

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 November 2014.

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 Associate Pastor Judson Shores of Celebration Church and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 10 November 2014, regular meeting; minutes of the 10 November 2014, work session; minutes of the 10 November 2014, agenda meeting, and minutes of the 17 November 2014, special-called meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Kant addressed the City Council regarding the following items:

- 1) Happy Thanksgiving to everyone;
- 2) Saturday is a big ballgame; Iron Bowl with Auburn and Alabama;
- 3) Wednesday at 6:30 p.m. will be "Movie in the Streets;"
- 4) December 5, 2014 is the annual Christmas Parade; and
- 5) Santa Saturdays will be December 6, 2014 and December 13, 2014.

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

- 1) Dr. Lynn Yonge addressed the City Council regarding Agenda Item Number 6, a resolution that the City of Fairhope accepts the donation of the Bruce Larsen Sculpture from Lynn and Cory Yonge which will be placed in the alleyway know as Rue Colonial. All installation expenses will be born by the donor; and all maintenance and liability protection for the sculpture will be provided by the City. Dr. Yonge said this sculpture is being placed in a great part of town and will be pleasant to look at. Councilmember Brewer thanked Dr. and Mrs. Yonge for their generous donation.

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Councilmember Brewer addressed the City Council regarding the National League of Cities Congress of Cities and Exposition recently attended by Council President Burrell, Mayor Kant and herself in Austin, Texas which was a very busy five days. She said they tried to divide and conquer as many sessions as possible and then discuss later. There were entrepreneurship classes and classes on urban farms. Sustainability was the main focus and nature deficit disorder was mentioned.

Councilmember Ford addressed the City Council regarding the Recycling Committee who is looking at single source versus separate items recycling. He said we had a successful Recycling Day; and mentioned the Recreation Board is looking at possible new policies for the City.

Councilmember Boone addressed the City Council and announced his son and daughter-in-law gave birth to a new baby girl.

Council President Burrell addressed the City Council and said he was thankful they were allowed to attend the National League of Cities Conference. He stated that Community Affairs and Recreation Director Sherry Sullivan also attended this conference with them. He mentioned historic preservation as well as entrepreneurship classes were attended which will help with the Comprehensive Plan updates.

A Public Hearing was held as advertised on the request for a Lounge Liquor License by William Larry Haagensen, Westside Holdings, LLC, d/b/a Strick's Place, located at 333 S. Greeno Road, Suite E and F, Fairhope, Alabama. The public hearing was opened at 6:18 p.m. No one present opposed the proposed Lounge Liquor License; the Public Hearing closed at 6:18 p.m. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope accepts the donation of the Bruce Larsen Sculpture from Lynn and Cori Yonge which will be placed in the alleyway known as Rue Colonial. All installation expenses will be born by the donor; and all maintenance and liability protection for the sculpture will be provided by the City. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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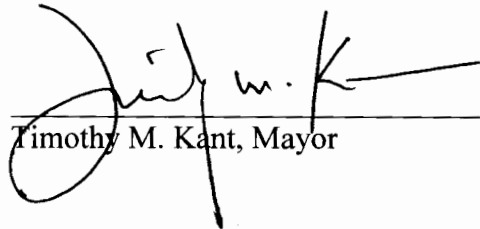
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RESOLUTION NO. 2297-14

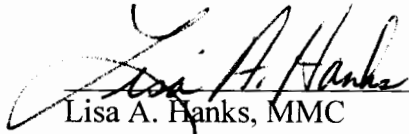
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the City of Fairhope accepts the donation of the Bruce Larsen Sculpture from Lynn and Cori Yonge which will be placed in the alleyway known as Rue Colonial. All installation expenses will be born by the donor; and all maintenance and liability protection for the sculpture will be provided by the City.

Adopted on this 24th day of November, 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 Mayor Timothy M. Kant is hereby authorized to execute a License Agreement between Fairhope Single Tax Corporation, W.E. & Wanda N. Baldwin and BB&T Bank, the “Licensors”, and the City of Fairhope, the (Licensee), for the right to place a Bruce Larsen Sculpture on the Alleyway called Rue Colonial. This property is owned by Fairhope Single Tax Corporation between leasehold interests of W.E. & Wanda N. Baldwin and BB&T Bank; and that the City agrees to pay for maintenance and liability insurance for the sculpture. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

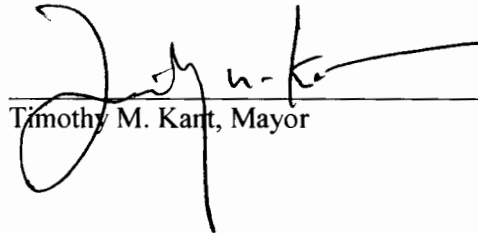
RESOLUTION NO. 2298-14

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to execute a License Agreement between Fairhope Single Tax Corporation, W.E. & Wanda N. Baldwin and BB&T Bank, the “Licensors”, and the City of Fairhope, the (Licensee), for the right to place a Bruce Larsen Sculpture on the Alleyway called Rue Colonial. This property is owned by Fairhope Single Tax Corporation between leasehold interests of W.E. & Wanda N. Baldwin and BB&T Bank.

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BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE that the City agrees to pay for maintenance and liability insurance for the sculpture.

Adopted on this 24th day of November, 2014



Timothy M. Kart, 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 Purchase a One (1) Siemens Industry 15kV Outdoor Vacuum Circuit Breakers for the Electric Department with a total cost of \$21,266.00. Seconded by Councilmember Boone who also mentioned that this item will be reimbursed by insurance as well as Agenda Item Number 12; motion passed unanimously by voice vote.

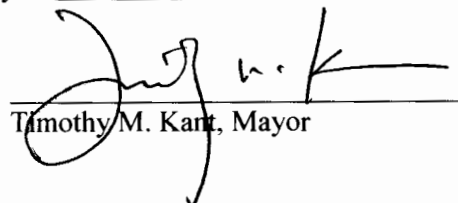
RESOLUTION NO. 2299-14

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 One (1) Siemens 15kV Outdoor Vacuum Circuit Breaker for the Electric Department and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain informal quotes and purchase the Outdoor Vacuum Breaker. The cost will be \$21,266.00.

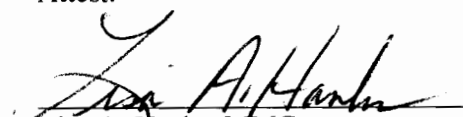
[2] Brasfield Sales, Inc. and their manufacturer Siemens Industry, Inc. is your sole source for Siemens vacuum circuit breakers; and Brasfield Sales is the only authorized agent for Siemens Industry to municipal electric systems in Alabama.

Adopted on this 24th day of November, 2014



Timothy M. Kart, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

24 November 2014

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for Internet Services 2015 per the request of the IT Department for the City of Fairhope with an annual cost of \$16,888.00 (Bid No.006-15) for a three-year contract. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

RESOLUTION NO. 2300-14

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

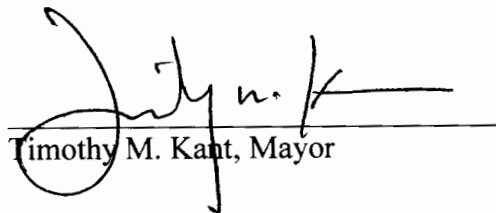
[1] That the City of Fairhope did request, receive, and open bids for Internet Services 2015 per the request of the IT Department for the City of Fairhope (Bid Number 006-15) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for
Internet Services 2015 per the request of the IT Department

[3] After evaluating the bid proposals with the required bid specifications, Southern Light, LLC, with the total bid proposal of \$16,888.88 annually (Option 1), is now awarded the bid for Internet Services 2015 for the City of Fairhope for a three-year contract.

Adopted on this 24th day of November, 2014



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

24 November 2014

CITY OF FAIRHOPE

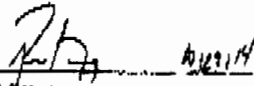
BID TABULATION AND RECOMMENDATION


Bid Name: Internet Services 2015
 Bid Number: 006-15
 Date Opened: 10/28/2014 2:00

Vendor	Bid Proposal Executed / Signed / Notarized/Non-Collusion Statement Signed / Notarized	Signed Addenda 1 & 2	Annual Total Price Option 1 80Mbps + 5mps	Annual Total Price Option 2 30Mbps + 5mps	Annual Total Price Option 3 15Mbps + 5 mps
SOUTHERN LIGHT, LLC	YES	YES	\$ 18,888.00	\$ 15,592.00	\$ 14,092.00
AT&T	YES	YES	\$ 28,181.40	\$ 26,898.80	\$ 23,890.00
HARBOR COMMUNICATIONS, LLC	YES	YES	\$19,500.00	\$17,091.00	\$13,050.00
EARTHLINK HOLDINGS	YES	YES	BIDDER ERROR ¹	BIDDER ERROR ¹	NO BID
C-SPIRE	NO RESPONSE	NO RESPONSE	NO RESPONSE	NO RESPONSE	NO RESPONSE

¹ Vendor erred in pricing making the bid unresponsive.

Recommendation: Award bid to SouthernLight, LLC in the amounts listed above.


 Jeff Montgomery
 IT Director

To my knowledge this is an accurate bid tabulation

 Daniel P. Ames, Purchasing Manager

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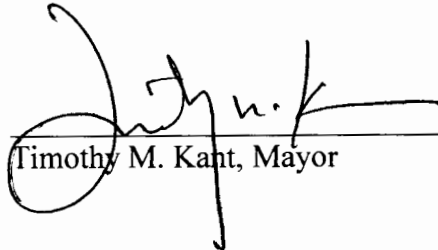
Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to Purchase 46 Computers, Software, and Licenses from National Joint Powers Alliance (NJPA") Buying Group and the State of Alabama Contract list T530, contract 4012774 and list T497, contract 401264 for the replacement of Windows XP Computers with a total cost of \$39,818.48. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2301-14

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 Forty-five (45) Computers and Software for the IT Department; and the requested items are available for direct procurement through the National Joint Powers Alliance ("NJPA") Buying Group Contract with a cost of \$32,740.00.
2. That the City of Fairhope has voted to purchase One (1) Computer, 3-Year Extended Warranty, and Microsoft Licenses for the IT Department; and the requested items are available for direct procurement thru the State of Alabama Contract list T530 - Contract 4012774 and list T497 - Contract 401264 with a cost of \$7,078.48.
- 3.

Adopted on this 24th day of November, 2014


 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 To Award Bid for Beverage Concessions 2015 for the Recreation Department for various City facilities and parks (Bid No. 002-15). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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RESOLUTION NO. 2302-14

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

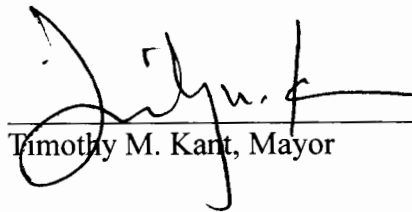
[1] That the City of Fairhope did request, receive, and open bids for the Beverage Concession 2015 for the Recreation Department for various City facilities and parks (Bid Number 002-15) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for the
Beverage Concession 2015

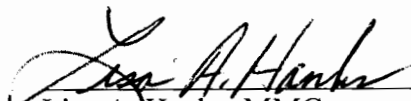
[3] After evaluating the bid proposals with the required bid specifications, Coca Cola Bottling Company Consolidated; and specifically Branch #260 located in Robertsedale, Alabama with the total bid proposal listed in the attached Bid Tabulation which includes a requirement to execute a franchise agreement with the City, is now awarded the bid for Beverage Concession 2015 for the Recreation Department.

Adopted on this 24th day of November, 2014



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

24 November 2014

CITY OF FAIRHOPE
 BID TABULATION and Recommendation
 BID NO: 002-15
 BID NAME: BEVERAGE CONCESSION 2015
 BID OPENED: NOVEMBER 5, 2014 2:30 p.m.
 Notes Bid Bond WAIVED

VENDOR	Agree to sign 20% Franchise Agreement	Aidends #1	Bid Proposal Executed / Signed / Notarized	Bid price per each unit
Buffalo Rock Co	YES	yes	YES	*****
7.5oz can soft drink				\$ 0.33
12 oz can soft drink				\$ 0.35
12 oz plastic bottle soft drink				\$ 0.37
12 oz plastic bottle name brand water				\$ 0.30
20 oz plastic bottle soft drink				\$ 0.75
20 oz plastic bottle name brand water				\$ 0.50
50 oz plastic bottle name brand water				\$ 0.78
3.5 gal Bag-in-a-box				not available
5.0 gal Bag-in-a-box				\$44.00 (\$14.66 per gal)
5.0 gal Bag-in-a-box				not available
CO2 Deposits				\$ 100.00
CO2 Canister				\$ 25.00
Coca Cola Bottling Co Consolidated	yes	Acknowledged	yes	*****
7.5oz can soft drink				\$ 0.31
12 oz can soft drink				\$ 0.31
12 oz plastic bottle soft drink				\$ 0.58
12 oz plastic bottle name brand water				\$ 0.38
20 oz plastic bottle soft drink				\$ 0.88
20 oz plastic bottle name brand water				\$ 0.40
50 oz plastic bottle name brand water				\$ 0.70
3.5 gal Bag-in-a-box				\$32.25 (\$14.10 per gal)
5.0 gal Bag-in-a-box				\$ 69.50
5.0 gal Bag-in-a-box				\$ 69.50 on lot
CO2 Deposits				\$ 27.00
CO2 Canister				

Recommendation: Award Bid to Coca Cola Bottling Company Consolidated in the amounts listed above.

To my knowledge this is an accurate bid tabulation.

Yann Kihm 11/6/14
 Yann Kihm, Director of Parks and Recreation

Darrel P. Ames 11/06/14
 Darrel P. Ames
 Purchasing Manager

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to Purchase Three (3) Voltage Regulators for the Church Street Substation for the Electric Department; and the units are to replace unpredictable damage that occurred to the existing units, and are therefore, not budgeted items. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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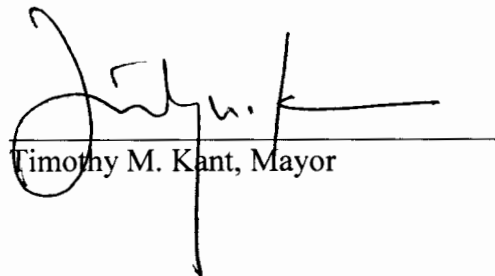
RESOLUTION NO. 2303-14

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 Three (3) Voltage Regulators for Church Street Substation for the Electric Department and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain informal quotes and purchase the Three (3) Voltage Regulators. The total cost will be \$40,500.00.

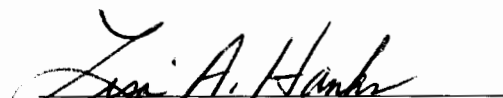
Please note that the most important factor in this procurement is getting matched units, and especially, the most rapid delivery for quick installation. Therefore, the second lowest quote is in the best interest of the City to accept. These units are to replace unpredictable damage that occurred to the existing units, and are therefore, not budgeted items.

Adopted on this 24th day of November, 2014



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

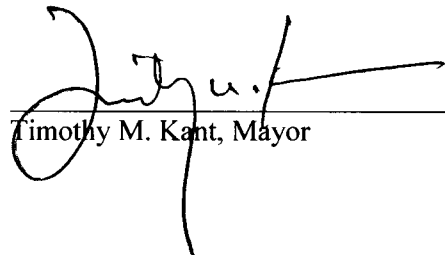
Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Timothy M. Kant is hereby authorized to execute a Temporary Construction and Access Easement between the City of Fairhope and Annwill Corporation for purposes incidental to the City's drainage improvement project in, upon, over, under, and across that certain real property described in the easement. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

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RESOLUTION NO. 2304-14

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Timothy M. Kant is hereby authorized to execute a Temporary Construction and Access Easement between the City of Fairhope and Annwill Corporation for purposes incidental to the City's drainage improvement project in, upon, over, under, and across that certain real property described in the easement.

Adopted on this 24th day of November, 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 accepting all of Fairhope's public utilities located in public right-of-ways within Stone Creek Phase 2 for maintenance; and authorizes Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Stone Creek, LLC. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 2305-14

WHEREAS, the Owners of Stone Creek, Phase 2 desire to have all public utilities dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2516-F, 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;

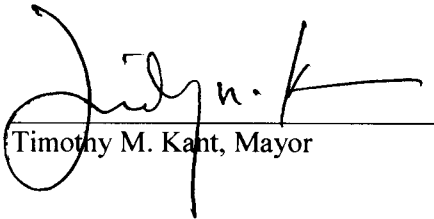
WHEREAS, the Water and Sewer Superintendent has indicated that the improvements meet City requirements, and;

WHEREAS, the City of Fairhope, Alabama, has received from the owners of Stone Creek, Phase 2 maintenance bonds for the public improvements constructed for a period of 2 years, and;

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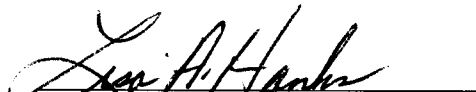
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for Stone Creek, Phase 2 are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Timothy M. Kant to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Stone Creek, LLC (the "Subdivider").

Adopted this 24th day of November, 2014



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

City Council reviewed an application for a Special Events Retail License by Georgia Roussos Brown, Georgia Roussos Catering, Inc., d/b/a Georgia Roussos Catering, for the Baldwin EMC's Christmas Party located at 1 Bayou Dr., Fairhope, Alabama on December 13, 2014 from 6:30 p.m. until 11:00 p.m. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Doug Kerr, Dragonfly Production, LLC, d/b/a Dragonfly Foodbar, located at 7 S. Church St., Fairhope, Alabama. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

The following individual addressed the City Council during Public Participation:

- 1) Paul Ripp, 22985 Highridge Road, addressed the City Council regarding the AMIC lawsuit and stated we lost the case; the proposed fire station on Parker Road regarding unsafe and goes against Comprehensive Plan; and the need to update general nuisance ordinance due to barbecue issues in a subdivision.

Council President Burrell replied back to Mr. Ripp that the City of Fairhope did not lose the AMIC lawsuit, but actually countersued and won. AMIC is to pay the City \$600,000.00 for legal expenses incurred in the Dyas lawsuit.

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City Attorney Wynne reiterated that the AMIC lawsuit was settled and AMIC paid the City of Fairhope \$600,000.00 to go toward attorney fees. Mayor Kant stated that the total legal fees for the "Triangle" lawsuit were \$1.5 million and we had an agreement with AMIC that we would pay half and they would pay half which was \$750,000.00, if we went in that direction. When they dropped us in good faith, we renegotiated and the only amount the City paid for total legal fees was \$500,000.00 over the six-year period.

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 6:41 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk