objectives of the committee are as follows:

- Structure between the Utility Company and City government operations
- Oversight of Utility Company
- Management structure of City government operations
- Lines of authority
- Reporting and information flow between City government operations and City Council
- Strategic (long-term) planning process

WHEREAS, the membership of the Governmental Structure Committee is made up of the following persons:

<i>Name</i>	Home Phone	Cell Phone	E-mail Address
Dennis Frodsham	928-8778	209-6622	dfrodsham@bellsouth.net
Harvey Joanning	929-0136	753-5194	joanning@iastate.edu
Ed Lawrence	928-4646	716-3333	edfairhope@bellsouth.net
Ron Muschel	929-3977	709-4258	muschr@bellsouth.net
Rod Platt	928-5281 WK	599-0488	rod@big-red-drum.com
Chuck Zunk - Chairperson	929-3966	404-0628	z4bicycle@aol.com

WHEREAS, the Chairperson, City Council President, and Mayor Kant shall work together with regards to meeting with employees of the City of Fairhope; and,

WHEREAS, the Committee will report to the City Council, on October 8, 2007; and,

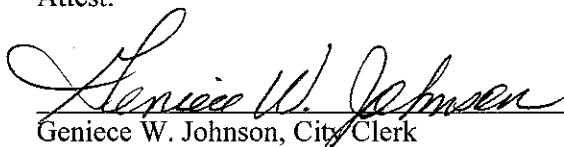
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the City Governmental Structure Committee is hereby officially established.

Adopted This 27th Day of August 2007.



Timothy M. Kant, Mayor

Attest:



Geniece W. Johnson, City Clerk

27 August 2007

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution accepting the public streets, public right-of-way, and all of Fairhope's public utilities within Fairfield Unit VI Subdivision for maintenance. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Resolution No. 1405-07

WHEREAS, the Owners of Fairfield Unit VI desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2358D, and all Fairhope public utilities located in public right-of-ways accepted for maintenance by the City of Fairhope, Alabama, and;

WHEREAS, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements as indicated on the recorded plat, and;

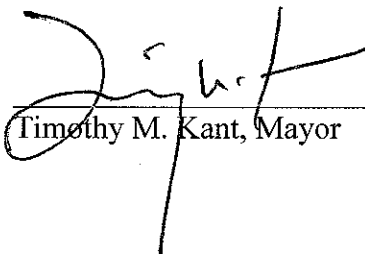
WHEREAS, the Public Works Director has indicated that the improvements meet City requirements, and;

WHEREAS, the City of Fairhope, Alabama, is not and in no manner will be responsible for the maintenance of common areas in the subdivision as indicated on the recorded plat, and;

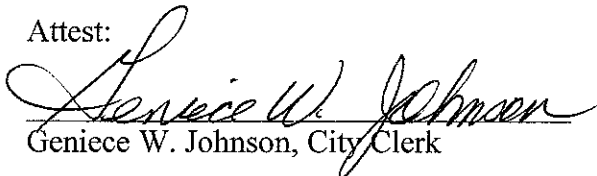
WHEREAS, the City of Fairhope, Alabama, has received from the owners of Fairfield Unit VI maintenance bonds for the public improvements constructed for a period of 2 years, and;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for Fairfield Unit VI are hereby accepted for public maintenance subject to the bond posted.

Adopted, this 27th day of August, 2007.


 Timothy M. Kant, Mayor

Attest:


 Geniece W. Johnson, City Clerk

City Council reviewed an application for a Special Retail License by William Boyd Little, dba Oak Hollow Farm located at located at 14210 Greeno Road, Fairhope, Alabama. Councilmember Ford moved to approve the issuance of the license. Seconded by Councilmember Quinn, who mentioned that this is for The Rileigh & Raylee Angel Ride, motion passed unanimously by voice vote.

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Councilmember Christenberry introduced Larry Thomas, President of FSTC. He said there is a spirit of cooperation with the Old Jail/City Museum project. Construction is on time and on budget. Private citizens have come together to beautify the park. Compass donated a piece of land for the project. Mr. Thomas addressed the City Council by mentioning that the FSTC centennial was in 1994. The following is a list of people and entities he gave special thanks to:

FSTC and Executive Council:

Larry Thomas, President	Ed Lawrence, Director
Marsha R. Foster, Secretary	Leslie Stesjkal, Director
Dean Mosher, Vice-President	Cliff Pittman, Director
Mike Arnold, Treasurer	Andy Mitcalf, Trustee
Mac McCawley, Director	Ralph Jennings, Trustee
Carol Saltz, Director	Leigh Rogers, Trustee

Fairhope Garden Club

Donnie Barrett

The Fairhope Historic Museum

Barry Fulford - structural and commercial inspections

Aaron Norris - electrical issues

Jennifer Fiddler - whenever needed, already selecting plants

Dan McCrory – moved water meters

City Council and Mayor for financial and moral support

Gary Cowles and his firm

Ben Cummings

Historic Homes Tour Folks

Harriett Gutineck

THE PARK

Fairhope Parking Authority

FSTC again stepping up to the plate to lead this project

Tim Rossen

Rick Wanniker

Compass Bank

Kay Friedlander and the COPA group

The group of Citizens raising money for locally produced pavers

Bobby Green

Master Gardeners

Marratti Johnson Museum

Gary Cowles and his firm

Dan Hale for the great renditions and GPS mapping

Councilmember Ford said that Henry Dunlap should also be thanked. He stated that Donnie Barrett is a natural for the museum. Councilmember Quinn again thanked Compass Bank for donating the piece of property. She was concerned about the City holding up progress. Mr. Thomas stated that Planning & Zoning has them on the September 4, 2007 agenda. Everything is moving along. Councilmember Christenberry stated that the FSTC has donated \$150,000 to the Museum.

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Ann Mero, Will Koberg, and Panini Pete addressed the City Council requesting permission to provide "Segway Tours" from the French Quarters area. Mr. Koberg stated that the Segway PT Cruisers were legal inside buildings. Veterans are using them.

Council President Gentle asked what exactly are you requesting? Mr. Koberg answered permission to provide guided tours on Segways; to show the history of Fairhope. They will be one to two hour tours. Ms. Mero commented the places have not been picked out yet. "What do you want to show?" Mr. Koberg said that his company donated a couple of Segways to the Police Department and now the Police Department is looking into grant money to purchase more Segways.

Councilmember Ford asked how many people would be on a tour? Mr. Koberg answered from four to six for safety reasons. Panini Pete suggested tours around Faulkner State and The Bluff. He said routes would have to be determined. Councilmember Ford suggested this idea being turned over to the Street Committee.

Councilmember Quinn said it is a great idea and young kids love it. Councilmember Stankoski asked how fast do they go? Mr. Koberg answered 11 miles per hour. Each one does have a governor on it for 5 miles per hour. This can be regulated depending on the rider's ability. Councilmember Stankoski asked if it had a noise device on it? Panini Pete answered yes, your voice.

Council President Gentle said to turn it over to Sherry Sullivan and the Downtown Committee. After further discussion, Councilmember Quinn moved to grant the request. Seconded by Councilmember Christenberry, motion passed by the following votes: AYE – Quinn, Christenberry, Ford, and Gentle. NAY – Stankoski.

Joe Birendelli addressed the City Council to request that the City of Fairhope once again sponsor this year's Veterans Day Parade. The Parade is scheduled to begin at 2:00 pm on Saturday, November 10, 2007. The parade route will follow the same route as in the previous two years. Councilmember Stankoski moved to grant the request. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Joe Overstreet addressed the City Council to request that the City of Fairhope set up a review panel of two citizens and one official (i.e. police, lawyer, etc.) for citizen's complaints. He stated that there is a problem with Police and citizen's being harassed. He said several times he called the Police Department, the Mayor, and Councilmembers, but did not get a response. He called the Mobile Police Department and the City of Mobile Mayor's office and was able to speak with the Police Chief and Mayor Sam Jones.

Council President Gentle asked City Attorney, Marion E. Wynne, to look into what Mobile does and report back to the Council. Mr. Wynne asked Mr. Overstreet what is the committee called in Mobile? Mr. Overstreet said Internal Review. Assistant Chief Police, Steve Griffis, stated that is what we call our committee too!

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STATE BID TABULATION

Description	T-NBR	Begin	End	Buyer Name	Contract Change	Vendor Web Sites?
Aggregate	<u>T119</u>	10/1/06	9/30/07	<u>BECKY WEBB</u>	***	NO
Alternative Fuels	<u>T104A</u>	5/21/07	9/30/08	<u>ROGER MCKEAN</u>	***	NO
Ammunition	<u>T208</u>	6/23/06	6/22/08	<u>JENNIFER SIGLER</u>	***	NO
Analyzation of Pap Smears	<u>T151</u>	1/18/05	1/17/08	<u>BERNIE ARANT</u>	***	NO
Automated Weather Observation	<u>T027</u>	3/2/07	3/1/08	<u>BERNIE ARANT</u>	***	NO
Automotive Filters	<u>T192</u>	10/7/05	10/6/07	<u>ROGER MCKEAN</u>	***	NO
Bread	<u>T038</u>	7/19/05	7/18/08	<u>CRIST WATTS</u>	***	No
Bridge Joint Sealant Materials	<u>T055</u>	8/3/07	8/2/08	<u>BECKY WEBB</u>	***	NO
Bus, Cutaway Chassis 32 Pass	<u>T904</u>	4/9/04	4/8/08	<u>ROGER MCKEAN</u>	***	NO
Cabinet Hardware & Accessories	<u>T253</u>	9/1/05	8/31/07	<u>KATHY MOORE</u>	***	NO
Cafeteria Equip. & Related Items	<u>T281</u>	5/21/07	5/20/08	<u>CRIST WATTS</u>	***	NO
Cellular Telephones	<u>T301</u>	11/3/04	11/2/08	<u>PAT ANTLE</u>	<u>2/1/06</u>	NO
Classroom Chairs and Desks	<u>T180</u>	6/1/05	5/31/08	<u>Janna Wickham</u>	<u>6/9/05</u>	NO
Comm Interoperability Device	<u>T032</u>	2/16/05	2/15/08	<u>PAT ANTLE</u>	<u>1/6/06</u>	NO
Commercial Lawn Mowers	<u>T225</u>	5/25/05	5/24/08	<u>BECKY WEBB</u>	***	NO
Concrete	<u>T025</u>	8/1/07	7/31/08	<u>BECKY WEBB</u>	***	NO
Copiers, Digital & Multi-Function Network Devices	<u>T190</u>	4/15/04	4/14/08	<u>JENNIFER SIGLER</u>	<u>7/18/07</u>	NO
Cutaway Chassis Bus 25 Passenger	<u>T903</u>	3/2/06	3/1/08	<u>ROGER MCKEAN</u>	<u>4/11/07</u>	NO
Cut Paper and Continuous Forms	<u>T103</u>	7/20/07	7/19/08	<u>SUSAN JANA</u>	***	NO
Difco and BBL Diagnostics	<u>T152</u>	3/14/06	3/13/08	<u>BERNIE ARANT</u>	***	NO
Digital Video System	<u>T914</u>	8/5/05	8/4/08	<u>SUSAN JANA</u>	<u>3/28/07</u>	NO

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Dry Cell Batteries/Flashlights	<u>T213</u>	1/30/06	2/28/08	<u>KATHY MOORE</u>	<u>3/10/06</u>	NO
E-Ticket Perforated Roll Paper	<u>T018</u>	4/2/07	4/1/08	<u>SUSAN JANA</u>	***	NO
Fax Machines	<u>T132</u>	9/1/04	8/31/07	<u>Janna Wickham</u>	<u>5/25/07</u>	NO
File Cabinets	<u>T199</u>	10/15/03	9/30/07	<u>Janna Wickham</u>	<u>7/16/07</u>	NO
Fire Fighting Equipment & Clothing	<u>T235</u>	10/1/06	9/30/07	<u>CRIST WATTS</u>	***	NO
Furniture	<u>T390</u>	2/7/05	2/6/08	<u>Janna Wickham</u>	<u>2/1/06</u>	NO
Gasoline Credit Card	<u>T045</u>	4/2/03	4/1/08	<u>ROGER MCKEAN</u>	***	NO
GPS Units - DPS	<u>T002</u>	10/1/05	9/30/07	<u>BERNIE ARANT</u>	<u>11/14/05</u>	NO
Heavy Equipment	<u>T158</u>	1/21/04	10/20/08	<u>BECKY WEBB</u>	***	NO
Help Desk & Service Mgt System	<u>T009</u>	6/22/06	6/21/09	<u>JAERI ELLIS</u>	***	NO
Herbicides	<u>T154</u>	6/22/07	6/21/08	<u>BECKY WEBB</u>	***	NO
Herbicide Sprayers	<u>T228</u>	5/29/05	5/28/08	<u>BECKY WEBB</u>	***	NO
Herbicides in Reuseable Containers	<u>T154A</u>	8/3/04	8/2/08	<u>BECKY WEBB</u>	***	NO
High Build Traffic Paint	<u>T155A</u>	12/14/06	7/19/08	<u>BECKY WEBB</u>	***	NO
High-Performance Asphalt	<u>T015</u>	6/6/07	6/5/08	<u>BECKY WEBB</u>	***	NO
Infrared Assessment Equipment	<u>T979</u>	10/14/04	10/13/07	<u>JENNIFER SIGLER</u>	***	NO
Interwoven Doc & Web Mgt SW	<u>T017</u>	2/1/07	1/31/08	<u>JAERI ELLIS</u>	***	NO
Laboratory Supplies	<u>T233</u>	11/04/04	11/03/07	<u>BERNIE ARANT</u>	***	NO
LED Components	<u>T134</u>	1/24/05	1/23/08	<u>BECKY WEBB</u>	***	NO
Light Bulbs - Incandescent, Fluorescent Lamps, ETC.	<u>T102</u>	6/23/03	6/22/08	<u>ROGER MCKEAN</u>	<u>8/27/03</u>	NO
Liquid Asphalt	<u>T118</u>	10/1/06	9/30/07	<u>BECKY WEBB</u>	***	NO

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Locks - Correctional Facilities	<u>T026</u>	12/16/06	12/14/07	<u>KATHY MOORE</u>	***	NO
LP Gas	<u>T115</u>	10/1/06	9/30/07	<u>ROGER MCKEAN</u>	***	NO
Micrographic Film & Supplies	<u>T165</u>	10/1/05	9/30/07	<u>PAT ANTLE</u>	***	NO
Microsoft Select/Enterprise Agreement	<u>T040</u>	10/24/05	10/31/07	<u>JAERI ELLIS</u>	***	<u>YES</u>
Monitors, Personal Computer	<u>T500</u>	5/15/06	5/14/08	<u>JAERI ELLIS</u>	<u>7/16/07</u>	NO
Mosquito Control	<u>T100</u>	10/18/05	10/17/07	<u>BECKY WEBB</u>	***	NO
Neoprene for Bridge Maint	<u>T010</u>	6/22/06	6/21/08	<u>BECKY WEBB</u>	***	NO
Networking Equipment	<u>T498</u>	5/11/07	5/10/08	<u>JAERI ELLIS</u>	***	NO
Night Vision Goggles	<u>T916</u>	1/23/06	1/22/08	<u>JENNIFER SIGLER</u>	***	NO
Non-Traffic Citation/Complaint	<u>T396</u>	10/1/06	9/30/07	<u>SUSAN JANA</u>	***	NO
OEM Printer Cartridges	<u>T004</u>	10/6/06	10/5/07	<u>SUSAN JANA</u>	<u>7/16/07</u>	NO
Office Supplies	<u>T108</u>	3/1/07	2/29/08	<u>SUSAN JANA</u>	***	NO
Personal Computers, Dell	<u>T504</u>	12/15/04	12/14/07	<u>JAERI ELLIS</u>	<u>9/30/05</u>	<u>YES</u>
Personal Computers, Gateway	<u>T503</u>	12/15/04	12/14/07	<u>JAERI ELLIS</u>	<u>6/21/07</u>	NO
Personal Computers, HP	<u>T502</u>	12/15/04	12/14/07	<u>JAERI ELLIS</u>	<u>7/10/07</u>	NO
Personal Computers, IBM	<u>T501</u>	12/15/04	12/14/07	<u>JAERI ELLIS</u>	***	NO
Personal Computers, Open Market	<u>T505</u>	4/1/05	3/31/08	<u>JAERI ELLIS</u>	<u>11/21/06</u>	NO
Petroleum Products	<u>T104</u>	6/8/07	9/30/08	<u>ROGER MCKEAN</u>	***	<u>YES</u>
Plant Mix	<u>T120A</u>	10/1/06	9/30/07	<u>BECKY WEBB</u>	***	NO
Portable Oxygen Inhalators	<u>T123</u>	1/1/06	12/31/07	<u>BERNIE ARANT</u>	***	NO
Premise Distribution System	<u>T520</u>	8/27/03	8/25/08	<u>PAT ANTLE</u>	***	NO
Printers	<u>T020</u>	4/12/07	4/11/08	<u>JENNIFER SIGLER</u>	<u>5/11/07</u>	<u>YES</u>
Printing and Binding	<u>T400</u>	10/1/06	9/30/08	<u>SUSAN JANA</u>	***	<u>YES</u>

