

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, 25 June 2007.

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

There being a quorum present, Council President Gentle called the meeting to order. The Pledge of Allegiance was recited, and Gregg Mims, City Planner, gave the invocation. Councilmember Stankoski moved to approve minutes of the 11 June 2007, regular meeting. Seconded by Councilmember Christenberry, motion passed by the following voice votes: AYE-Stankoski, Christenberry, Ford and Gentle. NAY-None. ABSTAIN-Quinn.

Mayor's Comments and Staff Reports:

- Rose Fogarty and Nancy Wilson, Accounting, Department presented the following power point presentation no action was taken.

25 June 2007

CITY OF FAIRHOPE
CITY COUNCIL MEETING
JUNE 25, 2007

SUMMARY
FINANCIAL REPORTS
EIGHT MONTHS ENDED
5/31/2007

Slide 1

GENERAL FUND

	8 MONTHS ENDED 5/31/07	8 MONTHS ENDED 5/31/06	INCREASE (DECREASE)
REVENUES (INCLUDING VENDOR TRANSFERS)	13,124,399	12,898,938	265,460
EXPENSES	12,704,129	11,721,108	983,021
EXCESS REVENUE OVER (UNDER) EXPENSE	420,270		

Slide 2

GAS FUND

	8 MONTHS ENDED 5/31/07	8 MONTHS ENDED 5/31/06	INCREASE (DECREASE)
REVENUES	5,913,858	5,788,459	125,497
COST OF ENERGY	2,914,700	3,526,899	(612,199)
EXPENSES - INCLUDING TRANSFERS	1,991,336	1,925,899	64,447
TOTAL COST/EXPENSE	4,906,036	5,453,788	
EARNINGS (LOSS)	1,007,822		

Slide 3

ELECTRIC FUND

	8 MONTHS ENDED 5/31/07	8 MONTHS ENDED 5/31/06	INCREASE (DECREASE)
REVENUES	9,820,333	8,515,234	1,205,099
COST OF ENERGY	4,875,372	4,992,755	(80,383)
EXPENSES - INCLUDING TRANSFERS	4,676,540	3,142,517	934,023
TOTAL COST/EXPENSE	8,952,912	8,105,272	
EARNINGS (LOSS)	867,421		

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WATER/SEWER FUND

	8 MONTHS ENDED 5/31/07	8 MONTHS ENDED 5/31/06	INCREASE (DECREASE)
REVENUES	5,578,339	5,286,675	291,664
COST OF ENERGY	400,969	324,941	82,028
EXPENSES - INCLUDING TRANSFERS	4,730,410	4,236,100	494,310
TOTAL COST/EXPENSE	5,137,379	4,561,041	
EARNINGS (LOSS)	440,960		

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GOLF FUND

	8 MONTHS ENDED 5/31/07	8 MONTHS ENDED 5/31/06	INCREASE (DECREASE)
REVENUES	971,353	1,006,820	(35,467)
EXPENSES	1,025,324	971,284	54,040
EARNINGS (LOSS)	(53,971)		

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ALL FUNDS

	8 MONTHS ENDED 5/31/07	8 MONTHS ENDED 5/31/06	INCREASE (DECREASE)
REVENUES	35,408,880	33,396,127	1,852,253
EXPENSES	32,725,780	30,812,493	1,913,287
EXCESS REVENUE OVER (UNDER) EXPENSE	2,682,600		

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**CASH BALANCE COMPARISON
AT MAY 31, 2007**

	CURRENT 5/31/07	PRIOR MONTH 4/30/2007	PRIOR YEAR 5/31/06
GENERAL FUND	1,712,513	2,110,375	3,549,735
GAS FUND	650,672	537,514	529,599
ELECTRIC FUND	1,323,930	2,120,998	2,685,466
WATER FUND	4,382,926	4,186,285	5,183,159
GOLF FUND	107,105	186,962	356,858
GAS TAX FUND	300,186	304,040	283,769
CAPITAL PROJECTS (INCLUDES LIBRARY PROJECT ACCOUNT)	218,923	185,737	168,807
TOTAL - ALL FUNDS	8,603,364	9,701,911	12,757,294
SINKING FUNDS	2,021,880	1,809,547	2,013,196
WARRANT FUNDS	680,823	677,310	1,170,906
TOTAL-EXCLUDING SINKING/WARRANTS	5,899,651	7,114,854	9,573,292

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Sherry Sullivan presented a plaque to Rosemary Bellinger, a volunteer at the Welcome Center. Ms. Bellinger has served as one of the original volunteers at the Welcome Center for 13 1/2 years. Ms. Bellinger is 90 years of age.

