

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, 24 February 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.

Councilmember Brewer moved to amend the agenda by removing Agenda Item Number 16. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Reverend Matt McCollum, Pastor of Trinity Presbyterian Church, and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of 10 February 2014, regular meeting; minutes of the 10 February 2014, work session; minutes of the 10 February 2014, agenda meeting, and minutes of the 11 February 2014, work session. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council and announced that Greg Williams, City of Fairhope Police Officer, has returned from Afghanistan. He also mentioned the upcoming Mardi Gras parades.

The following individuals addressed the City Council during Public Participation for Agenda Items:

- 1) Valery DeLaney with the Baldwin County Trailblazers addressed the City Council regarding Agenda Item No. 6: a resolution that the City Council approves the selection of Thompson Engineering, as Engineer of Record for PW002-14, ATRIP Phase 3 Resurfacing Fairhope Avenue from Bancroft to Highway 181; and hereby authorizes Mayor Kant to negotiate the fee schedule. Ms. DeLaney requested that Complete Streets policy be part of the paving work for cyclists and pedestrians. Mayor Kant commented that he had the preliminary meeting with the engineering firm and informed them of our Complete Streets policy.
- 2) Bobby Green, 415 Maples, addressed the City Council regarding Agenda Item No. 9: a resolution authorizing and adopting to continue with the longleaf pine restoration for Knoll Park; to place Knoll Park under its direction with advisory through the Fairhope Environmental Advisory Board (FEAB); the City Council will create a sub-committee, consisting of nine members, of the FEAB for Knoll Park and requests for any Fairhope citizen who wishes to be part of this sub-committee to please submit an application to the City Clerk's office; and that the Public Works Director, is to immediately begin a landscape plan of the outside perimeter of Knoll Park which will include a sidewalk; and this plan must be presented to the City Council for approval.

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He mentioned that Knoll Park is a compromise for the citizens of Fairhope. All of the other parks are manicured and not natural.

- 3) Peggy Dyson, Chairman for the original Knoll Park Committee, addressed the City Council also on Agenda Item No. 9 regarding the resolution for Knoll Park. She stated they are willing to work with the architect on the outside perimeter plan for the park.

Councilmember Brewer addressed the City Council regarding the K-1 sub-committee who visited Andalusia; and also met with Bob Callahan regarding the K-1 building.

Councilmember Ford addressed the City Council and commented people need to start recycling.

Councilmember Burrell introduced Chloe Latture who is the Optimist Oratorical Contest winner. Miss Latture attends Fairhope High School and won the contest on the Eastern Shore and, after winning the Baldwin County contest in March, she will earn the \$2,500.00 scholarship in Louisiana in April. Miss Latture presented her speech entitled "How My Passions Impact the World." Optimist Betsy Sims attended the City Council meeting with Chloe Latture.

A Public Hearing was held on a proposed ordinance for a Franchise Agreement to operate Aquatics Instruction, which includes life guard and swim instruction, at the Fairhope Municipal City Pool located at 803 North Greeno Road. Council President Burrell opened the Public Hearing at 6:25 p.m.

- 1) Gary Gover addressed the City Council and stated that the ability to swim in Fairhope is important; and children should know how to swim. He was in favor of this ordinance.

The Public Hearing closed at 6:26 p.m.

Councilmember Boone introduced in writing Ordinance No. 1508, an ordinance to approve an Application from Michael Rogers for a Franchise Agreement to operate Aquatics Instruction, which includes life guard and swim instruction, at the Fairhope Municipal City Pool located at 803 North Greeno Road. 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 – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None. Councilmember Mueller then moved for final adoption of Ordinance No. 1508. Seconded by Councilmember Brewer, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

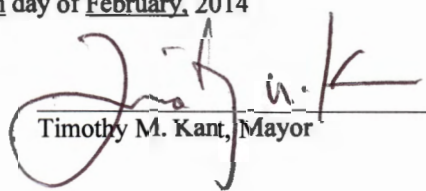
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Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Thompson Engineering, as the Engineer of Record for PW002-14, ATRIP Phase 3 Resurfacing Fairhope Avenue from Bancroft to Highway 181; and hereby authorizes Mayor Timothy M. Kant to negotiate the fee schedule. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

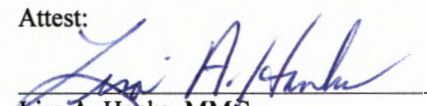
**RESOLUTION NO. 2180-14**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that the City Council approves the selection of Thompson Engineering, as the Engineer of Record for PW002-14, ATRIP Phase 3 Resurfacing Fairhope Avenue from Bancroft to Highway 181; and hereby authorizes Mayor Timothy M. Kant to negotiate the fee schedule.

Adopted on this 24th day of February, 2014

  
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Timothy M. Kant, Mayor

Attest:

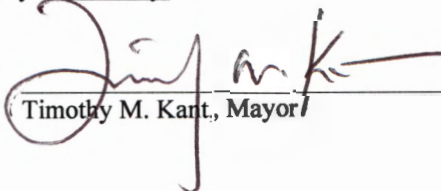
  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Timothy M. Kant is hereby authorized to execute a One-Year Work Squad Agreement for the use of Alabama Department of Corrections Inmates from the Loxley C.W.C. beginning March 1, 2014 to February 28, 2015. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

**RESOLUTION NO. 2181-14**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that Mayor Timothy M. Kant is hereby authorized to execute a One-Year Work Squad Agreement for the use of Alabama Department of Corrections Inmates from the Loxley C.W.C. beginning March 1, 2014 to February 28, 2015.

