

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 July 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 Lisa A. Hanks.

There being a quorum present, Council President Gentle called the meeting to order. The invocation was given by Councilmember Christenberry and the Pledge of Allegiance was recited. Councilmember Christenberry moved to approve minutes of the July 14, 2008, regular meeting. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Sherry Sullivan made the following announcement:

- LifeSouth Community Blood Services will host a community-wide blood drive at the Nix Center on Thursday, August 28th from 10:00 a.m. to 6:00 p.m. LifeSouth is the primary blood supplier for Thomas Hospital and Infirmary Health Systems.

Mayor's Comments and Staff Reports:

- Mayor Kant presented Councilmember Stankoski with a plaque from the Alabama League of Municipalities for obtaining the designation of Certified Municipal Official.
- Rose Fogarty, Finance Director, and Nancy Wilson, City Treasurer, presented the following PowerPoint presentation no action was taken by City Council.

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28 July 2008

CITY OF FAIRHOPE  
CITY COUNCIL MEETING  
JULY 28, 2008

SUMMARY  
FINANCIAL REPORTS  
NINE MONTHS ENDED  
6/30/2008

Slide 1

GENERAL FUND			
	9 MONTHS ENDED 6/30/2008	6/30/2007	INCREASE (DECREASE)
REVENUES	15,146,477	15,445,286	(298,809)
EXPENSES	<u>15,470,952</u>	15,050,390	420,562
EXCESS REVENUE OVER (UNDER) EXPENSES	(324,474)		

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GAS FUND			
	9 MONTHS ENDED 6/30/2008	6/30/2007	INCREASE (DECREASE)
REVENUES	6,410,842	6,297,975	112,867
COST OF ENERGY	3,407,837	3,101,035	306,802
EXPENSES	<u>2,555,031</u>	2,202,568	352,463
EXCESS REVENUE OVER (UNDER) EXPENSES	447,974		

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ELECTRIC FUND			
	9 MONTHS ENDED 6/30/2008	6/30/2007	INCREASE (DECREASE)
REVENUES	11,786,562	11,120,254	646,408
COST OF ENERGY	7,318,871	6,175,312	1,143,559
EXPENSES	<u>4,377,740</u>	4,174,291	203,449
EXCESS REVENUE OVER (UNDER) EXPENSES	70,051		

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WATER/SEWER FUND			
	9 MONTHS ENDED 6/30/2008	6/30/2007	INCREASE (DECREASE)
REVENUES	6,009,740	6,401,955	(392,215)
COST OF ENERGY	481,876	456,130	15,746
EXPENSES	<u>5,629,074</u>	5,388,787	240,287
EXCESS REVENUE OVER (UNDER) EXPENSES	(101,210)		

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GOLF FUND			
	9 MONTHS ENDED 6/30/2008	6/30/2007	INCREASE (DECREASE)
REVENUES	1,101,516	1,116,573	(15,057)
EXPENSES	<u>1,161,059</u>	1,133,545	27,514
EXCESS REVENUE OVER (UNDER) EXPENSES	(59,543)		

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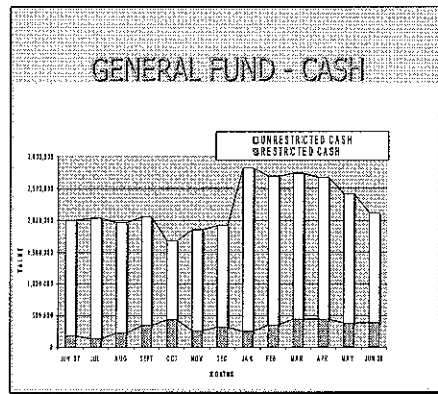
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ALL FUNDS			
	9 MONTHS ENDED		INCREASE (DECREASE)
	6/30/2008	6/30/2007	
REVENUES	40,435,237	40,382,043	53,194
EXPENSES	40,402,440	37,692,058	2,710,382
EXCESS REVENUE OVER (UNDER) EXPENSES	32,797		

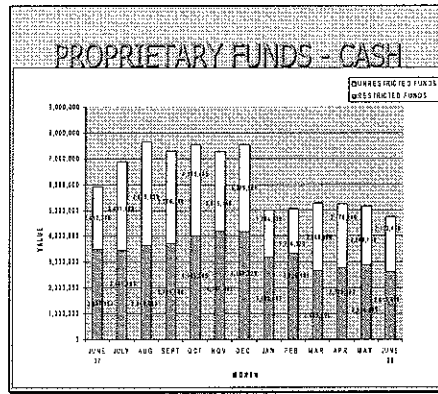
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CASH BALANCE COMPARISON AT JUNE 30, 2008			
	CURRENT 6/30/2008	PRIOR MONTH 5/31/2008	PRIOR YEAR 6/30/2007
GENERAL FUND	2,114,803	2,104,800	2,001,188
GAS FUND	268,024	283,578	848,098
ELECTRIC FUND	1,357,235	1,438,419	1,534,744
WATER FUND	3,045,067	3,324,020	3,802,775
GOLF FUND	78,010	107,286	116,681
GAS TAX FUND	194,864	187,734	316,682
CAPITAL PROJECTS	2,577,634	2,721,592	4,667,921
CAPITAL PROJECTS-LIBRARY	12,852	12,883	111,481
TOTALS	9,646,129	10,480,112	12,989,570
SINKING FUNDS	1,743,829	2,923,361	1,744,846
WARRANT FUNDS	2,198,204	2,591,254	5,243,683
TOTAL EXCLUDING SINKING/WARRANT FUNDS	5,704,096	5,955,457	6,010,341

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- Jennifer Fidler, Director of Public Works, addressed the City Council and reported on implementing a program to make biodiesel from used cooking oil. The City of Daphne collects the oil through containers placed behind stores. The following documents and information were discussed:

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### Biodiesel Program Costs to Implement

1. Truck to collect for commercial pickup/retrofit existing truck.....	\$2,000.00
2. Two holding tanks, pumps, materials for commercial collection.....	\$7,500.00
3. Personnel to run commercial route, operate the production unit, dispose of refuse materials from production, cleaning equipment, etc.....	Jennifer
4. Biodiesel Processor(85 gallon unit).....	\$23,000.00
(A quote of \$18,000.00 for this unit was given to us late last year)	
5. Modify trucks for curbside collection.....	\$3,500.00
6. Plastic containers for residential pickup.....250 @ \$2.00 ea.....	\$500.00
7. Miscellaneous materials for processing.....	\$1,750.00
8. Electrical supply/breaker box.....	\$750.00
9. Glass crusher installation and cover.....	\$1,000.00
10. Publicity & marketing.....	\$550.00
<b>INITIAL INVESTMENT.....</b>	<b>\$40,550.00</b>

#### ADDITIONAL EXPENSES TO OUR ANNUAL OPERATING BUDGET FOR MAINTENANCE OF THIS PROGRAM:

1. Items 3, 6 and 7 from above.
2. Fuel cost estimates for collecting commercial oils.
3. Any additional overtime for recycling crews due to perform this additional function.

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From: Jim Horner, Chairman, F.E.A.B.

Date: July 14, 2008

To: Mayor Tim Kant, Fairhope City Council, Jennifer Fidler

Cc. Ken Eslava, F.E.A.B. Board members

Subject: Fairhope used commercial cooking oil

Attached is a list of Fairhope restaurants and grocery stores with the amount of used cooking oil they produce. Also listed are the recovery companies used by each location. These companies are Birmingham Hide and Tallow (B.H.T.), Griffin and Restaurant Technical Inc. (R.T.I.). Alabama Rendering is a subsidiary of B.H.T. Of these, B.H.T. controls about 70% of the Fairhope market. Griffin and R.T.I. seem to favor multi location contractual arrangements. R.T.I. actually supplies restaurants with fresh oil and other supplies while picking up their used oil as an extra service. In the vast majority of cases, there is no money paid or received for this service.

This data was obtained by visiting each restaurant. Tabulating the numbers, there is a total of 4,648 pounds / 667 gallons of used cooking oil produced in Fairhope each week. Breaking down this volume, 2,285 pounds / 330 gallons is controlled through contractual agreements with some money paid to only a very few restaurants.

Of the restaurants contacted, about 55 to 65% indicated they would work with Fairhope if the city started collecting their used oil. But, they were very explicit in stating that Fairhope's service would have to be equal to or better than they now receive. This service includes locating a black plastic box at each location and picking up the oil on a regular non prompted schedule.

I was also cautioned that if Fairhope got into this recovery business, the present companies would not "roll over and play dead". It was predicted they would raise the competitive arrangements to protect their Fairhope business.

It is interesting to note that Daphne has specifically resisted getting into direct competition with the existing recovery companies. They will accept commercial or restaurant oil if offered and delivered but do not have an active program to solicit this business. They basically rely on residential volumes collected from pick up stations at a rate of about 100 gallons per week. It is recommended that Fairhope meet with Rob McElroy, Daphne Utilities Manager to further discuss the reasons and background for this decision.

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Ms. Fidler asked the City Council; “what would you like for me to do regarding biodiesel?” Council President Gentle stated we should look at a true pro forma. Ms. Fidler said number 4 on the list \$23,000 was firm. Councilmember Quinn asked; “what would stop them from going elsewhere. Have we talked more about a Grease Ordinance?” Ms. Fidler replied no we haven’t, but wanted to get more citizens/businesses behind us before setting the ordinance. Council President asked the City Council what they thought about processing biodiesel. Councilmember Stankoski said to go forward and see what we can do due to the cost of fuel today. Councilmember Quinn said go forward, but to also bring back a Grease Ordinance. Council President stated that the City Council says to go ahead. Councilmember Christenberry then said to go forward.

Ilse Krick and Martin Lanaux addressed the City Council and recognized Dick Kwapil for his generous donation to the Fairhope Public Library. Mrs. Krick said Mr. Kwapil donated a major portion of his personal library which includes a complete set of The Official Records of the War of the Rebellion (usually called OR), civil war books including originals dating back to the 1800’s, and the first book he ever purchased 66 years ago – Volume 3, Lee’s Lieutenants by Douglas Southall Freeman. “On behalf of the Library and the Library Board, we would like to thank Dick and Mary Kwapil for their donation.” Ms. Krick also stated that the books were in excellent condition and most suitable for a public library. Mr. Lanaux mentioned that the books would not be kept where the public had to ask for them, but would be available for anyone to check out who had a library card.

Councilmember Quinn addressed the City Council and announced that David Yeager with Mobile Bay National Estuary Program was retiring. She congratulated Mr. Yeager for his years of service helping to improve the Mobile Bay environment and especially the City of Fairhope’s efforts. Councilmember Quinn requested that the City of Fairhope recognize him at his retirement party with a plaque and proclamation for his sincere desire to leave this place better than when he got here. Mayor Kant responded by stating a plaque was already prepared and our representative would be Dick Charles.

Chuck Zunk, Chairman of the Strategic Planning Process Committee, addressed the City Council and thanked the committee members for all of their help. This is a process to allow the City to develop a strategic plan. Mr. Zunk presented the following Final Report:

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July 28, 2008

TO: Fairhope City Council

**SUBJECT: Strategic Planning Process Committee – Final Report**

In a Resolution approved at the April 14, 2008 Council Meeting, the Strategic Planning Process Committee was created to provide to Fairhope elected officials a process for accomplishing a Strategic Plan for the City of Fairhope. This is the report of that Committee.

*A. What Is Strategic Planning, and Why Do It?<sup>1</sup>*

Strategic planning is a disciplined effort to produce fundamental decisions and actions that shape and guide what the City of Fairhope is, what it does, and why it does it.

All cities are in a constant state of change and flux – even those that think of themselves as static. People are coming and going, mandates are shifting, budgets are changing, stakeholder needs and expectations are changing, and so on. **A strategically managed city is one that both defines where it wants to be and manages change through an action agenda to achieve that future.**

Strategic planning takes a comprehensive view by focusing on the “big picture,” but it also leads to specific, targeted actions. It is proactive rather than reactive, and will be a guide for decision making and resource allocation.

Strategic planning is intended to enhance the City of Fairhope’s ability to think, act, and learn with a long term point of view. The potential benefits include:

- *Increased efficiency.* The same or better results are achieved with fewer resources.
- *Increased effectiveness.* The city’s performance is enhanced, its mission furthered, its mandates are met, and real public value is created. In addition, the city responds effectively to rapidly changing circumstances.
- *Better decision making.* A coherent, focused, and defensible basis for decision making is established, **and today’s decisions are made in light of their future consequences – especially with regard to finances.**
- *Enhanced organizational capabilities.* Broadly based organizational leadership is improved, and the capacity for further strategic thought, action, and learning is enhanced.

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<sup>1</sup> This section is liberally quoted from Creating And Implementing Your Strategic Plan, 2<sup>nd</sup> Edition, by John Bryson and Farnum Alston, 2005.

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- *Improved communications.* Mission, vision, goals, strategies, and action programs are communicated more effectively to key stakeholders.
- *Increased political support.* The city's legitimacy is enhanced, its advocacy base broadened, and a powerful and supportive coalition developed.

*B. How Does Strategic Planning Mesh With The Comprehensive Plan?*

The Fairhope Comprehensive Plan was developed and adopted in 2000, and updated in 2005-2006. Quoting from the Introduction Section of the 2005-2006 updated version on the City's website, the Comprehensive Plan "is a framework for future development decisions in the City and its planning jurisdiction." In fact, the Comprehensive Plan was developed using a strategic planning model, which is attached to this report.

Then why is the Comprehensive Plan not the same thing as the Strategic Plan envisioned in the April 14, 2008 Resolution of City Council which created the Strategic Planning Process Committee?

The first part of the answer to this is, that the **scope** of the Comprehensive Plan is limited to only future development and growth. However, the business of the City of Fairhope is much more than development and growth. The City must also plan and manage public safety services such as police and fire protection; public works such as street maintenance, beaches, sidewalks, and parking; recreational facilities; public use facilities such as museums, library, and senior center; fee-for-service utilities such as electric, gas, water and sewer; and so forth and so on. A Strategic Plan will encompass all of these activities, and pull them together into one master plan for the city.

The second part of the answer is, that the Comprehensive Plan contains many strategies, but only a limited number of **action plans** to implement those strategies. Lacking action plans, the Comprehensive Plan has become more of a reference document on the shelf, instead of a frequently used tool. Action plans are easy to identify – each one is an implementation task assigned to a specific person, department, or organization; with a scheduled completion date; and a measurable performance goal.

And the third part of the answer is, that the Comprehensive Plan is not integrated with the **financial plans** of the City. The Comprehensive Plan is very useful for its intended purpose, but contains no analysis of whether its intended consequences will increase or decrease the revenues, costs, or available cash of the City.

In summary, a Strategic Plan for the City of Fairhope will embrace all facets of the city's operations, will contain action plans for implementation, and will be integrated into a long range financial plan for the city.



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*C. Isn't Strategic Planning An Overwhelming And Expensive Process?*

No, especially because within Fairhope there is a talent pool of people interested in supplying volunteer leadership to this process. For the City employees, it will be integrated and folded into their normal work. And fortunately, the strategic planning process does not require an all-or-nothing approach. Much value can still be achieved by starting out small, and building up the process a little each year. This is the approach framed by the Strategic Planning Process Committee.

*D. What Are The Recommendations Of The Strategic Planning Process Committee?*

1. At the first City Council meeting in September the Council will approve seven "citizen" members to the Strategic Planning Steering Committee, one of whom would be Chairman. The Committee would actually have a total of nine members, the other two being the Mayor and a Council Member (named by the Council President). The Committee Chairman will also serve as facilitator in meetings, as required.
2. The Steering Committee will need three months to train its members regarding strategic planning, and to develop its plan of action for 2009.
3. In January and February, 2009 the City Council, Mayor and city department heads will participate in a training and education program on how to do the first annual cycle of the strategic plan, with training conducted by the Steering Committee. Keeping in mind that the first year will be very basic, the training should be straight-forward and oriented more towards practice rather than theory. To the extent it applies, the model used for the Comprehensive plan will be used. The training should be open to the public so that individuals and special interest groups will better understand how to participate in the strategic planning process.
4. In March through May, 2009 the Mayor and key department heads, coached by members of the Steering Committee, create a three year look-ahead plan using the model from the Comprehensive Planning process. This plan draft goes to the Treasurer by late May so that financial projections and cash requirements can be done.
5. At public meetings from July through September, 2009 this plan draft is opened up for public discussion. All citizens and public interest groups will be invited to public forums to critique the plan, offer suggestions, discuss priorities, and so forth. The central point of the meetings is to gather public input into the planning process at a point in time when the plan is still just a draft.
6. Based on input from the public meetings, a revised draft is prepared by the Mayor during October and November, 2009.

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7. At the first regularly scheduled City Council meeting in December, 2009 the Council conducts a Public Hearing on the three year plan draft **and financial projections**. Council directs the Mayor to revise the plan (or not) based on the Public Hearing and of course the individual and collective opinions of the respective Council members. Note – the Council may want to consider conducting two public hearings, not just one, to maximize the opportunity for public participation and comment on the draft plan.
8. A final revised draft is prepared by the Mayor for presentation at the second regularly scheduled City Council meeting in January, 2010. Approval of the plan including financial projections is accomplished by resolution.
9. The same process and timing is repeated again in each following year, but with increasing emphasis on financial projections, and on departmental action plans to implement various parts of the plan.
10. As soon as the FY2010/11 plan cycle is completed, the Steering Committee convenes to create a plan for making the planning process more robust for future annual cycles. Improvements to be made for future **annual cycles** would include:
  - lengthening the planning horizon from three years to five;
  - more emphasis on long range community goals and life style issues;
  - more emphasis on City strengths, weaknesses, opportunities, and threats (known as SWOT) analysis;
  - more details in the Strategic Plan itself, and the respective action plans for implementation;
  - more emphasis on cash flow planning;
  - more emphasis on contingency planning should basic assumptions about revenues, costs, growth, and so forth change significantly during the plan years;
  - and, more emphasis on making sure that the annual budgeting process reflects the overlying elements of the Strategic Plan.

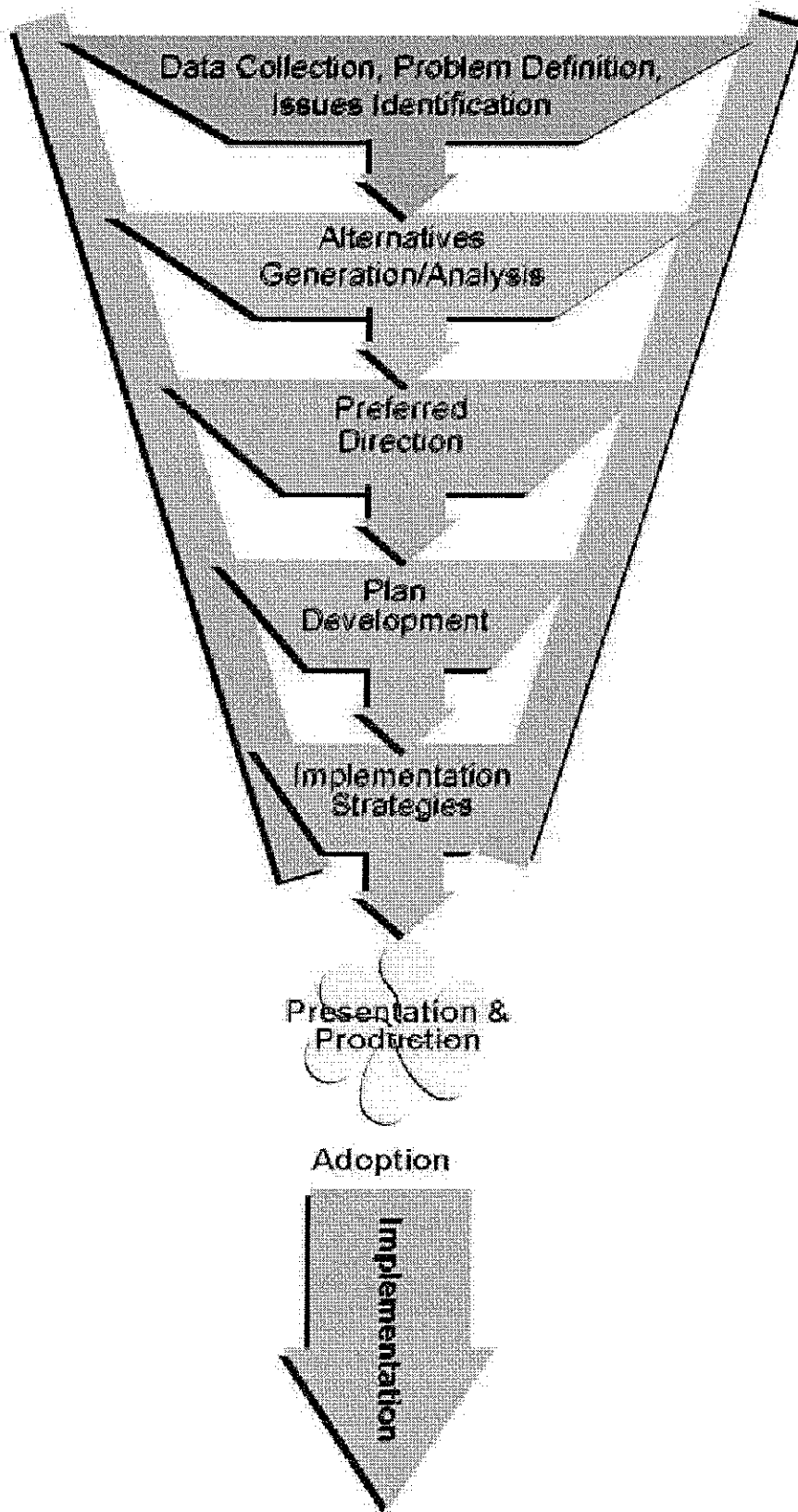
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Respectfully submitted by the Strategic Planning Process Committee

Charles Zunk, Chairman  
Bob Gentle  
John Gutknecht  
Ron Heveran  
Dave Jester  
Dick Kwapil  
Lonnie Mixon  
Harry Phillips  
Debbie Quinn  
Marvin Wilder

Attachment: A Strategic Planning Model, from the Fairhope Comprehensive Plan

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Councilmember Stankoski thanked Mr. Zunk for his help in the process as well as the committee members.

Councilmember Quinn moved to accept the Strategic Planning Process Committee's Final Report and to appoint the Strategic Planning Steering Committee at the first City Council meeting in September. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

Darrellyn Bender, President/CEO of Eastern Shore Chamber of Commerce, and Joe Bullock, Chairman of the Board of Directors, addressed the City Council and discussed the Chamber's Blueprint for Tomorrow strategic plan. Mr. Bullock thanked the City of Fairhope for their commitment and support of Blueprint for Tomorrow. The following is a synopsis of their accomplishments for this year and goals for next year:

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May 2008

**Transit Study of the Eastern Shore.** This included representatives of the three cities, and county representation through their engineering department and Taylor Ryder with BRATS. The final study was presented to the Eastern Shore Chamber of Commerce Board of Directors, Board of Advisors, and Transportation Committee. We will be presenting the study to our three cities and to the county in June 2008. The study is being conducted by Gresham Smith and Partners 3595 Grandview Parkway, Suite 300, Birmingham, AL 35243.

**Feasibility Study for a Technology Training Park.** Interviews were held throughout the region to gather information and to establish a possible plan. The first draft was presented in April. There will be another round of interviews. This feasibility study is being conducted by George, Henry George Partners, LLC, 1038 Dead Run Drive, McLean, VA 22101

**Tourism – the Eastern Shore Tourism Council.** This newly formed council is promoting the entire Eastern Shore with representation from our three cities and the county. Governing and structure was established and a marketing study was conducted through interviews with all elected officials, tourism partners as well as with the public at large. The Scenic Overlook Welcome Center is now open seven days a week instead of five.

**Other goals set and achieved over the past two years are:**

- Restructure Chamber to include new strategic goals.
- Revise website
- Established weekly e-letter for better communication
- Established job description and hire one economic development and/or governmental affairs staff person, our Director of Business Development
- Established job description and hire and a Director of Tourism
- Established job description and hire Director of Development
- Established Choices, a “life basics class” in 32 - 7<sup>th</sup> grade classes along the Eastern Shore. Chamber members trained and went in classrooms to teach.
- Set curriculum and established the Eastern Shore Business Academy to work towards training and seminars for existing businesses to utilize instead of going out of town.
- Environmental – partnered with Weeks Bay Estuary and SmartCoast on seminars and training. Also working on grants for the education of business and the Eastern Shore on green practices.
- Working with Dr. Hollinger, the Board of Education and Patty Hughston to support and move forward technology/career training in area high schools.

251.621.8222 251.621.8001 eschamber.com

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## 2008-2009 Goals

**Transit along the Eastern Shore.** This included representatives of the three cities, and county representation through their engineering department and Taylor Ryder with BRATS. The task force will meet and see what recommendations from the transit study can be worked on.

**Feasibility Study for a Technology Training Park.** The study will be completed in August and presented to the cities, counties and partners in early Fall. This feasibility study is being conducted by George, Henry George Partners, LLC, 1038 Dead Run Drive, McLean, VA 22101

### Tourism – the Eastern Shore Tourism Council.

- Develop the Branding campaign
- Develop interactive tourism web based program to help visitors plan their vacations
- Input all information for the Sports Alabama Web site for the entire Eastern Shore
- Continue weekend/holiday operations at Scenic Overlook (average 200 visitors on the weekend)
- Install Electronic Billboard in Scenic Overlook

### Workforce Development

- Develop a summer intern program for Eastern Shore High School students
- Develop a career awareness guide
- Continue CHOICES life basic classes in every middle school on the Eastern Shore -- 32 classes

### Economic Development --

- Expand ED Web pages to include detailed demographics and a more comprehensive links to our partners.
- Continue to bring top speakers to the area for our partners
- Business Academy – increase attendance, refine courses offered
- Continue Existing Local Business surveys for up to date information about their needs

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Councilmember Ford commented that the Technology Park interested him and asked; have you looked at the airport land. Ms. Bender replied that is why we hired this group to prepare the study and yes they have looked at that location. Council President Gentle asked; "how much did we support?" Ms. Bender replied \$35,000 per year for five years from each City and \$40,000 per year from the County.

Councilmember Quinn addressed the City Council and stated there were two issues to discuss. The first issue is on the guardrail at Magnolia Beach Townhomes and introduced Al Claire, a citizen of Fairhope. Mr. Claire stated that it took some time to figure out who exactly owned the gully and guardrail. He said the City of Fairhope owned the guardrail and the repairs or replacement of the guardrail went out for bid. The bid response was only one bidder for approximately \$4,800.00. Mr. Claire sent a letter to the City requesting replacement or repair of the guardrail. He asked the City Council to consider raising the priority of the guardrail due to safety issues.

Jennifer Fidler stated that if a contractor performed the work the cost would be around \$4,200.00, but if the City of Fairhope did the work the cost would be closer to \$2,000.00. Ms. Fidler said; "there is some rot, but the main issue is the need to stabilize the backside with dirt. We have put this in the budget for next year." Councilmember Quinn stated she had talked with other employees who told her the guardrail was dangerous, and agreed with them. Council President Gentle asked what the material would cost. Ms. Fidler replied around \$2,000.00. Council President asked could the City Council get a solid number for the next meeting.

Councilmember Quinn said the second issue is our public access policy to records and asked City Clerk Lisa Hanks to explain the status. Ms. Hanks stated that she was waiting on Council for direction and was using the current policy that Mayor Kant implemented. Mayor Kant explained the current policy and mentioned the majority of requests are not being charged. If a request comes in, the first 25 copies are not charged and then the City charges 25 cents each additional copy. Mayor Kant said our main concern is regarding attorney request regarding lawsuits and the vast information being requested. He said it is mainly the legal requests and we need direction from Council on how to proceed with the policy. Councilmember Quinn asked Ms. Hanks if we could wait until after elections regarding the policy. Ms. Hanks replied "that would be great."



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Councilmember Stankoski moved to grant the request of Joe Birindelli, Co-Chairman of the Fairhope Veterans Memorial Committee, requesting the City of Fairhope to waive the fees for the use of the Fairhope Civic Center for a "Drawdown" on Saturday, September 6, 2008. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

Councilmember Quinn moved to grant the request of Harvey Joanning, President of Citizens for Responsible Government, requesting the City of Fairhope to waive the fees for the use of the Fairhope Civic Center for the Candidates Forums on Tuesday, August 5, 2008 and Thursday, August 7, 2008 from 7:00 p.m. to 8:30 p.m. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

Councilmember Christenberry moved to grant the request of Robin Lambert, President of Old Bay Steamer Restaurant and Catering, requesting permission to serve alcoholic beverages at the Pavilion on the Bay on September 16, 2008 from 6:00 p.m. to 9:00 p.m. for the National Association of State Contractor Licensing Agencies. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

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

Councilmember Quinn moved to rescind the motion to stop the project at Green Nurseries, upgrade the Right of Way at Hoyle Avenue which is a proposed entrance to Green Nurseries, use the \$5,000.00 for the Right of Way upgrade from the Capital Improvement Fund, and have City Attorney Wynne research the legality of quid pro quo work. The motion was seconded by Councilmember Christenberry.

Mrs. Green asked to be heard by the City Council. Councilmember Ford said Mrs. Green should be heard if there are unanswered questions. Mrs. Green told the City Council that they (Mr. & Mrs. Green) felt very uncomfortable about the meeting (Work Session for Green Nurseries and Landscape Design, Inc.) prior to this City Council meeting due to unanswered questions. She stated there is a controversy over who is in charge of construction and asked that the City Council consider Hoyle to Volanta instead of in front of the Green Nurseries.

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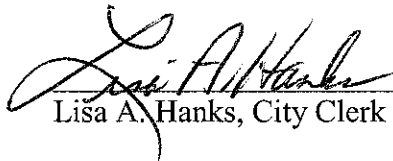
Mrs. Green also inquired to when the access at Hoyle would begin. Ms. Fidler replied as soon as funds are available. Mayor Kant stated that there was enough money in the Capital Improvement Fund and the \$5,000.00 could come from this Fund. The initial motion was updated to add using the Capital Improvement Fund for the Right of Way upgrade. Council President Gentle then said we have a motion and a second, please call the vote, motion passed unanimously by voice vote. Councilmember Quinn stated we need to do the work as soon as possible.

There being no further business to come before the City Council, the meeting was duly adjourned at 7:00 p.m.



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Robert C. Gentle, Council President



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Lisa A. Hanks, City Clerk