

STATE OF ALABAMA)
 :
 COUNTY OF BALDWIN)

The City Council, City of Fairhope, met in regular session at 6:00 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 24 October 2016.

Present were Council President Jack Burrell, Councilmembers: Rich Mueller, Diana Brewer, Michael A. Ford, and Kevin Boone, City Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks. Mayor Timothy M. Kant was absent.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Reverend Matt McCollum of Trinity Presbyterian Church, and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 10 October 2016, regular meeting; minutes of the 10 October 2016, work session; minutes of the; and minutes of the, agenda meeting; and minutes of the 11 October 2016 special City Council meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Council President Burrell stated there was a need to add on an agenda item after Agenda Item Number 19: a resolution that the City Council authorizes Mayor Timothy M. Kant to execute a Work Squad Agreement between the Alabama Department of Corrections Loxley C.W.C. and the City of Fairhope with a cost of \$15.00 per inmate, per day.

Councilmember Brewer moved to add on the above mentioned item **not** on the printed agenda. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Mueller addressed the City Council and stated it was an honor and privilege to serve the City and to work with staff and Councilmembers.

Councilmember Brewer addressed the City Council and read the following statement:

I'm a writer. It's what I do. So you'll have to bear with me. I want to start by thanking my fellow councilmembers. It has been a pleasure getting to know you and serving with you. We accomplished a lot when we decided that communication, compromise and respect were more important than always getting our way, and the citizens benefited.

I'd also like to thank the city staff because that's where the real work gets done. We, as elected officials, can legislate, pass new ordinances, create new projects, and decide what to fund and what not to fund. But it's the 350-plus city employees who make this great city happen, day in and day out. And they do so knowing their boss (or bosses for that matter) could change every four years. That's a different kind of pressure, but I promise you, they are dedicated to our city and to our citizens, no matter whose names are on these placards.

24 October 2016

For almost four years, we, the governing body of the City of Fairhope managed to escape the negative tone and timbre of the national political scene. I remember thinking how amazing it was, like we'd gotten away with something. That we had maintained civility. That we stayed positive, even when we strongly disagreed. We had conversations. We didn't yell. We had disagreements, but we worked them out. I won some and I lost some. We all did. But then something happened. A small group of people found an opportunity to gain power, a power that I will never understand. Because, you see, four years ago I didn't run for office, for power, I ran for a cause. It was a cause I'd been supporting for many, many years, and in my mind was the most non-controversial cause we would ever know. After all, who is NOT for excellence in education? And we made strides in local education. We shifted funds to our schools, much-needed funds. We enabled the high school to purchase AP and IB textbooks so that students would be better prepared to not just take the AP texts, but prepared to earn passing grades on the AP tests. We provided funds for reading programs in the lower grades, robotics programs in the intermediate and professional development for the entire science department at the middle school. And the list goes on.

We also funded an academic audit that told us more about where our schools are, where our children are performing, than any amount of research we'd done before. Finally, we had the information we needed, the benchmark so to speak, to be able to gauge whether we were moving the needle academically, and even more importantly a solid plan for improving academics.

What became interesting, though, was that all during the course of this last election, the general and the runoff, no one, not a person, asked me about education unless they wanted to trap me with a question about city schools, something that had been off the table for years. No one asked about our parks program, our recreation program, or the feasibility study for the performing arts center. No one asked how our treasured Knoll Park is doing, or what our plans were for keeping it vibrant. It was disturbing to me because in less than one year we became an angry community where people yelled at other people in public, where people heckled the mayor during a candidate's forum, and where people heckled the mayor during a candidate's forum, and where people took to social media to disparage the names of people who didn't think exactly like them.

Was it because that had become the national norm? And if so, why did I always believe that Fairhope was different? Because Fairhope was different. Fairhope was a place where thoughtful, intellectual conversations took precedence over discussions about someone's socioeconomic status. Where instead of pointing fingers at each other, we pointed to ourselves and said, "How can we help?" We planned events together. We worked out our differences behind closed doors so that when the spotlight shined, everyone was smiling. We didn't insult each other in public. And we sure didn't teach our children that this was the way adults behaved.

I'm not perfect. Far from that, in fact. I've made plenty of mistakes and took many missteps. But I do know the difference between right and wrong, and I know the difference between being kind and being mean-spirited. I also know that when people respect one another, a whole lot more good than bad happens.

So this is my wish for the new mayor and council. That you will believe in the Fairhope that I believe in. That by your words AND your actions, people will know that name-calling and insults are absolutely unacceptable here. And that finally, by your GOOD and only your good deeds, people will know you to be a leader, and will follow your lead.

24 October 2016

Thank you for allowing me to serve you. It has been a privilege, and maybe, just maybe, a little bit of fun!

Councilmember Ford addressed the City Council and said he has enjoyed serving Fairhope and thanked everyone. The audience gave Councilmember Ford a standing ovation.

Councilmember Boone addressed the City Council and stated it has been a privilege serving the City and gave Councilmember Ford an at-a-boy.

Council President Burrell addressed the City Council and said it has be a privilege to serve with Rich, Diana, and Mike. He said Rich did great things behind the scenes. He said Diana studied the issues and will be sorely missed. Council President Burrell said that Mike has served this City for 34-1/2 years; and has served us well and his passion shows. We named a tennis center after him; and he thanked Councilmember Ford for his service.

Jim Jeffries recognized and announced that Fairhope's Veteran of the Year for 2016 is Tyrel "Ty" Northrop who was selected by his peers. Mr. Northrop retired from the United States Army as a SSG E6. Mr. Jeffries said that SSG Northrop enlisted in the Alabama National Guard on March 13, 1990 and was discharged on March 12, 2012. SSG Northrop has multiple military awards and decorations, medals, badges citations and campaign ribbon awarded and authorized. He is a life member of the VFW Post 5660 in Fairhope, volunteer fire fighter for 8 years, and other community and civic organization. SSG Northrop works for the City of Fairhope in the Gas Department. He has retired from the military, but he keeps and helps anyone he can: Veterans and any family that he can.

Council President Burrell recognized Councilmember Mueller for his service in the Navy; Councilmember Ford for his service in the Army; and Councilmember-Elect Brown for his service in the Army.

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope resolves to support the Baldwin County Board of Education ("BCBE") in its endeavor to realign the current Fairhope feeder pattern to include three PreK-6 schools; the City requests that this realignment is completed as expeditiously as possible, and ideally, in advance of the 2017-2018 school year; the City requests that the realigned schools include all current Fairhope students and that all of the schools are reasonably equitable by all measures, including but not limited to facility, programming, personnel and student composition; and it is the intent of the City Council to request from the BCBE that a series of logistical deadlines and intentions is communicated to the citizens of Fairhope in the very near term. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

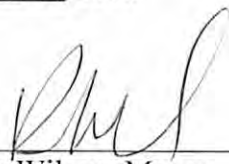
24 October 2016

RESOLUTION NO. 2595-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

1. The City of Fairhope resolves to support the Baldwin County Board of Education ("BCBE") in its endeavor to realign the current Fairhope feeder pattern to include three PreK-6 schools.
2. The City requests that this realignment is completed as expeditiously as possible, and ideally, in advance of the 2017-2018 school year.
3. The City requests that the realigned schools include all current Fairhope students and that all of the schools are reasonably equitable by all measures, including but not limited to facility, programming, personnel and student composition.
4. It is the intent of the City Council to request from the BCBE that a series of logistical deadlines and intentions is communicated to the citizens of Fairhope in the very near term.

Adopted on this 24th day of October, 2016



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope hereby adopts and approves the section of the Community Development Budget for the FY 2016-2017 which only applies to City Events and City Sponsored Events. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

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24 October 2016

RESOLUTION NO. 2596-16

WHEREAS, the City Council has not adopted the proposed Budget for the FY 2016-2017; and

WHEREAS, the City of Fairhope is desirous to hold City Events and City Sponsored Events throughout the year which require advanced planning; and reserving locations and dates; and

WHEREAS, the City Council is also desirous to adopt and approve the proposed section of the Community Development Budget for 2016-2017 which only applies to City Events and City Sponsored Events.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope hereby adopts and approves the section of the Community Development Budget for the FY 2016-2017 which only applies to City Events and City Sponsored Events.

