

STATE OF ALABAMA            )(  
   :  
 COUNTY OF BALDWIN        )(

The City Council, City of Fairhope, met in regular session at 5:30 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 24 September 2007.

Present were Council President Robert C. Gentle, Councilmembers: Debbie W. Quinn, Daniel Stankoski, Cecil Christenberry, and Michael A. Ford, Mayor Timothy M. Kant, City Attorney Marion E. Wynne, and Assistant City Clerk Lisa A. Hanks. City Clerk Geniece W. Johnson was absent.

There being a quorum present, Council President Gentle called the meeting to order. The Pledge of Allegiance was recited, and Father Steve Williams, Pastor of St. Lawrence Catholic Church, gave the invocation. Councilmember Christenberry moved to approve minutes of the September 10, 2007, regular meeting. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Mayor's Comments and Staff Reports:

- Mayor Kant recognized Wayne Smith, Purchasing Agent for the City of Fairhope, who will be retiring this year. The Mayor thanked Wayne for his many years of service to the City.
- James Gillespie introduced Dr. Donald C. Mosley, Jr., Professor at the University of South Alabama. He helped with the City of Fairhope's Development and Training Programs. Dr. Mosley presented Mayor Kant and the City of Fairhope a signed copy of Supervisor Management, The Art of Inspiring, Empowering & Developing People, 7th Edition. There are several sections with the City of Fairhope mentioned in his book. He stated that the City of Fairhope is proactive in leadership.
- Rose Fogarty, Finance Director, and Nancy Wilson, City Treasurer, presented the following PowerPoint presentation no action was taken by City Council.

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**CITY OF FAIRHOPE  
CITY COUNCIL MEETING  
SEPTEMBER 24, 2007**

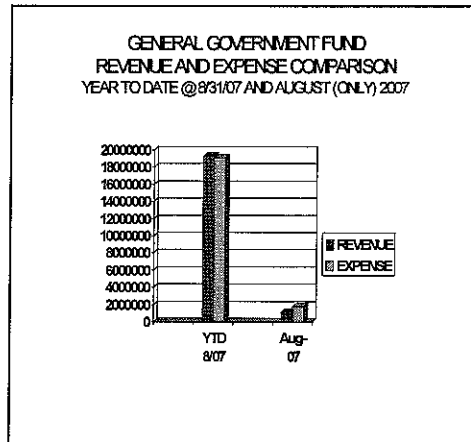
**SUMMARY  
FINANCIAL REPORTS  
ELEVEN MONTHS ENDED  
8/31/2007**

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**GENERAL FUND**

	11 MONTHS ENDED 8/31/07	11 MONTHS ENDED 8/31/06
REVENUES (INCLUDING UTILITY TRANSFERS)	19,259,130	16,334,199
EXPENSES	<u>19,072,490</u>	<u>16,657,861</u>
EXCESS REVENUE OVER (UNDER) EXPENSE	186,639	-323,661

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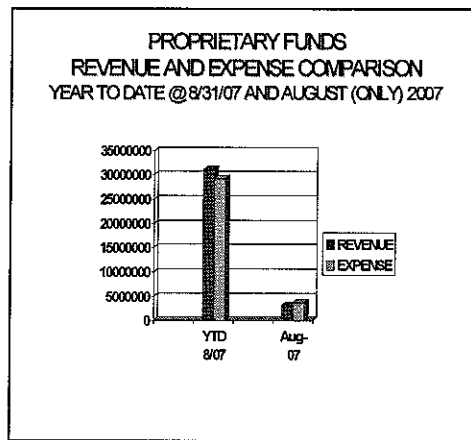


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**PROPRIETARY FUNDS**

	11 MONTHS ENDED 8/31/07	11 MONTHS ENDED 8/31/06
REVENUES	31,092,046	29,315,411
EXPENSES - INCLUDING TRANSFERS	<u>29,148,638</u>	<u>27,029,696</u>
EARNINGS (LOSS)	1,943,408	2,285,715

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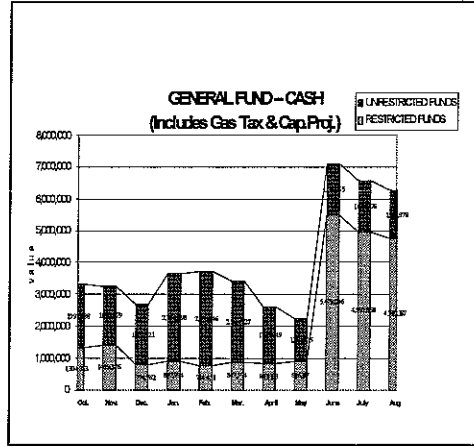
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**CASH BALANCE COMPARISON  
AT AUGUST 31, 2007**

