

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, 13 January 2014.

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 Dr. Jerry Henry, Pastor of First Baptist Church, and the Pledge of Allegiance was recited. Dr. Henry stated he appreciates the City Council and Mayor for letting them have the police escorts. He said this has taken the burden off a lot of families and has protected a lot of preachers in our community. Council President Burrell mentioned that Dr. Henry was a military veteran and thanked him for serving our Country.

Councilmember Brewer moved to approve minutes of the 19 December 2013, regular meeting; minutes of the 19 December 2013, work session; minutes of the 19 December 2013, agenda meeting; and minutes of the 27 December 2013, special-called City Council meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council and thanked them for the past year and looking forward to this year to keep moving Fairhope ahead.

Fire Chief Chris Ellis addressed the City Council and introduced the new elected officers for this year: 1st Assistant Chief David Sterndorf (not in attendance), 2nd Assistant Chief Chas McMahan, Secretary Richard Jones, and Treasurer Mark Poillucci. Chief Ellis thanked the City Council and Mayor; and reported that the Fairhope Volunteer Fire Department has 717 runs over the past year. Mayor Kant commented that we need to remember these are volunteers to our City and we should thank them whenever we can.

Mayor Kant recognized Jill Cabaniss, Finance Director, receiving The Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association ("GFOA") for its comprehensive annual financial report (CAFR). He said very few Cities in Alabama go through the expense and time to receive this outstanding award in governmental accounting. Mayor Kant stated the finances are completed with only six people: three in the Finance Department and three in the Treasury Department. He said "my hats off to Finance Director Jill Cabaniss and City Treasurer Nancy Wilson and their staff for all of their hard work.

13 January 2014

Council President Burrell addressed the City Council and said he echoed what Mayor Kant previously stated; and he too thanked the City Council for the past year. He said we will continue to work hard in 2014. Council President Burrell thanked the Officers of the Fairhope Volunteer Fire Department for the upcoming year. He commented what a fantastic job for Jill Cabaniss. He said it is important to recognize the people who do the work for the City. He announced a Strategic Planning meeting scheduled for January 14, 2014 at 4:30 p.m.

Councilmember Brewer introduced in writing Ordinance No. 1506, an ordinance to amend Ordinance No. 1496 The Bylaws of the Education Advisory Committee; Section 2-112: Membership – changing from six (6) members to nine (9) members. Councilmember Brewer mentioned the role of the committee and is encouraging applications for anyone active in our schools. Council President Burrell stated that the application can be found on our website or from the City Clerk.

In order to take immediate action, Councilmember Mueller moved for immediate consideration. Seconded by Councilmember Brewer, 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. 1506. Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Preble Rish, LLC for Engineering Services for the Morphy Avenue sidewalk construction project; and hereby authorizes Mayor Timothy M. Kant to negotiate the fee schedule. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

\*

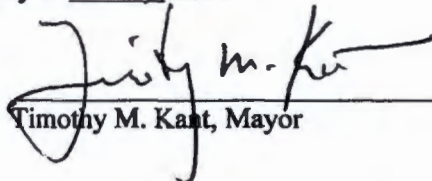
\*

\*

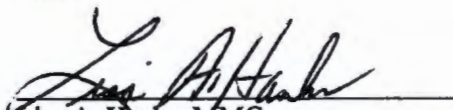
13 January 2014

**RESOLUTION NO. 2165-14**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** that the City Council approves the selection of Preble Rish, LLC for Engineering Services for the Morphy Avenue sidewalk construction project; and hereby authorizes Mayor Timothy M. Kant to negotiate the fee schedule.

Adopted on this 13th day of January, 2014  
\_\_\_\_\_  
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 that the City Council accepts for Maintenance the following described portions of the White Avenue Subdivision and the public improvements indicated thereon: the pedestrian easement shown on the White Avenue Subdivision plat limited to ordinary pedestrian uses along the shoreline, 20 feet in width and the parcels shown designated as White Avenue and the White Avenue Lot, including White Avenue Pier appurtenant thereto and which presently extends over the waters of Mobile Bay for use by the public as a waterfront park and Bay access. The motion was seconded by Councilmember Brewer. Mayor Kant stated that White Avenue Subdivision begins at the edge of the Millette's property and goes North. After further discussion, motion passed unanimously by voice vote.

**RESOLUTION NO. 2166-14**

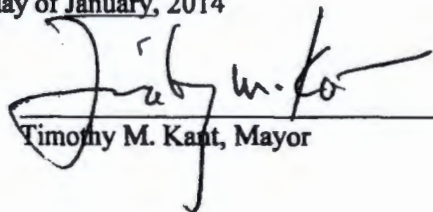
**WHEREAS,** the Fairhope Single Tax Corporation, owner of the land designated as WHITE AVENUE SUBDIVISION in Instrument No. 1431959, Slide 0002497-D, recorded December 4, 2013 in the records of the Judge of Probate of Baldwin County, Alabama, dedicated to public use the pedestrian easement shown thereon limited to ordinary pedestrian uses along the shore, 20 feet in width and the parcels shown thereon designated as White Avenue and the White Avenue Lot, including the White Avenue Pier appurtenant thereto and which presently extends over the waters of Mobile Bay for use by the public as a waterfront park and Bay access; and

**WHEREAS,** the Fairhope Planning Commission has approved the Plat as required by Order of the Circuit Court of Baldwin County; and

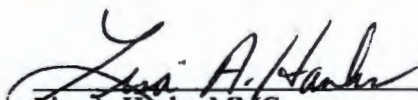
13 January 2014

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA** that the above designated portions of the White Avenue Subdivision and the public improvements indicated thereon are hereby accepted for public maintenance.

Adopted, this 13th day of January, 2014

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

Attest:

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

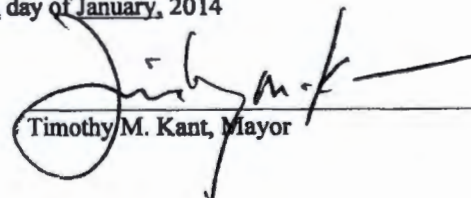
Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase a John Deere 5045E Open Station Utility Tractor, 553 Standard Loader, and Backhoe for the Recreation Department and the requested item is available for direct procurement through the Houston-Galveston Area Council ("H-GAC") Contract. The cost is approximately \$32,714.79 to allow for freight cost variations at ship time. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

**RESOLUTION NO. 2167-14**

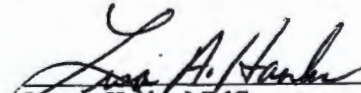
**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, as follows:

[1] That the City of Fairhope has voted to purchase a John Deere 5045E Open Station Utility Tractor, 553 Standard Loader, and Backhoe for the Recreation Department and the requested item is available for direct procurement through the Houston-Galveston Area Council ("H-GAC") Contract. The cost is approximately \$32,714.79 to allow for freight cost variations at ship time.

Adopted on this 13th day of January, 2014

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

Attest:

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

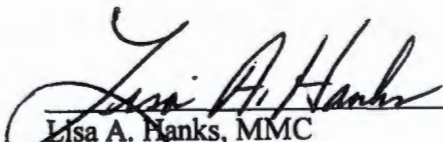
13 January 2014

Councilmember Mueller moved to approve the Schedule of the 2014 City Council Meetings as amended. The motion was seconded by Councilmember Brewer. Council President Burrell mentioned the changes that were made to the schedule; and mentioned the next meeting would be Thursday January 23, 2014. After further discussion, motion passed unanimously by voice vote.

Councilmember Brewer 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 6:24 p.m.

  
Jack Burrell, Council President

  
Lisa A. Hanks, MMC  
City Clerk