

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, 12 August 2013.

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

There being a quorum present, Council President Pro Tem Ford called the meeting to order. The invocation was given by Gray Strickland, Pastor of The Way Community Church, and the Pledge of Allegiance was recited. He mentioned the passing of Bonnie Bishop who was the wife of David Ed Bishop former City Councilmember and member of the County Commission; and mother of Jody Bishop former Municipal Judge and now Circuit Judge of Baldwin County. He asked for everyone to keep the family in their prayers.

Councilmember Brewer moved to approve minutes of the 22 July 2013, regular meeting; minutes of the 22 July 2013, work session; and minutes of the 22 July 2013, agenda meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council regarding the following items:

- Chief Joe Petties thanked the individuals who donated the money for the new Police Department bicycles. He then presented the City Council and Mayor Kant a framed picture that was designed by Kimberly Wilson who is one of our dispatchers. Lieutenant Fred King read the poem by Elizabeth Howard West which was used as part of the picture. Ms. Wilson was also given a framed picture and was thanked for all of her hours that she put into this picture.
- Sherry Sullivan addressed the City Council and reported that the looping of the Council Chambers was completed a couple of weeks ago and anyone with t-coil hearing aids will be able to hear the meetings. She said that Michael Cunningham from Wired for Sound was in the back with a device listening through the looping. She also said that we would be checking into possibly purchasing approximately 10 transmitters for the hearing impaired who do not have hearing aids.
- Mayor Kant mentioned when the article came out regarding the need to dredge our harbor it did not take long for the Corps of Engineers to come out and measure our channel. After their analysis of the channel, it appears that only the north side of the channel, 15 feet of the 80 feet is not within the regulated depth.

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Jill Cabaniss, Finance Director, addressed the City Council and presented a Summary Financial Report nine months ended June 30, 2013. The General Fund had a cash balance of \$11,295,457 and the Utility Funds had a cash balance of \$23,993,129 for a total cash balance of \$35,288,586. The excess revenue over expenditures was \$1,290,866.

Councilmember Brewer addressed the City Council regarding the Education Advisory Committee. She said proposals have been turned in from our five schools and we will be looking at these in the next couple of weeks.

A Public Hearing was held as advertised on a proposed ordinance to Amend Zoning Ordinance No. 1253. Councilmember Boone introduced in writing Ordinance No. 1500, an ordinance to amend Ordinance No. 1326: A Planned Unit Development known as the Greeno-Gayfer Medical Park. The Planning Commission gave a favorable recommendation of this ordinance. The property of Bone Set Too, LLC, generally located on the southwest corner of the intersection of Greeno Road and Gayfer Avenue, Fairhope, Alabama.

Planning Director Jonathan Smith briefly explained the proposed ordinance. He stated this is the Bayside Orthopedics' building which is zoned for medical use only. The amendment would allow for professional and governmental use of 25 percent of the building.

Council President Pro Tem Ford opened the Public Hearing at 6:16 p.m.

Dr. Joey Carter with Bayside Orthopedics addressed the City Council and commented that the building is approximately 32,000 square feet. The U. S. Game and Fish Commission is the tenant who has requested approximately 5,000 square feet of the building. We are excited about them coming and this would be a good addition to the community as well as Fairhope in general.

No one present opposed the proposed ordinance, the Public Hearing closed at 6:19 p.m.

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 – Mueller, Brewer, Ford, and Boone. NAY – None. Councilmember Brewer then moved for final adoption of Ordinance No. 1500. Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Mueller, Brewer, Ford, and Boone. NAY – None.

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Councilmember Brewer moved to approve the appointment of Gary Gover, Shawn Graham, Terry Hargroder, Jeanine Normand, Don Prosch, and Mike Shelton to the Fairhope Environmental Advisory Board for a four-year term ending August 2017. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to award Bid for 46KV Transmission and 12KV Distribution Lines Upgrade for the Electric Department (Bid Number 022-13). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2107-13

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

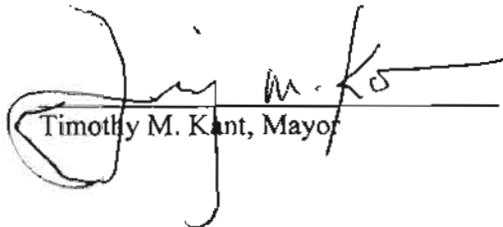
[1] That the City of Fairhope did request, receive, and open bids for 46 KV Transmission and 12 KV Distribution Lines Upgrade for the Electric Department (Bid Number 022-13) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, the following bids were opened and tabulated as follows:

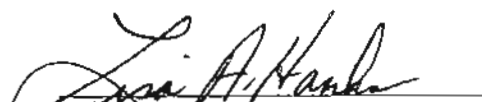
Please see attached Bid Tabulation for
46 KV Transmission and 12 KV Distribution Lines Upgrade
for the Electric Department

[3] After evaluating the bid proposals with the required bid specifications, East Bay Electric, LLC, with the total bid proposal of \$254,354.00, is now awarded the bid for 46 KV Transmission and 12 KV Distribution Lines Upgrade for the Electric Department.

