

STATE OF ALABAMA)
 :
 COUNTY OF BALDWIN)(

The City Council, City of Fairhope, met in regular session at 5:30 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 25 August 2008.

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

There being a quorum present, Council President Gentle called the meeting to order. The invocation was given by Dr. John Alford, Pastor of Fairhope Christian Church, and the Pledge of Allegiance was recited. Councilmember Stankoski moved to approve minutes of the August 11, 2008, regular meeting. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

Sherry Sullivan made the following announcements:

- 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.
- Fairhope Pier Players every Thursday evening from 6:00 p.m. until sunset at the Fairhope Municipal Pier.
- Tomorrow is Election Day and everyone votes at the Civic Center. The poll will open at 7:00 a.m. and close at 7:00 p.m.

Mayor's Comments and Staff Reports:

- Rose Fogarty, Finance Director, and Nancy Wilson, City Treasurer, presented the following PowerPoint presentation no action was taken by City Council.

25 August 2008

**CITY OF FAIRHOPE
CITY COUNCIL MEETING
AUGUST 25, 2008**

**SUMMARY
FINANCIAL REPORTS
TEN MONTHS ENDED
7/31/2008**

General Fund

	July 2008	July 2007	10 months Ended 7/31/2008	10 months Ended 7/31/2007	Year to Date Increase (Decrease)
Revenues	1,183,547	2,148,841	18,318,224	17,524,928	(1,278,904)
Expenses	1,506,781	2,217,031	18,877,143	17,207,421	(288,678)
Excess Revenues Over (Under) Expenses	(323,234)	(67,190)	(561,719)	327,507	

Slide 1

Gas Fund

	July 2008	July 2007	10 months Ended 7/31/2008	10 months Ended 7/31/2007	Year to Date Increase (Decrease)
Revenues	487,100	387,572	8,877,342	8,896,548	192,354
Cost of Energy	213,214	*18,319	3,721,151	3,297,318	483,895
Expenses	311,489	282,330	2,858,530	2,456,429	411,031
Excess Revenues Over (Under) Expenses	(157,713)	(21,067)	2,360,261	2,142,801	

Slide 2

Electric Fund

	July 2008	July 2007	10 months Ended 7/31/2008	10 months Ended 7/31/2007	Year to Date Increase (Decrease)
Revenues	2,338,514	1,747,885	14,003,177	12,869,137	1,135,040
Cost of Energy	1,518,587	1,143,441	8,035,469	7,328,754	1,408,715
Expenses	510,151	461,732	4,947,822	4,830,724	311,263
Excess Revenues Over (Under) Expenses	*48,776	*22,712	2,989,886	2,809,659	

Slide 3

Water Fund

	July 2008	July 2007	10 months Ended 7/31/2008	10 months Ended 7/31/2007	Year to Date Increase (Decrease)
Revenues	787,220	811,027	6,887,323	7,212,382	(655,428)
Cost of Energy	42,475	57,548	544,352	529,478	20,878
Expenses	248,257	272,567	8,311,333	5,961,258	2,350,075
Excess Revenues Over (Under) Expenses	49,488	*80,911	(2,974,362)	721,646	

Slide 4

Golf Fund

	July 2008	July 2007	10 months Ended 7/31/2008	10 months Ended 7/31/2007	Year to Date Increase (Decrease)
Revenues	138,802	135,427	1,248,718	1,262,209	(11,492)
Expenses	194,228	172,695	1,815,208	1,244,131	71,152
Excess Revenues Over (Under) Expenses	(15,426)	25,042	(566,490)	1,018,078	

Slide 5

Slide 6

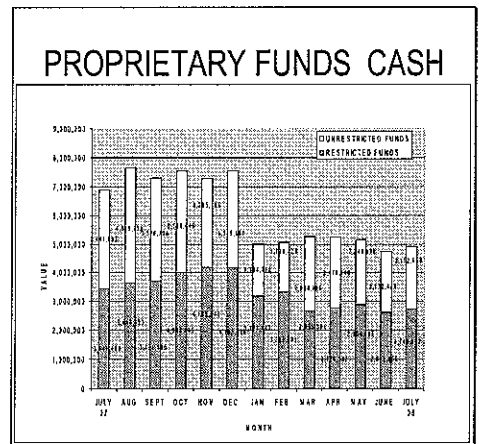
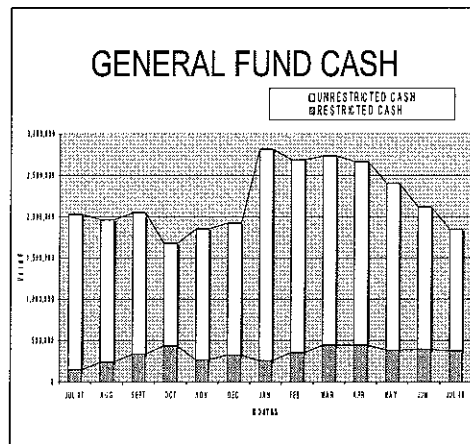
25 August 2008

All Fund	JULY 2008	JULY 2007	10 months ended 7/31/2008	10 months ended 7/31/2007	Year to Date Increase (Decrease)
Revenues	4,833,758	5,231,730	45,334,394	45,873,775	(539,381)
Expenses	5,171,313	4,982,142	45,523,739	42,884,208	2,639,531
Excess Revenues Over (Under) Expenses	(337,555)	249,588	(189,345)	2,989,567	

CITY OF FAIRHOPE COMPARISON 7/31/2008	CASH			CAPITAL PROJECTS			DEBT		
	ACCOUNT	DEBIT	CREDIT	ACCOUNT	DEBIT	CREDIT	ACCOUNT	DEBIT	CREDIT
GENERAL FUND	1,153,227		1,553,227	3,743,830		3,743,830	2,023,746		2,023,746
WATER FUND	291,763	45,371	337,134	225,142	42,231	267,373	843,227	48,723	891,950
ELECTRIC FUND	1,213,366	82,248	1,295,614	1,222,267	82,148	1,304,415	1,120,469	62,844	1,183,313
WATER FUND	1,497,544	1,744,226	3,241,770	1,247,236	1,492,750	2,739,986	1,279,448	1,199,278	2,478,726
WATER FUND	46,427	34,927	81,354	78,210	75,742	153,952	128,479	128,479	256,951
GAS TAX FUND	111,500	119,258	230,758	144,864	146,584	291,448	321,250	321,250	642,500
CAPITAL PROJECTS	2,311,147	2,071,117	4,382,264	1,071,834	3,027,044	3,027,044	4,127,260		4,127,260
CAP PROJECTS	12,221	62,751	74,972	12,221	12,221	24,442	12,221		24,442
TOTALS	7,239,233	2,069,211	9,308,444	7,412,294	2,164,225	9,576,519	6,113,881	1,682,844	7,796,725

Slide 7

Slide 8



Slide 9

Slide 10

Councilmember Quinn introduced in writing Ordinance No. 1367, an ordinance authorizing and granting to Bellsouth Telecommunications, Inc. d/b/a AT&T Alabama the right to use the rights-of-way of the City of Fairhope, Alabama to provide video services to the citizens of the City under the terms of a video service agreement. In order to take immediate action, Councilmember Stankoski moved for immediate consideration. Seconded by Councilmember Christenberry, motion for immediate consideration passed unanimously by the following votes: AYE - Quinn, Stankoski, Christenberry, Ford and Gentle. NAY - none. Councilmember Christenberry then moved for final adoption of Ordinance No. 1367. Seconded by Councilmember Stankoski, motion for final adoption passed unanimously by the following votes: AYE - Quinn, Stankoski, Christenberry, Ford and Gentle. NAY - none.

25 August 2008

A Public Hearing was held as advertised to discuss the acquisition of recreational facilities for "Sweetwater Park" located at Scenic Highway 98 and Nelson Road. Nancy Milford, Planner, addressed the City Council and stated that the grant is under the Land Water Conservation Fund with a 50/50 match and a maximum of \$100,000.00 for property acquisition. The grant must be received by ADECA by September 2, 2008. She also told the City Council that ADEM's No Further Action Letter was received today. This public hearing is a requirement for the grant. Councilmember Quinn asked; "How many parking spots will be at the park?" Ms. Milford replied 11 to 12 spots are designated for parking.

Council President Gentle opened the Public Hearing at 5:49 p.m.

1. Arthur Edgar, 6112 Nelson Road, addressed the City Council and stated there is no better use for this location than this park and it would be great for the area.
2. Alan Hall, resident of Fairhope, addressed the City Council and asked had the site been Phase I? Ms. Milford replied the no further action letter has been received from ADEM.
3. Ms. Milford stated that Mike McPherson with the Baldwin County Trailblazers could not make it tonight, but wanted the City Council to know that he is in favor of the park.

The Public Hearing closed at 5:53 p.m.

Councilmember Quinn stated that she plans to talk with ADECA regarding the maximum amount allowed for this grant.

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution to present an application to the Alabama Department of Economic and Community Affairs for grant assistance, for acquiring the Sweetwater Park property, from the Land Water Conservation Fund. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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25 August 2008

RESOLUTION NO. 1457-08

WHEREAS, the City of Fairhope proposes to acquire the Sweetwater Park Property to provide for the health and well being of the general public; and

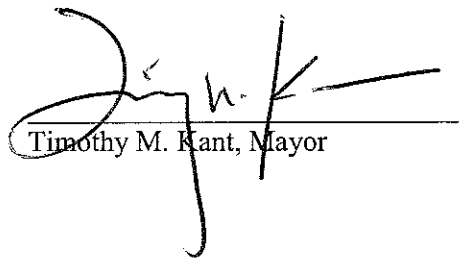
WHEREAS, the City of Fairhope intends to make application to the Alabama Department of Economic and Community Affairs for grant assistance, for the Sweetwater Park, from the Land Water Conservation Fund; and

WHEREAS, said programs are limited to funding a maximum of fifty percent (50%) of the proposed project costs estimated at \$100,000 which will be used to acquire .36 acres for the purpose of developing Sweetwater Park to be used as an environmental, educational, and public access project.

NOW THEREFORE BE IT RESOLVED, that the City of Fairhope, hold in reserve fifty percent (50%) of the proposed project cost for the purpose of matching the Land and Water Conservation Fund assistance, and

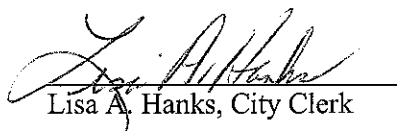
BE IT FURTHER RESOLVED, that in the event a grant is awarded, the City of Fairhope understands that it will sign assurances to comply with all applicable Federal and State laws, rules and regulations.

APPROVED THIS THE 25TH DAY OF AUGUST, 2008.



Timothy M. Kant, Mayor

ATTEST:



Lisa A. Hanks, City Clerk

Councilmember Christenberry introduced in writing, and moved for the adoption of the following resolution, a resolution accepting the public streets, public right-of-way, and all of Fairhope's public utilities within The Willows Subdivision for maintenance. Seconded by Councilmember Stankoski, motion passed by the following votes: AYE - Quinn, Stankoski, Christenberry, and Gentle. Councilmember Ford recused himself.

25 August 2008

RESOLUTION NO. 1458-08

WHEREAS, the Owners of The Willows desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2364-C, and all Fairhope public utilities located in public right-of-ways accepted for maintenance by the City of Fairhope, Alabama, and;

WHEREAS, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements as indicated on the recorded plat, and;

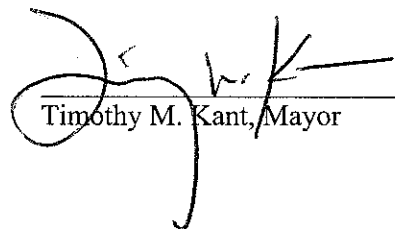
WHEREAS, the General Superintendent has indicated that the improvements meet City requirements, and;

WHEREAS, the City of Fairhope, Alabama, is not and in no manner will be responsible for the maintenance of common areas in the subdivision as indicated on the recorded plat, and;

WHEREAS, the City of Fairhope, Alabama, has received from the owners of The Willows maintenance bonds for the public improvements constructed for a period of 2 years, and;

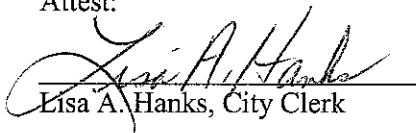
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for The Willows are hereby accepted for public maintenance subject to the bond posted.

Adopted, this 25th day of August, 2008



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, City Clerk

Councilmember Christenberry introduced in writing, and moved for the adoption of the following resolution, a resolution issuing a Certificate of Election to Councilmember Lonnie L. Mixon – Place # 3. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

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25 August 2008

RESOLUTION NO. 1459-08

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and;

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and;

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of Candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and;

WHEREAS, Newton E. Delchamps and Lonnie L. Mixon filed a statement of candidacy for the office of PLACE #3 by 5:00 p.m. on the third Tuesday in July preceding the 26th day of August, 2008, the date set for an election of municipal officers in the City of Fairhope, Alabama. Due to a written statement, dated August 18, 2008, by Newton E. Delchamps requesting to be removed from the election ballot, and now that only one person is nominated for the office, and;

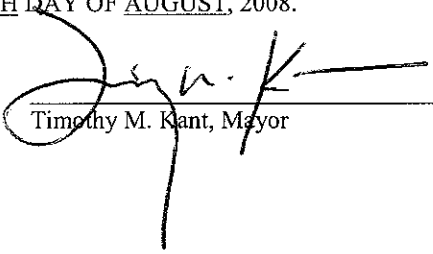
WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue Certificate of Election to such person, and;

WHEREAS, the Mayor of the City of Fairhope has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person is nominated for the office of PLACE #3 due to the written withdrawal from Newton E. Delchamps, and now that only one person is nominated for the office, and the name of such person is LONNIE L. MIXON, and;

NOW, THEREFORE, BE IT RESOLVED by the Fairhope City Council of the City of Fairhope, that he and he is hereby declared duly elected to the office of CITY COUNCIL in the City of Fairhope for the term of office commencing on the first Monday in November, 2008, and;

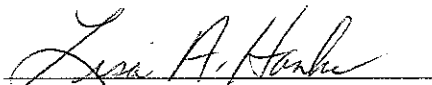
BE IT FURTHER RESOLVED, that the Mayor of the City of Fairhope be and he hereby is directed to issue a Certificate of Election to LONNIE L. MIXON for the office of CITY COUNCIL - PLACE # 3 for such term pursuant to the provisions of Section 11-46-25, as amended.

ADOPTED THIS THE 25TH DAY OF AUGUST, 2008.



Timothy M. Kant, Mayor

Attest:



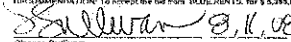
Lisa A. Hanks, City Clerk


25 August 2008

Councilmember Christenberry moved to grant the request of Katherine Dubuisson requesting permission to have alcohol at the Fairhope Beach Pavilion for an engagement party on October 11, 2008 from 4:00 p.m. to 8:00 p.m. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

CITY OF FAIRHOPE
 BID TABULATION AND RECOMMENDATION
 BID NAME: TENT RENTAL FOR NEW YEAR'S EVE 2008
 BID OPENED: 08/08/08

BIDDER	DELIVERY LEAD TIME	ADDENDUM #1 RETURNED/ SIGNED	BID PRICE
BLUE RENTS	14 DAYS	YES	\$5,325.00
MOBILE POPCORN CO., INC.			NO BID
PORT CITY RENTALS			NO RESPONSE
MILLER'S GRAND EVENTS, INC.			NO RESPONSE

RECOMMENDATION: To accept the bid from BLUE RENTS, for \$5,325.00.

 Sherry Sullivan
 Director of Senior Services

To the best of my knowledge,
 this is a complete and accurate
 tabulation.

 Daniel P. Ames
 Purchasing Manager

Councilmember Stankoski moved to accept the low bid of Blue Rents, Inc. provided all specifications are met, for tent rental for New Years Eve Celebration 2008. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote. This expense will be offset by the City's rental of tents to individuals and/or clubs for the event.

25 August 2008

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 addressed the City Council and mentioned the letter received today from D. J. McInnes, the Director of Alabama Department of Transportation ("ALDOT"), regarding the Greeno Road Median Project and the owner of Green Nurseries and Landscape Design, Inc. Councilmember Christenberry asked City Attorney Wynne if he could read the letter. City Attorney Wynne replied this is a private matter between the parties. Councilmember Christenberry mentioned that Mr. McInnes was monitoring the activities and said we need to get with a decision.

City Attorney Marion E. Wynne read the following memorandum to enter into an Emergency Executive Session for approximately 30 minutes:



August 25, 2008

Brently M. East, C.M.O.
Mayor

Genevieve W. Johnson, C.M.C.
City Clerk

Nancy R. Wilson, CPA
Treasurer

Council Members

Cecil Christenberry

Michael A. Ford, A.C.M.O.

Robert C. Gentile, C.M.O.

Debra W. Quinn, A.C.M.O.

Daniel R. Stankoski

Council President Gentle
City Councilmembers


Location – City Hall Conference Room

As City Attorney Marion E. Wynne I hereby request the Fairhope City Council go into an emergency executive session for an update on possible litigation.

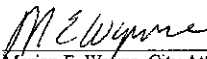
City Attorney Wynne does hereby declare that the City Council of the City of Fairhope rise from a Regular City Council meeting, on Monday, August 25, 2008, to go into Executive Session.

The City Council shall be in Executive Session for approximately 30 minutes/~~hours~~. At the end of the Executive Session the City Council shall return the City Council Chambers to resume the Regular City Council meeting.

The time is 6:02pm. City Council exits the dais to go into Executive Session.



Bob Gentle, City Council President



Marion E. Wynne, City Attorney

25 August 2008

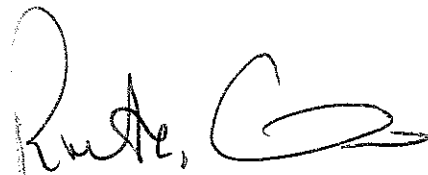
Councilmember Quinn moved to go in to executive Session. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

At 6:02 p.m. All Councilmembers and the City Attorney exited the City Council Chambers.

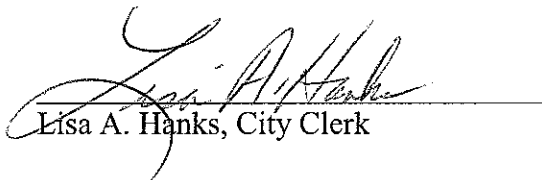
At 6:25 p.m. All Councilmembers and the City Attorney returned to the City Council Chambers.

City Attorney Wynne stated that the City Council discussed the history and issues of the Greeno Road Median Project and Green Nurseries and Landscape Design, Inc. The City of Fairhope previously presented a settlement offer to the Greens and presented this offer again to their attorney, Mr. Sweet, this morning. As of tonight, we have not received a response to our offer. The City Council unanimously agreed to give a 48 hour time limit on this settlement offer and if the offer is not accepted, it is automatically withdrawn.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:25 p.m.



Robert C. Gentle, Council President



Lisa A. Hanks, City Clerk

STATE OF ALABAMA)
 :
 COUNTY OF BALDWIN)(

The City Council, City of Fairhope, met in Special City Council meeting at 10:00 a.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Tuesday, 2 September 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 President Gentle explained that the provisional ballots must be opened and counted at this meeting. City Clerk Lisa Hanks explained that this is a new procedure to Municipal Elections and the City Council is the Canvassing Board who is required to count the ballots. Ms. Hanks told the City Council that she had called the Alabama League of Municipalities regarding the provisional ballots and verified the City Council, as the Canvassing Board, was to count the ballots. Councilmember Christenberry stated that this procedure was not keeping the ballots secret. Ms. Hanks replied that this was the reason she checked out the procedure ahead of time and asked the exact same question regarding secrecy.

Councilmember Christenberry moved to allow City Clerk Lisa Hanks to open and count the provisional ballots. Seconded by Councilmember Quinn, motion passed by the following votes: AYE - Quinn, Christenberry, Ford and Gentle. NAY – none. ABSTAIN – Stankoski.

City Attorney Marion E. Wynne read the following memorandum to enter into an Emergency Executive Session for approximately 5 minutes:

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2 September 2008



September 2, 2008

Timothy M. Kant, C.M.O.
Mayor

Genevée W. Johnson, C.M.C.
City Clerk

Nancy K. Wilson, CPA
Treasurer

Council Members

Cecil Christenberry

Michael A. Ford, A.C.M.O.

Robert C. Gentle, C.M.O.

Debbie W. Quinn, A.C.M.O.

Daniel R. Stankowski

Council President Gentle
City Councilmembers

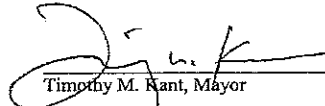
Location – City Hall Conference Room

As Mayor of the City of Fairhope I hereby request on behalf of Marion E. Wynne City Attorney that the Fairhope City Council go into Emergency Executive Session to hear an update on possible litigation.

City Attorney Wynne does hereby declare that the City Council of the City of Fairhope rise from a Special City Council meeting, on Tuesday, September 2, 2008, to go into Executive Session.

The City Council shall be in Executive Session for approximately 5 minutes/~~hour(s)~~. At the end of the Executive Session the City Council shall return to the City Council Chambers to resume the Special City Council meeting.

The time is 10:15 a.m. City Council exits the dais to go into Executive Session.



Timothy M. Kant, Mayor



Marion E. Wynne, City Attorney



Robert C. Gentle, Council President

161 North Section Street
P.O. Drawer 429
Fairhope, Alabama 36533
251-928-2138
251-928-6776 Fax
www.cityoffairhope.com
Printed on recycled paper

Councilmember Quinn moved to go in to executive Session. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

At 10:15 a.m. Mayor Kant, all Councilmembers and the City Attorney began the Executive Session and all others attending the meeting exited the City Council Chambers.

At 10:21 a.m. Mayor Kant, all Councilmembers and the City Attorney ended the Executive Session and all others attending the meeting returned to the City Council Chambers.

2 September 2008

City Clerk Lisa Hanks read the results of the provisional ballots to the City Council. She stated that one of the ballots was not counted because there was no reason checked for the absentee ballot nor was the signature notarized or witnessed by two people as required by law.

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution to Canvass the 2008 Municipal Election. Seconded by Councilmember Christenberry, motion passed by the following votes: AYE - Quinn, Christenberry, Ford and Gentle. NAY – none. ABSTAIN – Stankoski.

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2 September 2008

CANVASS RESOLUTION
Resolution No. 1460-08

WHEREAS, the General Election for the City of Fairhope was duly and legally held on Tuesday, 26 August 2008, as provided by law; and,

WHEREAS, the Municipal governing body of the City of Fairhope met on this 2nd day of September, 2008, all members thereof being present, at 10:00 o'clock a.m. and has canvassed the returns, and has ascertained and determined the number of voters received by each candidate; and,

WHEREAS, the said municipal governing body has ascertained and determined the result of said election as follows:

CANDIDATE	BOX NO. 1	BOX NO. 2	BOX NO. 3	ABSENTEE MACHINE	SUBTOTALS	PROVISIONAL BALLOTS	TOTALS
FOR MAYOR							
Jack Burrell	92	187	201	13	493	1	494
Rick Gambino	81	159	201	11	452	0	452
Robert C. Gentle	206	387	447	45	1085	1	1086
Timothy M. Kant	223	439	523	63	1248	4	1252
Dean Mosher	232	456	518	76	1282	2	1284
Vince Valentim	12	11	10	0	33	0	33
Chris Warner	151	274	383	26	834	2	836
FOR PLACE NO. 1							
John H. Meyer	354	615	810	65	1844	5	1849
Debbie W. Quinn	604	1229	1382	159	3374	5	3379
FOR PLACE NO. 2							
Danny Corte	419	806	937	52	2214	4	2218
Daniel R. Stankoski	445	841	990	141	2417	5	2422
Douglas Taylor	88	156	215	24	483	1	484
FOR PLACE NO. 4							
Phil Brady	424	762	928	96	2210	4	2214
Michael A. (Mike) Ford	516	1009	1199	125	2849	6	2855
FOR PLACE NO. 5							
Alan T. Hall	402	789	995	111	2297	8	2305
Rick Kingrea	518	973	1108	104	2703	2	2705

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairhope, Alabama, as follows:

1. THAT **DEBBIE W. QUINN** received a majority of the votes casted for the office of Councilmember **PLACE NO. 1** and is hereby declared duly elected to that office for the term beginning 3 November 2008.

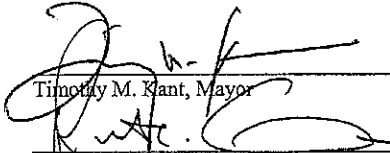
2 September 2008

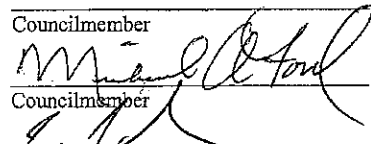
- 2. THAT MICHAEL A. (MIKE) FORD received a majority of the votes casted for the office of Councilmember PLACE NO. 4 and is hereby declared duly elected to that office for the term beginning 3 November 2008.
- 3. THAT RICK KINGREA received a majority of the votes casted for the office of Councilmember PLACE NO. 5 and is hereby declared duly elected to that office for the term beginning 3 November 2008.

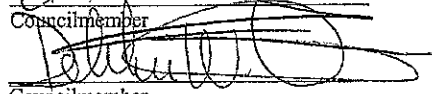
THAT NO CANDIDATE received a majority of the votes casted for the office of MAYOR and that DEAN MOSHER and TIMOTHY M. KANT received the most and second most votes casted for the office, therefore, a runoff election between said candidates is hereby ordered to be held on Tuesday, 7 October 2008, pursuant to the requirement of Section 11-46-20 et seq., of the Alabama Code of 1975, as amended.

THAT NO CANDIDATE received a majority of the votes casted for the office of Councilmember PLACE NO. 2 and that DANIEL R. STANKOSKI and DANNY CORTE received the most and second most votes casted for the office, therefore, a runoff election between said candidates is hereby ordered to be held on Tuesday, 7 October 2008, pursuant to the requirement of Section 11-46-20 et seq., of the Alabama Code of 1975, as amended.

ADOPTED THIS 2ND DAY OF SEPTEMBER, 2008.

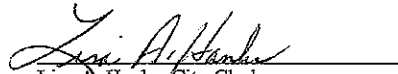

 Timothy M. Kant, Mayor
 Councilmember

Councilmember

 Councilmember

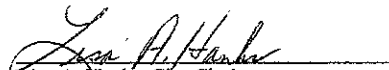
Councilmember

 Councilmember

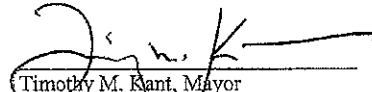


Attest:


 Lisa A. Hanks, City Clerk

Meeting was duly adjourned at 10:35 a.m.


 Lisa A. Hanks, City Clerk


 Timothy M. Kant, Mayor

2 September 2008

There being no further business to come before the City Council, the meeting was duly adjourned at 10:35 a.m.

A handwritten signature in black ink, appearing to read "Robert C. Gentle", written over a horizontal line.

Robert C. Gentle, Council President

A handwritten signature in black ink, appearing to read "Lisa A. Hanks", written over a horizontal line.

Lisa A. Hanks, City Clerk