

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, 26 August 2013.

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

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Reverend Michael Davis, from Twin Beech AME Zion Church, and the Pledge of Allegiance was recited.

Council President Burrell stated there was a need to add on an agenda item after Agenda Item Number 15; a motion to go into Executive Session to discuss Pending Litigation.

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

Councilmember Brewer moved to approve minutes of the 12 August 2013, regular meeting; minutes of the 12 August 2013, work session; and minutes of the 12 August 2013, agenda meeting. Seconded by Councilmember Mueller, motion passed by the following voice votes: AYE – Mueller, Brewer, Ford, and Boone. NAY – None. ABSTAIN – Burrell.

Mayor Kant addressed the City Council regarding the following items:

- 1) Budget is almost finished;
- 2) September 10, 2013 at the Strategic Planning Meeting will go over Budget;
- 3) Received Bids for the new sewer plant upgrades and would like for the Engineer of Record to present at the beginning of the September 10, 2013 meeting; and
- 4) Wednesday went to Demopolis and spoke on Downtown Revitalization at the request of Mayor Michael Grayson.

Councilmember Boone addressed the City Council regarding the City of Fairhope Veteran of the Year nominations and stated the form for nominees are at the front desk at City Hall.

26 August 2013

Council President Burrell addressed the City Council regarding the following items:

- 1) At the November Organizational Meeting the Councilmembers were appointed to the Planning Commission and Councilmember Mueller's term ends on August 31, 2013. My term would begin on September, but Councilmember Brewer has agreed to swap terms; and
- 2) ACE public notice of the Friday September 6, 2013 presentation was read;
- 3) Requested for the Councilmembers to vote for Agenda Items 12 and 13 to make the Council meetings accessible to ones not in attendance.

Lee Webb and Jason Gross from the Sertoma Club present Mayor Timothy M. Kant and Council President Burrell with a \$1,000 donation towards the looping project of the Council Chambers and lobby for the hearing impaired. They mentioned that the Sertoma Club has also offered Spanish Fort and Daphne a \$1,000 donation to do the same.

A Public Hearing was held as advertised on the request for a Lounge Liquor License by Lisa Mae Nelson d/b/a The Jub, located at 17236 Greeno Road, Fairhope, Alabama. The public hearing was opened at 6:14 p.m.

- 1) Lisa Nelson addressed the City Council and stated that all inspections were completed for the building; and requested that they approve the license. Council President Burrell mentioned seeing individuals at night time. Ms. Nelson replied that they were only shooting pool and no alcohol was being sold.
- 2) Erik Cortinas, Building Official, addressed the City Council and stated that there were no life safety issues with the building.

No one present opposed the proposed Lounge Liquor License the Public Hearing closed at 6:17 p.m. Councilmember Mueller moved to approve the issuance of the license. 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 to approve leasing four (4) Multi-function Network Devices (Copier/Scanner/Fax) for the City of Fairhope off the Alabama State Department of Purchasing bid list with a cost of \$944.05 per month. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

26 August 2013

RESOLUTION NO. 2111-13

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

[1] That the City of Fairhope has voted to approve leasing four (4) Multi-function Network Devices (Copier/Scanner/Fax) for the City of Fairhope and the type of equipment 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:

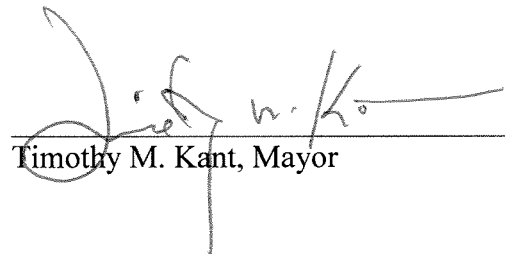
Bid Number: T190

Commodity Code: 985-26-088712 Line Item 00033
Three (3) for City Hall, Public Utilities, and Purchasing; and

Commodity Code: 985-26-088727 Line Item 00065
One (1) for Police Department

Cost is \$944.05 per Month or \$11,328.60 per Year

Adopted on this 26th day of August, 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 Reject All Bids for Upgrade Multi-media Equipment Giddens Conference Center FPL (Bid No. 025-13). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

26 August 2013

RESOLUTION NO. 2112-13

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

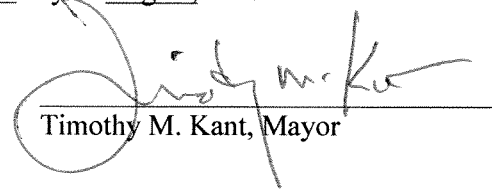
[1] That the City of Fairhope did request, receive, and open bids for Upgrade Multi-media Equipment Giddens Conference Center FPL (Bid Number 025-13) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

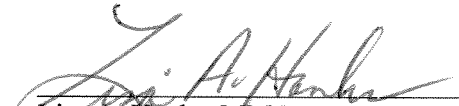
Please see attached Bid Tabulation for
Upgrade Multi-media Equipment Giddens Conference Center FPL

[3] After evaluating the bid proposals with the required bid specifications, a technical error in the specifications was discovered and at the request of the Department that all bids be rejected for Bid No. 025-13.

Adopted on this 26th day of August, 2013


Timothy M. Kant, Mayor

Attest:

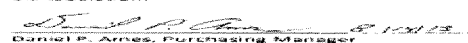

Lisa A. Hanks, MMC
City Clerk

CITY OF FAIRHOPE
BID TAB AND RECOMMENDATION
BID NUMBER: 025-13
BID NAME: Upgrade Multi-Media Equipment for Giddens Conference Center
PROJECT NUMBER: FWO14-13 Upgrade Multi-Media Equipment for Giddens Conference Center
OPENED: 8-13-13, 10:00 a.m.
Bid Bond, Performance, and Labor and Material bond waived

VENDOR	Non-Collusion/ Proposal Executed/ Signed / Notarized	Addenda signed 1 and 2	ARO days	Technical Specifications Complete	Total Base Bid \$
Pro Sound Inc	yes	yes			538,578.44
Wired for Sound, Inc.	no notary	yes			537,315.00

Award bid to: **REJECT ALL BIDS**

Erik Cortnes, Building Official

To the best of my knowledge, this is an accurate bid tabulation.

Daniel P. Arnes, Purchasing Manager

26 August 2013

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to Award RFQ for Re-roofing Theatre 98 Main Building for a total cost of \$39,625.00 (RFQ No. 005-13). Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2113-13

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

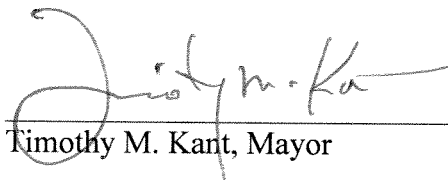
[1] That the City of Fairhope did request and receive RFQs for Re-roofing Theatre 98 Main Building at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached RFQ Tabulation for
Re-roofing Theatre 98 Main Building


[3] At the appointed time and place; after evaluating the RFQ proposal with the required specifications, Kiker Corporation is now awarded (RFQ No. 005-13) for Re-roofing Theatre 98 Main Building; for a total cost of \$39,625.00.

Adopted on this 26th day of August, 2013



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk


26 August 2013

CITY OF FAIRHOPE
 Recommendation
 RFQ NO: 005-13
 RFQ NAME: Re-Roofing Theatre 98 Main Building
 PROJECT NUMBER: PW010-13 Re-Roofing Theatre 98 Main Building
 OPENED: 8-16-13 1:00 p.m.


VENDOR	Non-Collusion/ Proposal Executed /Signed / Notarized	Instructions /Specification Compliance	Total Quote
Amerson Roofing, Inc			\$43,645.00
Langenbach Construction Co, LLC			\$48,586.00
Kiker Corporation			\$39,625.00
Highland Wake Construction, LLC			\$78,213.74

To my knowledge this is an accurate
 Tabulation of the RFQ


 Erik Cortinas, Building Official 8/19/13


 Daniel P. Ames, Purchasing Manager 8/16/13

I certify that the above tabulation is correct and recommend awarding the project to
Kiker Corporation, for their quotation of \$39,625.00.

By 
 Jim Walker, AIA, LEED, GA
 Goodwin, Mills, Cawood

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute an Agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, for the storm drainage repairs on Church Street from Fels Avenue to Morphy Avenue. Length – 0.057 miles. Project# ACOA58424-ATRP (001); ATRIP# 02-01-13. Council President Burrell mentioned that this was a twenty percent match which is approximately \$28,200. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

26 August 2013

RESOLUTION NO. 2114-13

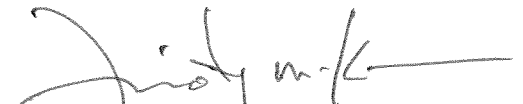
BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE AS FOLLOWS:

1. That the City of Fairhope, Alabama enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, for:

The storm drainage repairs on Church Street from Fels Avenue to Morphy Avenue. Length – 0.057 miles.
Project# ACOA58424-ATRP (001); ATRIP# 02-01-13
2. That the agreement shall be executed in the name of the City of Fairhope, by its Mayor Timothy M. Kant, for and on its behalf.
3. That the agreement shall be attested by the City Clerk, Lisa A. Hanks, and the seal of the City of Fairhope affixed thereto.

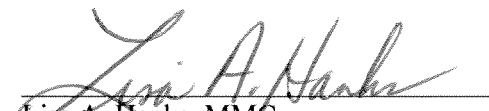
BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

Adopted and Approved this 26th day of August, 2013



Timothy M. Kant, Mayor

Attest:



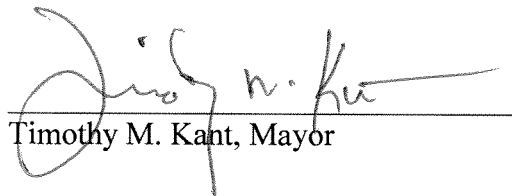
Lisa A. Hanks, MMC
City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute a South Alabama Mutual Assistance Agreement with between the City of Fairhope and among the counties, towns, and cities of the South Alabama Mutual Assistance Compact to provide and receive mutual aid as a result of a Disaster. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

26 August 2013

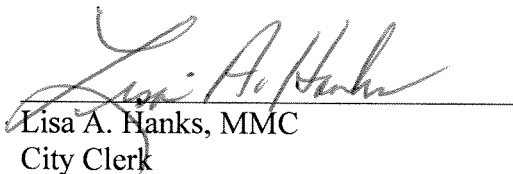
RESOLUTION NO. 2115-13

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to execute a South Alabama Mutual Assistance Agreement between the City of Fairhope and among the counties, towns, and cities of the South Alabama Mutual Assistance Compact to provide and receive mutual aid as a result of fire, flood, storm, epidemic, technological failure or accident, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, earthquake, explosion, terrorism, or man-made disaster, or other conditions (“Disasters”).

Adopted on this 26th day of August, 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 move forward with the necessary purchases and installation labor, not to exceed a cost of \$16,000, to provide for upgrades to be made to the City Council chambers, so that visual presentations are more visible for meeting attendees and Councilmembers alike. Jeff Montgomery, IT Director, addressed the City Council and explained the details of the upgrades which include multiple screens for visual presentations. He also addressed the video recording of the City Council and Planning Commission meetings. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

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26 August 2013

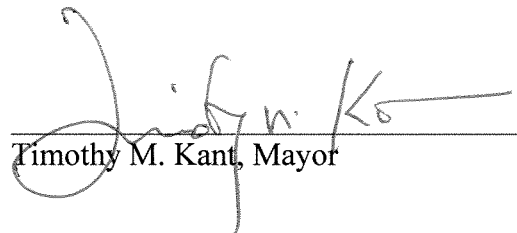
RESOLUTION NO. 2116-13

WHEREAS, the City Council desires for upgrades to be made to the City Council chambers so that visual presentations such as slide shows, videos, etc. are more visible for meeting attendees and Councilmembers alike.

WHEREAS, the City Council authorizes expenditures up to, but not exceeding \$16,000, for the purpose of purchasing and installing the necessary equipment such as video projectors and screens, and other necessary equipment to make such visual presentations more visible for meeting attendees and Councilmembers alike.

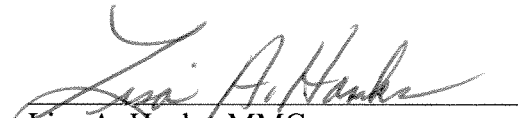
NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to move forward with the necessary purchases and installation labor, not to exceed a cost of \$16,000, to provide for upgrades to be made to the City Council chambers, so that visual presentations such as slide shows, videos, etc. are more visible for meeting attendees and Councilmembers alike.

Adopted on this 26th day of August, 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 move forward with the necessary purchases and installation labor, not to exceed a cost of \$13,000, to provide for the video recording of all City Council and Planning Commission meetings; and to broadcast these meetings via "live" streaming video on the City's website and to broadcast said meetings on the City's public access television channels as soon as they become available. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

26 August 2013

RESOLUTION NO. 2117-13

WHEREAS, the City Council desires for the City Council meetings and Planning Commission meetings to be video recorded and to be made accessible for public viewing via “live” streaming on the City’s website, and to be broadcast on the City’s public access television channels as soon as they become available.

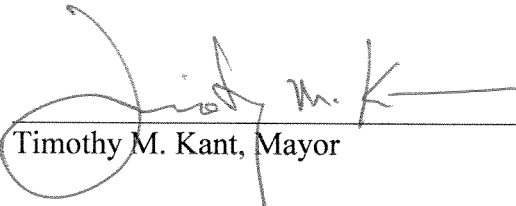
WHEREAS, the City Council desires to make these video recordings available on the City’s website for viewing for a minimum period of six months, and on the City’s public access television channels until superseded by the following meeting of the same type.

WHEREAS, the City Council authorizes expenditures up to, but not exceeding \$13,000., for the purpose of purchasing and installing the necessary hardware and software to make the high-quality video recordings and broadcasting of said meetings.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to move forward with the necessary purchases and installation labor, not to exceed a cost of \$13,000, to provide for the video recording of all City Council and Planning Commission meetings; and to broadcast these meetings via “live” streaming video on the City’s website and to broadcast said meetings on the City’s public access television channels as soon as they become available.

BE IT FURTHER RESOLVED, that these video recordings be made available on the City’s website for viewing for a minimum period of six months, and on the City’s public access television channels until superseded by the following meeting of the same type.

Adopted on this 26th day of August, 2013



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

26 August 2013

Planning Director Jonathan Smith addressed the City Council to explain the Site Plan Review of property owned by Two Moore, LLC which is zoned B-2 and located in the Central Business District. The property is located on the east side of Section Street, just south of Oak Avenue, Fairhope, Alabama for a proposed Mixed Use Development.

Councilmember Mueller moved to approve the Site Plan property owned by Two Moore, LLC listed above. Seconded by Councilmember Brewer, motion passed by the following votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY – None.

City Council reviewed an application for a Restaurant Liquor License by Deborah A. Maisel, MCJ Enterprises, LLC d/b/a Courtyard at 311, located at 311 Fairhope Avenue, Fairhope, Alabama. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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 20 minutes. Councilmember Mueller moved to go into Executive Session. Seconded by Councilmember Boone, motion passed unanimously by voice vote.


Exited the dais at 6:30 p.m. Returned at 7:28 p.m.

Councilmember Boone 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 7:29 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk