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 Tuesday, 12 November 2013.

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

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Father Donald M. Smith, from St. James Episcopal 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 4; a motion to send the Manley Road Soccer Complex back to the Planning Commission with the goal of placing ingress and egress on County Road 13 and keeping all components of Soccer Complex intact.

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

Councilmember Brewer moved to approve minutes of the 28 October 2013, regular meeting; minutes of the 28 October 2013, work session; and minutes of the 28 October 2013, agenda meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council thanked Joe Birindelli and City employees for their work on the Veteran's Day Parade this past weekend. He said the turnout for the parade was one of the largest for this parade.

Jennifer Fidler, Public Works Director, addressed the City Council and announced that November 15, 2013 is America's Recycle Day. The Public Works Department will be having an Electronic Amnesty and Shredding Event from 10:00 a.m. to 2:00 p.m. at 555 South Section Street. Council President Burrell questioned what would they be doing with cell phones that were still in good shape. Ms. Fidler replied that working cell phones used to be sent to The Lighthouse.

Darrelyn Bender, President of the Eastern Shore Chamber of Commerce, addressed the Mayor and City Councilmembers and thanked them for partnering with the Chamber.

Councilmember Boone addressed the City Council and stated he was proud of the City of Fairhope on the Veteran's Day Parade; and was proud to be a citizen. He also commented on the Fairhope Film Festival; and said it was outstanding. Councilmember Boone stated he highly recommends the festival and is looking forward to next year.

Council President Burrell addressed the City Council and recognized two of our Councilmembers who are military veterans: Rich Mueller is a Navy veteran and Mike Ford is an Army veteran. He thanked both for serving their Country.

Howard Eddy with the Fairhope Rotary Club addressed the City Council and thanked the City of Fairhope for partnering with them for the Fairhope Rotary's Annual International Rotary Steak Championship Cook-off for Charity for the past nine years. They use the money from the event locally, i.e. \$10,000 scholarships for Fairhope High School students, helping with the Rotary Youth Club, etc. He commented the planning for next year almost begins immediately. Mr. Eddy thanked the employees at Police Department, City Hall, Mayor's office, and Public Works.

Due to the threat of thunderstorms this year, Plan B had to be implemented. The Cook-off had to be moved from the streets of Fairhope to the Fairhope Civic Center. Mr. Eddy stated he wanted to recognize two departments and three employees for making this move seamless: the Recreation Department, Facilities Manager Michael Stonehouse, and Events Manager Josh Titford; and the Public Works Department and Public Works Director Jennifer Fidler. Mr. Eddy thanked the Mayor and Councilmembers for their support with this event.

Councilmember Ford moved to send the Manley Road Soccer Complex back to the Planning Commission with the goal of placing ingress and egress on County Road 13 and keeping all components of Soccer Complex intact. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute a contract between the City of Fairhope and the Eastern Shore Chamber of Commerce for an appropriation of \$6,000 to advertise and promote the City of Fairhope. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

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RESOLUTION NO. 2141-13

WHEREAS, the Eastern Shore Chamber of Commerce serves a public purpose and the publicity that the Eastern Shore Chamber of Commerce gives the City of Fairhope is a public service; and,

WHEREAS, We, the Eastern Shore Chamber of Commerce, agree to work with the Mayor, and/or his agent(s), advertise (regionally and nationally) and promote the City of Fairhope and to enhance City revenues through economic development including sales & use taxes, lodging taxes, business licenses, etc.; and to provide public arts and crafts for residents and visitors through its annual arts and crafts festival.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the Mayor Timothy M. Kant is hereby authorized to enter into a contract with the Eastern Shore Chamber of Commerce to promote the City of Fairhope. The contract shall be for one year, 1 October 2013 - 30 September 2014, but may be canceled at any time. The contract shall call for a one-time payment to the Eastern Shore Chamber of Commerce of \$2,000.00 from each of the Utility Funds; or \$6,000.00 for the one year term.

ADOPTED this 12th day of November, 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 Contract between the City of Fairhope and Blueprint for a Better Tomorrow for an appropriation of \$20,000 to help promote the economic growth of the Eastern Shore. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2142-13

WHEREAS, Blueprint for a Better Tomorrow is a bond, community—wide five year initiative which establishes a public-private partnership to guide and stimulate the economic growth of the Eastern Shore. Developed by over one hundred key corporate and community leaders, with input from other concerned groups, this comprehensive program is a bold effort to bring our private corporate leadership together with our local elected officials for the good of our community.

WHEREAS, The mission of Blueprint for a Better Tomorrow is to enhance the area's economic development, education, transportation/infrastructure, tourism, governmental affairs and environment by providing leadership in defining and addressing our community's needs and opportunities. Blueprint for a Better Tomorrow will enable businesses to work cooperatively with the cities of Daphne, Fairhope, Spanish Fort and Baldwin County to develop and implement dynamic new programs that will enable us to take charge of our economic destiny. We intend to focus on growing industry based on the expanded Economic Development Strategic Plan while growing our Tourism base and continue our Workforce Development programs.

NOW BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to execute a contract between the City of Fairhope and the Eastern Shore Chamber of Commerce for Blueprint for a Better Tomorrow for an appropriation of \$20,000 to help promote the economic growth of the Eastern Shore. The term of this contract is for one (1) year, beginning 1 October 2013 and ending 30 September 2014; but contract may be canceled at any time.

DULY ADOPTED THIS 12TH DAY OF NOVEMBER, 2013

Fimothy M. Kant, Mayor

Attest

Lisa A. Hanks, MMC

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 between the City of Fairhope and the Smart Coast for an appropriation of \$5,000 to support the Smart Walks. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2143-13

WHEREAS, a contract shall be executed between the City of Fairhope and the Smart Coast, making an appropriation of \$5,000.00 to help people shape their communities to be vigorous, healthy, and flourishing for generations to come by implementing a model Walking School Bus program that can positively reduce the soaring rate of childhood obesity by giving parents a supportive solution for assisting their children with walking to school instead of taking a bus or riding in a car.

WHEREAS, Smart Coast will continue its monthly Smart Walks to area schools that involves over 100 students and an equal number of parents and grandparents. The Smart Walk program has been a success.

WHEREAS, the outcome the program will achieve is to have a significant percentage of students participate in the daily Walking School Program and the establishment of a model for use with other schools.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2013 and ending 30 September 2014; but the contract shall be cancelled at any time upon notice.

WHEREAS, payment shall be made in the amount of \$5,000.00 from the three Utility Funds of the City of Fairhope.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, THAT Mayor Timothy M. Kant is hereby authorized to sign a contract between the City of Fairhope and Smart Coast.

DULY ADOPTED THIS 12TH DAY OF NOVEMBER, 2013

Attest

Lisa A. Hanks, MMC

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute a Contract between the City of Fairhope and the Fairhope Booster Club, Inc. for an appropriation of \$35,000 to assist in the construction of a new multi-purpose facility. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 2144-13

WHEREAS, a contract shall be executed between the City of Fairhope and the Fairhope Pirate Booster Club, Inc., making an appropriation of \$35,000.00 to be used to assist in the construction of the new multi-purpose facility located on the campus of Fairhope High School; an indoor training facility that will improve our students physically, preparing them for today's scholastic competitions while creating healthy lifestyles that will serve them a lifetime. This will improve athletic programs in public schools attended by Fairhope students and fund capital projects for those schools not furnished by the Baldwin County Board of Education.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2013 and ending 30 September 2014; but the contract shall be cancelled at any time upon notice.

WHEREAS, payment shall be made quarterly in the amount of \$2,916.67 from each of the Three Utility Funds of the City; or \$35,000.00 annually, until contract either expires or is cancelled.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, THAT Mayor Timothy M. Kant is hereby authorized to sign a contract between the City of Fairhope and the Fairhope Pirate Booster Club, Inc.

DULY ADOPTED THIS 12TH DAY OF NOVEMBER, 2013

Γimothy 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 contract between the City of Fairhope and Ecumenical Ministries Incorporated for an appropriation of \$10,000 to support the needs of Fairhope residents. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 2145-13

WHEREAS, in Fairhope, Alabama, Ecumenical Ministries Incorporated (EMI) is a public, non-profit, non-denominational, United Way social service agency; and,

WHEREAS, EMI's mission is to improve the quality of life in Baldwin County by meeting basic needs, encouraging personal growth, effecting social and economic justice and celebrate our common life; and,

WHEREAS, EMI provide services to the socio-economic and those in crisis situations and have no place to turn for help on the Eastern Shore, including Fairhope and South Baldwin County. The services rendered include:

- Emergency Aid Direct assistance for medical, food, utilities, rent, clothing, child care, transportation and other emergency needs.
- Meals on Wheels (MOW'S) Volunteer's deliver nutritious, warm meals six days a week. Meals
 are subsidized based on need and funding Fairhope area has nine routes.
- Home Repair These projects include plumbing, electrical work, rebuilding floors, installing windows and doors, roofing, building wheelchair ramps and more. This program is for the elderly and disabled.
- Food Pantry Our pantries provide a week's supply of food based on the size of the family and their situation.
- Prescription Assistance This program allows under-insured and non-insured persons to receive
 life sustaining medications at reduced or no cost through pharmaceutical companies indigent care
 program. EMI also provide prescription assistance through the Ozanam Charitable Pharmacy in
 Mobile.
- Church-based Community Organizing This program empowers poor and moderate income families to participate effectively in our democratic system and allow community members the opportunity to address the issues affecting their lives: paved streets, lighting, sewage, recreation and drainage.
- EMMY'S Thrift Shop Through our emergency aid center vouchers are given at no cost. With these vouchers, people can receive such items as appliances, furniture, clothing, etc.

WHEREAS, Ecumenical Ministries Incorporated has served Fairhope residents since 1969 on a continuous basis and successfully demonstrated the capacity to operate a neighborhood based on social service agency improving countless lives.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that Mayor Timothy Kant is hereby authorized to establish a contract for services between the City of Fairhope and Ecumenical Ministries Incorporated to appropriate the sum of \$10,000.00 to be used for the needs of Fairhope residents.

APPROVED THIS THE 12TH DAY OF NOVEMBER, 2013

Timothy M. Kant, Mayor

ATTEST:

Lisa A. Hanks, MMC

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 between the City of Fairhope and Baldwin County Economic Development Alliance for an appropriation of \$10,000 to support economic development facilitation within the City of Fairhope. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2146-13

WHEREAS, a contract shall be executed between the City of Fairhope and the Baldwin County Economic Development Alliance, Inc., making an appropriation of \$10,000.00 to assist with economic development facilitation within the City of Fairhope. The Baldwin County Economic Development Alliance, Inc. future goals are to work with the City to certify the Fairhope Airport Industrial Park as an Advantage Site and continue our recruiting efforts including potential Airbus suppliers.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2013 and ending 30 September 2014; but the contract shall be cancelled at any time upon notice.

WHEREAS, payment shall be made in the amount of \$10,000.00 from the three Utility Funds of the City of Fairhope.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, THAT Mayor Timothy M. Kant is hereby authorized to sign a contract between the City of Fairhope and the Baldwin County Economic Development Alliance, Inc.

DULY ADOPTED THIS 12TH DAY OF NOVEMBER, 2013

Attest

Lisa A. Hanks, MMC

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to sign a Contract between the City of Fairhope and the Mobile Bay National Estuary Program for an appropriation of \$5,000 to support expanded activities related to Stormwater education and watershed management. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2147-13

WHEREAS, a contract shall be executed between the City of Fairhope and the Mobile Bay National Estuary Program, making an appropriation of \$5,000.00 to support expanded activities related to Stormwater education and watershed management. The Mobile Bay National Estuary Program recently partnered with the City of Fairhope for the Volanta Gulley Watershed Management Plan and projects at the Fairhope ball fields, Dog Park, and Jasmine Park.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2013 and ending 30 September 2014; but the contract shall be cancelled at any time upon notice.

WHEREAS, payment shall be made in the amount of \$5,000.00 from the three Utility Funds of the City of Fairhope.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, THAT Mayor Timothy M. Kant is hereby authorized to sign a contract between the City of Fairhope and the Mobile Bay National Estuary Program.

DULY ADOPTED THIS 12TH DAY OF NOVEMBER, 2013

Timothy M. Kant, Mayor

Attest

Lisa A. Hanks, MMC

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 with the Eastern Shore Art Center for use of City Facilities and for an appropriation of \$15,000 for funds to support and sponsor the educational programs through The Art Center's Academy of Fine Arts. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

RESOLUTION NO. 2148-13

WHEREAS, a contract shall be executed between the City of Fairhope and the Eastern Shore Art Center for contract funding educational programs through the Academy and Community Outreach Program which provides art education and hands-on learning, on and off site, to all elements of our community: children, youth, adults, seniors, and special needs audiences, making an appropriation of \$15,000.00; and

WHEREAS, the Eastern Shore Art Center must continue First Friday Artwalk and all publicity as a community event; continue to provide summer art program for the Fairhope-Point Clear Rotary Youth Club (formerly known as the Boys and Girls Club); and provide low cost art classes for local youth and senior citizens; and

WHEREAS, the City of Fairhope approves the request from the Eastern Shore Art Center to use the streets (Section Street north of Magnolia to Oak Street and Oak Street to Bancroft and Equality) during their Outdoor Art Show, which is held during the annual Arts & Crafts Festival, on March 14, 2014 through March 16, 2014; to use the streets (Fairhope Avenue from Bancroft Avenue to Church Street and Section Street from De La Mare to Magnolia Avenue) for the 30th Grand Festival of Art on Saturday, October 4, 2014 through Sunday, October 5, 2014; and requesting closure of the streets at 5:00 p.m. on Friday, October 3, 2014 for set-up; and security to be provided, after hours, by the Fairhope Police Department; and

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2013 and ending 30 September 2014; but the contract shall be cancelled at any time upon notice; and

WHEREAS, payment shall be made quarterly in the amount of \$1,250.00 from each of the Three Utility Funds of the City of Fairhope; or \$15,000.00 annually.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, THAT Mayor Timothy M. Kant is hereby authorized to sign a contract between the City of Fairhope and the Eastern Shore Art Center for funds to support and sponsor the educational programs through the Art Center's Academy for Fine Arts.

DULY ADOPTED THIS 12TH DAY OF NOVEMBER, 2013

Attest

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute Change Order No. 1 to Project No. PW0010-13, Re-Roofing Theatre 98 Main Building, in the amount of \$2,483.71, and award the Change Order to Kiker Corporation. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2149-13

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute Change Order No. 1 to Project No. PW0010-13, Re-Roofing Theatre 98 Main Building, in the amount of \$2,483.71, and award the Change Order to Kiker Corporation.

Adopted on this 12th day of November, 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 Change Order No. 1 to Project No. 385.0002, Troyer-Boothe Road Improvements, in the amount of \$35,876.38, and award the Change Order to John G. Walton Construction Co., Inc. Seconded by Councilmember Ford, motion passed unanimously by voice vote. Council President Burrell mentioned that the Fairhope Single Tax Corporation will reimburse with no cost to the City.

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RESOLUTION NO. 2150-13

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute Change Order No. 1 to Project No. 385.0002, Troyer-Boothe Road Improvements, in the amount of \$35,876.38, and award the Change Order to John G. Walton Construction Co., Inc.

Adopted on this 12th day of November, 2013

Timethy M. Kant, Mayor

Attest:

City Clerk

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to Purchase a Fixed Permanent Backup Power Generator, Transfer Switch and associated Equipment for the Waste Water Treatment Plant (Fairhope Wastewater Treatment Plant Upgrades; Contract No. SEW001-12); and the cost will be \$448,548.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote. Council President Burrell commented that this is a budgeted item and part of the Wastewater Plant upgrades with a cost savings around \$161,000.

RESOLUTION NO. 2151-13

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

That the City of Fairhope has voted to purchase a Fixed Permanent Backup Power Generator, Transfer Switch and associated Equipment for the Waste Water Treatment Plant (Fairhope Wastewater Treatment Plant Upgrades; Contract No. SEW001-12) and the requested items are available for direct procurement through the National Intergovernmental Purchasing Alliance. The cost will be \$448,548.00.

Adopted on this 12th day of November, 2013

imorhy 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 accepting the public streets, public right-of-ways, and all of Fairhope's public utilities located in public right-of-ways within River Station Unit Three for maintenance. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2152-13

WHEREAS, the Owners of River Station Unit Three desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide <u>2273-C</u>, and all Fairhope public utilities located in public right-of-ways accepted for maintenance by the City of Fairhope, Alabama, and;

WHEREAS, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements, and;

WHEREAS, the Public Works Director has indicated that the improvements meet City requirements, and;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for River Station Unit Three are hereby accepted for public maintenance.

Adopted, this 12th day of November, 2013

mothy M. Kant, Mayor

Attest:

Lisa A. Nanks, MMC

City Clerk

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby approves the City of Fairhope Recycling Committee's Mission Statement; and the Committee's long-term goals and objectives. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2153-13

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby approves the City of Fairhope Recycling Committee's Mission Statement: "To Optimize Collection and Revenue of Recyclable Items;" and the Committee's long-term goals and objective as presented at the October 28, 2013 City Council meeting.

ADOPTED ON THIS <u>12TH</u> DAY OF <u>NOVEMBER</u> 2013

imothy M. Kart, Mayor

Attest:

Lisa A. Hanks, MMC

Councilmember Ford moved to appoint Anna Miller to the Fairhope Recycling Committee for a 4 year term. The term will expire in November 2019. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 6:28 p.m.

Jack Burrell, Council President

Lisa A. Hanks, MMC