

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, 27 July 2015.

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 Judson Shores, Associate Pastor of Celebration Church, and the Pledge of Allegiance was recited. Councilmember Brewer moved to approve minutes of the 13 July 2015, regular meeting; minutes of the 13 July 2015, work session; and minutes of the 13 July 2015, agenda meeting. Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

Lisa Miller, AMEA Manager of Communications and Marketing, addressed the City Council presented Mayor Kant on behalf of the AMEA Board of Directors with a Resolution of Congratulations for the Alabama Community of Excellence ("ACE") designation. Ms. Miller also congratulated Sherry Sullivan as the ACE Project Manager.

Sherry Sullivan, Community Affairs and Recreation Director, addressed the City Council and announced August 2, 2015 will be the last Glow in the Dark Series movie. Ms. Sullivan then recognized the Fairhope American AAA Team who is 15-0 at this point and will be heading to the World Series. There is a Go Fund Me Account and Sponsor Sheet Forms to help with funding for their trip.

Councilmember Ford addressed the City Council and requested everyone to continue to recycle. He said the Recreation Board meeting was mainly housekeeping items; and the discussion of the tennis courts and the Soccer Complex Project.

Council President Burrell addressed the City Council and recognized Troop 47 Boy Scouts who are in attendance earning their Communication Merit Badge. They have to attend a City Council meeting and then prepare a report on both sides of an issue.

Jill Cabaniss, Finance Director, addressed the City Council and presented the third quarter financial report via a Power Point Presentation for the quarter ending June 30, 2015.

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A Public Hearing was held as advertised on a proposed ordinance for a Franchise Agreement to install and operate Italian Ice Vending Cart 100' to 200' left of the Fairhope Boardwalk Pier, Fairhope, Alabama. Councilmember Ford introduced in writing Ordinance No. 1543, an ordinance to approve an Application from Lonnie Gibbs d/b/a Mustache Mike's for a Franchise Agreement to install and operate Italian Ice Vending Cart 100' to 200' left of the Fairhope Boardwalk Pier, Fairhope, Alabama. Council President Burrell read the proposed ordinance.

Council President Burrell opened the Public Hearing at 6:21 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:21 p.m.

In order to take immediate action, Councilmember Ford 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 Boone then moved for final adoption of Ordinance No. 1543. Seconded by Councilmember Ford, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

Councilmember Brewer introduced in writing Ordinance No. 1544, an ordinance to declare that certain real property (the building and property situated at 350 Morphy Avenue) of the City of Fairhope is not needed for public or municipal purposes in response to an offer to lease property by the Theatre 98, Inc. beginning on August 1, 2015. 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 Brewer then moved for final adoption of Ordinance No. 1544. Seconded by Councilmember Ford, motion for final adoption passed by the following voice votes: AYE – Burrell, Mueller, Brewer, Ford, and Boone. NAY - None.

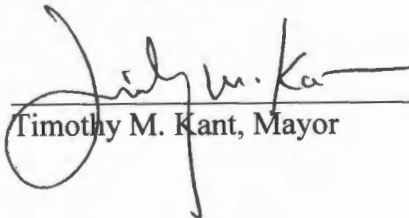
Councilmember Brewer introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Timothy M. Kant to execute a Lease Agreement between the City of Fairhope and Michael Francis for use of the premises solely and exclusively for an access to other City property. All other terms and conditions are set forth in the lease agreement. Seconded by Councilmember Boone, motion passed unanimously by voice vote. Councilmember Boone stated this will give the City access to its property; and this will allow the City to do a bulkhead restoration.

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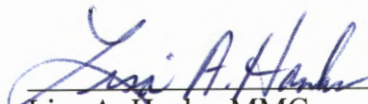
RESOLUTION NO. 2385-15

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Timothy M. Kant is hereby authorized to execute a Municipal Lease Agreement between the City of Fairhope, Alabama ("Lessee") and Michael Francis ("Lessor") for use of the premises solely and exclusively for an access to other City property with uses normally incident thereto and for the maintenance of a bulkhead and the placement of cables to support a bulkhead for the term of five years commencing on August 1, 2015 and ending July 31, 2018 with three five-year options to renew lease on the same terms. Lessee shall pay rent to Lessor of one thousand (\$1,000.00) dollars per year with the first payment becoming due August 1, 2015. Lessee shall also be allowed to install a fence on the leased property. All other terms and conditions are set forth in the lease agreement.

Adopted on this 27th day of July, 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 that the City of Fairhope authorizes submission of a pre-application to ADECA requesting an FY 2015 Recreational Trails Program ("RTP") grant and authorizes Mayor Timothy M. Kant to sign the required grant application on behalf of the City. Total projected costs estimate is \$125,000.00 (80/20 match; City's estimate \$25,000.00). Seconded by Councilmember Mueller, motion passed unanimously by voice vote.

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RESOLUTION NO. 2386-15**AUTHORIZING THE SUBMISSION OF AN FY15 RECREATIONAL TRAILS PROGRAM GRANT PRE-APPLICATION TO THE ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS**

WHEREAS, the Alabama Department of Economic and Community Affairs (ADECA) is accepting pre-applications for the FY 2015 Recreational Trails Program (RTP) grants; and

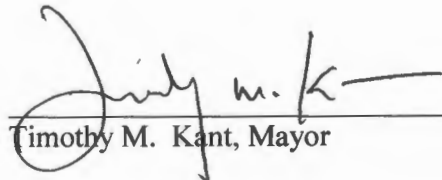
WHEREAS, the City of Fairhope has identified a need for a non-motorized, diverse use trail to be located at the Manley Road Soccer Complex; and

WHEREAS, said program is limited to funding a maximum of eighty percent (80% or \$100,000) of the proposed project costs estimated at (\$125,000.00); and

WHEREAS, if the grant is awarded, the City of Fairhope will provide the required 20% matching funds or (\$25,000.00) through a cash contribution;

THEREFORE, BE IT RESOLVED BY THE City of Fairhope, IN REGULAR SESSION ASSEMBLED, that by this Resolution the City of Fairhope authorizes submission of a pre-application to ADECA requesting an FY 2015 RTP grant and authorizes the Mayor to sign the required grant application on behalf of the City.

DULY ADOPTED THIS 27TH DAY OF JULY, 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 authorizing Mayor Timothy M. Kant to accept the FAA Grant to "construct apron (east terminal area), Phase 2 grading and drainage; improve airport drainage (west terminal area)" at the H. L. "Sonny" Callahan Airport. The grant amount is \$618,585.00 - Project Number 3-01-0029-016-2015. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

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RESOLUTION NO. 2387-15

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRHOPE,
ALABAMA, APPROVING AND AUTHORIZING THE MAYOR AND THE CITY
TO ENTER INTO A GRANT AGREEMENT WITH THE FEDERAL AVIATION
ADMINISTRATION FOR THE BENEFIT OF FAIRHOPE AIRPORT
AUTHORITY AND THE FAIRHOPE AIRPORT**

WHEREAS, the United States of America acting through the Federal Aviation Administration has offered to pay a maximum of \$618,585.00 to “construct apron (east terminal area), Phase 2 grading and drainage; improve airport drainage (west terminal area)” at the H.L. [“Sonny”] Callahan Airport in Fairhope, being project number 3-01-0029-016-2015; and

WHEREAS, the purpose of this grant is that the Federal Aviation Administration pay a 90% share of the allowable costs incurred in accomplishing said project; and

WHEREAS, this offer of the Federal Aviation Administration is contingent upon acceptance of the grant in accordance with its terms, namely and including, among others, the “Airport Sponsor Assurances” included as pages 7-28 of the Grant Agreement; and

WHEREAS, the grant application was originally processed with the recipient to be the City of Fairhope, Alabama; and

