

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, 9 February 2015.

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

There being a quorum present, Council President Burrell called the meeting to order. Reverend William Parsons, Pastor of Redeemer Lutheran Church, and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 26 January 2015, regular meeting; minutes of the 26 January 2015, work session; and minutes of the 26 January 2015, agenda meeting. Seconded by Councilmember Mueller, motion passed by the following voice votes: AYE - Mueller, Brewer, Ford, and Boone. NAY - None. ABSTAIN - Burrell.

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

- 1) Cecil Christenberry, 212 Jeff Davis Street, addressed the City Council regarding Agenda Item Number 14, a resolution authorizing Mayor Kant to execute the agreement with the Baldwin County Board of Education regarding the City's donation of \$344,852.00. He thanked the City Council for their proactive approach to education; and stated it was an honor to be their school board representative. He also thanked the City Council for the supplemental funding they have provided which is now over one million dollars. Mr. Christenberry said that Fairhope is the leader for others to follow.

Council President Burrell said it was an honor to have Cecil Christenberry here tonight.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253, adopted 27 June 2005. Councilmember Ford introduced in writing an ordinance to rezone the property of Anez Investments, Inc. from R-A Residential Agriculture District to B-4 Business and Professional District. This property is generally located at 20252 State Highway 181, Fairhope, Alabama. Parcel No. 05-46-06-14-0-000-001.502. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance. Planning Director Jonathan Smith briefly explained the proposed ordinance.

9 February 2015

Council President Burrell opened the Public Hearing at 6:11 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:11 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the February 23, 2015 City Council meeting.

A Public Hearing was held on a proposed ordinance for a Franchise Agreement with the City of Fairhope. Councilmember Brewer introduced in writing an ordinance to approve an Application from Glide N.E.W. LLC, d/b/a Glide the Gulf, for a Franchise Agreement to operate Guided Segway Tours on streets and sidewalks as specified on the attached map to agreement; and with the tours beginning from Emma's Bay House at 202 South Mobile Street. Council President Burrell read the proposed ordinance.

Chuck Erickson, 416 Maria Street in Lillian, addressed the City Council and spoke on behalf of Glide N.E.W. LLC and briefly explained the proposed tour route. He mentioned the castle being added as a stop for the tour.

Council President Burrell opened the Public Hearing at 6:12 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:12 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the February 23, 2015 City Council meeting.

Councilmember Brewer introduced in writing Ordinance No. 1531, an ordinance to amend Ordinance No. 1176 and Ordinance No. 1222 known as the City of Fairhope's Lodging Tax Ordinance; changing the period from "30 continuous days or more in any place" to "180 continuous days or more in any place" per the Code of Alabama. In order to take immediate action, Councilmember Boone 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 Brewer then moved for final adoption of Ordinance No. 1531. Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE - Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the rules and guideline for the Fairhope Municipal Tennis Courts as recommended by City Staff and the Recreation Board. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

9 February 2015

RESOLUTION NO. 2321-15

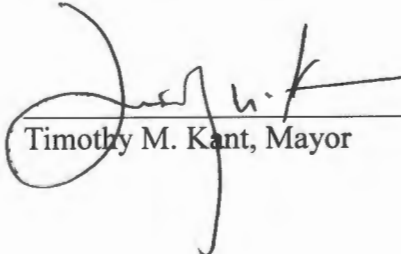
WHEREAS, the City of Fairhope is desirous to protect the health, safety, and general welfare of the people by establishing Rules and Guidelines for Fairhope Municipal Tennis Courts; and

WHEREAS, City staff and the Recreation Board recommend for your approval the following Rules and Guidelines for Fairhope Municipal Tennis Courts:

1. Please limit your time to one (1) hour if others are waiting.
2. No skates, skateboards, or bicycles allowed on courts.
3. Please turn lights off when finished.
4. Private lessons or clinics allowed with permission of City only.
5. Proper shoes and attire required at all times.
6. Pets must be leashed and picked-up after.

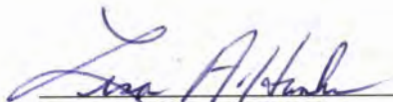
NOW BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope approves the rules and guidelines for Fairhope Municipal Tennis Courts as recommended.

DULY ADOPTED THIS 9TH DAY OF FEBRUARY, 2015



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 to rescind Bid No. 010-15 for Miniature LED Lights 2015 for the Electric Department. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

9 February 2015

RESOLUTION NO. 2322-15

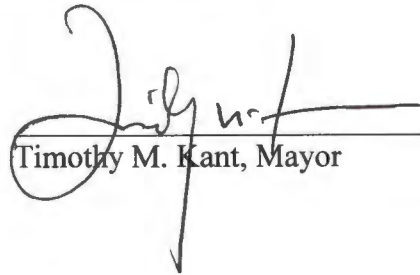
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope did request, receive, and open bids for Miniature LED Lights 2015 for the Electric Department (Bid Number 010-15) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] That Bid No. 010-15 for Miniature LED Lights 2015 for the Electric Department is hereby rescinded at the request of the Purchasing Manager.

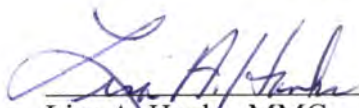
[3] That for logistical purposes, to acquire the needed materials by utilizing the Code of Alabama 1975, Section 41-16-51(b)(7).

Adopted on this 9th day of February, 2015



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 the Baldwin County Trailblazers for an appropriation of \$5,000.00 to support the Walking School Bus program; and Resolution No. 2276-14 is hereby repealed. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

9 February 2015

RESOLUTION NO. 2323-15

WHEREAS, the City Council adopted Resolution No. 2276-14 authorizing a contract to be executed between the City of Fairhope and the Alabama Coastal Foundation, 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, the Alabama Coastal Foundation signed an agreement with the Baldwin County Trailblazers to have the Trailblazers lead the Walking School Bus program at Fairhope Elementary School.

WHEREAS, the Alabama Coastal Foundation requests the City of Fairhope to disburse the \$5,000.00 funding to the Baldwin County Trailblazers and contract with them directly.

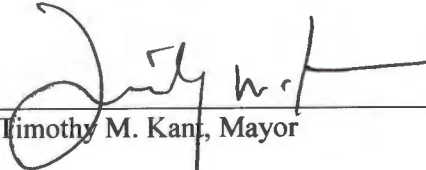
WHEREAS, the City of Fairhope is desirous to repeal Resolution No. 2276-14; and a contract shall be executed between the City of Fairhope and the Baldwin County Trailblazers for the appropriation of \$5,000.00 for the Walking School Bus program.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2014 and ending 30 September 2015; but the contract shall be cancelled at any time upon notice.

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

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 Trailblazers; and Resolution No. 2276-14 is hereby repealed.

DULY ADOPTED THIS 9TH DAY OF FEBRUARY, 2015



Timothy M. Kant, Mayor

Attest



Lisa A. Hanks, MMC
City Clerk

9 February 2015

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to award Bid for Two (2) Single Reel Turret Trailers (Bid No. 009-15) for the Electric Department with a cost of \$35,338.00. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

RESOLUTION NO. 2324-15

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

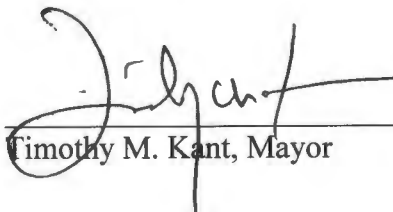
[1] That the City of Fairhope did request, receive, and open bids for Two (2) Single Reel Turret Trailers 2015 for the Electric Department (Bid Number 009-15) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for
Two (2) Single Reel Turret Trailers 2015
for the Electric Department

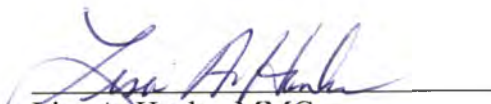
[3] After evaluating the bid proposals with the required bid specifications, Truck Equipment Sales, Inc., with the total bid proposal of \$35,338.00, is now awarded the bid for Two (2) Single Reel Turret Trailers 2015 for the Electric Department.

Adopted on this 9th day of February, 2015



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

9 February 2015

CITY OF FAIRHOPE

TABULATION

BID NUMBER: 009-15

BID NAME: Two Single Reel Turret Trailers 2015

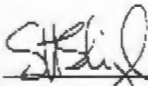
OPENED: 11-19-2014 2:30 p.m.

Bonds waived.

VENDOR	Non-Collusion/ Proposal Executed /Signed / Notarized	ARO days	Instructions / Specification Compliance returned	Manufacturer	Model	Bid (\$) Price Per (1) Unit	Total Base Bid \$ for 2 Trailers
Truck Equipment Sales, Inc.	yes ¹	98	yes	Sawber Mfg Co	1519-Single Reel Turret Trailer	\$ 17,669.00	\$ 35,338.00
Sherman+ Reilly, Inc. a Tetron Co	yes	120	yes	Sherman + Reilly	TRT-184/60	\$ 29,345.00	\$ 58,690.00

¹ Minor informality waived.

Recommendation: Award to Bid to Truck Equipment Sales, Inc. in the amount of \$35,338.00 for two units.

 11/20/14
Scott Sligh, P. E., Electric Superintendent

 11/20/14
Daniel P. Ames, Purchasing Manager

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution to Purchase Portable Internet Devices and Services for the Police Department and Building Department and the type of equipment and services needed are on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid with a total annual cost \$21,594.60. Secnded by Councilmember Ford, motion passed unanimously by voice vote.

9 February 2015

RESOLUTION NO. 2325-15

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 Portable Internet Devices and Services for the Police Department and Building Department and the type of equipment and services needed are on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and

[2] The following is the Alabama State Department of Purchasing contract information:

Bid Number: T302

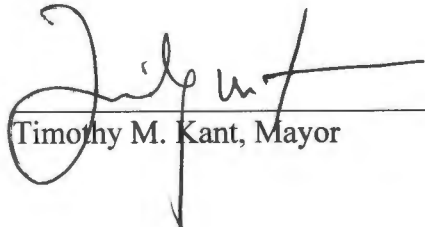
Contract Number: 4013014

Devices and Services
(Quantity of 45)

Cost is \$1,799.55 per month

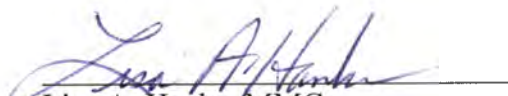
Total Annual Cost for is \$21,594.60

Adopted on this 9th day of February, 2015



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 certain items are declared surplus and the Mayor and City Treasurer are hereby authorized and directed to dispose of personal property owned by the City of Fairhope by receiving bids and being sold to the highest bidder. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

9 February 2015

RESOLUTION NO. 2326-15

WHEREAS, the City of Fairhope, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Code of Alabama of 1975 authorizes the municipal governing body to dispose of unneeded personal property;

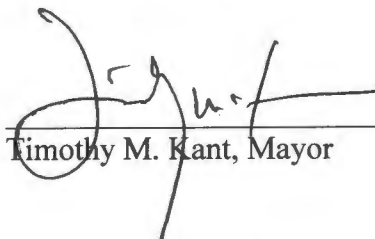
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FAIRHOPE, ALABAMA, AS FOLLOWS:

SECTION 1. That the following personal property owned by the City of Fairhope, Alabama, is not needed for public or municipal purposes, and hereby declared surplus:

[SEE ATTACHED LIST OF EQUIPMENT]


SECTION 2. That the Mayor and City Treasurer are hereby authorized and directed to dispose of the personal property owned by the City of Fairhope, Alabama, described in Section 1, above, by receiving bids for such property. All such property shall be sold to the highest bidder, provided, however, that the City Council shall have the authority to reject all bids when, in its opinion, it deems the bids to be less than adequate consideration for the personal property.

ADOPTED AND APPROVED THIS 9TH DAY OF FEBRUARY, 2015



Timothy M. Kant, Mayor

ATTEST:



Lisa A. Hanks, MMC
City Clerk

9 February 2015

January 2015

List of City of Fairhope Surplus Vehicles/Equipment... for Auction

Item 1 – 1998 Honda Fourtrax green
TRX300FW
Vin. 478TE1507WA921155

Item 2 – 1998 Honda Foreman red
TRX400FW
Vin. 478TE2009WA311092

Item 3 – Lescg mower 72" cut
2 two
S/N 7696790

Item 4 – 1- Ford Crown Victoria K-9 Kennel

Item 5 – 1- Stainless Steel Freezer Box

Item 6 – 1- Green Box holding Face Shields

Item 7 – 1- Golf Cart Top

Item 8 – 19 Small Storage Boxes

Item 9 --4-O.D. Green Storage Boxes

Item 10 – Misc. Siren Equipment

Item 11 -4 Boxes of Back Pack Frames

Item 12- 3- Ford Crown Victoria Equipment Consoles

Item 13-1- Bag of Mag Lights

Item 14- 2- Ford Crown Victoria Partitions

Item 15-1- VHS In-Car Video System

Item 16 – Misc. Camera equipment

Item 17 – 2- Vehicle Gun Racks

9 February 2015

Item 18 5-ASP Training Baton Cushions

Item 19 - 1- Polygraph Chair

Item 20 - 29- Inmate Jail Mattresses

Item 21 - 3- Military Gas Cans with Nozzles

Item 22 - 1- Nail Gun

Item 23 - Engle Engineering Generator
Yanmar Diesel
S/N RA66-00443 Hrs. 198.6

Item 24 - Kubota Lawn Tractor
Diesel
S/N G5200H

Item 25 - 2005 John Deere Front Deck Mower
Diesel
S/N tc1435d050030

Item 26 - 2001 Grass Hopper Mower (9280)
Diesel
S/N 5212001

Item 27 - Lincoln 15H/P 3 Phase Air Compressor
S/N 1987336
Model Davey 1B21REDL
S/N 27127

Item 28 - 1986 White Tractor Autocar (300Cummins Diesel)
S/N 1WAKCCJEXGN106079
Miles 109057.7
Hrs. 5165.8

Item 29 - 1994 Ford-350 4 door (DIESEL)
Vin. 1FTJW36M9REA15207
Miles

Item 30 Generator on Trailer
15 KW (WH)
S/N 13212E1400

9 February 2015

- Item 31 – 1977 Generator ONAN (DIESEL)
3 KW - 10.4 AMP
S/N - KZ 00088
- Item 32 – 1968 Generator Eagle Engineering Corp.
3 KW (DIESEL)
S/N HA66-00443
- Item 33 – 3 Farm-master gates 13.6 foot each
- Item 34 – Generator on Trailer 5KW (DIESEL)
- Item 35- Generator on Trailer 3KW (GAS)
HRS> 115.2
- Item 36- Generator on Trailer 5KW (GAS)
S/N 002692
- Item 37 – 1986 Generator 15 KW (DIESEL)
Model 113A
S/N KZ0-6631
- Item 38 – 1970 Generator 3 KW (DIESEL)
S/N KA68 – 13501
- Item 39 – Jacobsen 22" cut Green Mower (Tournament)
S/N 6229102751
- Item 40 – EZGO Golf Cart (gas) Parts
S/N 2275619
- Item 41 – 1993 EZGO Golf Cart (gas) Low compression
S/N – 763752
- Item 42 – Blue Bird (SOD CUTTER)
Model SC18
S/N 042024005
- Item 43 – John Deere back bucket 30"
- Item 44 – Box 3'X3' Pipe Fixing Steel
- Item 45 – 2 -25 gal Drums steel pipe fixing

Item 46 – Kawasaki Mule 2500 (gas)
Model KAF620C
S/N FE48199338173

Item 47 – EZGO (battery powered)
S/N XI 8754

Council President Burrell stated that Item Number 3 in the agreement needs to read "on or before December 31, 2015" as agreed upon in the Agenda meeting; and the resolution does not need to be amended since the date is not specified in same.

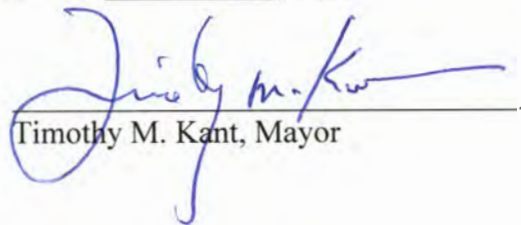
9 February 2015

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute the Agreement with the Baldwin County Board of Education regarding the City's donation of \$344,852.00 to the Board for use by Fairhope Public schools; and used strictly in conformance with the "Approved List" recommended by Fairhope Education Advisory Committee. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

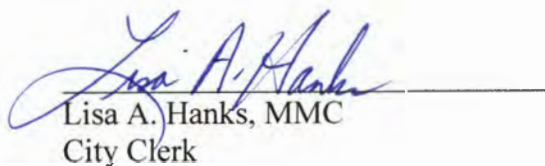
RESOLUTION NO. 2327-15

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute the Agreement with the Baldwin County Board of Education regarding the City's donation of \$344,852.00 to the Board for use in the following schools: Fairhope Elementary, Fairhope Intermediate, Fairhope Middle, Fairhope High and J. Larry Newton. The donated funds are to be used strictly in conformance with the Fairhope Education Advisory Committee's "Approved List" which is attached to the Agreement as "Addendum A"; and with the Agreement.

ADOPTED ON THIS 9TH DAY OF FEBRUARY, 2015


 Timothy M. Kant, Mayor

Attest:


 Lisa A. Hanks, MMC
 City Clerk

Councilmember Brewer moved to reappoint Julia Summerlin, Bob Riggs, and Jim Kellen to the Education Advisory Committee for a three-year term which will expire February 2018. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes and approves to extend the deadline to May 31, 2015 in order for the schools to use the remaining balances and these balances may only be spent on items and/or activities that were approved in the original contracts for the 2013-2014 supplemental funding. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

9 February 2015

RESOLUTION NO. 2328-15

WHEREAS, the City has earmarked \$350,000.00 ("Contribution") of its 2013-2014 General Operations Budget for the improvement of education in the five schools; and,

WHEREAS, on March 24, 2014 the Fairhope City Council accepted the recommendations of Fairhope's Education Advisory Committee for use of \$242,220.00 in the five schools with the remaining balance pending further review via Resolution No. 2204-14; and

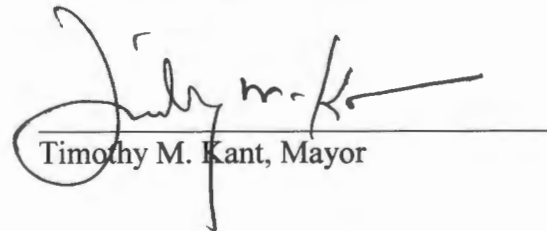
WHEREAS, on May 27, 2014 the Fairhope City Council has now accepted additional recommendations of Fairhope's Education Advisory Committee for use of \$81,000.00 in three of the five schools with a balance of \$26,780.00 pending further review via Resolution No. 2224-14; and

WHEREAS, the City Council is desirous at the recommendation of the Education Advisory Committee to extend the deadline from September 30, 2014 to May 31, 2015 in order for the schools to use the remaining balances determined by the Education Advisory Committee and confirmed by the Baldwin County Board of Education; and

WHEREAS, the remaining balances may only be spent on items and/or activities that were approved in the original contracts for the 2013-2014 supplemental funding.


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby authorizes and approves to extend the deadline to May 31, 2015 in order for the schools to use the remaining balances and these balances may only be spent on items and/or activities that were approved in the original contracts for the 2013-2014 supplemental funding.

ADOPTED ON THIS 9TH DAY OF FEBRUARY, 2015



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

9 February 2015

City Council reviewed an application for a Non-Profit Tax Exempt License (Alcoholic Beverage) License by Erik Cortinas, Fairhope Booster Club, Inc, for the 2015 Drawdown located at 161 North Section Street, Fairhope, Alabama on February 28, 2015. Councilmember Boone moved to approve the issuance of the license. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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 6:25 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk