

10 May 2019

NOTICE AND CALL OF SPECIAL MEETING


Notice is hereby given of a special meeting of the City Council of the City of Fairhope, Alabama, to be held at the Fairhope Municipal Complex on Friday, 10 May 2019, at 3:30 p.m., for the purpose of:

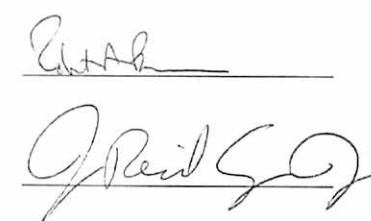
- ❖ Discussion of City Treasurer Position including Appointment of City Treasurer if decided upon by Council.

  
Jack Burrell, Council President

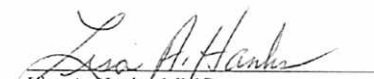
CONSENT TO HOLDING OF MEETING

The undersigned members of the City Council of the City of Fairhope, Alabama, do hereby acknowledge service of the Notice and Call of Special Meeting hereinabout set forth and do hereby consent to the holding of such meeting as such time in such place for the purpose set forth therein.

  
Kevin G. Boone

  
J. Reid

Attest:

  
Lisa A. Nanks, MMC  
City Clerk

10 May 2019

STATE OF ALABAMA            )  
   :  
 COUNTY OF BALDWIN         )(

The City Council, City of Fairhope, met in special session at 3:30 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Friday, 10 May 2019.

Present were Council President Jack Burrell, Councilmembers: Jay Robinson, Jimmy Conyers, Robert Brown, and Kevin Boone, Mayor Karin Wilson, City Attorney Marcus McDowell, and City Clerk Lisa A. Hanks.

There being a quorum present, Council President Jack Burrell called the meeting to order at 3:30 p.m. The invocation was given by Councilmember Kevin Boon and the Pledge of Allegiance was recited.

Council President Jack Burrell announced that the Special Meeting was called to consider the proposal to change the Finance and Treasury Department by Mayor Wilson or appoint a City Treasurer. Council President Burrell read the following Section 11-43-3 of the Code of Alabama 1975: In cities having a population of more than 6,000, there shall be elected by the council, at its first regular meeting or as soon thereafter as practicable, a city treasurer and a city clerk, who shall hold office until the next general election and until their successors are elected and qualified, and such council may elect an auditor, and any officers whose election is required by ordinance, and, except as otherwise provided, the council shall have authority to fix the terms of office, prescribe their duties, and fix the salaries of the officers. He asked the City Council if they wanted to hear the Mayor's vision for the Finance and Treasury Department or a synopsis. He mentioned the Mayor's Planning Department changes were on the Monday night's agenda. The consensus of the City Council was to hear a synopsis of the Mayor's recommendation.

Mayor Wilson explained that usually the Treasurer would be combined with the City Clerk or the Finance Director. She commented purchasing should not be under Treasury due to compliance. Mayor Wilson said that the current Finance Director has been with the City for 13 years and worked closely with the Mayor to streamline the budget. She said this is all about separation of roles and to be more compliant which was verified by our auditors.

Councilmember Conyers commented he had no objections to combining the roles; but we need checks and balances.

10 May 2019

Councilmember Robinson questioned if the Mayor was having the Finance Director position move from an employee position to an appointed position. Mayor Wilson replied yes. Councilmember Robinson commented when we came into office, we won several awards and we had a City Treasurer and a Finance Director. He said the Treasurer is another line of defense for checks and balances; and this is not a reflection on the Finance Director. He agreed that the budget is more streamlined but requires more checks and balances.

Council President Burrell said he agreed with Councilmember Robinson; and disagreed we had a \$6.0 million deficit since we paid off between \$24.0 to \$25.0 million in debt. He said we had Nancy Wilson before she retired; and had Deborah Smith who resigned. Council President Burrell also mentioned another Treasurer who left; and all agreed that was the best thing for the City.

Council President Burrell handed out a resolution appointing a City Treasurer and gave a synopsis of what it entailed. Councilmember Conyers commented Ms. Creech is a fantastic candidate. Mayor Wilson questioned the last paragraph regarding the offices and said this was micromanaging. Council President mentioned the two Treasury Assistants, Accounts Payable Specialist, and the Purchasing Department would be working under the City Treasurer. City Attorney Marcus McDowell read Alabama Code Section 11-43-56: Except as otherwise provided in this title, the council shall have the management and control of the finances and all of the property, real and personal, belonging to the city or town. Council President Burrell told the other Councilmembers we should take control of what we should and what we have authority over.

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution to appoint Kimberly "Kim" Creech as City Treasurer. The motion was seconded by Councilmember Brown. Councilmember Conyers commented there is no point in weighing in of offices; and Kim is a good hire. Councilmember Robinson said he interviewed Ms. Creech and was excited what we heard about her. Council President Burrell stated it is extremely efficient to have all employees in the same area. Councilmember Robinson said we could occupy offices available right now and see later if need to be moved. Councilmember Conyers questioned why we are doing this today and not Monday evening. Council President Burrell replied this is taking up 30 minutes as of now and there are 30 agenda items for Monday night and an Executive Session. He said we don't see any of the Mayor's hires and these are done any day of the week. After further discuss, motion passed unanimously by voice vote.

10 May 2019

**RESOLUTION NO. 3401-19**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, That **Kimberly “Kim” Creech** is hereby appointed as City Treasurer to fill the term of Michael Hinson who left the City in October 2018 at a salary of \$85,000. (Eighty-Five Thousand Dollars and no/100). The term of the City Treasurer shall serve until the next general municipal election and until a successor is elected by the council and qualified. Section 11-43-3, Code of Alabama, 1975.

And, whereas the City Council hereby re-affirms the duties of the Treasurer as those prescribed in the job description attached as exhibit A, and that these duties may only be changed by action of the city council, but may never be diminished during this term as prescribed by State Statute. Furthermore, the City Council declares and re-affirms that All personnel reporting to the Treasurer as prescribed in this job description continue to do so, i.e. the Purchasing Department.

And, whereas the City Council hereby acknowledges that the Appointee, Kimberly “Kim” Creech, does not possess a CPA License nor a Master’s degree, however, Council finds that the Appointee is otherwise fully qualified to fulfill the duties of the Office of Treasurer, and thus hereby waives these requirements for the position.

And, whereas the City Council hereby declares that the Appointee’s term shall begin on Monday, May 13, 2019.

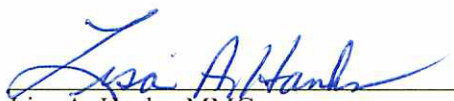
And, whereas the City Council hereby declares that the Appointee may take up to three days off from work without pay during the week of May 27-31, 2019, to fulfill prior obligations.

And, whereas the City Council hereby defines and declares that the Treasurer’s office will be located in the Fairhope City Hall in the location previously occupied by the past several Treasurers, namely the location behind the City Hall Receptionist which was occupied by former Treasurers Michael Hinson and Deborah Smith. The City Council further defines and declares that the additional three employees of the Treasury Department, i.e. the two Treasury Assistants and the Accounts Payable Specialist shall be located in the three surrounding offices, one of which is currently occupied by a Treasury Assistant, and one in which is currently occupied by the Accounts Payable Specialist. The third office shall be the office with the window located off the hallway directly behind the City Hall receptionist which lies slightly to the north and west of the office prescribed for the Treasurer.

ADOPTED THE 10TH DAY OF MAY, 2019

  
Jack Burrell, Council President

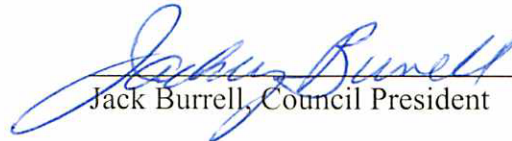
ATTEST:

  
Lisa A. Hanks, MMC  
City Clerk

10 May 2019

Councilmember Robinson moved to adjourn the meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 4:03 p.m.

  
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Jack Burrell, Council President

  
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Lisa A. Hanks, MMC  
City Clerk