

STATE OF ALABAMA)
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 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, 28 April 2014.

Present were Council President Pro Tem Michael A. Ford, Councilmembers: Rich Mueller, Diana Brewer, and Kevin Boone, City Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks. Council President Jack Burrell and Mayor Timothy M. Kant were 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. Councilmember Brewer moved to approve minutes of the 14 April 2014, regular meeting; minutes of the 14 April 2014, work session; and minutes of the 14 April 2014, agenda meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Jill Cabaniss, Finance Director, addressed the City Council and presented the second quarter financial report via a Power Point Presentation for the quarter ending March 31, 2014.

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

- 1) A. J. Cooper, 105 Cumberton Loop, addressed the City Council regarding Agenda Item No. 11; a resolution that the City of Fairhope hereby pledges \$100,000 to be paid over four (4) years to assist with the development of the proposed construction of a 4,950 square foot addition to the City of Fairhope's current facility on Young Street (which is used by the Rotary Youth Club) with no less than 50% of this pledge being met by the value of in-kind services performed by City of Fairhope employees, and any cash donations being used for the purpose of purchasing building materials. He commented the community should have been involved in this decision. He requested the item to be pulled and stated it needed more massaging before the City Council adopts this resolution.
- 2) Mark Stejskal, 217 Simon Street, addressed the City Council regarding Agenda Item No. 11; a resolution that the City of Fairhope hereby pledges \$100,000 to be paid over four (4) years to assist with the development of the proposed construction of a 4,950 square foot addition to the City of Fairhope's current facility on Young Street (which is used by the Rotary Youth Club) with no less than 50% of this pledge being met by the value of in-kind services performed by City of Fairhope employees, and any cash donations being used for the purpose of purchasing building materials.

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He gave an update of what the Rotary Youth Club does and what they promote. He explained the need for the \$100,000 pledge from the City of Fairhope.

- 3) Henry Crawford, citizen of Montrose and pastor of church on 409 South Ingleside, addressed the City Council regarding Agenda Item No. 11; a resolution that the City of Fairhope hereby pledges \$100,000 to be paid over four (4) years to assist with the development of the proposed construction of a 4,950 square foot addition to the City of Fairhope's current facility on Young Street (which is used by the Rotary Youth Club) with no less than 50% of this pledge being met by the value of in-kind services performed by City of Fairhope employees, and any cash donations being used for the purpose of purchasing building materials. Mr. Crawford applauded Mr. Stejskal for the programs; but stated most citizens do not work from 8 to 5. Therefore, these programs are not conducive to the community. In process of achieving the goal, there must be some cooperation with the community.
- 4) Valarie Chaney, 598 Middle Street and one of the Rotary Youth Club Board of Directors, addressed the City Council regarding Agenda Item No. 11; a resolution that the City of Fairhope hereby pledges \$100,000 to be paid over four (4) years to assist with the development of the proposed construction of a 4,950 square foot addition to the City of Fairhope's current facility on Young Street (which is used by the Rotary Youth Club) with no less than 50% of this pledge being met by the value of in-kind services performed by City of Fairhope employees, and any cash donations being used for the purpose of purchasing building materials. Ms. Chaney stated anytime there is a transition, there is turmoil. We need to come together for the betterment of Fairhope. This is a time for change in Fairhope. She mentioned being involved with these children for many years; and has been active in the community and the Rotary Youth Club. The addition is needed to continue the educational programs for these children.
- 5) Reverend Williams, pastor of Christian Valley Baptist Church, addressed the City Council regarding Agenda Item No. 11; a resolution that the City of Fairhope hereby pledges \$100,000 to be paid over four (4) years to assist with the development of the proposed construction of a 4,950 square foot addition to the City of Fairhope's current facility on Young Street (which is used by the Rotary Youth Club) with no less than 50% of this pledge being met by the value of in-kind services performed by City of Fairhope employees, and any cash donations being used for the purpose of purchasing building materials. Reverend Williams said he was raised in Fairhope and remembered playing baseball on the field on Young Street. He said there should be activities like baseball to help the children too; exercise for the children.
- 6) Anthony Gottfried, 127 Sage Lane, addressed the City Council regarding Agenda Item No. 11; a resolution that the City of Fairhope hereby pledges \$100,000 to be paid over four (4) years to assist with the development of the proposed construction of a 4,950 square foot addition to the City of Fairhope's current facility on Young Street (which is used by the Rotary Youth Club) with no less than 50% of this pledge being met by the value of in-kind services performed by City of Fairhope employees, and any cash donations being used for the purpose of purchasing building materials. He stated if it is good for the kids, then the City should pledge the \$100,000.

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Mr. Gottfried said we should get away from the black and white issue. He reiterated if this is to help the kids and benefits the Boys and Girls Club, then the City should help with the addition.

- 7) A. J. Cooper, 105 Cumberton Loop, addressed the City Council regarding Agenda Item No. 12, the appointments to the Fairhope Recreation Board. He said we need to improve outreach in the community for the City's Boards. He suggested the City Council do an audit of all of its Boards and Committees; and make sure appointments are diverse.

Council President Pro Tem Ford stated all positions are posted and sometimes placed in The Courier. He encouraged all citizens to come to City Hall and complete an application with the City Clerk. Sherry Sullivan also mentioned an application is on the City's website.

Councilmember Boone moved for final adoption of Ordinance No. 1511, an ordinance to Amend Zoning Ordinance No. 1253, Article III Zoning Districts, Section B. Allowed Uses; Table 3-1: Use Table to show Hotel/Motel as an allowed use permitted only on appeal and subject to special conditions in the B-2 General Business zoning district. (Introduced at the April 14, 2014 City Council meeting) Seconded by Councilmember Brewer, motion for final adoption passed by the following voice votes: AYE - Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Mueller introduced in writing Ordinance No. 1512, an ordinance to annex the property of Edward E. Midyett and Cindy A. Midyett, located at 233923 Main Street, Montrose, Alabama; 43-09-31-0-000-009.000. In order to take immediate action, Councilmember Brewer moved for immediate consideration. Seconded by Councilmember Boone, 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. 1512. Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE - Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Brewer introduced in writing Ordinance No. 1513, an ordinance to establish the By-Laws of the Fairhope Recreation Board. In order to take immediate action, Councilmember Brewer moved for immediate consideration. Seconded by Councilmember Boone, motion for immediate consideration passed unanimously by the following voice votes: AYE - Mueller, Brewer, Ford, and Boone. NAY - None. Sherry Sullivan explained the proposed Recreation Board By-Laws and pointed out a few changes. Councilmember Brewer then moved for final adoption of Ordinance No. 1513. Seconded by Councilmember Mueller, motion for final adoption passed by the following voice votes: AYE - Mueller, Brewer, Ford, and Boone. NAY - None.

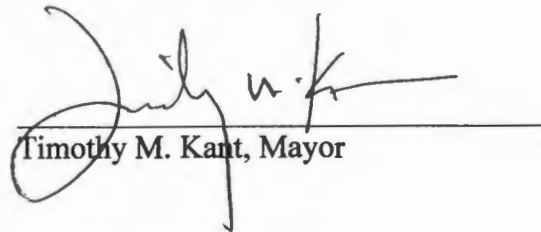
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Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Timothy M. Kant is hereby authorized to execute Change Order No. 1 to the Thompson Engineering Project No. 12-2111-0072, County Road 13 and Highway 104 Water Main Improvements and South Drive Booster Station Upgrades, with a deduction from the contract in the amount of \$969.30, and award the Change Order to Construction Labor Services, Inc. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2213-14


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 the Thompson Engineering Project No. 12-2111-0072, County Road 13 and Highway 104 Water Main Improvements and South Drive Booster Station Upgrades, with a deduction from the contract in the amount of \$969.30, and award the Change Order to Construction Labor Services, Inc.

Adopted on this 28th day of April, 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 Council hereby approves and adopts the criteria to be used by the Fairhope Recreation Board for Franchise Agreements for Tennis; and that all Franchise Agreements for Recreation Parks and/or Facilities will be reviewed by the Fairhope Recreation Board who will then forward their recommendation(s) to the City Council. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

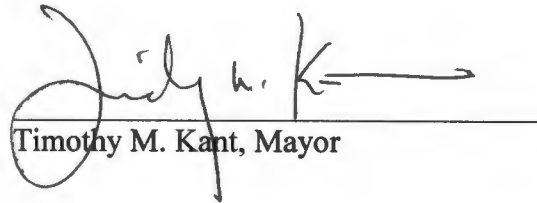
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RESOLUTION NO. 2214-14

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby approves and adopts the criteria to be used by the Fairhope Recreation Board for Franchise Agreements for Tennis which was presented at the April 28, 2014 City Council meeting.