ADOPTED THIS 24TH DAY OF OCTOBER, 2016



Karin Wilson, Mayor

ATTEST:



Lisa A. Hanks, MMC
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope hereby approves to continue appropriations for the Fairhope Public Library and the Haven at the same levels in the FY 2015-16 budget until such time the Budget for FY 2016-17 is adopted. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

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24 October 2016

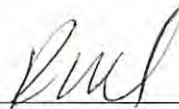
RESOLUTION NO. 2597-16

WHEREAS, the City Council has not adopted the proposed Budget for the FY 2016-2017; and

WHEREAS, the City of Fairhope is desirous to continue appropriations for the Fairhope Public Library and the Haven at the same levels in the FY 2015-16 budget until such time the Budget for FY 2016-17 is adopted; and

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope hereby approves to continue appropriations for the Fairhope Public Library and the Haven at the same levels in the FY 2015-16 budget until such time the Budget for FY 2016-17 is adopted.

ADOPTED THIS 24TH DAY OF OCTOBER, 2016



Karin Wilson, Mayor

ATTEST:



Lisa A. Hanks, MMC
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of 405 96-gallon Toter garbage carts for the fiscal year 2017 for the Public Works Department which will be procured in three separate orders of 135 units per truck load at \$7,423.19 each plus freight (total annual cost not to exceed \$25,000.00). The procurement will be through the National IPA Buying Group Contract #120576-01; and therefore does not have to be let out for bid. This has been nationally bid through the NIPA's bid process, and will not impact our bid limit for like items. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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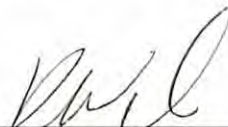
24 October 2016

RESOLUTION NO. 2598-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope approves the procurement of 405 96-gallon Toter garbage carts for the fiscal year 2017 for the Public Works Department which will be procured in three separate orders of 135 units per truck load at \$7,423.19 each plus freight (total annual cost not to exceed \$25,000.00). The procurement will be through the National IPA Buying Group Contract #120576-01; and therefore does not have to be let out for bid. This has been nationally bid through the NIPA's bid process, and will not impact our bid limit for like items.

Adopted on this 24th day of October, 2016



 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of Neptune Water Meters and Neptune Water Meter Heads for the Water Department for the fiscal year 2017 to be purchased as needed from Consolidated Pipe & Supply Co., Inc. as Sole Source Provider in the State of Alabama for Neptune Technology Group, Inc. The units must fit into our existing standardized system; and are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-51(b)(7). The estimated number of units is 650 Meters at \$175.00 per unit at a not to exceed annual cost of \$113,750.00; and 250 Meter Heads at \$175.00 per unit at a not to exceed annual cost of \$43,750.00. The total estimated annual cost is \$157,500.00. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

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24 October 2016

RESOLUTION NO. 2599-16**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, as follows:

[1] That the City of Fairhope approves the procurement of Neptune Water Meters and Neptune Water Meter Heads for the Water Department for the fiscal year 2017 to be purchased as needed from Consolidated Pipe & Supply Co., Inc. as Sole Source Provider in the State of Alabama for Neptune Technology Group, Inc. The units must fit into our existing standardized system; and are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-51(b)(7). The estimated number of units is 650 Meters at \$175.00 per unit at a not to exceed annual cost of \$113,750.00; and 250 Meter Heads at \$175.00 per unit at a not to exceed annual cost of \$43,750.00. The total estimated annual cost is \$157,500.00.

Adopted on this 24th day of October, 2016

Karin Wilson, Mayor

Attest:



Lisa A. Nanks, MMC
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of Gas Meters for the Gas Department for the fiscal year 2017 to be purchased as needed from Elster American Meter Company, LLC (manufacturer of these meters). The units must fit into our existing standardized system; and are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-51(b)(7). The procurement is not to exceed estimated annual total of \$70,000.00. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

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24 October 2016

RESOLUTION NO. 2600-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope approves the procurement of Gas Meters for the Gas Department for the fiscal year 2017 to be purchased as needed from Elster American Meter Company, LLC (manufacturer of these meters). The units must fit into our existing standardized system; and are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-51(b)(7). The procurement is not to exceed estimated annual total of \$70,000.00.

Adopted on this 24th day of October, 2016



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Timothy M. Kant is hereby authorized to execute the first extension of the Contract with DCP Enterprises, LP for Supply of Hydrated Lime and Gas Chlorine Chemicals for the Water & Sewer Department (Bid Number 003-16) for an additional one year as per the terms and conditions of the original contract. The cost of the products will be \$10.50 per 50 lb. bag for Hydrated Lime and \$97.50 per 150 lb. cylinder for Gas Chlorine. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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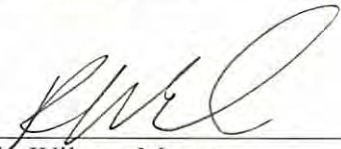
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24 October 2016

RESOLUTION NO. 2601-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute the first extension of the Contract with DCP Enterprises, LP for Supply of Hydrated Lime and Gas Chlorine Chemicals for the Water & Sewer Department (Bid Number 003-16) for an additional one year as per the terms and conditions of the original contract. The cost of the products will be \$10.50 per 50 lb. bag for Hydrated Lime and \$97.50 per 150 lb. cylinder for Gas Chlorine.

Adopted on this 24th day of October, 2016



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase four (4) Decorative Concrete Poles and fifteen (15) LED Lighted Bollards for the parking lot behind the Fairhope Public Library (Project No. EL001-17); authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The total cost will be \$29,613.00 which includes freight. This is a Fairhope Single Tax Corporation project. Councilmember Brewer thanked the Fairhope Single Tax Corporation for this project. Council President Burrell stated the City previously agreed to light and landscape. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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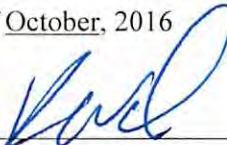
24 October 2016

RESOLUTION NO. 2602-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase four (4) Decorative Concrete Poles and fifteen (15) LED Lighted Bollards for the parking lot behind the Fairhope Public Library (Project No. EL001-17); authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The total cost will be \$29,613.00 which includes freight. This is a Fairhope Single Tax Corporation project.

Adopted on this 24th day of October, 2016



Karin Wilson, Mayor

Attest:



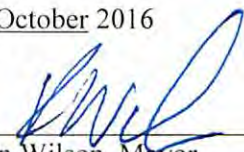
Lisa A. Hanks, MMC
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Timothy M. Kant is hereby authorized to execute a Right of Way Entry Agreement between City of Fairhope and Mediacom Communications Corporation to run cable behind the City of Fairhope Welcome Center. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2603-16

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a Right of Way Entry Agreement between City of Fairhope and Mediacom Communications Corporation to run cable behind the City of Fairhope Welcome Center.

Adopted this 24th Day of October 2016



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

24 October 2016

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution That Mayor Timothy M. Kant is hereby authorized to fill the position of City Clerk's Assistant at Grade 22 with a starting salary not to exceed the mid-point of that grade. The Assistant's job responsibilities and time will be split between the City Clerk's office (60 percent) and the Human Resources Department (40 percent). Council President Burrell explained the position and it fills a need. He stated the employee for position already is a Grade 22. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2604-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council authorizes Mayor Timothy M. Kant to fill the position of City Clerk's Assistant at grade 22 with a starting salary not to exceed the mid-point of that grade. The Assistant's job responsibilities and time will be split between the City Clerk's office (60 percent) and the Human Resources Department (40 percent).

ADOPTED THIS 24TH DAY OF OCTOBER, 2016



 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope is authorized to enter into a partnership with the Fairhope Single Tax Corporation for Concession Stand and Restrooms project at the Manley Road Soccer Complex with a fifty/fifty match: the City of Fairhope will match, dollar for dollar, the Fairhope Single Tax Corporation contributions to this project up to \$300,000.00. The motion was seconded by Councilmember Boone. Council President Burrell thanked the Fairhope Single Tax Corporation for the generous contribution. The Soccer League will build and oversee this project. Councilmember Brewer said we are just giving to complete the soccer complex. After further discussion, motion passed unanimously by voice vote.

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24 October 2016

RESOLUTION NO. 2605-16

WHEREAS, the City Council supports the construction of Concession Stand and Restrooms at the Manley Road Soccer Complex; and

The partnership will be a fifty/fifty match” to state “The City of Fairhope will match dollar for dollar, the Single Tax Contributions to this project up to \$300,000.”

WHEREAS, the City of Fairhope desires to partner with the Fairhope Single Tax Corporation for Concession Stand and Restrooms project. The partnership will be a fifty/fifty match: the City of Fairhope will match, dollar for dollar, the Fairhope Single Tax Corporation contributions to this project up to \$300,000.00.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the City of Fairhope is authorized to enter into a partnership with the Fairhope Single Tax Corporation for Concession Stand and Restrooms project at the Manley Road Soccer Complex with a fifty/fifty match: the City of Fairhope will match, dollar for dollar, the Fairhope Single Tax Corporation contributions to this project up to \$300,000.00.

Adopted on this 24th day of October, 2016



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City gratefully accepts the Deed of Property for the City of Fairhope’s Sewer Lift Station from Angelo A. Corte to the City of Fairhope in the form as attached hereto as Exhibit A. A copy of Exhibit A is on file in the City Clerk’s office. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

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24 October 2016

RESOLUTION NO. 2606-16

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, that the City gratefully accepts the Deed of Gift for the City of Fairhope's Sewer Lift Station from Angelo A. Corte to the City of Fairhope in the form as attached hereto as Exhibit A. (Inserted at the end of minutes)

Adopted on this 24th day of October, 2016



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

City Council reviewed an application for a Beer/Wine On/Off Premises License by Ashley Peryer for Locals, LLC d/b/a Locals located at 410 Fairhope Avenue, Fairhope, Alabama. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Councilmember Brewer moved to grant the request of the Eastern Shore Optimist Club requesting permission to block two (2) to three (3) parking spaces daily around Faulkner Community College for 2016 Christmas Tree Sales from November 22, 2016 through December 16; and to use of one set of portable lights and for the Fairhope Utility Department to install posts and cables for trees by November 21, 2016. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes Mayor Timothy M. Kant to execute a Work Squad Agreement between the Alabama Department of Corrections Loxley C.W.C and the City of Fairhope with a cost of \$15.00 per inmate, per day. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

24 October 2016

RESOLUTION NO. 2607-16

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council authorizes Mayor Timothy M. Kant to execute a Work Squad Agreement between the Alabama Department of Corrections Loxley C.W.C and the City of Fairhope with a cost of \$15.00 per inmate, per day.

Adopted on this 24th day of October, 2016

Karin Wilson, Mayor

Attest:



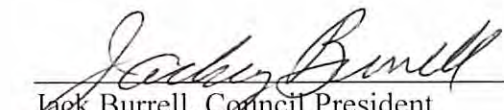
Lisa A. Hanks, MMC
City Clerk

The following individual spoke during Public Participation:

1. Dick Leeds addressed the City Council and thanked them for the Veterans Day Parade. He said the VFW will have an Open House after the parade. This will be the seventh (70th) anniversary with a celebration and dance on November 12, 2016. Mr. Leeds said that charter members would be recognized.

Councilmember Brewer moved to adjourn the meeting. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:55p.m.



Jack Burrell, Council President

Lisa A. Hanks, MMC
City Clerk

STATE OF ALABAMA

DEED OF GIFT

COUNTY OF BALDWIN

KNOW ALL MEN BY THESE PRESENTS: That ANGELO A. CORTE, a married man, hereinafter referred to as Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration this day cash in hand paid to him by the CITY OF FAIRHOPE, a municipal corporation organized and existing under the laws of the State of Alabama, hereinafter referred to as Grantee, receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY unto the Grantee, subject to any matters set out below, the following described real estate (the "Property") situated in Baldwin County, Alabama, viz:

Lot 6 C of the Re-subdivision of Lot 6, Phase 2 of Fairhope Village, a PUD as recorded on Slide 2574F of the Baldwin County Probate Records.

SUBJECT, HOWEVER, to the following:

1. There is reserved from this conveyance for benefit of Grantor, his heirs, successors and assigns, a perpetual, non-exclusive easement, on, upon, under, along, over, through and across the above described real estate for purposes of constructing, erecting, setting, installing, renewing, repairing, maintaining, improving, expanding and operating utility infrastructure, including, without limitation, water, gas, sewer, power and/or telephone utilities.
2. There is excepted from this conveyance and reserved unto Grantor, his heirs, successors and assigns, in perpetuity, all of the oil, gas, minerals, and mineral rights in, under, and upon the Property, and all rights in connection therewith, not previously reserved or conveyed, together with all rights under any existing leases. Provided, however, Grantor will, for himself, his heirs, successors and assigns, surrender and release his right to use the surface of the Property for any purpose related to his ownership of the oil, gas, minerals, and mineral rights reserved, including, but not necessarily limited to, his right to use the surface for and in connection with the exploration for and the development, production, and mining of oil, gas, or other minerals from the Property.
3. All laws, rules, restrictions, conditions, limitations, zoning ordinances, and regulations of duly constituted governmental and regulatory authorities affecting the use and enjoyment of the Property including, without limitation, zoning, environmental, wetlands, subdivision, land use and building codes, ordinances, laws, rules and regulations.

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 10/21/2016 1:42 PM
TOTAL \$ 15.00
3 Pages

1599293



4. Ad valorem taxes and assessments due on the Property, or which may become due, including any ad valorem taxes resulting from change in the actual or proposed classification or use of the Property, reappraisal, assessed value adjustments and/or escape taxes (i.e., "roll-back taxes").
5. Any minerals or mineral rights leased, granted or retained by prior owners.
6. Reciprocal Easement Agreement with Covenants, Restrictions and Site Development Obligations, recorded as Instrument Number 1112085 of the Records.

All references herein to the Records shall mean the records maintained in the Office of the Judge of Probate of Baldwin County, Alabama.

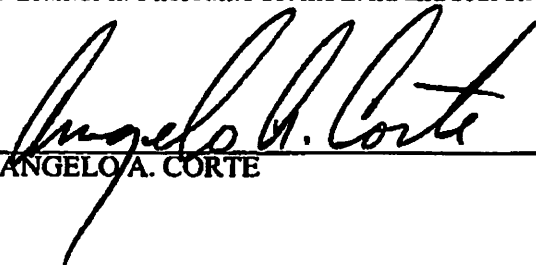
The above-described property does not constitute the homestead, or any part thereof, of the Grantor.

Together with, all and singular, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns, FOREVER.

Grantor makes no warranty or covenant respecting the nature of the quality of the title to the property hereby conveyed other than that the Grantor has neither permitted or suffered any lien, encumbrance or adverse claim to the property described herein since the date of acquisition thereof by the Grantor.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal on this the 21st day of October, 2016.



ANGELO A. CORTE

STATE OF ALABAMA

COUNTY OF BALDWIN

I, Alisa S. Crawford, a Notary Public in and for said County in said State, hereby certify that ANGELO A. CORTE, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the date the same bears date.

Given under my hand and seal this the 21st day of October, 2016.

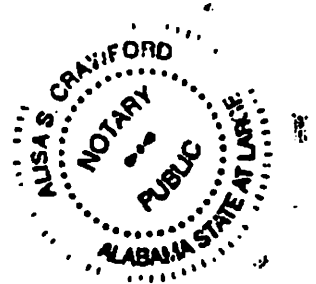
Alisa S. Crawford
Notary Public
My Commission Expires 4/18/19

GRANTOR'S ADDRESS:

23100 State Highway 181
Fairhope, Alabama 36532

GRANTEE'S ADDRESS:

Post Office Box 429
Fairhope, AL 36533



This instrument prepared by:

R. SCOTT LEWIS of

STONE, GRANADE & CROSBY, P.C.
Attorneys at Law
126 Courthouse Square
Bay Minette, Alabama 36507
(251) 937-2417

00439639.WPD

Baldwin County Parcel Viewer

Find address or place



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- Baldwin County Imagery 2013
- US Topo
- Light Grey Canvas
- Dark Grey Canvas

Legend

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Search

By Attribute By Shape

Select A Layer:

Parcels

Owner Name: (at least 3 chars)

Enter the name Smith, John

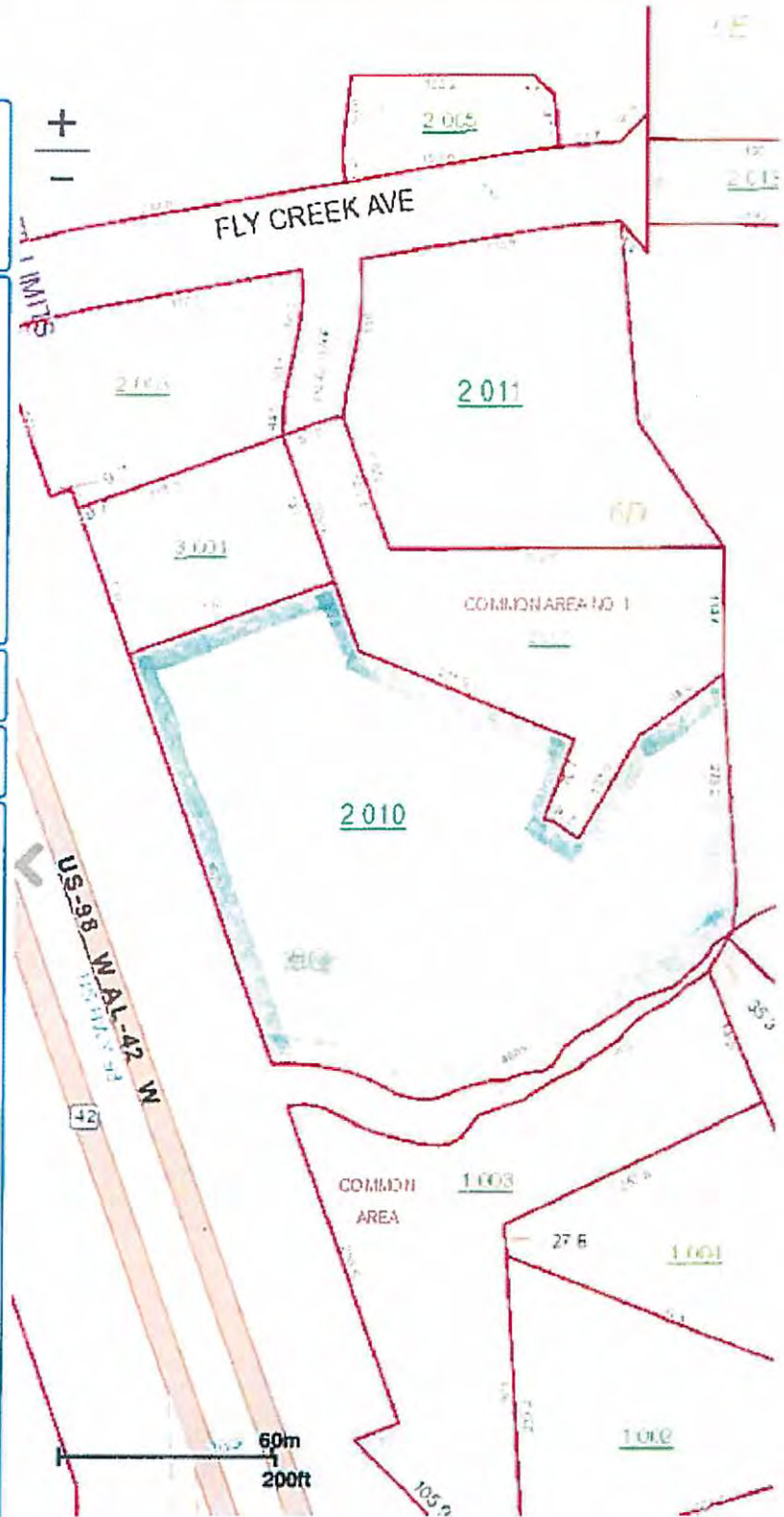
Parcel Number: (at least 3 chars)

170515202700800

PIN (Parcel Identification Number):
(at least 1 chars)

1234

Search



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