Adopted on this 12th day of August, 2013


Timothy M. Kant, Mayor

Attest:


Lisa A. Hanks, MMC
City Clerk

12 August 2013

CITY OF FAIRHOPE
 BID TABULATION
 BID NUMBER 022-13
 BID NAME: 46 KV TRANSMISSION AND 12 KV DISTRIBUTION LINES UPGRADE
 Project No. E001-12
 BID OPENED: July 9, 2013 10:00 a.m
 NOTE: BID BOND

| VENDOR | PROPOSAL & BID Response Executed / Signed / Notarized | Signed Addenda 1,2,3 | Instructions /Specification Compliance | BID BOND | TOTAL EXTENDED PRICE |
|------------------------|---|----------------------|--|----------|----------------------|
| DIVERSIFIED SERVICES | | | | | NO BID |
| P&G POWER, LLC | NO | YES | NO | YES | \$249,762.94 |
| CHAIN ELECTRIC COMPANY | YES | YES | YES | YES | \$710,772.42 |
| ECHO POWERLINE, LLC | YES | YES | YES | YES | \$461,790.70 |
| POWER SECURE | YES | YES | YES | YES | \$313,500.40 |
| AMERICAN SITE BUILDERS | YES | YES | YES | YES | \$399,929.94 |
| EAST BAY ELECTRIC | YES | YES | YES | YES | \$254,354.00 |

Recommendation: Award to East Bay Electric, LLC in the amount of \$254,354.00

Scott Sligh
 Scott Sligh, P.E., Public Utilities 7/16/2013

Daniel P. Ames
 Daniel P. Ames, Purchasing Manager 7/16/2013

Fariborz M. Toor
 Fariborz (Mikal) Toor, Senior Project Manager
 Custom Form for the City of Fairhope

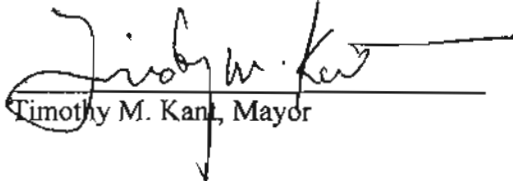


Councilmember Mueller introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute a contract for Professional Engineering Services with Jade Consulting, LLC, as Engineer of Record, for Project No. PW004-13 for Professional Engineering Services (Sidewalk Construction along Quail Creek Drive from Country Club to Lake Ridge Road). The motion was seconded by Councilmember Brewer. Mayor Kant explained that this resolution was to approve engineering services in order for the engineer to show the design for Quail Creek residents of where the sidewalk will go and what will have to be moved. After further discussion, motion passed unanimously by voice vote.

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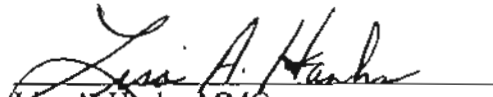
RESOLUTION NO. 2108-13

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 Engineering Services, for Sidewalk Construction along Quail Creek Drive from Country Club to Lake Ridge Road, with Jade Consulting, LLC, as Engineer of Record for Project No. PW004-13 with a cost not to exceed \$14,100.00.

DULY ADOPTED THIS 12TH DAY OF AUGUST, 2013


Timothy M. Kant, Mayor

Attest:



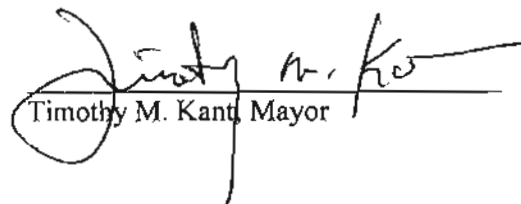
Lisa A. Hanks, MMC
City Clerk

Councilmember Mueller introduced in writing, and moved for the adoption of the following resolution, a resolution to purchase 150 Neptune Meters and 100 Neptune Registers for the Water Department. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 2109-13

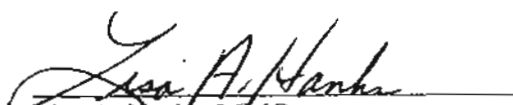
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase 150 Neptune Meters and 100 Neptune Registers for the Water Department and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The total cost is \$43,750.00.

Adopted on this 12th day of August, 2013


Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

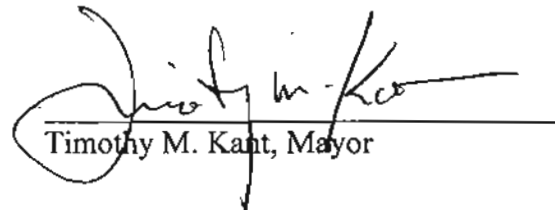
12 August 2013

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 Architectural Services with Walcott, Adams, Verneuille Architects, Inc., as Architect of Record, for RFQ No. PS015-13 (Project No. PW005-13 for Community Park Renovations). Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2110-13

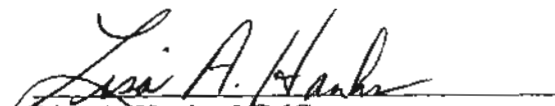
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a Contract for Professional Architectural Services, for Community Park Renovations, with Walcott, Adams, Verneuille Architects, Inc. as Architect of Record Services for RFQ No. PS015-13; (Project No. PW005-13) with a cost not to exceed \$24,000.00.

DULY ADOPTED THIS 12TH DAY OF AUGUST, 2013



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Brewer moved to grant the request of Mike Lyons, Fairhope Sunset Rotary Club requesting permission for street closure on De La Mare Street on October 19, 2013 after 5:00 p.m. for the Annual Dancin' in the Streets "Oktoberfest." Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Gary Gover, 300 Lincoln Street, addressed the City Council regarding the architectural work for the community park. He requested that the architectural work include some open process for individuals to have public input. Councilmember Brewer replied that she would take the request back to the Recreation Board.

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At the request of the City Attorney, Marion E. Wynne, the City Council will rise from the meeting to go into Executive Session based on Section 36-25A-7(a)(3) to discuss pending litigation. The approximate time to be in Executive Session is 30 minutes. Councilmember Brewer moved to go into Executive Session. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Exited the dais at 6:29 p.m. Returned at 7:00 p.m.

Councilmember Brewer 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 7:01 p.m.



Michael A. Ford,
Council President Pro Tem



Lisa A. Hanks, MMC
City Clerk