

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 Chambers, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 23 July 2007.

Present were Council President Robert Gentle, Councilmembers: Debbie W. Quinn, Daniel Stankoski, Cecil Christenberry, and Michael A. Ford, Mayor Timothy M. Kant, City Attorney Marion E. Wynne, and City Clerk Geniece W. Johnson. No one was absent.

There being a quorum present, Council President Gentle called the meeting to order. The Pledge of Allegiance was recited, and Rev. Mark Wilson, Pastor of St. James Episcopal Church, gave the invocation. Councilmember Christenberry moved to approve minutes of the 9 July 2007, regular meeting. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Mayor's Comments and Staff Reports:

- Mayor Kant publicly apologized for losing his temper at the last Finance Meeting.
- Rose Forgarty, Finance Director, and Nancy Wilson, City Treasurer, gave a financial report PowerPoint presentation for the Month of February 2007. No City Council action was required nor taken.

23 July 2007

CITY OF FAIRHOPE
CITY COUNCIL MEETING
JULY 23, 2007

SUMMARY
FINANCIAL REPORTS
NINE MONTHS ENDED
6/30/2007

GENERAL FUND

	9 MONTHS ENDED 6/30/07	9 MONTHS ENDED 6/31/06	INCREASE (DECREASE)
REVENUES (INCLUDING UTILITY TRANSFERS)	15,445,266	15,030,003	415,263
EXPENSES	15,050,390	14,382,827	667,563
EXCESS REVENUE OVER (UNDER) EXPENSE	394,876		

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GAS FUND

	9 MONTHS ENDED 6/30/07	9 MONTHS ENDED 6/30/06	INCREASE (DECREASE)
REVENUES	6,297,975	6,132,655	165,320
COST OF ENERGY	3,191,035	3,849,605	(548,570)
EXPENSES - INCLUDING TRANSFERS	2,292,556	1,561,508	640,970
TOTAL COST/EXPENSE	5,303,603	5,211,203	
EARNINGS (LOSS)	994,372		

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ELECTRIC FUND

	9 MONTHS ENDED 6/30/07	9 MONTHS ENDED 6/30/06	INCREASE (DECREASE)
REVENUES	11,120,254	9,929,491	1,190,763
COST OF ENERGY	6,175,312	6,175,162	(850)
EXPENSES - INCLUDING TRANSFERS	4,174,291	3,455,809	678,482
TOTAL COST/EXPENSE	10,349,603	9,671,971	
EARNINGS (LOSS)	770,651		

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WATER/SEWER FUND

	9 MONTHS ENDED 6/30/07	9 MONTHS ENDED 6/30/06	INCREASE (DECREASE)
REVENUES	6,401,955	6,122,932	279,973
COST OF ENERGY	466,130	377,659	88,271
EXPENSES - INCLUDING TRANSFERS	5,388,787	4,718,765	670,022
TOTAL COST/EXPENSE	5,854,917	5,096,624	
EARNINGS (LOSS)	547,038		

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GOLF FUND

	9 MONTHS ENDED 6/30/07	9 MONTHS ENDED 6/30/06	INCREASE (DECREASE)
REVENUES	1,116,573	1,130,822	(14,249)
EXPENSES	1,133,545	1,085,713	46,832
EARNINGS (LOSS)	(16,972)		

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ALL FUNDS

	9 MONTHS ENDED 6/30/07	9 MONTHS ENDED 6/30/06	INCREASE (DECREASE)
REVENUES	40,382,043	38,345,953	2,036,090
EXPENSES	37,692,058	30,021,588	1,870,470
EXCESS REVENUE OVER (UNDER) EXPENSE	2,689,985		

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**CASH BALANCE COMPARISON
AT JUNE 30, 2007**

	CURRENT 6/30/07	PRIOR MONTH 5/31/2007	PRIOR YEAR 6/30/06
GENERAL FUND	2,501,168	1,712,613	2,961,981
GAS FUND	648,098	658,672	525,518
ELECTRIC FUND	1,534,744	1,329,939	2,125,022
WATER FUND	3,602,775	4,362,926	4,584,597
GOLF FUND	114,336	107,165	144,282
GAS TAX FUND	318,662	309,168	291,585
CAPITAL PROJECTS (INCLUDES LIBRARY PROJECT ACCOUNT)	4,770,402	218,023	100,018
TOTAL - ALL FUNDS	12,997,225	8,639,364	10,733,102
SINKING FUNDS	1,744,946	2,021,880	1,727,450
WARRANT FUNDS	5,243,683	680,823	680,290
TOTAL-EXCLUDING SINKING/WARRANTS	6,008,598	5,890,661	3,315,322

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CITY OF FAIRHOPE

WATER AND WASTEWATER DEPARTMENT

Presentation Agenda

- > Welcome and Introduction
 - > Don McCrory, Water & Wastewater Superintendent
 - > Fairhope Water Established
 - > Water Department Last Decade
 - > Water Department Improvements
 - > Wastewater Department Last Decade
 - > Wastewater Department Improvements
 - > Questions & Answers

Fairhope Water Established

- > 1916 – Election for a Bond for \$8,000 to construct a waterworks system within the corporate limits.
 - > Results: 89 For & 20 Against, January 11, 1916
 - > Water Department Established Summer of 1916
 - > First Modern Steel Water Tower
 - > Located where the Welcome Center is today
 - > October 16, 1916 Established an Ordinance to Collect and receive monies for water connections and usage

Fairhope Water

- > As of December 31, 1996
 - > 9,760 Water Connections
 - > 5 Water Wells
 - > 4 Water Towers
 - > 5 Water Treatment Plants

Fairhope Water

- > As of December 31, 1997
 - > Water Treatment Plant 6, & Well 6, 600 GPM, Cost - \$550,000
 - > 10,186 Water Connections
 - > 426 New Water Connections

Fairhope Water

- > As of December 31, 1998
 - > 10,628 Water Connections
 - > 442 New Water Connections

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Fairhope Water
<ul style="list-style-type: none"> > As of December 31, 1999 > Well 7, 750 GPM. > Upgraded Water Treatment Plant 1, & Generator, Cost \$750,000 > 11,120 Water Connections > 492 New Water Connections

Fairhope Water
<ul style="list-style-type: none"> > As of December 31, 2000 > Well 8, 600 GPM, Cost \$350,000 > 11,547 Water Connections > 427 New Water Connections

Fairhope Water
<ul style="list-style-type: none"> > As of December 31, 2001 > 11,983 Water Connections > 436 New Water Connections

Fairhope Water
<ul style="list-style-type: none"> > As of December 31, 2002 > 12,449 Water Connections > 466 New Water Connections

Fairhope Water
<ul style="list-style-type: none"> > As of December 31, 2003 > 12,873 Water Connections > 424 New Water Connections

Fairhope Water
<ul style="list-style-type: none"> > As of December 31, 2004 > Well 9, 1000 GPM, Upgraded Water Treatment Plant 2 Cost \$700,000 > 3 Million Gallon Tank Put In Service, Cost \$3,000,000 > 13,345 Water Connections > 614 New Water Connections

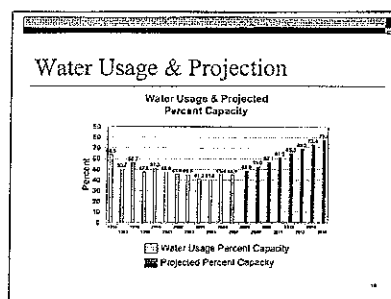
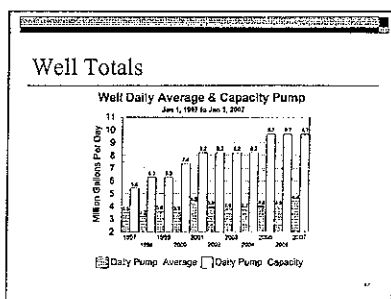
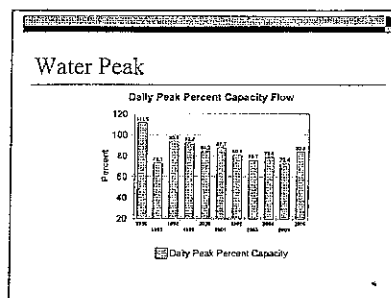
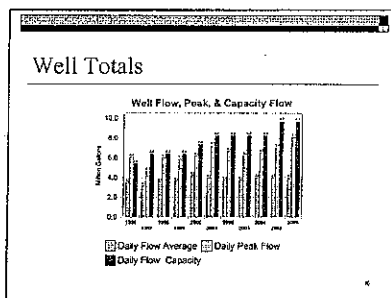
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Fairhope Water

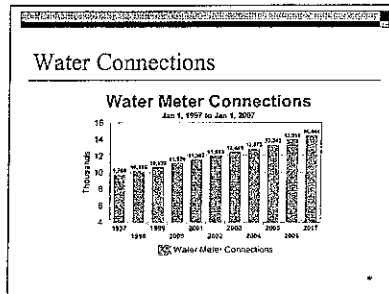
- > As of December 31, 2005
 - > 13,959 Water Connections
 - > 614 New Water Connections
 - > 12 inch Water Main Extension Hwy 104
 - Cost - \$250,000

Fairhope Water

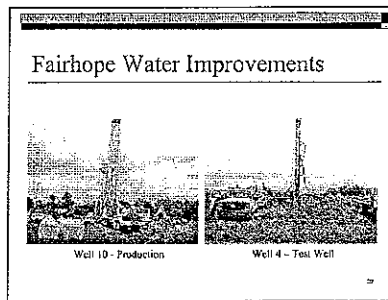
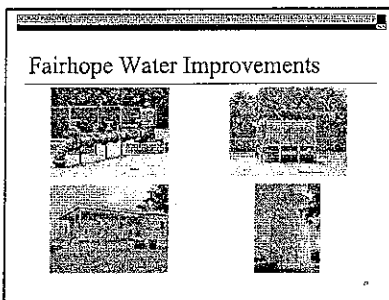
- > As of December 31, 2006
 - > 14,444 Water Connections
 - > 485 New Water Connections
 - > 9 Water Wells
 - > 5 Water Tanks, Storage of 6.60 Million Gallons
 - > 6 Water Treatment Plants
 - > Construction of Well 10, Cost - \$500,000
 - > Well 4 Upgrade, Cost - \$75,000



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- ### Water Department Improvements
- Last Decade
 - 13,999 Billion Gallons Pumped
 - 4,684 Water Connections
 - 4 Water Wells, 1998, 2000, 2001, & 2005
 - Water Treatment Plant, 1998
 - Upgraded 2 Water Treatment Plant, 2000 & 2005
 - Generator, at Water Treatment Plant 1, 2000
 - Scada System for Wells
 - Construction of Well 10, Started 2007
 - Well 4 Upgrade, Started 2007
 - Cost - \$6.175 Million in Improvements



- ### Fairhope Wastewater
- As of December 31, 1996
 - 4702 Connections
 - 39 Lift Stations
 - Wastewater Reclamation Facility, 2 MGD
 - WWRP Flow 1.583 Million Gallons

- ### Fairhope Wastewater
- As of December 31, 1997
 - 4870 Connections
 - 168 New Connections
 - WWRP Upgraded To 4.0 Million Gallons
 - Ultra Violet System, Generator, Plant Scada System
 - Screening, Grit & Greaso System Upgraded
 - Aeration Tank, and 2 Clarifiers Upgraded
 - WWRP Office & Lab Remodeled
 - WWRP Flow 1.655 Million Gallons
 - Upgrade / Improvement Cost - \$5.50 Million

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Fairhope Wastewater

- > As of December 31, 1998
 - > 5184 Connections
 - > 314 New Connections
 - > 2 New Lift Stations
 - > WWRP Flow 1.432 Million Gallons

Fairhope Wastewater

- > As of December 31, 1999
 - > 5480 Connections
 - > 296 New Connections
 - > 2 New Lift Stations
 - > WWRP Flow 1.351 Million Gallons

Fairhope Wastewater

- > As of December 31, 2000
 - > 5834 Connections
 - > 354 New Connections
 - > 2 New Lift Stations
 - > Smoke Test of Collection System, Cost \$500,000
 - > WWRP Flow 1.583 Million Gallons

Fairhope Wastewater

- > As of December 31, 2001
 - > 6083 Connections
 - > 249 New Connections
 - > 3 New Lift Stations
 - > Blower & Generator Sound Proofing, Cost - \$100,000
 - > WWRP Flow 1.645 Million Gallons

Fairhope Wastewater

- > As of December 31, 2002
 - > 6349 Connections
 - > 266 New Connections
 - > Scada System for Lift Stations, \$350,000
 - > WWRP Flow 1.748 Million Gallons

Fairhope Wastewater

- > As of December 31, 2003
 - > 6680 Connections
 - > 331 New Connections
 - > New Ultra Violet System, 10 MGD
New UV Building, Total Cost - \$500,000
 - > 1 New Lift Stations
 - > WWRP Flow 1.757 Million Gallons