A Public Hearing was held as advertised on a proposed ordinance to amend the Zoning Ordinance No. 1253. Councilmember Quinn introduced in writing Ordinance No. 1332. The Planning & Zoning Commission recommended approval of this ordinance, an ordinance amending the Site Density.

Planning Director Gregg Mims explained the proposed amendment:

Article III

Section C. Dimension Standards

Table 3-2: Dimension Table – Lots and Principle Structures

- Added **Allowed Units Per Acre (UPA)** to Minimum Lot Area Column for each zoning district.
- **R-4** – 10,500 s.f. for two dwelling units plus **6,500** s.f. for each additional unit/**7 UPA**
- **R-5** – 10,500 s.f. for two dwelling units plus **4,100** s.f. for each additional unit/**10 UPA**

Council President Gentle opened the Public Hearing at 5:40 p.m. No one present opposed the proposed amendment, the public hearing at 5:41 p.m.

In order to take immediate action Councilmember Quinn moved for immediate consideration. Seconded by Councilmember Christenberry, motion passed for immediate consideration passed unanimously by the following votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none. Councilmember Christenberry moved for final adoption of Ordinance No. 1332 Article III, Section C. Dimension Standards. Seconded by Councilmember Quinn, motion passed for final adoption by the following votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none.

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A Public Hearing was held as advertised on a proposed ordinance to amend the Zoning Ordinance No. 1253. Councilmember Quinn introduced in writing Ordinance No. 1332. The Planning & Zoning Commission recommended denial of this amendment, an ordinance amending the Storage and Parking of Trailers and Commercial Vehicles.

Planning Director Gregg Mims explained the proposed amendment:

Section D. Special Conditions for Uses

7. Storage and Parking of Trailers and Commercial Vehicles

- C. Site Requirements – Number 2: No travel trailer, hauling trailer, utility trailer, boat, or boat trailer, motor home or commercial vehicle shall be parked or stored in the front yard, or on corner lots, in a side yard abutting a public right-of-way or upon the right-of-way. **The length of said vehicle shall not exceed twenty-eight feet (28').**
- C. Site Requirements – Number 3: **These vehicles shall be allowed in a side yard only if the rear yard cannot be reasonably accessed. Topographical features, the existence of mature trees or the existence of properly permitted and constructed structures, which prevent rear yard parking are sufficient to establish a lack of rear yard access. If parked in the rear yard, a hard surface pad with access shall be provided by either a hard surface drive, hard surface drive strips or an access drive constructed of turf block materials. All vehicles covered by this section shall have a minimum side and rear setback of six feet (6'). No vehicle covered in this section shall be located in a side yard containing a driveway.**

Council President Gentle opened the Public Hearing at 5:46 p.m.

- Hop Allen, a resident of Miller Street, addressed the City Council inquiring what is wrong with putting a mobile travel trailer in the front yard when 5 to 6 cars are allowed to be parked in the front yard.

Council President Gentle closed the public hearing at 5:48 p.m.

Councilmember Quinn stated that she liked the proposed amendment except for allowing for a hard surface drive. If the surface could be pervious this would be better.

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- Dot Yeager addressed the City Council stating that a hard surface will cause more runoff.

Council President Gentle encouraged the public to contact the Council with any concerns and/or question in regards to this amendment. This portion will layover for final adoption at the next regular City Council meeting.

A Public Hearing was held as advertised on a proposed ordinance to amend the Zoning Ordinance No. 1253. Councilmember Stankoski introduced in writing Ordinance No. 1332. The Planning & Zoning Commission recommended approval of this amendment, an ordinance amending the Buffer Widths, Lighting, and Plant Materials.

Planning Director Gregg Mims explained the proposed amendment:

Article IV

Section B. Screening, Lighting and Landscape Material

2. Screening

- b. In any district where a commercial/industrial use abuts a residential use, screening/buffering shall be required. Acceptable screening/buffering shall include a wall or fence of solid appearance, or tight evergreen hedge not less than six feet (6') in height and a twenty foot (20') landscaped buffer containing at least one (1) over story tree and five (5) shrubs per every twenty-five linear feet (25').

3. Parking Lot/Open Area Lighting

- Parking lots with 50 or fewer spaces and open area requiring lighting for general purposes shall have light poles that do not exceed 10 feet overall height. Parking lots having more than 50 spaces shall have light poles that do not exceed 20 feet overall height. Luminaries of a sharp cut off design to shield light source above 72 degrees from vertical and providing 1.0 average maintained foot-candles with the following uniformity ratios: 3:1 average/minimum * (.33 FC minimum), 12:1 maximum/minimum * (4.0 FC maximum) are required in all cases. Public facilities such as lighted ball fields are excluded. A photometric grid shall be furnished by developer at time of building permit application.

Council President Gentle opened the Public Hearing at 5:55 p.m. No one present opposed the proposed amendment. The public hearing was closed at 5:57 p.m.

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In order to take immediate action, Councilmember Quinn moved for immediate consideration. Seconded by Councilmember Christenberry, motion passed for immediate consideration passed unanimously by the following votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none. Councilmember Stankoski moved for final adoption of Ordinance No. 1332 Article IV, Section B. Screening, Lighting and Landscape Material. Seconded by Councilmember Ford, motion passed for final adoption by the following votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none.

A Public Hearing was held as advertised on a proposed ordinance to amend the Zoning Ordinance No. 1253. Councilmember Christenberry introduced in writing Ordinance No. 1332. The Planning & Zoning Commission recommended approval of this amendment, an ordinance amending the Sidewalk in the Central Business District.

Planning Director Gregg Mims explained the proposed amendment:

Article V

Section B. CBD – Central Business District

5. Fencing

- **e. Sidewalks shall be a minimum of eight feet (8') in width for all new construction.**

Council President Gentle opened the Public Hearing at 6:00 p.m. No one present opposed the proposed amendment. The public hearing was closed at 6:00 p.m.

In order to take immediate action, Councilmember Christenberry moved for immediate consideration. Seconded by Councilmember Ford, motion passed for immediate consideration passed unanimously by the following votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none. Councilmember Ford moved for final adoption of Ordinance No. 1332 Article V, Section B. CBD-Central Business District. Seconded by Councilmember Quinn, motion passed for final adoption by the following votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none.

A Public Hearing was held as advertised on a proposed ordinance to amend the Zoning Ordinance No. 1253. Councilmember Quinn introduced in writing Ordinance No. 1332. The Planning & Zoning Commission recommended approval of this amendment, an ordinance to define the term "Family".

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Planning Director Gregg Mims explained the proposed amendment:

Article IX

Section C. Defined Terms

- **Family - Deleted** – One (1) or more persons occupying a single dwelling unit and using common cooking facilities, provided that, unless all members are related by blood, adoption or marriage, no such family shall contain over five (5) persons **but that such family may also include gratuitous guests and servants in addition.**

Council President Gentle opened the Public Hearing at 6:07 p.m. No one present opposed the proposed amendment. The public hearing was closed at 6:07 p.m.

Councilmember Stankoski stated that this amendment is designed to protect Fairhope. Council President Gentle inquired how would this portion of the proposed ordinance be enforced? Mr. Mims stated that once a situation is brought to the Planning Department's attention the situation will be researched. If necessary the Police Department will be involved, notice will be given and finally the situation will be turned over to the Municipal Court.

In order to take immediate action, Councilmember Christenberry moved for immediate consideration. Seconded by Councilmember Quinn, motion passed for immediate consideration passed unanimously by the following votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none. Councilmember Christenberry moved for final adoption of Ordinance No. 1332 Article IX, Section C. Defined Terms. Seconded by Councilmember Stankoski, motion passed for final adoption by the following votes: AYE-Quinn, Stankoski, Christenberry, Ford and Gentle. NAY-none.

A Public Hearing was held as advertised on a proposed ordinance to amend the Zoning Ordinance No. 1253. Councilmember Quinn introduced in writing Ordinance No. 1332. The Planning & Zoning Commission recommended denial of this amendment, an ordinance amending Short-term rentals.

Planning Director Gregg Mims explained the proposed amendment:

- **Short-Term Rental - Includes any person, firm, entity, partnership, trust, corporation, association, or organization who is renting a dwelling for less than four (4) consecutive weeks. Short-term Rentals shall only be allowed in the R-4, R-5, B-1, B-2, B-3a and B-3b zoning districts. Short-term rentals shall be subject to the Business License Code of the City of Fairhope.**

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Short-term rentals, rentals less than 30 days are not allowed in R-1, R-2, and R-3.

Council President Gentle opened the Public Hearing at 6:12 p.m.

- Marilyn Taylor, 19 Quail Loop with Dauphin Realty addressed the City Council opposing the amendment. Ms. Taylor stated that Dauphin Realty has three homes on North Mobile Street that are rentals within a R1, R2 or R3 area.
- Dean Mosher, 456 Oak Avenue addressed the City Council requesting that the city follow its own requirements and steps for rental facilities. Such as requiring those facilities to come before the Planning and Zoning Commission and collect lodging taxes.
- Vince Valentim, a resident of Perdido Avenue, addressed the City Council to exercise the city's controls.
- Leah Maloney, a resident of 565 North Mobile Street, addressed the City Council expressing that certain short-term rentals patterns are illegal.
- Val Hodgson, a resident of 764 Edwards, addressed the City Council expressing that for years a rental home and a home of adult children are living in their parent's home on Edwards and parties take place all the time.

Council President Gentle closed the public hearing at 6:24 p.m.

Councilmember Stankoski expressed that the Council should protect the neighborhood first.

Councilmember Ford stated that he has short-term rentals outside of the city limits, and that the City Council should be careful of opening a can of worms. Councilmember Ford inquired if all people are checked when checking into hotels? Councilmember Ford also stated that lodging tax should be collected and business licenses should also be obtained.

Council President Gentle expressed if the topic was short-term rentals or seasonal rentals?

Mr. Mims explained that the issue is concerning rentals less than 30 days, not seasonal rentals.

Councilmember Quinn expressed that short term rentals should do as Mr. Mosher and turn the property into a Bed and Breakfast. Council President Gentle encouraged citizens to put their concerns in writing and this amendment to the Zoning Ordinance No. 1253 will layover for final adoption at the next regular City Council meeting.

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Councilmember Quinn introduced in writing Ordinance No. 1333. A \$7,900,000.00 General Obligation Warrants, dated June 1, 2007. In order to take immediate action, Councilmember Ford 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. 1333. Seconded by Councilmember Ford, motion for final adoption passed unanimously by the following vote: AYE-Quinn, Stankoski, Christenberry, Ford, and Gentle. NAY-none. NAY-none.

Councilmember Quinn introduced an ordinance to repeal Ordinance No. 1267, False Alarm Ordinance. This ordinance would layover until the next regular City Council meeting for final adoption.

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution supporting the Alabama Scenic River Trail in Calhoun County. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

RESOLUTION NO. 1389-07

WHEREAS, the Alabama Scenic River Trail, an Alabama unincorporated nonprofit association, has brought to the attention of this Council its plan to develop a River Trail for small boats along the Coosa, Alabama, Mobile, and Tensaw River, and Mobile Bay; and,

WHEREAS, this Trail will be almost 700 miles long and as such the longest River Trail in the United States located entirely within one state; and,

WHEREAS, the Alabama Scenic River Trail Association is well underway in developing the Trail, having, among other things, located portages around each of the eleven dams included within the Trail; and,

WHEREAS, this Trail will be of tremendous benefit to the lands near the rivers by, among other things, the following:

- Increasing tourism along the Trail; and
- Enhancing industrial and commercial development; and
- Developing better recreational facilities on our rivers, and making them accessible to, more inviting to, and safer for family outings; and
- Making known the facilities along the river such as sporting goods stores, outfitters, gasoline stations, put in and take out paths, ramp and roads intersecting the Trail; and
- Advertising this state's wonderful and enchanting history in such places Fort Strother, Fort Toulouse, Fort Mimms, Cahaba, and other historical places of renown or which deserve to be of such renown; and