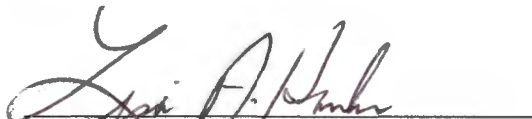
BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that all Franchise Agreements for Recreation Parks and/or Facilities will be reviewed by the Fairhope Recreation Board who will then forward their recommendation(s) to the City Council.

Adopted on this 28th day of April, 2014



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope hereby pledges \$100,000 to be paid over four (4) years to assist with the development of the proposed construction of a 4,950 square foot addition to the City of Fairhope's current facility on Young Street (which is used by the Rotary Youth Club) with no less than 50% of this pledge being met by the value of in-kind services performed by City of Fairhope employees, and any cash donations being used for the purpose of purchasing building materials. The motion was seconded by Councilmember Brewer. Skipper Tonsmeire was questioned by Councilmember Brewer regarding this project. Mr. Tonsmeire replied that this project has been planned for a few years; and a plan was prepared by Clay Adams. The Fairhope-Point Clear Rotary Board funds approximately \$13,000 to \$14,000 per month for the RYC and raises other funds to help. He said there was no intent not to have Board transparency. Council President Pro Tem Ford mentioned the grant needs this vote; and we can the resolution if needed in the future. After further discussion, motion passed unanimously by voice vote.

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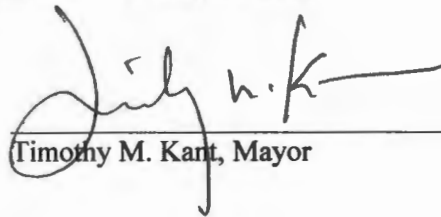
RESOLUTION NO. 2215-14

WHEREAS, The Fairhope-Point Clear Youth Programs, Inc. ("Rotary Youth Club" or "RYC"), a local 501(c)(3) entity is proposing a facility expansion of the City of Fairhope's current facility on Young Street which is used for the Rotary Youth Club's year-round youth development programs and services to predominately low-income, at-risk youth who are 4 to 18 years old and live in Fairhope, Point Clear, and surrounding communities;

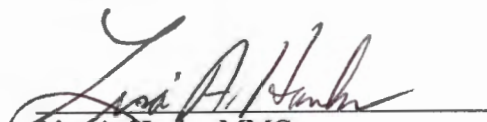
WHEREAS, Fairhope-Point Clear Youth Programs, Inc. is desirous for the City of Fairhope to pledge \$100,000.00 to be paid over four (4) years to assist with the development of this facility.

NOW BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the City of Fairhope hereby pledges \$100,000 to be paid over four (4) years to assist with the development of the proposed construction of a 4,950 square foot addition to the City of Fairhope's current facility on Young Street (which is used by the Rotary Youth Club) with no less than 50% of this pledge being met by the value of in-kind services performed by City of Fairhope employees, and any cash donations being used for the purpose of purchasing building materials.

DULY ADOPTED THIS 28TH DAY OF APRIL, 2014


 Timothy M. Kant, Mayor

Attest


 Lisa A. Hanks, MMC
 City Clerk

Councilmember Brewer moved to appoint Jenny Douglass and Cathy Hudson as Class of 2014 members; Derek Thomas and Charlie Langham as Class of 2015 members; Bob Keyser as Class of 2016 member, Michelle Smith as Class of 2017 member; and Vann Saltz as Class of 2018 member to the Fairhope Recreation Board. Class of 2014 members' term will expire in April 2015; Class of 2015 members' term will expire in April 2016; Class of 2016 member's term will expire in April 2017; Class of 2017 member's term will expire in April 2018; and Class of 2018 member's term will expire in April 2019. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.


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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 6:55 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk