

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, 11 February 2008.

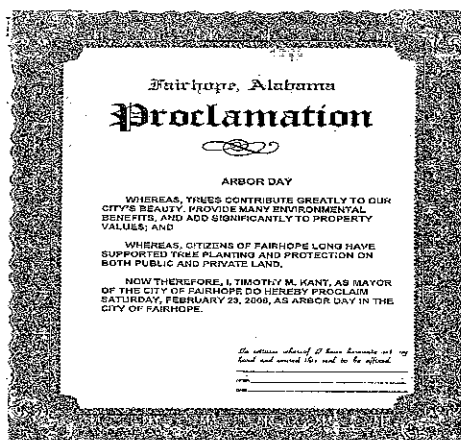
Present were Council President Robert C. Gentle, Councilmembers: Debbie W. Quinn, Daniel Stankoski, Cecil Christenberry, and Michael A. Ford; Mayor Timothy M. Kant, City Attorney Marion E. Wynne, and City Clerk Geniece W. Johnson. No one was absent.

There being a quorum present, Council President Gentle called the meeting to order. The invocation was given by Rev. Mike Megginson with Church on the Eastern Shore, and Pledge of Allegiance was recited. Councilmember Quinn moved to approve minutes of the 28 January 2008, regular meeting. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

Mayor's Comments and Staff Reports:

- Mayor Kant announced that the City received an A+ rating from Standard & Poor's. This rating is not just because on one person. This rating is due to the dedicated managers and employees of the City of Fairhope.
- Mayor Kant announced that housing in Fairhope is picking up.

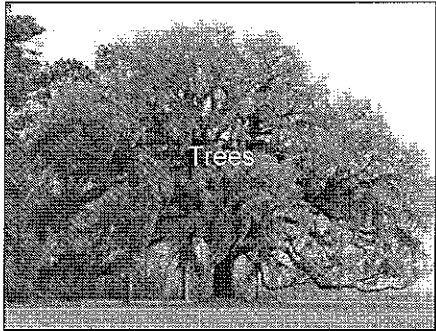
The following proclamation was presented Proclaiming February 23, 2008 as Arbor Day.



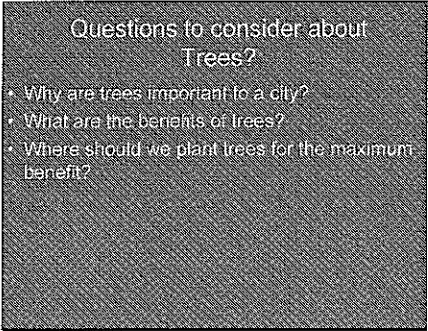
11 February 2008

Jennifer Fidler, Director of Public Works recognized Paul Merchant as a certified Arborist. Mr. Merchant had to take an in-depth exam to achieve this accomplishment. Mr. Merchant has worked with the City of Fairhope for 16 1/2 years.

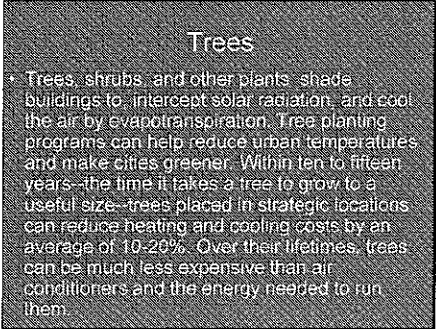
Arthur Bosarge presented the following PowerPoint presentation "Trees and Their Importance".



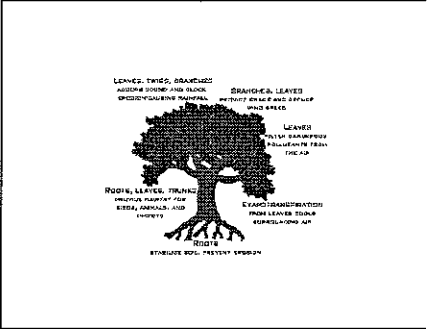
Slide 1



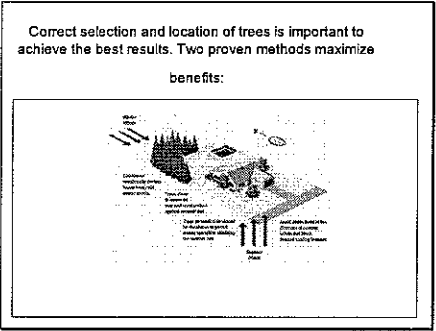
Slide 2



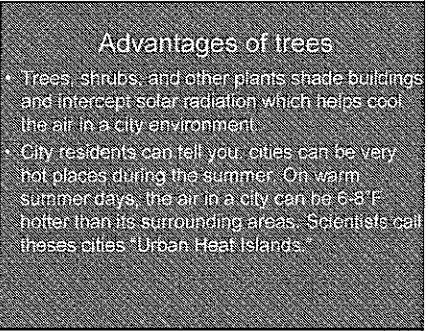
Slide 3



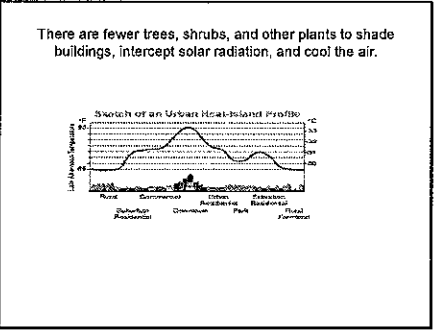
Slide 4



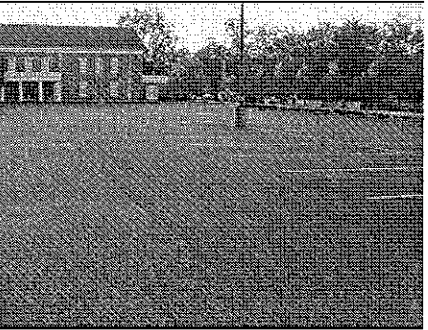
Slide 5



Slide 6

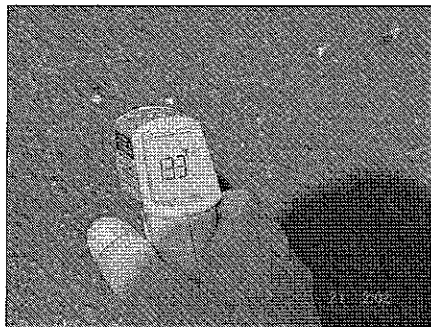


Slide 7

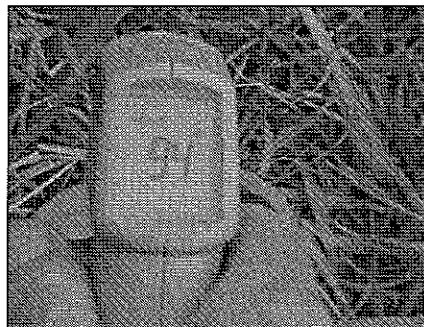


Slide 8

11 February 2008



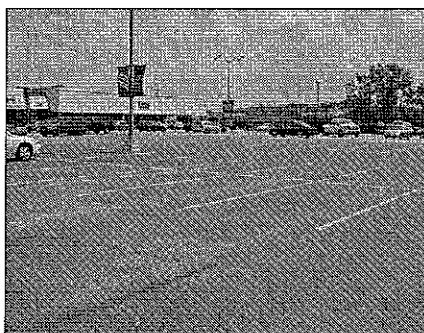
Slide 9



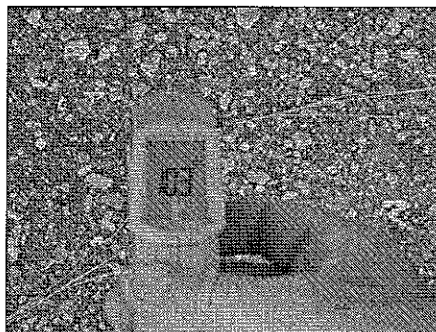
Slide 10



Slide 11



Slide 12



Slide 13

Trees

- As we have seen, trees are a valuable asset to our city. Trees increase the value of properties and contribute to the environment.

Slide 14

Arbor Day Celebration

- When: Saturday February 23, 9^{am}-11^{am}
- Where: Faulkner State Campus
- Activities: Tree give away Beautification Awards

Slide 15

**Donation Form
Fairhope
Centennial Tree
Program
2008**

Plant a tree that will live past the first Fairhope Centennial in 2108!

We would like to honor a donation of \$1000 to the City of Fairhope. Please contact the City Manager at 251-938-1100 for more information.

Name: _____

Address: _____

City: _____

State: _____

Zip: _____

Mail Address: _____

City: _____

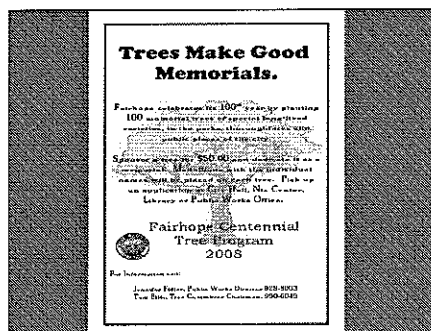
State: _____

Zip: _____

Please make checks payable to City of Fairhope, Centennial Tree Program. Mail your gift to: Centennial Tree Program, 115 Fairhope Ave., P.O. Box 100, Fairhope, AL 36525. Inquiries: 251-938-1100. Thank you for your donation to the City of Fairhope!

Slide 16

11 February 2008



Slide 17

Councilmember Quinn moved for final adoption of Ordinance No. 1352 an ordinance setting the Salaries of the Mayor, Council President and Councilmembers. Seconded by Councilmember Christenberry. The motion for final adoption passed unanimously by the following voice votes: AYE-Quinn, Stankoski, Christenberry, Ford, and Gentle. NAY-None.

Councilmember Ford moved to leave everything the way it is with regards to the salaries of the Mayor, Council President, and Councilmembers. This motion died for a lack of a seconded.

Councilmember Christenberry stated that we are not increasing the current Council's salary but felt that the future Council need a little more. However serving as Council you do not do this for the money.

Councilmember Christenberry suggested that the Councilmembers receive \$7,200.00 per year. Mayor should receive about \$50,000.00 to \$60,000.00 per year. Councilmember Ford stated that we will increase Mayor's salary, hire a City Manager, and hire a City Utility Superintendent paying each position approximately \$100,000.00, in order to fund these increases we would have to put in a sales tax.

Councilmember Christenberry stated that the \$50,000.00, \$60,000.00 or \$65,000.00 salary of the Mayor would include having the Mayor serve as Mayor, lobbyist, and utility manager.

Council President Gentle stated that in 2000 the first policy that was changed was the Recreation funds, and how the Recreation Department received their revenues, over the years we have changed a lot of things. Let us call the Mayor's job what it is a continued method that we have stated systematically. We need to clearly let people know just what the Mayor's job entail.

Councilmember Stankoski stated that the issue is clarity who's funding what. We have a Mayor and let's fund the Mayor as a Mayor. We have to at some point stop having an elected official running the utilities. We want a professional running the utilities, and as Standard & Poor's printed the city's substantial dependence on utility system transfers to support the general fund.

11 February 2008

Councilmember Quinn stated that we are public servants first. The salary is second. We do not want to spend money to be up here; however, it takes a lot of time to do this job and your heart must be in it.

Councilmember Quinn further stated that she liked Councilmember Christenberry idea on the salaries, but would like to tie continued education to the salaries.

Councilmember Ford felt that this has all come about after the committee was appointed, the Governmental Committee.

Councilmember Christenberry stated that we have professionals to run the cities. We are not run by a committee we are run by elected officials.

Council President Gentle stated that we accepted the report from the Governmental Committee.

Councilmember Ford moved to here from the Mayor. The motion died for a lack of a seconded.

Councilmember Christenberry introduced an ordinance to amend the salaries of the Mayor, Council President, and Councilmembers, and offered the following motion for immediate consideration:

Mayor's salary	\$60,000.00 per year
Councilmembers salaries	\$ 7,200.00 per year
Council President salary	\$ 8,000.00 per year

Councilmember Christenberry stated that this motion has nothing to do with the Utility Superintendent. Councilmember Quinn asked if Councilmember Christenberry would amend his motion to consider continued education. Councilmember Christenberry did not amend his motion. The motion died for a lack of a seconded.

Councilmember Quinn offered the following motion for immediate consideration:

Mayor's salary	\$ 50,000.00 per year, plus \$5,000 for CMO, plus \$5,000 for ACO
Councilmember salaries	\$ 7,200.00 per year, plus \$500.00 for CMC, plus \$500.00 for ACO
Council President salary	\$ 9,000.00 per year, plus \$500.00 for CMC, plus \$500.00 for ACO

Councilmember Stankoski seconded the motion for immediate consideration, passed unanimously by the following voice votes: AYE-Quinn, Stankoski, Christenberry, Ford, and Gentle. NAY-None.

Councilmember Christenberry moved for final adoption of Ordinance No. 1353 an ordinance to amend the salaries of the Mayor, Council President, and Councilmembers. Seconded by Councilmember Quinn, motion for final adoption passed by the following voice votes: AYE-Quinn, Stankoski, Christenberry, and Gentle. NAY-Ford.

11 February 2008

Nancy Milford, City Planner, addressed the City Council to explain the Site Plan Review of property owned by Suncoast Center, LLC. Located on the south side of Estella Street, just west of Greeno Road, Fairhope, Alabama for a proposed retail/office plaza (Eastbay Plaza Office Center). Councilmember Quinn inquired about pervious parking. Ms. Milford did not know if there would be any pervious parking. Councilmember Christenberry moved to approve the Site Plan property owned by listed above according to the recommendation (s) of the Planning Department. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

STAFF INTERPRETATION:

John Peterson is representing Tom Alonzo in this request. The property is zoned B-2 (General Business), and is located on the south side of Estella, just west of Greeno Road. The proposed development is a retail/office plaza consisting of two buildings (phase I and phase II). The building in phase I will consist of eight (8) units and 11,100 square feet of gross floor area, for phase II, the applicant is proposing a 7,000 square foot building with seven (7) units.

The issues associated with this request are as follows:

Comprehensive Plan: This request is not contrary to the Comprehensive Plan.

Lighting Plan: A lighting plan has been submitted. Pole height shall not exceed 20' for sites with 50 parking spaces or more.

Landscaping Plan: All landscaping shall meet the requirements of the City of Fairhope Landscaping Ordinance. There are some minor issues that still need to be resolved with the City Horticulturalist.

Parking: Parking areas shall be removed from the required 20-foot landscape buffer.

Location and Size of Signage: All signage for the property shall be in compliance with the City of Fairhope's sign ordinance. A sign permit shall be required.

Fencing: The applicant has elected to install a 6-foot evergreen hedge along the western property line to satisfy mandatory commercial/residential screening requirements.

Drainage: Drainage calculations and plans have been submitted. BES provided a review letter regarding drainage calculations on November 26, 2007.

Erosion Control: Prior to the issuance of a building permit, a BMP plan shall be submitted and administratively approved by staff.

Water and Sewer/ Flow Model: All Water and Sewer issues, including possible additional fire hydrant installation, shall be approved through Mr. Dan McCrory, Water and Sewer Superintendent, prior to the issuance of any building permits. The required flow test is scheduled for Thursday November 29, 2007. Adequate fire flow meeting the City of Fairhope requirements is pending and subject to the approval of Dan McCrory.

PLANNING COMMISSION RECOMMENDATION:

On December 3, 2007 the Planning Commission unanimously voted to recommend approval of the Eastbay Plaza Site Plan, contingent upon the following conditions:

1. The submittal of a satisfactory flow test with the approval from the Water and Sewer Superintendent (Dan McCrory).

11 February 2008

2. **Parking areas shall be removed from the required 20-foot landscape buffer, separating the commercial development from the residential property just west of the subject site.**
3. **Final approval of minor changes to the Landscape Plan by the City Horticulturalist.**
4. **Compliance with the drainage review letter, dated November 26, 2007, provided by BES.**

Respectfully Submitted for Consideration,

Jonathan I. Smith
Planner
City of Fairhope

B. Gregg Mims
Planning Director
City of Fairhope

City Council reviewed an application for a Restaurant Liquor License by Lydia Newman Myers, dba Lofty Endeavors Inc., located at 10 ½ North Section Street, Fairhope, Alabama. Councilmember Christenberry moved to approve the issuance of the license. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Casi Callaway, Executive Director of Mobile Baykeeper, and Terry Hartley, Grandman Race Director addressed the City Council requesting permission to serve beer at the beach pavilion for the 8th Grandman Triathlon which will be held Saturday, May 31, 2008. Councilmember Quinn moved to grant to request. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

Casi Callaway, Executive Director of Mobile Baykeeper, and Terry Hartley, Grandman Race Director addressed the City Council requesting permission for the City of Fairhope to subsidize the cost of 14 police officers needed to monitor traffic on the racecourse the 8th Grandman Triathlon which will be held Saturday, May 31, 2008. Councilmember Christenberry moved to grant the request. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

**CITY OF FAIRHOPE BID TABULATION AND
RECOMMENDATION
BID NO. 003-08 GOLF COURSE
MOWERS AND SAND RAKE
FOR: QUAIL CREEK GOLF
COURSE**

1/31/2008

VENDOR	ITEM	MANUFACTURE R	MODE L	PER MONTH BID 36 MONTH LEASE	PER MONTH BID 48 MONTH LEASE	TOTAL BID
KILPATRICK TURF & COMMERCIAL EQUIP.				\$5,082. 00		\$182,952.00
					\$4,214.0 0	\$202,272.00
	Fairway Mower	Jacobsen	67947			
	Greens Mower	Jacobsen	62288			
	Rotary Mower	Jacobsen	94671 3			

11 February 2008

	Trim Mower	Jacobsen	67043			
	Sand Trap Rake	Smithco	42-000			
BEARD EQUIPMENT COMPANY				\$5,905.90		\$212,612.40
					\$5,258.25	\$252,396.00
	Fairway Mower	John Deere	7700			
	Greens Mower	John Deere	2500B			
	Rotary Mower	John Deere	1435			
	Trim Mower	John Deere	2653B			
	Sand Trap Rake	John Deere	1200H			
BALDWIN EQUIPMENT, LLC						no response
DUTCHMAN'S LAWN AND GARDEN, LLC						no response
M & I EQUIPMENT & ENGINE, CO						no response
SOUTHERN PRIDE LAWN CARE						no response
TIECO TURF & INDUSTRIAL EQUIPMENT						no response
TOMBIGBEE EQUIPMENT, LLC						no response
TOOMEY EQUIPMENT CO.						no response
TRI-COUNTY IMPLEMENT, INC.						no response

It is recommended to accept the bid of Kilpatrick Turf & Commercial Equipment, Inc. – 36 Month Lease.

Bobby Hall

Daniel P. Ames
Purchasing
Manager

Councilmember Christenberry moved to accept the low bid of Kilpatrick Turf & Commercial Equipment, Inc., provided all specifications are met, for Lease for 4 Mowers and Sand Rake for Quail Creek Golf Course. Seconded by Councilmember Ford, motion passed unanimously by voice vote. This purchase will be funded by Golf Department.

11 February 2008

TABULATION & RECOMMENDATION

Bid No. 006-07 North Section St Guardrail Replacement
Bids opened on: January 16, 2008 at: 10:00 a.m.

VENDOR:	ALABAMA LICENSE #	TOTAL PRICE:
H & L Construction, Inc.	14629	\$26,010.00
Asphalt Services, Inc.	22479	\$29,499.00
C & H Construction, Inc.	40662	\$32,000.00
East Coast Contracting, Inc.	41849	\$33,721.00

Recommendation: To accept the low bid of **H & L Construction Inc.**, Mobile, Alabama, for the total price of **\$26,010.00**. All specifications have been met.

Ken Eslava, Public Works/ Ack Moore, Engineer of Record /Daniel P. Ames, Purchasing

Councilmember Ford moved to accept the low bid of H & L Construction, Inc., Mobile, Alabama, provided all specifications are met, for Guardrail Replacement Project – West side of N. Section Street between Bancroft and Oak Street. Seconded by Councilmember Quinn, motion passed unanimously by voice vote. This purchase will be funded by General Fund.

CITY OF FAIRHOPE BID TABULATION & RECOMMENDATION**01-31-08**

BID NO. 004-08
FAIRHOPE SKATE PARK CONSTRUCTION

VENDOR	LICENSE #	BID LESS TREE WORK	TREE WORK	TOTAL BID
EAST COAST CONTRACTING	41849	49,798.00	\$4,000.00	\$53,798.00
ASPHALT SERVICES	22479	\$52,562.09	\$3,450.00	\$56,012.09
JOE RALEY BUILDERS	19761	\$62,300.00	\$8,500.00	\$70,800.00
BAY SOUTH	21694	\$81,500.00	\$2,500.00	\$84,000.00
TAYLOR SERVICES	22010	\$89,575.00	\$2,280.00	\$91,855.00
PEAVY CONSTRUCTION	19187	\$111,110.00	\$5,700.00	\$116,810.00
DON GORDON CONSTRUCTION	28326	\$124,000.00	\$15,100.00	\$139,100.00
M.D. THOMAS CONSTRUCTION CO.				NO RESPONSE

It is recommended to accept the bid from East Coast Contracting, Inc.

Eddie Boyett
 Director of Parks and Recreation

James H. Clarke
 Project Manager

Daniel P. Ames
 Purchasing Manager

11 February 2008

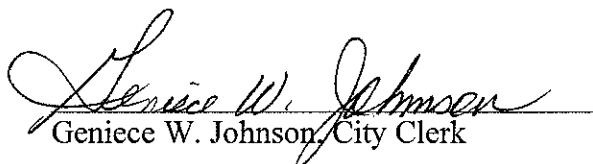
Councilmember Ford moved to accept the low bid of East Coast Contracting, Inc., provided all specifications are met, for construction of Fairhope Skate Plaza. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote. This purchase will be funded by General Fund.

Councilmember Christenberry moved to pay bills as presented. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Councilmember Ford withdrew his motion to hear the Mayor. There being no further business to come before the City Council, the meeting was duly adjourned at 6:50 p.m.



Robert C. Gentle, Council President



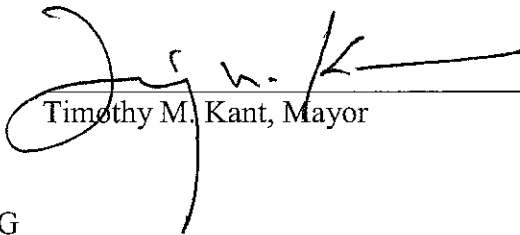
Geniece W. Johnson, City Clerk

11 February 2008

NOTICE AND CALL OF SPECIAL MEETING

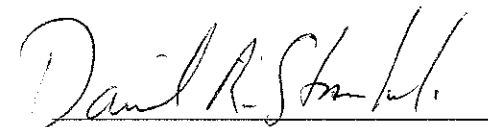
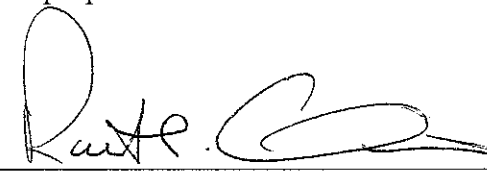
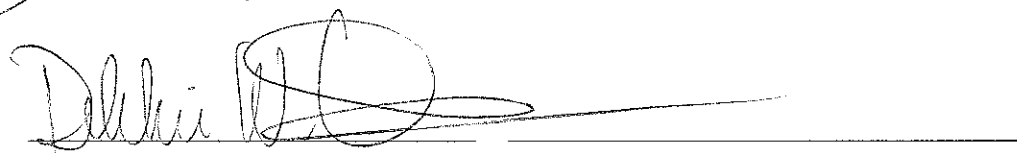
Notice is hereby given of a special meeting of the City Council of the City of Fairhope, Alabama, to be held at the Fairhope Municipal Complex on Monday, 11 February 2008, at 4:00 p.m., for the purpose to:

1. Discuss Pending litigation

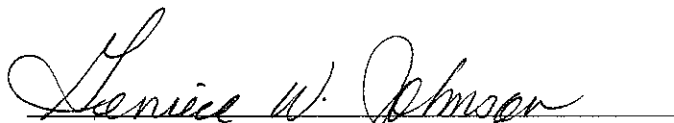

 Timothy M. Kant, Mayor

CONSENT TO HOLDING OF MEETING

The undersigned members of the City Council of the City of Fairhope, Alabama, do hereby acknowledge service of the Notice and Call of Special Meeting hereinabout set forth and do hereby consent to the holding of such meeting as such time in such place for the purpose set forth therein.

Attest:


 Geniece W. Johnson, City Clerk

STATE OF ALABAMA)
 :
 COUNTY OF BALDWIN)

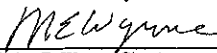
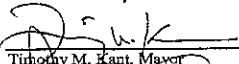
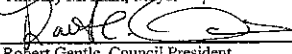
The City Council, City of Fairhope, met in Special Council meeting at 4:07 p.m. Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 11 February 2008.

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

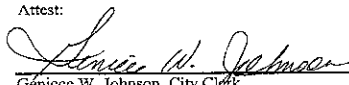
There being a quorum present, Council President Gentle called the meeting to order. City Attorney, Marion E. Wynne read the following notice requesting to go into Executive Session to discuss pending litigation.

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 pending litigation.

. The approximately time to be in Executive Session is 30-45 minutes.

	<u>2-11-08</u>
Marion E. Wynne, City Attorney	Date
	<u>2-11-08</u>
Timothy M. Kant, Mayor	Date
	<u>2-11-08</u>
Robert Gentle, Council President	Date

Attest:

	<u>2/11/08</u>
Geniece W. Johnson, City Clerk	Date

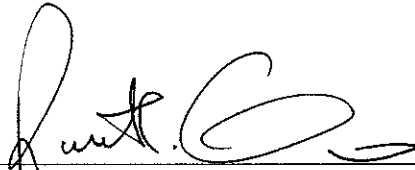
11 February 2008

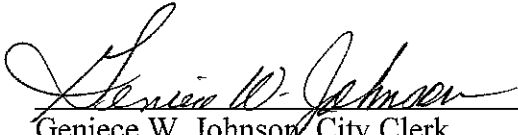
Councilmember Quinn moved to go into Executive Session to discuss pending litigation. Seconded by Councilmember Stankoski, motion passed unanimously.

The Mayor, City Attorney, and City Council exited the dais at 4:10 p.m.

At 5:54 p.m. the following returned to the dais: Councilmember Quinn, Stankoski, Ford, and Council President Gentle; City Attorney, and Mayor Kant.

There being no further business to come before the City Council, the meeting was duly adjourned at 5:55 p.m.


Robert C. Gentle, Council President


Geniece W. Johnson, City Clerk