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Fairhope Wastewater

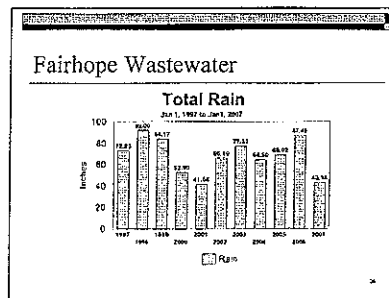
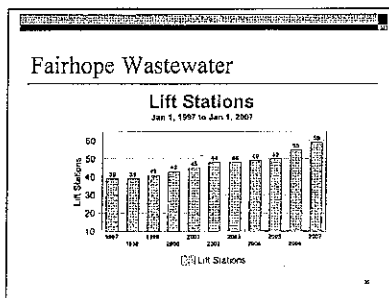
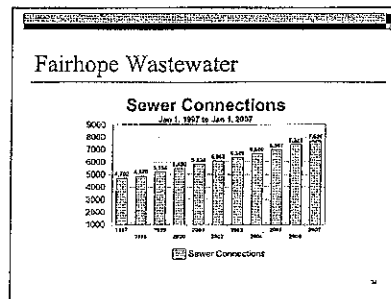
- As of December 31, 2004
 - 6987 Connections
 - 307 New Connections
 - 1 New Lift Stations
 - WWRP Flow 1.792 Million Gallons

Fairhope Wastewater

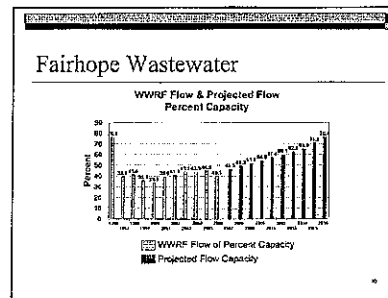
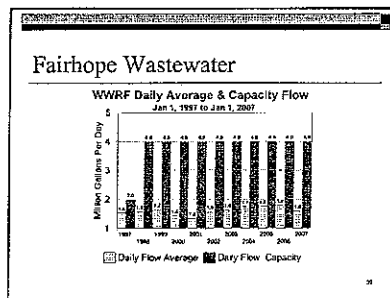
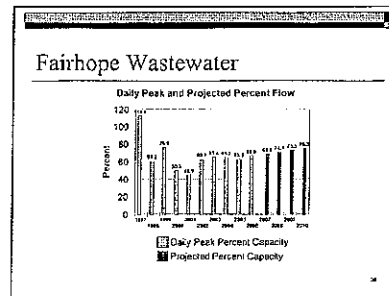
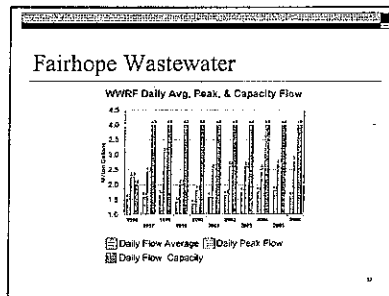
- As of December 31, 2005
 - 7388 Connections
 - 401 New Connections
 - 5 New Lift Stations
 - WWRP Flow 1.603 Million Gallons

Fairhope Wastewater

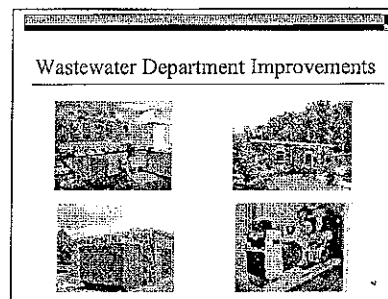
- As of December 31, 2006
 - 7696 Connections
 - 308 New Connections
 - 4 New Lift Stations
 - AWPCA Award of Excellence of Plant Operations



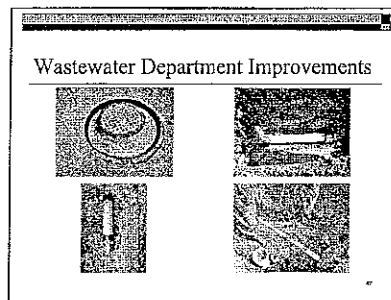
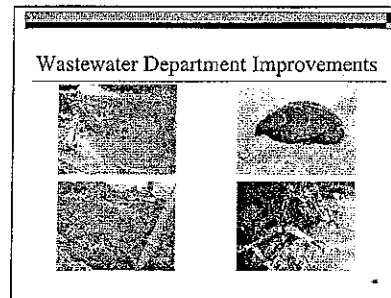
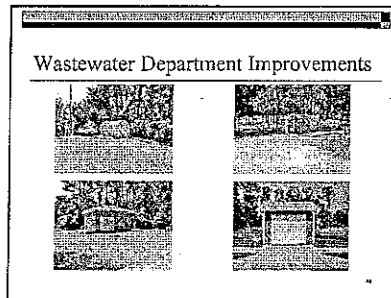
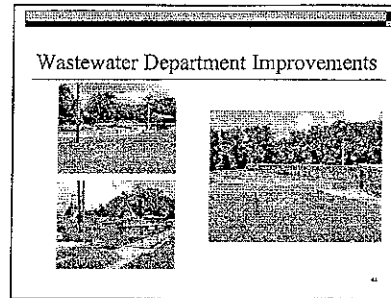
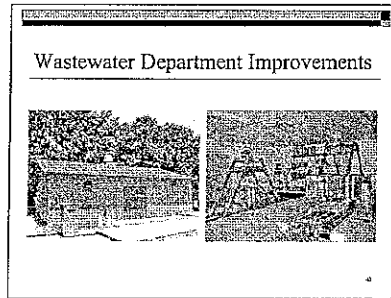
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- ### Wastewater Department Improvements
- Last Decade
 - 2,594 Wastewater Connections
 - 20 Lift Stations Added to the Collection System, 1999 - 2002 (9), 2603 - 2007 (11)
 - Wastewater Reclamation Facility, 4MGD, Sludge System
 - Ultra Violet System, 7 MGD, Aeration Tank, 1 Clarifiers
 - Generator, Servo, Cril & Grease, Office, & Lab 1998
 - Blower & Generator Sound Proofing, 2001
 - Smoke Test Collection System, 2001
 - Ultra Violet System, 10 MGD, UV Building, 2004
 - AWPFA Award of Excellence of Plant Operations
 - Upgrade / Improvement Cost - \$6.93 Million



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WHERE ARE WE TODAY ?

- WATER CAPACITY - 44.9%
- WASTEWATER CAPACITY - 40.1 %

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23 July 2007

- 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 Council. No further action was taken by the City Council.
- Mayor Kant stated that Fairhope's utility rates are below the private sector.
- Mayor Kant reported that the lawsuit with Baldwin County Sewer Services has been settled and the sewer line that serves Fish River, approximately 20 customers, has been sold to BCSS.
- Mayor Kant further stated that Fairhope has the lowest taxes in the State, and he does not believe that the citizens want taxes.
- Councilmember Quinn inquired about the brown poles to be installed by Riviera Utilities. Council President Gentle stated that this issue would be digested at the next meeting.

City Attorney Marion E. Wynne stated with regards to grandfathering short-term rentals the City could not impair an existing contract for short-term rentals. Once the existing contract is satisfied there is no need to grandfather a prohibition on short-term rentals. Councilmember Quinn moved for final Adoption of Ordinance No. 1336, and amended the ordinance not to allow renting a dwelling for less than 30 days within R-1, R-2, and R-3 zoned areas. (Public Hearing held June 25, 2007 and Work Session held July 11, 2007). Seconded by Councilmember Christenberry, motion for final adoption passed by the following voice vote: AYE- Quinn, Stankoski, Christenberry, and Gentle. NAY-Ford

Councilmember Quinn introduced in writing Ordinance No. 1337. An ordinance annexing City of Fairhope's property, located next to current City Landfill, Fairhope, Alabama contains 3.0 acres more or less 46-04-20-3-000-024.000, in order to take immediate action, Councilmember Stankoski moved for immediate consideration. Seconded by Councilmember Christenberry, motion for immediate consideration passed unanimously by the following voice votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none. Councilmember Quinn then moved for final adoption of Ordinance No. 1337. Seconded by Councilmember Stankoski, motion for final adoption passed unanimously by the following voice vote: AYE- Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none.

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Councilmember Quinn introduced in writing Ordinance No. 1338. An ordinance annexing City of Fairhope's property, located at Clay Pit, Fairhope, Alabama contains 3.89 acres more or less. 46-04-20-3-000-067.000, in order to take immediate action, Councilmember Christenberry moved for immediate consideration. Seconded Councilmember Quinn, motion for immediate consideration passed unanimously by the following voice votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none. Councilmember Quinn then moved for final adoption of Ordinance No. 1338. Seconded by Councilmember Stankoski, motion for final adoption passed unanimously by the following voice vote: AYE- Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none.

Councilmember Quinn introduced in writing Ordinance No. 1339. An ordinance annexing City of Fairhope's property, located North of Substation on Twin Beech Road, Fairhope, Alabama contains 2.0 acres more or less. 46-04-20-3-000-072.000, in order to take immediate action, Councilmember Stankoski moved for immediate consideration. Seconded by Councilmember Quinn, motion for immediate consideration passed unanimously by the following voice votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none. Councilmember Quinn then moved for final adoption of Ordinance No. 1339. Seconded by Councilmember Christenberry, motion for final adoption passed unanimously by the following voice vote: AYE- Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none.

Councilmember Quinn introduced in writing Ordinance No. 1340. An ordinance annexing City of Fairhope's property, located at Substation on Twin Beech Road, Fairhope, Alabama contains 1.66 acres more or less. 46-04-20-3-000-073.000, in order to take immediate action, Councilmember Stankoski moved for immediate consideration. Seconded by Councilmember Ford, motion for immediate consideration passed unanimously by the following voice votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none. Councilmember Quinn then moved for final adoption of Ordinance No. 1340. Seconded by Councilmember Christenberry, motion for final adoption passed unanimously by the following voice vote: AYE- Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none.

Councilmember Quinn introduced in writing Ordinance No. 1341. An ordinance annexing City of Fairhope's property, located at 19128 Young Street, Fairhope, Alabama contains 8.0 acres more or less. 46-04-20-4-000-050.000, 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 voice votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none. Councilmember Quinn then moved for final adoption of Ordinance No. 1341. Seconded by Councilmember Christenberry, motion for final adoption passed unanimously by the following voice vote: AYE- Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none.

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Councilmember Christenberry introduced in writing and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to accept the Grant from Maddie's Fund to The Haven in the amount of \$20,000. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

RESOLUTION NO. 1393-07

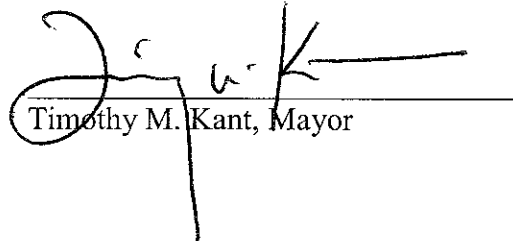
WHEREAS, The City of Fairhope Animal Control ("CFAC") and Maddie's Fund entered into an agreement to support the collection and adoption of homeless animals. The CFAC will fully, accurately, and in a timely manner, report its annual shelter statistics for each of the calendar years 2006 and 2007, and;

Project Objectives:

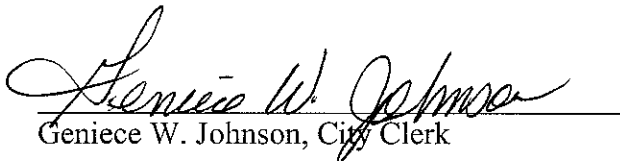
- To support the collection and publication of CFAC's animal shelter statistics.
- To support other activities on behalf of lost, stray, or homeless dogs and cats.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to accept the Grant from Maddie's Fund to The Haven in the amount of \$20,000.

Adopted This 23rd Day of July 2007.


 Timothy M. Kant, Mayor

Attest:


 Geniece W. Johnson, City Clerk

Item 10, a Resolution authorizing Mayor Kant to purchase property located on the East side of Section Street, approximately 34.51 feet North of Fairhope Avenue. Contains .0258 acres, more or less. This item will be addressed once the Mayor, City Council and City Attorney return from Executive Session.

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 the Baldwin County Commission providing for the continued maintenance of Thompson Hall Road, between County Road 48 (Fairhope Avenue) and Derby Road. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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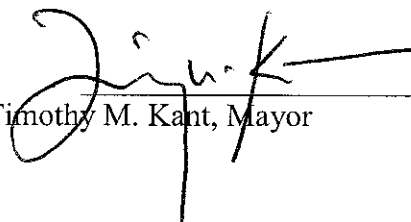
RESOLUTION NO. 1394-07

WHEREAS, the City of Fairhope and the Baldwin County Commission enter into an agreement providing for the continued maintenance of Thompson Hall Road, between the city limits of Fairhope (from a point 300 feet South of the center line of Derby Lane North to County Road 48) and County Road 48 (a/k/a Fairhope Avenue), and;

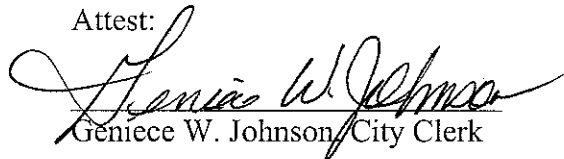
WHEREAS, the Baldwin County Highway Department will resurface Thompson Hall Road within the limits as described above, and;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, that Thompson Hall Road, between the city limits of Fairhope (from a point 300 feet South of the center line of Derby Lane North to County Road 48) and County Road 48, will be accepted for maintenance by the City of Fairhope in two years upon the completion of the resurfacing of Thompson Hall Road by the County Highway Department. The City of Fairhope will not be responsible for any cost associated with the County's resurfacing project of Thompson Hall Road.

Adopted, this 23rd day of July, 2007.


Timothy M. Kant, Mayor

Attest:


Geniece W. Johnson, City Clerk

Jennifer Fidler, Public Works Director, addressed the City Council to explain that she needed to know whether to move forward with getting the extended landfill permit for a C&D landfill or not.

Councilmember Ford stated that we can still put old asphalt, concrete, limbs and leaves and will not have to cover these unregulated items. All regulated items will be transferred to McBride Landfill.

Councilmember Christenberry stated taking option B (presented in the PowerPoint Presentation on June 11, 2007) would save money, save lives, and decrease dumping. Councilmember Christenberry introduced in writing and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to extend the landfill with unregulated items and transfer all regulated items to McBride Landfill. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

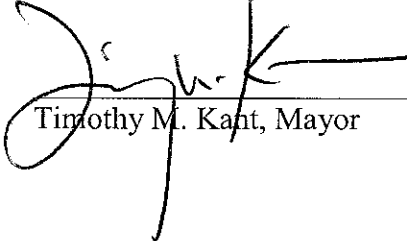
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RESOLUTION NO. 1395-07

WHEREAS, The City of Fairhope's C & D Landfill will be closed in the fiscal year of 2008, and;

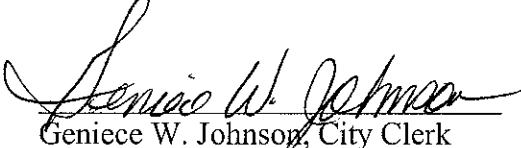
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to extend the landfill with unregulated items and all regulated items must be transferred to McBride Landfill.

Duly Adopted This 23rd Day of July, 2007.



Timothy M. Kant, Mayor

Attest:



Geniece W. Johnson, City Clerk

A. J. Cooper addressed the City Council stating that there is a new subdivision on the left side of Section Street. There are many homes and children living around the dump. The dump is causing respiratory problems to the elderly and causing asthma to the children. The City should agree to shut the landfill down and over a 5-year period remove the debris within the landfill. This would be vision for the future.

Councilmember Christenberry moved to grant Randy Lee a waiver of the permitting moratorium on Mr. Lee's property located at 18729 State Hwy 181 for Affordable Plumbing. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Councilmember Christenberry moved to grant Change Order # 1. A change order by John G. Walton Construction Company for the Cliff Drive NRCS Project at S. Mobile Street, Fairhope, Alabama, for additional work for protection of the base of the new MSE wall increasing the contract by \$38,250.00. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Ford moved to grant Change Order # 10. A change order by J. F. Pate & Associates Contractors, Inc. for the City of Fairhope's New Public Library at 501 Fairhope Avenue, Fairhope, Alabama for additional work on the Faulkner State Community College build-out of 2nd floor increasing the contract by \$2,017.00. Seconded by Councilmember Christenberry, motion passed by the following votes: AYE-Quinn, Stankoski, Christenberry, Ford, NAY-none ABSTAIN-Gentle. Faulkner State Community College will reimburse the City for this expenditure.

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TABULATION / RECOMENDATION

Identification: "PRINTING CITY SKETCHES"

Bids open on: June 27, 2007at: 11:00 a.m.

VENDOR:	COST FOR PRINTING:	COST FOR MAILING:	TOTAL COST FOR PRINTING AND MAILING:
INTERSTATE PRINTING & GRAPHICS, Mobile, AL	\$4,623.00 for 20 pages	\$510.00 for 20 pages	\$5,133.00 for 20 pages
	\$6,372.00 for 28 pages	\$510.00 for 28 pages	\$6,882.00 for 28 pages
NALL PRINTING Fairhope, AL	\$7,450.00 for 20 pages	\$187.50 for 20 pages	\$7,637.50 for 20 pages
	\$9,985.00 for 28 pages	\$187.50 for 28 pages	\$10,172.50 for 28 pages
COTTON PRINTING Fairhope, AL	\$10,641.89 for 20 pages	\$637.50 for 20 pages	\$11,279.39 for 20 pages
	\$14,424.86 for 28 pages	\$637.50 for 28 pages	\$15,062.36 for 28 pages

It is recommended to accept the low bid of **INTERSTATE PRINTING & GRAPHICS, Mobile, Alabama** with all specifications being met.

Sherry Sullivan,
Director, James P. Nix Center

Wayne Smith,
Purchasing Agent

Councilmember Quinn moved to accept the low bid of Interstate Printing & Graphics, Mobile, Alabama, provided all specifications are met, for printing for City Sketches. Seconded by Christenberry, motion passed unanimously by voice vote. This purchase will be funded by the 3 Utilities.

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

Councilmember Christenberry introduced in writing and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to execute an agreement to purchase Natural Gas from the Florida Municipal Loan council. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

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A. J. Cooper addressed the City Council stating that not one time was the appointment of Mr. Zunk to chair a committee was mentioned in the Finance meeting to look into separating the Mayor's job. We need this back and forwardness to stop. Taking Mayor Kant's job, a job he was elected to do is not the way. Mr. Cooper also questioned the reporting back to the Council only by Mr. Zunk. He said that Mr. Zunk should report back to the community citizens.

Mr. Cooper inquired of the spending for City fund at the Barnwell site, and requested that the City Attorney inquire of the Attorney General as to how can City funds be spent in Barnwell. A committee should be formed to improve the Boys and Girls Club on Young Street to provide a facility at this site that would benefit the entire community.

Mayor Kant stated since 2000 he has been working with ADECA to build classrooms at the Boys and Girls Club facility and the Boys and Girls Club will be getting a bus.

Patricia Solan, a resident of 7341 Twin Beech Road inquired of a leak at Twin Beech Road and Section Street. Mayor Kant stated that those lines have been upgraded, a new release valve has been installed, and all the lines have been smoked.

Debra Green, 415 Maple Street inquired of a development at Gayfer Avenue and Bishop Road, looks to be 8 units. Gregg Mims, City planner will look into this development.

Willie Williams, 17437 Confederate Rest Road addressed the City Council stating that a public hearing should have been heard for each annexation. Mr. Williams stated that he would be writing the Justice Department. Mr. Williams will send a list of everybody wanting to meet with the Council regarding annexation.

Kevin Hempfleng, Fire Chief addressed the City Council stating that the Fairhope Volunteer Fire Department is their own corporation, and will never let anybody go without fire protection.

Councilmember Quinn stated that this is taxpayers' monies going outside the City limits. Mr. Hempfleng stated that FVFD would never be secondary to anybody. The Fire Department receives approximately \$100,000.00 each year from Ad Valorem monies.

Helen Smith, a resident of 19525 Bell Road stated that she is concerned about the toxic waste that is dumped into the city dump, and expressed concerns about the machinery shaking the foundation of her home.

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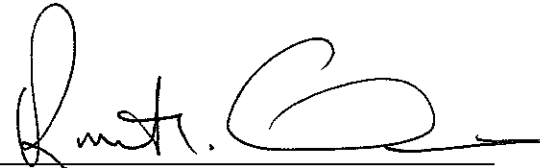
At the request of the City Attorney, Marion E. Wynne the City Council will rise from this meeting to go into Executive Session to discuss the purchase price of the property located on the East side of Section Street approximately 34.51 feet North of Fairhope Avenue contains .0258 acres, more or less. The approximate time to be in Executive Session is 20 minutes. Councilmember Quinn moved to go into Executive Session. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Exited the dais at 8:03 p.m. Returned at 8:25 p.m.

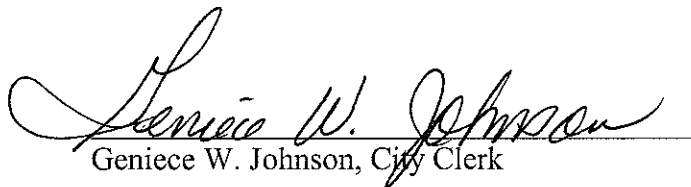
(Item 10) Councilmember Quinn introduced in writing and moved for the adoption of the following resolution, a resolution authorizing Mayor Kant to purchase property located on the East side of Section Street, approximately 34.51 feet North of Fairhope Avenue contains .0258 acres, more or less. To be paid by the three utilities. Seconded by Councilmember Christenberry, motion passed by the following votes: AYE-Quinn, Stankoski, Christenberry, and Gentle. NAY-Ford

Lydia Myers addressed the City Council inquiring why rush to purchase the Obvious Place property, and what will be space be used for? Council President Gentle stated that this space would be used as open space. Ms. Myers stated that there is a rumor that her property will be taken by imminent domain. Each Councilmember and the Mayor stated that they would never be in agreement to vote for imminent domain.

There being no further business to come before the City Council the meeting was duly adjourned at 8:39 p.m.



Robert C. Gentle, Council President



Geniece W. Johnson, City Clerk