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Protective Hardshell Cases	<u>T005</u>	12/28/05	12/27/07	<u>JENNIFER SIGLER</u>	***	NO
Radio Equipment 800 MHZ Authorization Letter	<u>T129</u>	11/1/06	10/31/08	<u>PAT ANTLE</u>	***	NO
Records Vault Storage	<u>T169</u>	10/1/04	9/30/08	<u>PAT ANTLE</u>	***	NO
Reflective Sheeting	<u>T114</u>	2/13/06	2/12/08	<u>BECKY WEBB</u>	***	NO
Ribbon Reinking Recondition	<u>T124</u>	10/9/04	10/8/07	<u>SUSAN JANA</u>	***	NO
Right-of-Way Mowers	<u>T226</u>	7/1/05	6/30/08	<u>BECKY WEBB</u>	***	NO
Rugged Laptop, Homeland Defense	<u>T506</u>	4/26/05	4/21/08	<u>JAERI ELLIS</u>	<u>3/6/07</u>	NO
Sand Spreaders	<u>T599</u>	2/22/07	2/21/08	<u>BECKY WEBB</u>	***	NO
Service Pins	<u>T200</u>	10/1/05	9/30/07	<u>SUSAN JANA</u>	***	NO
Shredders	<u>T006</u>	6/15/06	6/14/08	<u>SUSAN JANA</u>	***	NO
Sign Blanks/Sheets	<u>T153</u>	4/11/07	4/10/08	<u>BECKY WEBB</u>	***	NO
Soft Body Armor	<u>T037</u>	1/25/06	1/24/08	<u>JENNIFER SIGLER</u>	***	NO
Steel Sign Supports	<u>T138</u>	6/19/07	6/18/08	<u>BECKY WEBB</u>	***	NO
Table Contract	<u>T181</u>	1/1/05	12/31/07	<u>Janna Wickham</u>	***	NO
Telephone Equipment - New	<u>T305</u>	9/1/05	8/31/08	<u>PAT ANTLE</u>	***	<u>YES</u>
Telephone Keystem Parts & Maintenance	<u>T304</u>	2/17/05	2/16/08	<u>PAT ANTLE</u>	***	NO
Temporary GIS Specialists	<u>T016</u>	1/9/07	1/8/08	<u>JENNIFER SIGLER</u>	***	NO
Temporary IT Project Mgrs	<u>T013</u>	10/1/06	9/30/07	<u>JENNIFER SIGLER</u>	***	NO
Temporary Personnel (Requires approval letter from State Personnel)	<u>T238</u>	10/1/05	9/30/07	<u>JENNIFER SIGLER</u>	<u>7/26/07</u>	NO
Thermal Imaging Cameras	<u>T028</u>	1/10/06	1/9/08	<u>PAT ANTLE</u>	***	NO
Thermal Labels	<u>T029</u>	5/13/07	5/12/08	<u>SUSAN JANA</u>	***	NO
Tires	<u>T106</u>	1/4/06	1/3/08	<u>ROGER MCKEAN</u>	<u>9/28/06</u>	NO


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Toilet Paper & Paper Towels	<u>T270</u>	10/1/06	9/30/07	<u>CRIST WATTS</u>	***	NO
Toner Cartridges, After Market	<u>T490</u>	6/1/05	5/31/08	<u>SUSAN JANA</u>	<u>2/21/06</u>	NO
Tractors	<u>T222</u>	6/20/05	6/19/08	<u>BECKY WEBB</u>	***	NO
Traffic Citation & Complaint	<u>T395</u>	6/1/06	5/31/08	<u>SUSAN JANA</u>	***	NO
Traffic Control Equipment	<u>T133</u>	4/15/05	4/14/08	<u>BECKY WEBB</u>	<u>4/26/06</u>	NO
Traffic Marking Materials	<u>T155</u>	7/20/05	7/19/08	<u>BECKY WEBB</u>	***	NO
Truck - 19000# & Above D/P GVWR	<u>T193</u>	7/8/05	2/12/08	<u>ROGER MCKEAN</u>	***	NO
Trucks 8600 - 19000 GVWR	<u>T193A</u>	10/13/06	2/12/08	<u>ROGER MCKEAN</u>	<u>9/27/06</u>	NO
Truck Body 8600-19000 GVWR	<u>T195A</u>	6/30/05	***	<u>ROGER MCKEAN</u>	***	NO
Truck Body 19000# & Up D/P GVWR	<u>T195</u>	6/30/05	***	<u>ROGER MCKEAN</u>	***	NO
Truck Rental Tri-Counties	<u>T116</u>	4/20/07	4/19/08	<u>ROGER MCKEAN</u>	***	NO
Two-Way Radios and Parts	<u>T300</u>	9/15/03	9/14/07	<u>PAT ANTLE</u>	<u>11/15/05</u>	NO
Uniform Shoes and Boots	<u>T291</u>	10/1/06	9/30/07	<u>CRIST WATTS</u>	***	NO
Van, Commuter 15 Passenger	<u>T897</u>	4/9/04	4/8/08	<u>ROGER MCKEAN</u>	***	NO
Van, FTA Standard 15 Passenger	<u>T898</u>	4/9/04	4/8/08	<u>ROGER MCKEAN</u>	***	NO
Van, Modified 15 Passenger	<u>T899</u>	4/9/04	4/8/08	<u>ROGER MCKEAN</u>	***	NO
Vehicle Attenuators	<u>T243</u>	7/11/07	7/10/08	<u>BECKY WEBB</u>	***	NO
Vehicles	<u>T191</u>	8/14/06	***	<u>ROGER MCKEAN</u>	<u>2/12/07</u>	<u>YES</u>
Vehicles - Alternate Fuel	<u>T191A</u>	2/7/07	2/6/08	<u>ROGER MCKEAN</u>	***	NO
Vehicles - Law Enforcement	<u>T191L</u>	8/14/06	***	<u>ROGER MCKEAN</u>	<u>11/18/05</u>	NO
Vehicles - Rental	<u>T191R</u>	8/15/07	8/14/08	<u>ROGER MCKEAN</u>	***	NO
Vending Machines	<u>T280</u>	4/9/07	4/8/08	<u>CRIST WATTS</u>	***	NO
Worker Protection Materials	<u>T171</u>	4/1/05	3/31/08	<u>BECKY WEBB</u>	***	NO

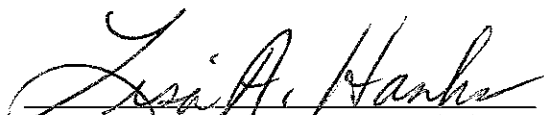
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Councilmember Ford moved to accept the State of Alabama Bid Contracts be used when in the best interest of the City of Fairhope provided all specifications are met. Materials and supplies would be purchased as needed such as fuel, tissue, and limestone. Large equipment purchases will be made with counsel approval (trucks, tractors, etc.). See Alabama State Contract lists of vendors and materials attached. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 7:20 p.m.



Robert C. Gentle, Council President



Lisa A. Hanks, Assistant City Clerk