Adopted on this 24th day of February, 2014

  
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Timothy M. Kant, Mayor

Attest:

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

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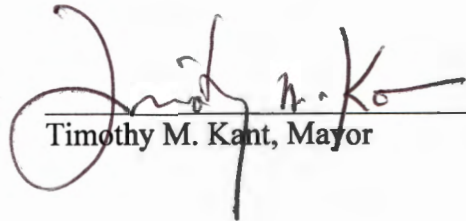
Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase Additional Computer Hard Drive Space for the Current Server System for the Information Technology Department and the requested item is available for direct procurement through the National Intergovernmental Purchasing Alliance ("National IPA") Technology Solution Contract; and therefore does not have to be let out for bid. The cost is approximately \$17,030.00 to allow for freight cost variations at ship time. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 2182-14**

**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 Additional Computer Hard Drive Space for the Current Server System for the Information Technology Department and the requested item is available for direct procurement through the National Intergovernmental Purchasing Alliance ("National IPA") Technology Solution Contract; and therefore does not have to be let out for bid. The cost is approximately \$17,030.00 to allow for freight cost variations at ship time.

Adopted on this 24th day of February, 2014

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

Attest:

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

Councilmember Brewer moved to amend Agenda Item No. 9: a resolution for Knoll Park by changing Bullet No. 3 from six to nine committee members; and by changing Bullet No. 4 by deleting Jennifer Fidler's name. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution as amended, a resolution that the City of Fairhope hereby authorizes and adopts to continue with the longleaf pine restoration for Knoll Park; to place Knoll Park under its direction with advisory through the Fairhope Environmental Advisory Board (FEAB); the City Council will create a sub-committee, consisting of nine members, of the FEAB for Knoll Park and requests for any Fairhope citizen who wishes to be part of this sub-committee to please submit an application to the City Clerk's office; and that the Public Works Director, is to immediately begin a landscape plan of the outside perimeter of Knoll Park which will include a sidewalk; and this plan must be presented to the City Council for approval. Seconded by Councilmember Boone, motion passed unanimously by voice vote. Councilmember Brewer mentioned that it is a given that the plan will be recommended by the FEAB's sub-committee.

**RESOLUTION NO. 2183-14**


**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** that the following are hereby authorized and adopted for Knoll Park:

- The City of Fairhope is desirous to continue with the longleaf pine restoration for Knoll Park; and
- Knoll Park will now be under the direction of the City of Fairhope with advisory of same through the Fairhope Environmental Advisory Board ("FEAB"); and
- The City Council will create a sub-committee, consisting of nine members, of the FEAB for Knoll Park and requests that any Fairhope citizen who wishes to be part of this sub-committee to please submit a committee application to the City Clerk's office; and
- That Public Works Director is hereby authorized to immediately begin a landscape plan of the outside perimeter of Knoll Park which will include a sidewalk; and this plan must be presented to the City Council for approval.

Adopted on this 24th day of February, 2014

  
Timothy M. Kant, Mayor

Attest:

  
Lisa A. Hanks, MMC  
City Clerk

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Councilmember Brewer moved to appoint Peggy Dyson, May Moss Parker, Bobby Green, Tom Ellis, and Anne Nix to the Fairhope Environmental Advisory Board's sub-committee called the "Knoll Park Sub-Committee" for a two-year term. Seconded by Councilmember Boone, motion passed unanimously by voice vote. Councilmember Brewer mentioned there are approximately 12 other applicants who have submitted applications, but were too late to make the agenda.

Councilmember Mueller moved to appoint Cynthia "Cindy" Wilson, Hank Burch, Kerry Flowers, Hill Robinson, and Cobby Witherington to the Education Advisory Committee for a three-year term. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Brewer moved to appoint Michael "Mike" Baugh to the Industrial Development Board for a six-year term. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

City Council reviewed an application for a for Beer Off-Premises License by Rita Walters for Murphy Oil USA, Inc., d/b/a Murphy USA 7506, located at 20390 State Highway 181, Fairhope, Alabama. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Brewer moved to approve the recommendation from the Harbor Board requesting that the "Revenue collected by the City of Fairhope pursuant to leases of the City's Fly Creek boat slips, the Eastern Shore Marine, and the Yardarm Marina be earmarked for the maintenance and enhancement of these facilities." Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Council President Burrell stated that he and Councilmember Ford spoke with City Attorney Wynne prior to the meeting. City Attorney Wynne is not used to the City being co-sponsorship with an entity. He stated that they would have to contract with the City to use the City's stage and the City Council would have to state a public purpose for doing this contract.

After further discussion, Councilmember Brewer moved to amend the request by the Eastern Shore Repertory Theatre by adding the verbiage "contingent on entering a contract with the City of Fairhope and authorizing Mayor Timothy M. Kant to execute the contract". Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Erin Langley and Jenny Stimpson addressed the City Council and stated they only needed the support from the City and use of the stage and barricades.

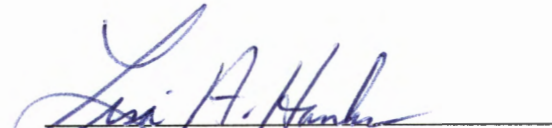
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Councilmember Brewer moved to grant the request as amended of Erin Langley, Eastern Shore Repertory Theatre, requesting permission to use Henry George Bluff from April 28, 2014 through May 3, 2014 for the performance of "Joseph and the Amazing Technicolor Dreamcoat" with performances being held on May 2, 2014 and May 3, 2014. The request is also for City co-sponsorship, use of City stage including set-up, and barricades; contingent on entering a contract with the City of Fairhope and authorizing Mayor Timothy M. Kant to execute the contract. Seconded by Councilmember Mueller, 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 6:50 p.m.

  
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Jack Burrell, Council President

  
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Lisa A. Hanks, MMC  
City Clerk