WHEREAS, during the pendency of the processing of the grant, the City of Fairhope has fully cooperated in the creation of a new entity to own and control the H.L. [“Sonny”] Callahan Airport in Fairhope by the newly-created Fairhope Airport Authority; and

WHEREAS, the transferring of the properties and assets and liabilities concerning the H.L. [“Sonny”] Callahan Airport in Fairhope is still to some extent in progress; and

WHEREAS, the Federal Aviation administration retains the right to approve any such transfer from the City to the Airport Authority of such assets and liabilities of and pertaining to an airport such as H.L. [“Sonny”] Callahan Airport in Fairhope which has received and retained grant money or assets from the Federal Aviation administration; and

WHEREAS, the process of getting approval of the transfer from the Federal Aviation Administration is still ongoing and is not completed; and

WHEREAS, the deadline date for the receipt of the grant from the Federal Aviation Administration is almost upon us; and

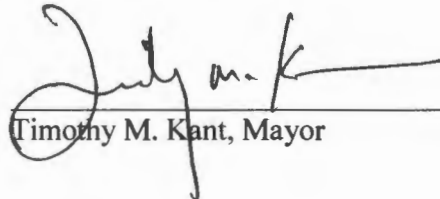
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WHEREAS, the deadline date for the receipt of the grant from the Federal Aviation Administration is almost upon us; and

WHEREAS, some intermediate solution to these problems is in the best interests of all concerned;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City, in a regular meeting of the City Council, that the Mayor be and he is hereby authorized to sign and execute any necessary and appropriate documents so that the City can receive the grant during this interim period, acting for and in behalf of the H.L. ["Sonny"] Callahan Airport in Fairhope and Fairhope Airport Authority as Sponsor, so that pending and during the period when the Federal Aviation Administration is approves the transfer of the airport and the grants and liabilities concerning the airport, this grant is not lost unnecessarily but is, instead, accepted in accordance with applicable law and procedures.

Adopted this the 27th day of July, 2015



Timothy M. Kant, Mayor

ATTEST:



Lisa A. Hanks, MMC
City Clerk

Councilmember Boone moved to appoint the following individuals to the Personnel Board: Lorenzo Howard to fill the unexpired term of Judy Hale with term ending December 2016; to appoint Robert Stankoski to fill the unexpired term of Clark Stankoski with term ending December 2017; and to appoint Jane Erdoes with term ending December 2019. Seconded by Councilmember Brewer, motion passed unanimously by voice vote.

Councilmember Brewer moved to appoint Brad Summersell to the Education Advisory Committee for a three-year term which will expire July 2018. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Boone moved to appoint Tom Scheck to fill the unexpired term of Rod Platt; and to appoint Vince Boothe to fill the unexpired term of Chuck Zunk to the Fairhope Airport Authority with terms ending March 2017. Seconded by Councilmember Ford, motion passed by the following voice votes: AYE – Burrell, Brewer, Ford, and Boone. NAY – Mueller.

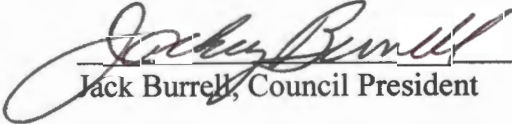
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Councilmember Boone moved to appoint Tom Scheck to fill the unexpired term of Rod Platt; and to appoint Vince Boothe to fill the unexpired term of Chuck Zunk to the Fairhope Airport Authority with terms ending March 2017. Seconded by Councilmember Ford, motion passed by the following voice votes: AYE – Burrell, Brewer, Ford, and Boone. NAY – Mueller.

City Council reviewed an application for Non-Profit Tax Exempt License (Alcoholic Beverage License) by Mark Wilson for the National Wild Turkey Federation, Inc., for the Hunting Heritage Banquet; located at 161 North Section Street, Fairhope, Alabama on August 7, 2015 from 6:00 p.m. to 10:00 p.m. Councilmember Brewer moved to approve the issuance of the license. Seconded by Councilmember Mueller, 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 6:31 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk