

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, 28 January 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 Councilmember Quinn, and the Pledge of Allegiance was recited. Councilmember Quinn moved to approve minutes of the 14 January 2008 and approve the following action that took place on Friday, 18 January 2008, Work Session approving to go into Executive Session. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Mayor's Comments and Staff Reports:

- Mayor Kant announced that Lieutenant Joe Petties received Officer of the Year.
- Sherry Sullivan announced that on Tuesday, February 19<sup>th</sup>, the City will host “Meet the City” night at the James P. Nix Center. The event will begin at 6 p.m. and end at 7:30 p.m. Each city department will be represented with an informational table and displays. Residents are invited to attend, ask questions and visit with the folks who work for them. For questions, call 990-0218 or 990-0171.
- Geniece W. Johnson, City Clerk – PowerPoint Presentation – Elected Official Salaries Report

**CITY OF FAIRHOPE  
CITY COUNCIL MEETING  
JANUARY 28, 2008**

ELECTED OFFICIAL SALARIES

PLEASE BE ADVISED THAT  
FEBRUARY 26, 2008 IS THE LAST  
DAY FOR THE COUNCIL TO  
CHANGE THE SALARIES FOR  
OFFICIALS WHO WILL BE  
ELECTED IN AUGUST.  
SECTION 11-43-2 AND 11-43-80

Geniece W. Johnson,  
City Clerk  
August 9, 2007

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City of  
Bay Minette

- Population 7,820 - Based on 2000 Census
- Mayor \$30,000.00 plus \$500.00 vehicle allowance
- Mayor Pro-tem
- Councilmembers \$ 6,000.00

• These rates will take effect November 2008. If the Mayor has an unexcused absent \$300.00 will be deducted from the Mayor's pay. The Councilmember will have \$200.00 deducted from their pay for unexcused absentees.

City of Daphne

- Population 16,581 Based on 2000 Census
- Mayor \$60,000.00 Plus \$6,000 vehicle allowance
- Council President \$9,600.00
- Vice President \$7,800.00
- Councilmembers \$7,200.00

• Not considering an increase at this time.

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Town of Elberta

- Population 552 - Based on 2000 Census
- Mayor \$4,800.00
- Mayor Pro-tem
- Councilmembers \$2,400.00

• They are not considering an increase.

City of Fairhope

- Population 12,480 Based on 2000 Census
- Mayor \$16,800.00
- Council President \$ 6,600.00
- Councilmembers \$ 6,000.00

• An increase is being considered.

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City of Foley

- Population 7,590 - Based on 2000 Census
- Mayor \$21,000.00
- Mayor Pro-tem \$ 8,200.00
- Councilmembers \$ 7,200.00
- An increase is not being discussed at this time

City of Gulf Shores

- Population 5,044 - Based on 2000 Census
- Mayor \$ 42,000.00
- Mayor Pro-tem \$ 15,000.00
- Councilmembers \$ 12,500.00
- Their salaries have already been voted on. These rates will take effect November 2008.

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Town of Loxley

- Population 1,348 - Based on 2000 Census
- Mayor \$10,200
- Mayor Pro-Tem
- Councilmembers \$4,800.00
- Currently working on an increase for the above salaries

City of Orange Beach

- Population Census 3,784 - Based on 2000
- Mayor \$25,000.00 plus 5% COLA
- Council President \$15,000.00 plus 5% COLA
- Councilmembers \$10,000.00 plus 5% COLA
- An increase currently being discussed .

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City of Robertsdale

- Population 3,782 - Based on 2000 Census
- Mayor \$23,520.00
- Mayor Pro-Tem 11,520.00
- Councilmembers \$6,300.00
- Their salaries have already been voted on. These rates will take effect November 2008.

Town of Silverhill

- Population 616 - Based on 2000 Census
- Mayor \$6,000.00
- Mayor Pro-tem
- Councilmembers \$2,400.00
- Silverhill has not decided on an increase in salaries.

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City of Spanish Fort

- Population 5,423 - Based on 2000 Census
- Mayor \$18,000.00
- Mayor Pro-tem
- Councilmembers \$6,000.00
- The City of Spanish Fort is looking into an increase.

Town of Summerdale

- Population 655 - Based on 2000 Census
- Mayor \$15,000.00
- Mayor Pro-tem
- Councilmembers \$2,400.00
- Currently looking at increasing the Councilmembers to \$6,000.00.

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Point of Reference  
City of Oxford

- Population 14,592 - Based on 2000 Census
- Mayor \$60,000.00
- Mayor Pro-tem
- Councilmembers \$7,200.00
- Not considering an increase at this time.

Point of Reference  
City of Jasper

- Population 14,052 - Based on 2000 Census
- Mayor \$56,000.00 Plus \$10,000 expense allowance
- Mayor Pro-tem
- Councilmembers \$7,200.00
- Looking into changing their salaries.

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Point of Reference  
City of Saraland

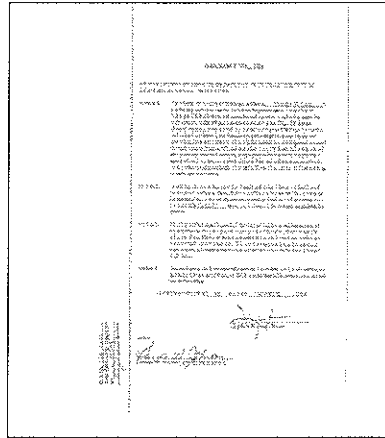
- Population 12,288 - Based on 2000 Census
- Mayor \$30,000.00
- Mayor Pro-tem
- Councilmembers \$7,200.00
- Not considering an increase at this time.

The image shows a scan of a document, likely an ordinance, with a signature at the bottom. The text is mostly illegible due to the quality of the scan, but it appears to be a formal document with a title and a signature line.

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Slide 18 Ordinance No. 1195

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Slide 19 Ordinance No. 1226

Being that the salaries of the Elected Officials must be approved, adopted, signed, and published, before February 26, 2008, Mrs. Johnson suggested that the Council add the proposed ordinance for the Elected Officials Salaries to the end of this meeting. The proposed ordinance shall be introduced using the same amounts already approved in Ordinance No. 1195.

At the next regular City Council meeting, the proposed ordinance will come before the City Council for final adopting. At which time, the City Council will proceed to final adopt the proposed ordinance and vote. Council President Gentle will entertain a motion to amend the Elected Official Salary Ordinance and proceed with final adoption of the amendments.

Mrs. Johnson also reported that she was asked to locate an ordinance that combined the Mayor and Utility Superintendent's position. Mrs. Johnson reported that she was unable to locate such ordinance. The Mayor and Utility Superintendent positions have always been separated. Mrs. Johnson further explained that she located Ordinance No. 1226 an ordinance requesting that Timothy M. Kant act as the Full-time Superintendent of the City of Fairhope, and there is a separate salary amount for this position. The City Council could terminate the Utility Superintendent position at anytime they deem necessary.

- Rose Fogarty, Finance Director, presented the following power point presentation no action was taken:

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CITY OF FAIRHOPE  
CITY COUNCIL MEETING  
JANUARY 28, 2008

SUMMARY  
FINANCIAL REPORTS  
THREE MONTHS ENDED  
12/31/2007

Slide 1

**GENERAL FUND**

	3 MONTHS ENDED 12/31/07	3 MONTHS ENDED 12/31/06	INCREASE (DECREASE)
REVENUES (INCLUDING UTILITY TRANSFERS)	1,706,065	1,350,011	(652,046)
EXPENSES	1,100,097	2,309,650	690,447
EXCESS REVENUE OVER (UNDER) EXPENSE	(396,032)		

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**GAS FUND**

	3 MONTHS ENDED 12/31/07	3 MONTHS ENDED 12/31/06	INCREASE (DECREASE)
REVENUES	1,501,574	1,645,407	(143,433)
COST OF ENERGY	927,757	1,118,172	(190,415)
EXPENSES - INCLUDING TRANSFERS	613,503	745,780	67,303
TOTAL COST/EXPENSE	1,741,240	1,863,952	
EARNINGS (LOSS)	(239,366)		

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**ELECTRIC FUND**

	3 MONTHS ENDED 12/31/07	3 MONTHS ENDED 12/31/06	INCREASE (DECREASE)
REVENUES	6,119,646	6,036,865	80,653
COST OF ENERGY	2,031,908	1,777,651	254,257
EXPENSES INCLUDING TRANSFERS	1,396,187	1,194,239	203,948
TOTAL COST/EXPENSE	3,428,095	2,971,890	
EARNINGS (LOSS)	627,553		

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**WATER/SEWER FUND**

	3 MONTHS ENDED 12/31/07	3 MONTHS ENDED 12/31/06	INCREASE (DECREASE)
REVENUES	2,274,261	1,570,276	403,985
COST OF ENERGY	156,562	137,176	19,346
EXPENSES - INCLUDING TRANSFERS	1,863,062	1,257,153	45,709
TOTAL COST/EXPENSE	1,959,724	1,894,469	
EARNINGS (LOSS)	314,539		

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**GOLF FUND**

	3 MONTHS ENDED 12/31/07	3 MONTHS ENDED 12/31/06	INCREASE (DECREASE)
REVENUES	124,122	126,651	(2,529)
EXPENSES	606,124	174,077	37,017
EARNINGS (LOSS)	(42,002)		

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ALL FUNDS			
	3 MONTHS ENDED 12/31/07	3 MONTHS ENDED 12/31/06	INCREASE (DECREASE)
REVENUES	11,928,072	12,238,782	(315,710)
EXPENSES	11,689,380	10,500,038	1,189,342
EXCESS REVENUE OVER (UNDER) EXPENSE	238,692		

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Councilmember Christenberry introduced in writing Ordinance No. 1351, an ordinance amending Tree Ordinance No. 1193. 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 Christenberry then moved for final adoption of Ordinance No. 1351. Seconded by Councilmember Quinn, motion for final adoption passed unanimously by the following voice votes: AYE-Quinn, Stankoski, Christenberry, Ford, and Gentle. NAY-None.

The amendments to the Tree Ordinance do not include anything on private property or single family homes. However, the cutting of trees on private property or single family homes is still under consideration, and will come before the City Council as a public hearing.

A Public Hearing was held as advertised on the request for a Package Store License by Ernest William Freeman, dba In and Out Express, located at 13530 Greeno Road, Unit 2, Fairhope, Alabama. The public hearing was opened and closed at 6:10 p.m. No one present was opposed to the Package Store License. Councilmember Ford moved to approve the issuance of the license. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

City Council reviewed an application for a Beer/Wine Off Premises License by Ernest William Freeman, dba In and Out Express, located at 13530 Greeno Road, Unit 1, Fairhope, Alabama. Councilmember Christenberry moved to approve the issuance of the license. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

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City Council reviewed an application for a Beer/Wine Off Premises License by Daniel T. Spybey, dba Jackson's Fresh Market, located at 333 S. Greeno Road, Suite A, Fairhope, Alabama. Councilmember Quinn moved to approve the issuance of the license. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

Martin Lanaux addressed the City Council, passed out the Library Committee's 5-year plan, and handed out a check in the amount of \$65,000.00 for debt reduction of the library.

Jay Hasting, Director of Tourism of the Eastern Shore Chamber of Commerce, addressed the City Council thanking the City for their contribution to the Blueprint for Tomorrow initiative. Heiko Einfield, a member of the Tourism Council, also addressed the City Council expressing thanks for the City's support. Mr. Einfield outlined the Tourism Council's 4 objectives:

1. The formation of the Council
2. Scenic overlook is now open 7-days a week
3. Eastern Shore Chamber joined the Alabama Association of Convention and Visitors Bureaus
4. Form a Tourism Marketing Plan

David Clark, General Manager of the Grand Hotel, addressed the City thanking the City for keeping downtown Fairhope so beautiful, this benefits the Grand Hotel, and causes more lodging taxes to be paid to the City. Mr. Clark also addressed the City Council on behalf as being Chairman of the Chamber of Commerce, thanking the City of all their support.

Councilmember Quinn reported on the K-1 Center Parking. Councilmember Quinn was asked to inquire the cost of using pervious material, instead of asphalt, to resurface the tennis courts in front of University of South Alabama on St. James Avenue. Councilmember Quinn reported that using pervious material will cost approximately \$100,000., and the cost to use asphalt will cost approximately \$15,000. to \$20,000. The cost to resurface the tennis court will be split among USA, Baldwin County School Board, and the City of Fairhope.

Councilmember Quinn also reported that Mike Keating, the BCSB representative, is currently releasing a bid to obtain hard numbers for asphalt material, and by the next City Council she should have bid tabulations so the City could make a final decision.

Council President Gentle stated that people have asked why not use gravel. Councilmember Quinn reported that the BCSB is not in favor at all of using gravel due to the upkeep gravel.



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Council President Gentle and Councilmember Christenberry understood that this project of resurfacing the tennis courts would cause a net gain on parking spaces. Councilmember Quinn explained that there would not be a net gain on parking spaces, but having lines that could be seen would help with parking.

Councilmember Quinn addressed the request of Fairhope High School Band, requesting donation for travel expenses for the High School Band to perform in the 2008 St. Patrick's Day Parade in Chicago, Illinois. (Came before City Council on October 22, 2007 and on November 8, 2007 – Hold until First of 2008). Councilmember Quinn explained that at this time the City cannot afford to give any money because of the shortage of property tax monies being received by the City. There are so many people in Fairhope asking that their tax to be reviewed, this has caused a \$500,000 to a 1.6 million short fall in the City's revenues.

After discussion, Councilmember Quinn moved to deny the Fairhope High School Band's request. Seconded by Councilmember Christenberry, motion to deny passed unanimously by voice vote.

Council President Gentle addressed the request of Baldwin County Trailblazers, requesting an annual \$2,000 line item budgeted amount in either the Sidewalk Budget or the Recreation Department. (Came before City Council on October 22, 2007 and on November 8, 2007 – Hold until First of 2008). Council President Gentle explained that at this time the City cannot afford to give any money due to the 1.6 million shortages for not receiving property tax monies, as mention by Councilmember Quinn.

After discussion, Councilmember Ford moved to deny the Baldwin County Trailblazers' request. Seconded by Councilmember Stankoski, motion to deny passed unanimously by voice vote.

Councilmember Quinn moved to approve the expenditure of \$44,160.00 to UPI for Federal Pacific, for the purchase of Electric PME Padmounted Switchgear for Thomas Hospital Addition, provided all specifications are met. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote. This purchase will be funded by Electric Department.

Dan Ames, Purchasing Agent explained that the Switchgear did not have to be formally bid pursuant to the Code of Alabama of 1975, 41-16-51(b)(7):

The purchase of equipment, supplies, or materials needed, used, and consumed in the normal and routine operation of any waterworks system, sanitary sewer system, gas system, or electric system, or any two or more thereof, that are owned by municipalities, counties, or public corporations, boards, or authorities that are agencies, departments, or instrumentalities of municipalities or counties and no part of the operating expenses of which system or systems have, during the then current fiscal year, been paid from

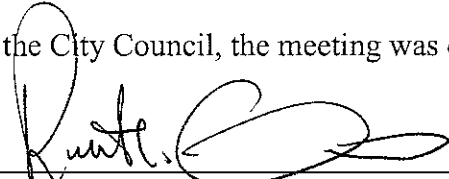
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revenues derived from taxes or from appropriations of the state, a county, or a municipality.

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

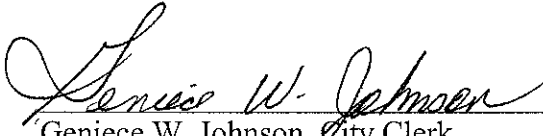
Councilmember Christenberry introduced in writing a proposed ordinance to amend the salaries of the Mayor, Council President, and Councilmember's. The proposed amounts are the same amounts set by Ordinance No. 1195: Mayor \$16,800.00, Council President \$6,600.00 and Councilmember's \$6,000.00. This proposed ordinance will layover for final adoption at the next regular City Council meeting.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:37 p.m.



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Robert C. Gentle, Council President



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Geniece W. Johnson, City Clerk