

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, 25 February 2013.

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.

Council President Burrell announced that Agenda Item Number 12 was being pulled at the request of Sherry Sullivan, Community Affairs and Recreation Director.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Reverend Matt McCollum, Pastor of Trinity Presbyterian Church, and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 14 February 2013, regular meeting; minutes of the 14 February 2013, work session; and minutes of the 14 February 2013, agenda meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

The Education Advisory Committee (“EAC”) addressed the City Council and presented the proposals from each of the Fairhope schools: Fairhope Elementary, Fairhope Intermediate, Fairhope Middle, Fairhope High, and J. Larry Newton. The EAC members are Henry Clark, co-chair, Gretchen Schapker, co-chair, Jim Kellen, Karen Mullins, Bob Riggs, Julia Summerlin, and Councilmember Brewer as Council Liaison.

The Committee was informed by the school principals that LEADS (Literacy Engineering Arts Design and Science) would be the common focus for the proposals. The Committee thanked the Mayor and City Council for the generous donation. Patrice Krueger, principal of J. Larry Newton thanked the EAC for all of their work and stated the principals agreed on a common theme.

Jon Cardwell, principal of Fairhope High, said their focus would be on the STEM Initiative and hoped Engineering and Science would benefit this area. Jim Kellen explained that there needs to be continuity from the Elementary School up to the High School. He said collaboration at each segment is needed to go forward; and we hope this will integrate the feeder pattern.

The consensus of the City Council was the need for the assurance that the funds donated would not take away from the funds already allocated to the schools and the return on investment is measurable.

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Bob Riggs said that this would not be feasible this year, but in the future there will be pre-tests and post-tests for clear measurable data. This would be a wonderful opportunity for our school system and could be a model for other schools. Mathematics and the need for teachers were also mentioned.

Council President Burrell opened up Public Participation for Agenda Item Number 2 and the following individuals addressed the City Council:

1. Hill Robinson thanked the Education Advisory Committee and said he was proud of this group. He commented we need to ask the County to pony up now and not wait.
2. Gretchen Schapker stated the EAC wants to be proactive partners with the City Council, Baldwin County, and the Board of Education. This is just a baby step.
3. Henry Clark said the Dr. Stephanie Harrison is their “go between” with Dr. Lee. Mr. Clark commented that Dr. Harrison said Dr. Lee was very supportive of our Committee and the proposals.

Councilmember Brewer said she met with Dr. Lee and he hoped others would follow suit on the ideas; and he thought the proposals were good.

Councilmember Brewer moved to accept the proposals as submitted by the Education Advisory Committee as presented to the City Council pursuant to having the Resolution and Contract drawn up by the Mayor. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Council President Burrell announced a two-minute recess at 6:43 p.m. and reconvened at approximately 6:45 p.m.

Councilmember Ford addressed the City Council on behalf of Mayor Kant and stated for this acceptance of the proposals and donation not to be the drive for a new school system. He said Mayor Kant is in favor of this, but not for it to be an entitlement.

The following individuals spoke during Public Participation:

1. Colin Keleher, 105 Orleans Drive, addressed the City Council regarding Agenda Item Number 6, request to rezone the property of George B. Klumpp, Jr., Fran K. Riggs, and Michael B. Klumpp to be rezoned from R-A Residential/Agriculture District to R-2 Medium Density Single Family Residential District. He stated that the Property Owners' Association was concerned with the rezone; and requested that any reference to Idlewild be removed from the ordinance.

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Councilmember Brewer addressed the City Council and thanked them for taking steps forward by voting for the acceptance of the school proposals as presented by the EAC.

Councilmember Boone addressed the City Council and announced that he would be abstaining on Agenda Item Number 6 due to a conflict. He stated approving the proposals is only an enhancement to the school system and the children. This is not a start for a City school system. He conveyed "Happy Birthday" to Council President Burrell.

Council President Burrell addressed the City Council and said he appreciated the EAC for their hard work. He said the approval of the proposals is for the betterment of the kids and the community; and is not an entitlement.

Jonathan Smith, Planning Director, addressed the City Council and stated the developer has agreed to change the name of the subdivision requesting the rezone in Agenda Item Number 6. This was originally to be a part of the Idlewild PUD; and we will make sure the name Idlewild is not on the plat or any of the documents.

City Attorney Wynne explained that this is a zoning issue only and through the progress of developing the subdivision, administration could require and ask the developers to leave out the name.

Councilmember Mueller moved for final adoption of Ordinance No. 1485, an ordinance to rezone the property of George B. Klumpp, Jr., Fran K. Riggs, and Michael B. Klumpp to be rezoned from R-A Residential/Agriculture District to R-2 Medium Density Single Family Residential District. The Planning Commission decision was a favorable recommendation of this ordinance. The property is located at the east side of Thompson Hall Road just north of Windmill Road, Fairhope, Alabama to be a part of Idlewild, Phase 9 and 10. (Introduced at the February 14, 2013 City Council Meeting). Seconded by Councilmember Brewer, motion for final adoption passed by the following votes: AYE – Burrell, Mueller, Brewer, and Ford. NAY – None. ABSTAIN - Boone.

Councilmember Ford introduced in writing an ordinance to amend Ordinance No. 1438, an Ordinance to amend Chapter 15, Article II, Policy and Procedure for Park Usage, Section 15-61, Fairhope Code of Ordinances. In order to take immediate action, Councilmember Brewer moved for immediate consideration. Seconded by Councilmember Mueller, 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.

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Councilmember Ford introduced in writing Ordinance No. 1486, an ordinance to repeal Ordinance No. 1427 and establishing Fee Waivers and Reductions of Fees for City Facilities, Streets, and Parks. In order to take immediate action, Councilmember Brewer moved for immediate consideration. Seconded by Councilmember Mueller, motion for immediate consideration passed unanimously by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY – None. Councilmember Brewer then moved for final adoption of Ordinance No. 1486. Seconded by Councilmember Mueller, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY – None.

Councilmember Brewer introduced in writing Ordinance No. 1487, an ordinance to amend Ordinance No. 1255 Known as the Personnel Rules, Policies and Procedures Ordinance; Section 4.12 Travel Expense Reimbursement. In order to take immediate action, Councilmember Mueller moved for immediate consideration. Seconded by Councilmember Boone, motion for immediate consideration passed unanimously by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY – None. Councilmember Brewer then moved for final adoption of Ordinance No. 1487. Seconded by Councilmember Mueller, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY – None.

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution for the Approval of the Amendment to Administrative Policy and Procedure: Quality Based Selection (QBS) for Professional Services Contracts. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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25 February 2013

**RESOLUTION NO. 2043-13**

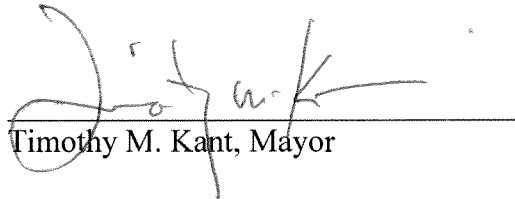
**WHEREAS**, the City of Fairhope adopted a Revised Administrative Policy and Procedure: Quality Based Selection (QBS) for Professional Services Contracts on December 27, 2012 via Resolution No. 2005-12; and

**WHEREAS**, the City of Fairhope desires to amend the Administrative Policy and Procedure: Quality Based Selection (QBS) for Professional Services Contracts: Item III SELECTION OF PROFESSIONAL SERVICE PROVIDERS FROM THE PREQUALIFICATION LIST; “For Projects over One Hundred Thousand Dollars” by adjusting the document as indicated in the attachment (see attached); and

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, hereby approves the amendment to Administrative Policy and Procedure: Quality Based Selection (QBS) for Professional Services Contracts as presented and a copy is on file in the Office of the City Clerk.


BE IT RESOLVED FURTHER BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the above mentioned Resolution No. 2005-12 is hereby repealed.

DULY ADOPTED THIS 25TH DAY OF FEBRUARY, 2013



\_\_\_\_\_  
Timothy M. Kant, Mayor

ATTEST:



\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase Six (6) Chevy Tahoe Police Pursuit Vehicles for the Police Department from the Alabama State Department of Purchasing bid list with a total cost of \$26,484.28 each. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

25 February 2013

**RESOLUTION NO. 2044-13**

**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 Six Chevy Tahoe Police Pursuit Vehicles for Patrol for the Police Department and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and

[2] The following is the Alabama State Department of Purchasing contract information:

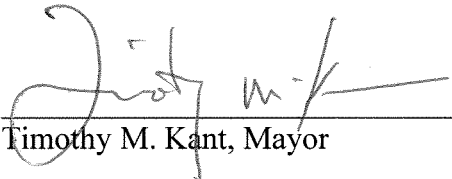
Bid Number: T191L

Contract Number: 4012396

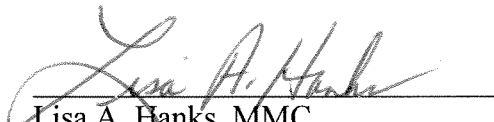
Six (6) Chevy Tahoe PPV

**Total Cost is \$26,484.28 each**

Adopted on this 25th day of February, 2013

  
\_\_\_\_\_  
Timothy M. Kant, Mayor

Attest:

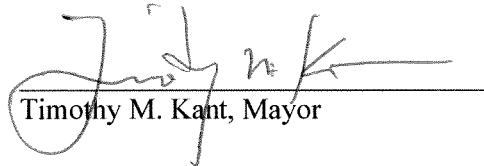
  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution to approve Public Works Project No. PW002-13, Garbage Transfer Station Renovations 2013, in an amount not to exceed \$50,000.00. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

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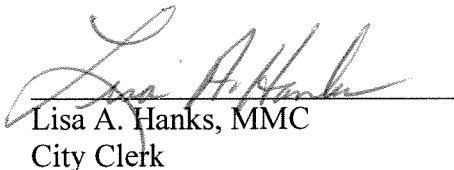
**RESOLUTION NO. 2045-13**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that Public Works Project No. PW002-13, Garbage Transfer Station Renovations 2013, in an amount not to exceed \$50,000.00, is hereby approved. The cost of the project is under the Code of Alabama 1975, Title 39, Public Works bid limit of \$50,000. This project will be completed with In-Kind Labor.

Adopted on this 25th day of February, 2013


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Timothy M. Kant, Mayor

Attest:

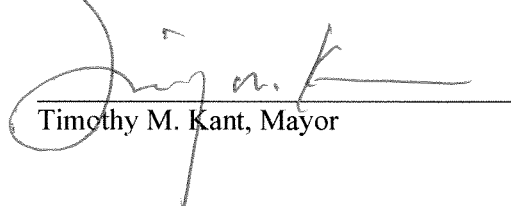


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Lisa A. Hanks, MMC  
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute a Contract for Professional Services for the Development of Low Impact Design (LID) Allowance Plan with Thompson Engineering, Inc. (RFQ PS001-13) and negotiate a fee schedule. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

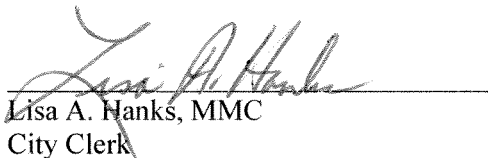
**RESOLUTION NO. 2046-13**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that Mayor Timothy M. Kant is hereby authorized to execute a Contract for Professional Services for the Development of Low Impact Design (LID) Allowance Plan with Thompson Engineering, Inc. (RFQ PS001-13); and to negotiate a fee schedule with the firm.

DULY ADOPTED THIS 25TH DAY OF FEBRUARY, 2013


\_\_\_\_\_  
Timothy M. Kant, Mayor

Attest:



\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

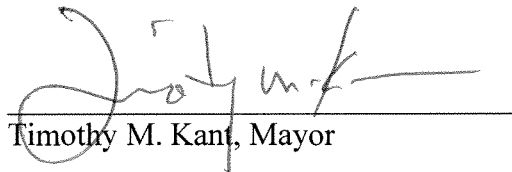
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Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute a Three-Year Contract for Hosting and Maintenance for City of Fairhope Website with Vision Internet Providers, Inc. in the amount of \$7,200.00 per year. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

**RESOLUTION NO. 2047-13**

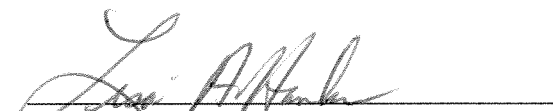
**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that Mayor Timothy M. Kant is hereby authorized to execute a Three Year Contract for Hosting and Maintenance for City of Fairhope Website with Vision Internet Providers, Inc. in the amount of \$7,200.00 per year (5% increase each year).

DULY ADOPTED THIS 25TH DAY OF FEBRUARY, 2013



\_\_\_\_\_  
Timothy M. Kant, Mayor

Attest:



\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to accept the subgrant from the Alabama Emergency Management Agency from the Hazard Mitigation Grant Program in the amount of \$154,141.00 for Three (3) Fixed Permanent Backup Generators PN71-1081 install generators for critical facilities throughout the City of Fairhope. Seconded by Councilmember Boone, motion passed unanimously by voice vote.



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**RESOLUTION NO. 2048-13**

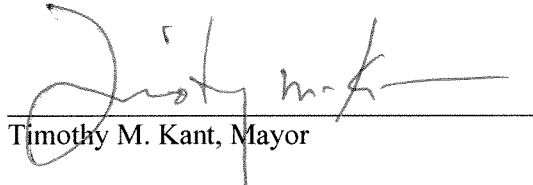
WHEREAS, the City of Fairhope identified the need for approximately 65 generators to be located at various water and sewer facilities and other critical facilities to provide back-up power during future storm events; and

WHEREAS, the City of Fairhope presented an application to the Alabama Emergency Management Agency ("AEMA") for subgrant assistance to install generators for critical facilities throughout the City of Fairhope from the Hazard Mitigation Grant Program ("HMGP") funds; and

WHEREAS, the Alabama Emergency Management Agency awarded the City of Fairhope the subgrant from the Hazard Mitigation Grant Program CFDA #97.039; DR-1071-646 for (3) Fixed Permanent Backup Power Generators PN71-1081. The project has been approved for \$154,141.00 with a Federal Share of \$115,606.00 and the City of Fairhope responsible for providing 25 percent of the total project costs; and

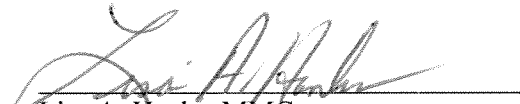
NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to accept the subgrant from the Alabama Emergency Management Agency from the Hazard Mitigation Grant Program in the amount of \$154,141.00 for (3) Fixed Permanent Backup Power Generators PN71-1081 install generators for critical facilities throughout the City of Fairhope.

Adopted on this 25th day of February, 2013



\_\_\_\_\_  
Timothy M. Kant, Mayor

Attest:



\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Boone move to amend the resolution authorizing Mayor Timothy M. Kant to submit and execute a Grant Application to the Alabama Department of Conservation and Natural Resources for public improvements to the Sea Cliff Drive Boat Facilities by changing the project cost estimate from \$80,000.00 to \$100,000 which would now make the City's matching funds \$50,000.00 by contributing a cash amount of \$25,000 and an "in-kind" contribution of \$25,000. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

25 February 2013

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to submit and execute a Grant Application to the Alabama Department of Conservation and Natural Resources for public improvements to the Sea Cliff Drive Boat Facilities as amended. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

**RESOLUTION NO. 2049-13**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION  
TO THE ALABAMA DEPARTMENT OF CONSERVATION  
AND NATURAL RESOURCES**

WHEREAS, there is a need for the City of Fairhope to make public access improvements to the Sea Cliff Drive Boat Facilities owned and operated by the City; and

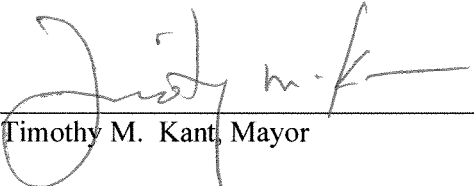
WHEREAS, there is grant funding available for said community planning activity through the FY 2014 306A Public Access Grant funds administered by the Alabama Department of Conservation and Natural Resources (ADCNR); and

WHEREAS, the total project cost estimate is \$100,000, and the grant requires a 50% match in either cash or in-kind contributions;


THEREFORE, BE IT RESOLVED BY THE City of Fairhope, IN REGULAR SESSION ASSEMBLED, that by this Resolution the City of Fairhope authorizes submission of a an FY 2014 306A Public Access Grant Application to ADCNR requesting \$50,000 in grant funds and authorizes the Mayor to sign the required grant application on behalf of the City.

BE IT FURTHER RESOLVED, if the grant is funded, the City will provide the required matching funds of \$50,000 by contributing a cash amount of \$25,000 and an "in-kind" contribution of \$25,000.

DULY ADOPTED THIS 25TH DAY OF FEBRUARY, 2013

  
\_\_\_\_\_  
Timothy M. Kant, Mayor

**ATTEST:**

  
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Lisa A. Hanks, MMC  
City Clerk

25 February 2013

City Council reviewed an application for a Restaurants Liquor License by James M. Davis, Saracenos, LLC, d/b/a Saracenos Restaurant, located at 9509 County Road 32, Fairhope, Alabama. Councilmember Ford moved to approve the issuance of the license. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

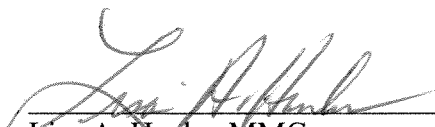
City Council reviewed an application for a Special Events Retail License by Ronan McSharry, Louelda, LLC, d/b/a McSharry's Irish Pub, for the 2013 St. Patrick's Day Celebration, located at 100 N. Section Street, Fairhope, Alabama. Councilmember Ford moved to approve the issuance of the license. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

Councilmember Ford moved to approve the Job Title of Tennis Center Assistant with a Pay Grade 17 for the Community Affairs and Recreation Department. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 7:24 p.m.

  
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Jack Burrell, Council President

  
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Lisa A. Hanks, MMC  
City Clerk