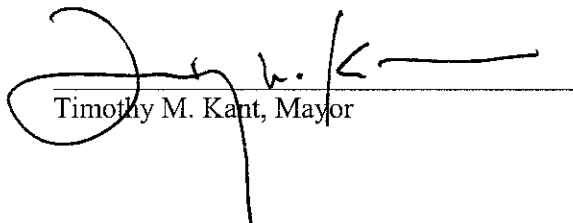
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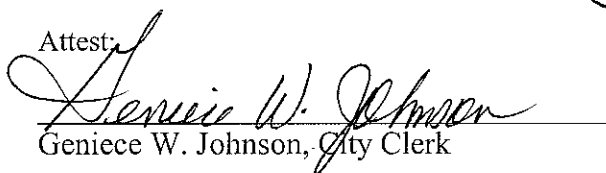
WHEREAS, all of the above will necessarily inure not only to the benefit of this city but likewise to the benefit of all counties, cities, towns, and communities along or near the Trail and, indeed the entire State of Alabama.

NOW, THREERFORE, the City of Fairhope City Council, Fairhope, Alabama does hereby:

1. Endorse and support the reported plans of the Alabama Scenic River Trail and wishes that organization great success and God speeding in its endeavors; and
2. Encourage each of the counties, cities and towns along the Trail to support and assist in the development of the Alabama Scenic River Trail; and
3. Agree to write to the governing body of each organized municipal and county government adjoining the Trail encouraging each of them to adopt a resolution of support of the work of the Alabama Scenic River Trail.

Adopted unanimously on the 25th day of June, 2007


 Timothy M. Kant, Mayor

Attest:

 Geniece W. Johnson, City Clerk

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing the expenditure \$700,000 for the New Fairhope Historical Museum. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

RESOLUTION NO. 1390-07

WHEREAS, The City's portion for the New Fairhope Historical Museum shall be \$700,000.00 toward the "addition" portion; and,

WHEREAS, to keep up with the payments to our contractors Fairhope Single Tax Corporation will need \$400,000.00 by July 10th 2007, \$200,000.00 on August 10th and the final \$100,000.00 on September 10th, 2007; and,

WHEREAS, the FSTC shall pay to the City of Fairhope \$40,000.000 annually to aid in defraying the museum's operating cost for 10 years, starting January 1, 2008.

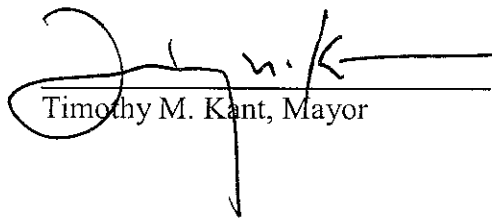
WHEREAS, construction is expected to be complete in October 2007, which should give time for the Museum Board to do the move in portion and the "Grand Opening" could be scheduled for early 2008 to coincide with the Anniversary of the City of Fairhope; and,

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WHEREAS, pursuant to Ordinance No. 1276 the FSTC shall re-convey the property to the City once all improvements and development of the historical museum are complete.

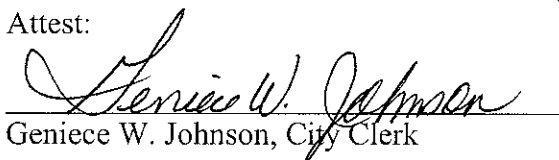
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor, Timothy M. Kant is hereby authorized to make the \$700,000.00 expenditure as listed above for the New Fairhope Historical Museum.

Adopted this 25TH day of June 2007.



Timothy M. Kant, Mayor

Attest:



Geniece W. Johnson, City Clerk

Councilmember Quinn moved to update the Volunteer Police Reserve roster by deleting: C. H. "Buddy" Hardy. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Christenberry moved to grant the request of Eastern Shore Art Association requesting permission to block streets for their annual Outdoor Art Show on March 15-17, 2008. The Eastern Shore Art Association must work with the Chief of Police, Sherry Sullivan, and the Chamber of Commerce on the placement of the booths. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Ruth Panneton addressed the City Council reading the following request:

I am Ruth Panneton, President of the Quail Creek Civic Association. I am here tonight representing our community of over 300 households. Earlier today I provided each of you with a package with 342 signatures requesting termination of plans to build a third road access into QCE.

There is Plat proposal before the Planning Commission requesting that an 18 home subdivision, named Steel Branch, be allowed access to QCE by constructing a through road at the end of Quail Creek Drive, which is currently a cul-de-sac. In addition to this 18 home subdivision having access to our community, it would also link QCE to Copper Key and potentially others. We are here to ask for your support in opposing the proposed additional road into QCE.

25 June 2007

Our reasons for this request are numerous. QCE was originally established as a one way in, one way out community. Some years ago, an additional entrance was added from Lawrence road into our neighborhood. The reason supporting this right of way was for emergency vehicles to more readily access the back section of QCE. Since this road has been put in, we have experienced vandalism and unnecessary traffic cutting through QCE. If we once again allow a third access we foresee the compounding of these problems in addition to ongoing construction traffic.

While we understand that the City of Fairhope encourages connectivity between communities, we would anticipate being extended the same consideration as the communities of Rock Creek and The Woodlands, ie, the connection would be no more than a walk way.

Our request tonight is that the City Council vote to terminate the plans for completion of this unnecessary encroachment into QCE at QCD.

Thank you for your consideration

Councilmember Ford encouraged the Quail Creek residents to attend the Planning and Zoning meeting on Monday, July 2, 2007 at 5:00 p.m. to address their concerns with the connectivity of surrounding subdivisions that are not inside the city limits of the City of Fairhope, but are within the City's planning jurisdiction.

Mr. Mims explained that the City Council must be careful not to pursue the Planning and Zoning Commission recommendation, and that staff will support the Comprehensive Plan and Subdivision regulations.

Council President Gentle inquired of Mrs. Panneton if that was a covenant in Quail Creek that states that thou shall not be connectivity to Quail Creek Subdivision. Mrs. Panneton stated that she was not aware of such a covenant.

Frank Griffin a resident of 212 Lake Ridge addressed that City Council stating that there are 12 to 13 different covenants, and none have anything to do with connectivity. The covenants only deals with what a resident can and cannot do with their property.

Councilmember Christenberry moved to grant the request of Greg and Geta Saylor requesting a permit to install a double wide manufactured house on part of a 6-acre plot, access at 21592A State Highway 181, Fairhope, Alabama. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

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Levern Haver, a resident of 358 Haver Lane, addressed the City Council requesting the City Council to pass an ordinance to allow Golf Carts and Utility vehicles to legally run on the street within the City limits. This issue was turned over to the Street Committee where Councilmember Stankoski is the Chairperson. The Street Committee will report back to the City Council.

Cathy Slagle, a resident of 147 Old Mill Road, within Rock Creek Subdivision, addressed the City Council to speak against passing an ordinance to allow golf carts and utility vehicles to legally run on the street of Fairhope. Mrs. Slagle stated that several kids within Rock Creek are driving these type vehicles irresponsibly.

Martin Lanaux, Chairperson of the Library Board of Trustees, addressed the City Council requesting that the insurance for the content of the library be increased from \$500,000 to the replacement cost of the library contents at \$1,991,203.00. City Treasurer, Nancy Wilson, explained that this was taken care of several months ago. Mr. Lanaux also requested that city pursue having some type of lightning suppression system installed. Mac Walcott architects of the Library presented the following letter to the City Council. Council President Gentle asked Councilmember Quinn, Electric Superintendent Aaron Norris, Mac Walcott to look into this request and report back to the City Council.

25 June 2007

WALCOTT
ADAMS
VERNEUILLE
—X—
ARCHITECTS

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Fairhope, AL 36532
251 928-6041
FAX 251 928-6045
www.waarchitects.com

June 18, 2007

Tim Kant, Mayor
City Of Fairhope
Fairhope, Alabama 36532

Re: Lighting Protection system for Fairhope Public Library

Dear Mayor Kant:

This letter is in response to your request to evaluate the suggested need by members of our community that a lightning protection system be installed at the new Library. I have asked our consulting Electrical Engineer, Andy Maurin, to address the issue, and he has written a very concise and thorough memo, which is attached. I encourage all parties to read it thoroughly as part of your deliberations about this issue.

A summary of the issue is as follows:

1. The decision to install a lightning protection system (LPS) is basically a risk management decision, akin to whether or not to buy certain types of insurance. The building code(s) do not require an LPS, nor did the city request one during the design of the building.
2. If the city now wanted to install an LPS for the building, there are two types available, a "Franklin" type, and a "Preventer" type. The attached memo describes these systems in more detail. Each system has its own strengths and weaknesses.
3. If the city chose to go forward with an LPS for the Library, our engineer has agreed to evaluate the proposals at no cost to the city.

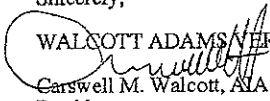
I suggest the following next steps be taken by the City:

- A. Decide if the City wants or needs an LPS for the new Library.
- B. If Yes, empower a sub-committee of Arron Norris, Andy Maurin, myself, and whomever you deem appropriate to select an LPS system type, describe the scope of work required, and report back to the city with the anticipated cost of this system.
- C. The city could then authorize the required bidding/installation for the system.
- D. If the City deems that an LPS is not desired, please advise if any additional assistance is needed in this matter.

Please do not hesitate to call if you have any questions or comments.

Sincerely,

WALCOTT ADAMS VERNEUILLE ARCHITECTS, INC.


Carswell M. Walcott, AIA
President

CC: Andy Maurin

25 June 2007

TABULATION / RECOMMENDATION

Identification: **"REPAIR-DIRECTIONAL BORING MACHINE"**
 Bids open on: June 7, 2007
 at: 11:00 a.m

Repairs of Directional Boring Machine for Gas Dept.

VENDOR:	TOTAL PRICE FOR REPAIRS:	REPAIR TIME IN DAYS:
VERMEER ALABAMA, INC. Pensacola, FL	\$8,452.60	Begin: 6/8/07 End: 6/22/07
JOE MONEY MACHINERY CO. Cantonment, FL	NO RESPONSE	
DITCH WITCH OF MOBILE Theodore, AL	NO RESPONSE	

It is recommended to accept the low bid of **VERMEER ALABAMA, INC., Pensacola, FL** with all specifications being met.

Steve Seay
Gas Dept. Supt.

Wayne Smith,
Purchasing Agent

Councilmember Quinn moved to accept the bid of Vermeer Alabama, Inc., Pensacola, Florida, provided all specifications are met, for the repair of the directional Boring machine. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

TABULATION & RECOMMENDATION

Identification: **"UTILITY WOOD POLES"**
 Bids open on: May 22, 2007
 at: 2:00 p.m.

Wood Utility Poles for stock – Electric Dept.

VENDOR:	TOTAL PRICE:	DELIVERY TIME:
BROWN WOOD PRESERVING CO. Pensacola, FL	\$17,050.00	7-14 Days
NATIONWIDE UTILITY POLES & SUPPLY, INC. Brierfield, AL	\$17,532.40	5-10 Days
THOMMASON COMPANY Philadelphia, MS	\$17,385.00	14-Days
BALDWIN POLE & PILING Bay Minette, AL	\$17,975.00	14-Days
BLUE WATER LUMBER Daphne, AL	\$18,343.45	20-Days

It is recommended to accept the low bid of **BROWN WOOD PRESERVING CO, PENSACOLA, FL** with all specifications being met.


Aaron Norris,
Electric Dept. Supt.

Wayne Smith,
Purchasing Agent

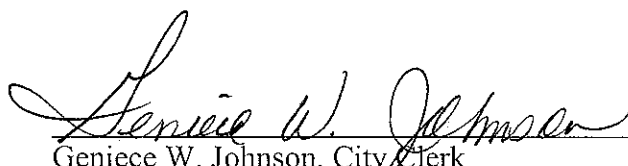
27 June 2007

Councilmember Stankoski moved to accept the low bid of Brown Wood Preserving Co, Pensacola, Florida, provided all specifications are met, for the purchase of Utility Wood Poles. 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 7:49 p.m.



Robert C. Gentle, Council President



Geniece W. Johnson, City Clerk