

STATE OF ALABAMA                    )(  
   :  
 COUNTY OF BALDWIN                )(

The City Council, City of Fairhope, met in an organizational session at 5:30 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 3 November 2008.

Present were Councilmembers: Debbie W. Quinn, Daniel Stankoski, Lonnie L. Mixon, Michael A. Ford, and Rick Kingrea, Mayor Timothy M. Kant, City Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks.

There being a quorum present, City Clerk Lisa A. Hanks took the seat as presider and asked for everyone to stand for the invocation and the Pledge of Allegiance. The invocation was given by Dr. Tim Patrick, Pastor of Faith Baptist Church, and the Pledge of Allegiance was recited.

This being the organizational meeting to begin the new administration, Mayor Kant, and the newly-elected Councilmembers, Debbie W. Quinn, Daniel R. Stankoski, Lonnie L. Mixon, Michael A. (Mike), and Rick Kingrea prepared to take their Oath of Office.

The Honorable James H. Reid, Circuit Judge, 28th Judicial Circuit of the State of Alabama, then gave the Oath of Office to the new Council: Mayor Kant; Councilmembers Quinn, (Place # 1); Stankoski, (Place # 2); Mixon, (Place # 3); Ford, (Place # 4); and Kingrea, (Place # 5). (Signed Oaths inserted at end of these minutes.)

The new administration took their seats on the dais and continued with business.

Mayor Kant presented Council President Gentle his picture from the lobby of the Civic Center, name plate, and gavel. Mayor Kant also presented Councilmember Christenberry his picture from the lobby of the Civic Center and name plate. Mr. Gentle addressed the City Council and said, "I just have one thing to say, do right."

Mayor Kant stated we do things a little different in Fairhope. We are free spirited. Willie Bean Roscoe P. Coltrane and Finn McCool were presented a certificate of recognition for their part in the Municipal Elections. Willie Bean, a canine, is with the Independent Party and received 2,893 votes from around the world. Finn McCool, a feline, is with the Librarian Party and received 150 votes from within the Fairhope jurisdiction.

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Ms. Hanks conducted the procedures for electing a Council President and Council President Pro Tempore. Ms. Hanks explained that the Councilmembers would nominate a council president and council president pro tempore and a voice vote would be taken from each Councilmember.

The floor was then opened for Council President nominations: Councilmember Kingrea nominated Councilmember Quinn. Seconded by Councilmember Stankoski and no other nominations were made. The floor for nominations was then closed. Councilmember Quinn was voted by the Councilmembers as Council President by the following voice votes: AYE - Quinn, (Place # 1), Stankoski, (Place # 2), Mixon, (Place # 3), and Kingrea, (Place # 5). NAY - Ford, (Place # 4),

The floor was then opened for Council President Pro Tempore nominations: Councilmember Stankoski nominated Councilmember Mixon. Seconded by Councilmember Quinn and no other nominations were made. The floor for nominations was then closed. Councilmember Mixon was voted by the Councilmember as Council President Pro Tempore by the following voice votes: AYE - Quinn, (Place # 1), Stankoski, (Place # 2), Mixon (Place # 3), Ford, (Place # 4), and Kingrea, (Place # 5). NAY – None.

Council President Quinn took the presider's seat, called the meeting to order, and continued with business after making an opening statement.

Council President Quinn read the Ordinance for Rules of Procedures and asked for discussion from the City Council. Councilmember Stankoski mentioned the time of the meetings and if the time would be changed. There was a consensus in regards to the meeting time being changed from 5:30 p.m. to 6:00 p.m.

Councilmember Mixon inquired to why the citizen participation was in the middle of the agenda and asked if there would be a time limit. He stated business should come first and either put at the end or before the Council Comments. Councilmember Stankoski agreed with putting citizen participation before the Council Comments. Councilmember Ford and Kingrea also agreed to put at the end.

Council President Quinn continued by stating that the new method of voting would be "All in favor say AYE and all opposed say NAY." Only the required items per the Alabama Code (State Law) would be by voice vote.

Council President Quinn said we could set the Work Session at a later date. Councilmember Kingrea said he wanted to set the Work Session now or do away with them. He said we need to have the Work Session in the Council Chambers, bring out for the public, and hold them at 5:30 p.m. before the City Council meetings.

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Councilmember Mixon agreed with holding the Work Session at 5:30 p.m. in the Council Chambers. Council President Quinn stated that this section needs to be added with the change to the time and place.

Councilmember Ford stated he wanted City Attorney Marion E. Wynne to look into the situation where no one was in charge for setting up the agenda. Mr. Gentle was still Council President until 12:00 p.m. on October 31, 2008.

After further discussion, Councilmember Stankoski introduced in writing an ordinance establishing the Council Procedures. The ordinance replaces and supersedes all previous ordinances in conflict therewith. Councilmember Kingrea moved for immediate consideration. Seconded by Councilmember Mixon, motion for immediate consideration failed for lack of a unanimous vote. This ordinance will layover for final adoption at the next regular City Council meeting.

Mayor Kant asked to be heard and questioned whether or not the Mayor had a place on the agenda. Council President Quinn replied yes, under the section "Report of Officers." Councilmember Ford said the Mayor's remarks were helpful. Councilmember Mixon commented that if the Mayor does not have anything on the agenda or to say, he does not have to attend the meeting.

Council President Quinn stated that the next meeting would be at 5:30 p.m. with the Work Session at 5:00 p.m. since the new procedures were not passed.

Councilmember Mixon moved to temporarily ratify the use of the present financial depositories pending permanent designation at a regular council meeting. Seconded by Ford, motion passed unanimously.

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing signees for all City of Fairhope accounts. Seconded by Councilmember Mixon, motion passed unanimously.

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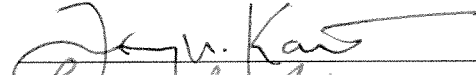
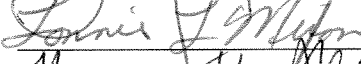

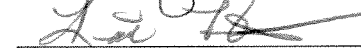
3 November 2008

**RESOLUTION NO. 1469-08**

**WHEREAS**, two signatures are required on all monetary transactions of the City of Fairhope; and

**WHEREAS**, travel is sometimes required of the Mayor and of the Treasurer and provisions should be made to cover monetary requirements of the City in the absence of one or both; **THEN, THEREFORE**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA**, that all Financial Depositories where monies of the City are deposited, whether in checking, savings, or other type accounts, currently or in the future; be and hereby are advised that **any two of the following signees** are authorized to sign any monetary transaction between said Depositories and the City of Fairhope, Alabama. Attached is a list of all Depositories for the City of Fairhope;

	Timothy M. Kant, Mayor
	Lonnie L. Mixon, Councilmember
	Nancy K. Wilson, City Treasurer
	Kim Higginbotham, Revenue Officer

**BE IT FURTHER RESOLVED** that Nancy K. Wilson and Kim Higginbotham are hereby authorized to use a facsimile signature for routine checks and paperwork:

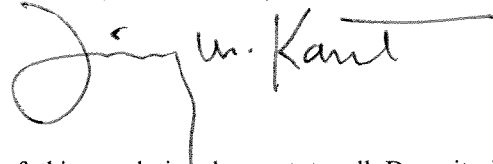
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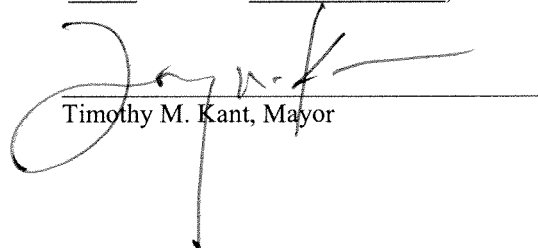
**BE IT FURTHER RESOLVED** that Mayor Timothy M. Kant is hereby authorized to use computer generated signature for routine checks under One Thousand Dollars (\$1,000.00). All monetary transactions must have at least one true signature.

Sample:

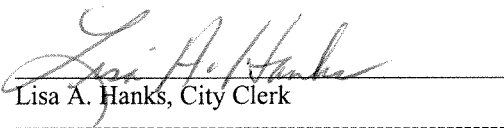


**BE IT FURTHER RESOLVED** that a certified copy of this resolution be sent to all Depositories as authorization of, and as a record of, above signee signatures.

ADOPTED THIS 3rd DAY OF NOVEMBER, 2008

  
Timothy M. Kant, Mayor

Attest:

  
Lisa A. Hanks, City Clerk

I certify this to be a true and correct copy of Res. No. 1469-08 as adopted by the Governing Body in regular session on 3 November 2008.

City Clerk

Date



3 November 2008

Council President Quinn asked the Councilmembers if they would serve in the following Liaison Committee Positions:

- |  |           |
|--|-----------|
| *Recreation Board – Recreation Director / Harbor Board – Public Works Director<br>Parking Authority – Public Works Director            | Ford      |
| *Industrial Development Board – Planner / Airport Authority Board – Planner<br>Library Board – Library Director                        | Stankoski |
| *Golf – Golf Director / Personnel Board – Human Relations Director   | Mixon     |
| *Recycle – Public Works Director / Tree Board – Public Works Director<br>Environmental Board – Assistant Public Works Director/Planner | Kingrea   |
| *Historic Preservation – Planner / Education – Planner<br>Downtown Business – Senior Services Director                                 | Quinn     |
| *Strategic Planning Committee – All Department Heads   | Mixon     |

Councilmembers Stankoski, Mixon, Ford, and Kingrea agreed to the appointments.

Council President Quinn reminded the City Council that there were vacancies on the Strategic Planning Committee. She asked the City Council to get their names for the appointments to Ms. Hanks by Wednesday for the next City Council meeting.

Council President Quinn stated that during the elections she came up with the idea of creating Study Groups which would be chaired by a Councilmember; involve city employees as well as citizens of Fairhope. Council President asked the Councilmembers if they would serve and chair the following Study Groups:

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|--|-------------------|
| *Public Safety Study Group<br>Public Safety Organization Overview<br>Public Safety Policies and Procedures     | Chair - Stankoski |
| *Ordinance/Judicial Review Study Group<br>Review Ordinances<br>Review Judicial Policies and Procedures         | Chair - Kingrea   |
| *Growth and Sustainability Issues Study Group<br>Growth Issues outside of City Limits<br>Sustainability Issues | Chair - Quinn     |
| *Finance Study Group<br>Organization Overview<br>Policies and Procedures                                       | Chair - Mixon     |

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Councilmembers Stankoski, Mixon, and Kingrea agreed to the appointments. Council President Quinn asked the City Council to bring names back to the Council for appointments to the Study Groups.

Councilmember Mixon moved that City Clerk Lisa Hanks, City Treasurer Nancy Wilson, Chief of Police Michael Comalander, and City Attorney Marion E. Wynne continue their respective duties pending permanent appointment at a regular council meeting. Councilmember Kingrea commented we were all at the meeting this past Friday. The Alabama League of Municipalities recommended that a strong Council should appoint these people. Councilmember Kingrea also said this should have been done four years ago and the Council is doing what we need to do. Councilmember Ford stated that we put all of you on committees tonight, but people we know and trust you will not appoint them. After further discussion, the motion was seconded by Councilmember Stankoski, motion passed by the following voice vote: AYE – Quinn, Stankoski, Mixon, and Kingrea. NAY – Ford.

Council President Quinn stated that City Attorney Wynne was not actually our appointed City Attorney and on contract with the City of Fairhope. She said we need to authorize Mayor Kant to sign a contract with Attorney Wynne to retain him for legal services for the City of Fairhope. Councilmember Mixon moved to authorize Mayor Kant to execute a contract with Attorney Marion E. Wynne to retain him to perform legal services for the City of Fairhope at the rate of \$2,000.00 per month for all city council meetings and all city court appearances. City Attorney Wynne will also receive \$150.00 per hour for any additional legal services that the City of Fairhope needs. This contract will be for three months from today's date, November 3, 2008, and can be renewed at any time prior to the end of the three months. Seconded by Councilmember Kingrea, motion passed unanimously.

Mayor Kant addressed the City Council and congratulated Debbie Quinn for being elected as Council President and Lonnie Mixon as Council President Pro Tem. The following is from the Mayor's Address:

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I want to thank all the citizens who took the time and were part of the election cycle. Some are happy and others are disappointed. Let's take the energy from the many volunteers and work together. One does not have to go far to see what happens when you do not work together – you can look to our own state senate. We all were elected at large. This means we all heard from all areas of the city. I heard over and over that we need better communication between government and the citizens. I plan to meet with different neighborhood groups on a regular basis and will invite council members to join me in these meetings. If we are going to keep the quality of life in Fairhope we must educate ourselves on the needs of the City and make sure the citizens understand what we are trying to do. I pledge tonight to work with this council. I hope as we debate the issues we will not take it personally. I believe it is time to have more work sessions so our citizens can see that a lot of time does go into our decisions and not read about issues for the first time in the newspaper. If we all vote what we think is best for Fairhope then Fairhope will always be the winner. As a start my third term, I plan to listen more and make sure the council understands the finances of this City. I will sit down with each one of you as often as needed for you to understand. I look forward to this community understanding as well. I want to thank all the 300 plus employees who make Fairhope run. My job is the best one that anyone could ask for knowing that they are serving the citizens of Fairhope 24 hours a day, 365 days a year.

As I finish my address, I would not be here if not for my wife. Thank you Karla!

Eight years ago Jeanette Puckett closed out her service to the City by stating the following:

“To the newly elected officials who ran for office to make Fairhope a better place, I issue you a word of caution. There are distracters out there who will tempt to ruin your reputation, which will tell untruths about you and will slander your name. Don't be distracted; keep your focus on Fairhope. Remember you are serving the best City in the world.

Thank you and God bless Fairhope.

Council President Quinn asked the City Council if they would like to say a few words and began with Councilmember Stankoski.



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Councilmember Stankoski stated that there will be change in wind and turbulent times ahead. We may have varying points of view, but will be good for the City. We need to simplify financial reports and Planning & Zoning documents. We could vary meeting places, possibly televise meetings, and better utilize our website for citizens. I look forward to a good four years and hope to be better at the end.

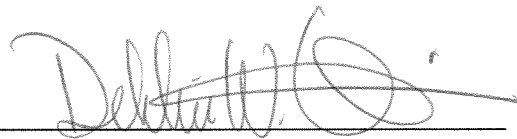
Councilmember Mixon told Mayor Kant he was the Flag Bearer of the City. We want to be the best for Fairhope and hope that you are happy at the end of the year. Our employees are dedicated.

Councilmember Ford stated that public service is a high calling. Citizens ask; me why do you do it. I reply because I like it! We must work together. Don't change just because it is change.


Councilmember Kingrea said he was glad to hear the Mayor's response. Citizens are tired of seeing the bickering. We need to work together; not just the six of us and the 300 employees, but also the citizens of Fairhope. We have great people and have to be involved. We want the best for Fairhope.

Councilmember Mixon moved to adjourn the meeting. Seconded by Stankoski, motion passed unanimously.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:48 p.m. A reception was held in the Lobby immediately following the meeting.



Debbie W. Quinn, Council President

  
Lisa A. Hanks, City Clerk

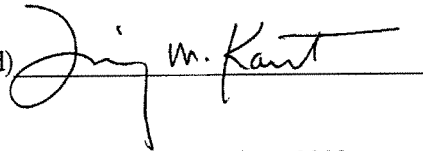
3 November 2008

**OATH OF OFFICE**

STATE OF ALABAMA            )  
   :  
 COUNTY OF BALDWIN        )  
   :  
 CITY OF FAIRHOPE         )

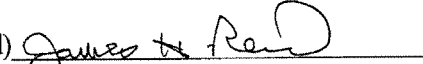
I TIMOTHY M. KANT, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

(Signed)



Sworn to and subscribed before me this 3rd Day of November, 2008.

(Signed)



James H. Reid  
 Circuit Judge  
 28<sup>th</sup> Judicial Circuit  
 State of Alabama

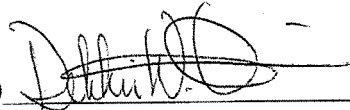
3 November 2008

**OATH OF OFFICE**

STATE OF ALABAMA            )  
   :  
 COUNTY OF BALDWIN        )  
   :  
 CITY OF FAIRHOPE         )


I DEBBIE W. QUINN, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

(Signed)



Sworn to and subscribed before me this 3rd Day of November, 2008.

(Signed)



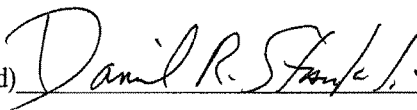
James H. Reid  
 Circuit Judge  
 28<sup>th</sup> Judicial Circuit  
 State of Alabama

3 November 2008


**OATH OF OFFICE**

STATE OF ALABAMA            )  
   :  
 COUNTY OF BALDWIN        )  
   :  
 CITY OF FAIRHOPE         )

I DANIEL R. STANKOSKI, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

(Signed) 

Sworn to and subscribed before me this 3rd Day of November, 2008.

(Signed)   
 James H. Reid  
 Circuit Judge  
 28<sup>th</sup> Judicial Circuit  
 State of Alabama

3 November 2008

**OATH OF OFFICE**

STATE OF ALABAMA            )  
   :  
 COUNTY OF BALDWIN        )  
   :  
 CITY OF FAIRHOPE         )

I   **LONNIE L. MIXON**  , solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

(Signed) Lonnie L. Mixon

Sworn to and subscribed before me this   3rd   Day of   November  , 2008.

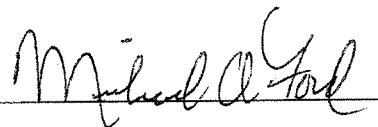
(Signed) James H. Reid  
 James H. Reid  
 Circuit Judge  
 28<sup>th</sup> Judicial Circuit  
 State of Alabama

3 November 2008


**OATH OF OFFICE**

STATE OF ALABAMA            )  
   :  
 COUNTY OF BALDWIN        )  
   :  
 CITY OF FAIRHOPE         )

I MICHAEL A. FORD, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

(Signed) 

Sworn to and subscribed before me this 3rd Day of November, 2008.

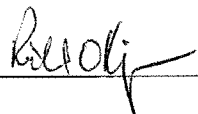
(Signed)   
 James H. Reid  
 Circuit Judge  
 28<sup>th</sup> Judicial Circuit  
 State of Alabama

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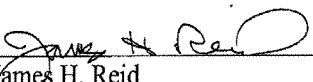
**OATH OF OFFICE**

STATE OF ALABAMA            )  
                                       :  
 COUNTY OF BALDWIN        )  
                                       :  
 CITY OF FAIRHOPE         )

I RICHARD O. KINGREA, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

(Signed)  \_\_\_\_\_

Sworn to and subscribed before me this 3rd Day of November, 2008.

(Signed)  \_\_\_\_\_  
 James H. Reid  
 Circuit Judge  
 28<sup>th</sup> Judicial Circuit  
 State of Alabama