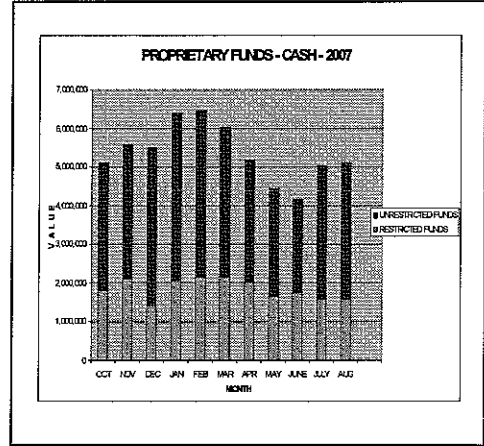
	CURRENT 8/31/07	PRIOR MONTH 7/31/2007	PRIOR YEAR 8/31/06
GENERAL FUND	1,960,135	2,032,796	1,952,999
GAS FUND	682,022	689,560	590,409
ELECTRIC FUND	2,097,646	1,943,415	2,455,220
WATER FUND	4,204,662	4,126,862	4,662,148
GOLF FUND	94,237	123,063	109,679
GAS TAX FUND	329,714	329,350	292,951
CAPITAL PROJECTS (INCLUDES LIBRARY PROJECT ACCOUNT)	3,976,317	4,229,067	479,879
TOTAL - ALL FUNDS	<u>13,344,734</u>	<u>13,468,244</u>	<u>10,552,683</u>
SINKING FUNDS	1,570,665	1,857,805	1,853,197
WARRANT FUNDS	4,364,933	4,573,934	662,745
TOTAL EXCLUDING SINKING/WARRANTS	6,980,136	7,036,505	7,948,743

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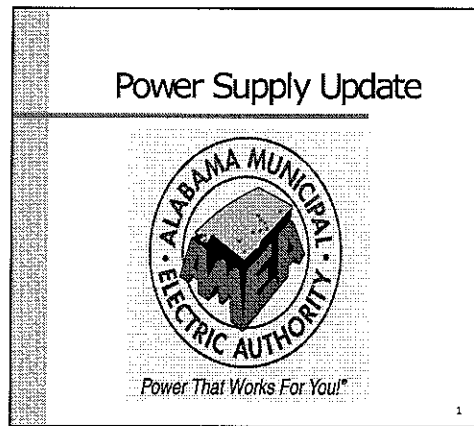
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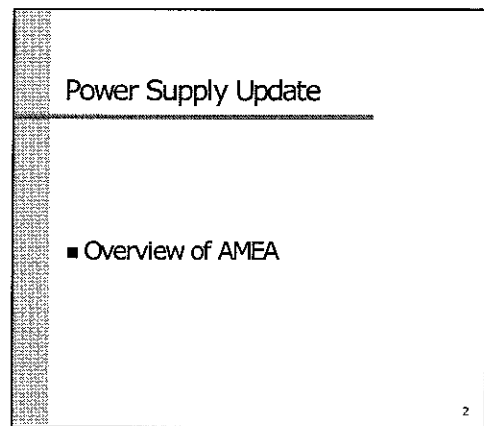
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- Fred Clark, Executive Director of the Alabama Municipal Electric Authority presented the following PowerPoint presentation no action was taken by City Council. Mr. Clark stated that this year was the 25th Anniversary of the AMEA. He reported that rail transportation was doubling and tripling in price. The AMEA is hoping to have Green Power alternatives by the end of the year for their customers.

Emission controls – Mr. Clark stated that AMEA is placing scrubbers at the back end of our process to eliminate and/or control emissions from coal. Fixed costs will be increasing. Unfortunately, there are some environmental issues and emission controls that cost money. AMEA is working on a cleaner and friendly environment.



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### Power Supply Update

- Generation Mix
- Generation Cost
- Drivers for increased energy costs
  - State of Coal Markets
  - State of Gas Markets
- Typical Day Generation Resource Requirements

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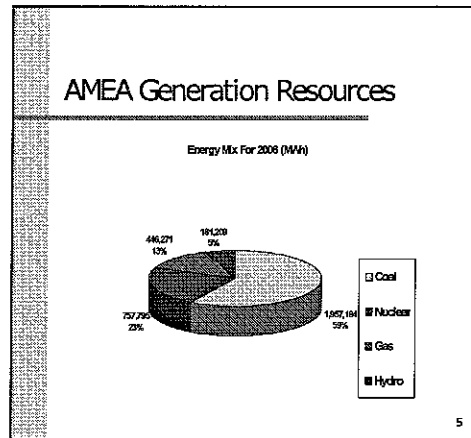
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### AMEA Generation Resources

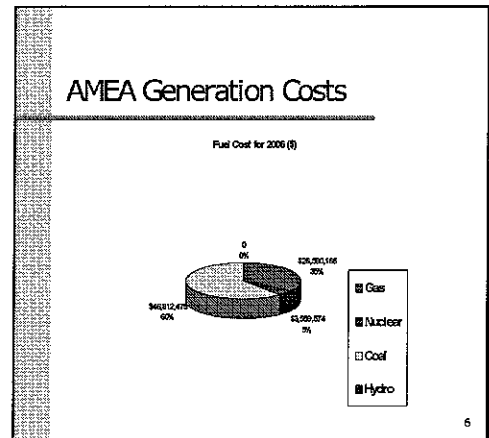
- Excellent mix of generation resources
  - Coal
  - Nuclear
  - Natural Gas
  - Hydro

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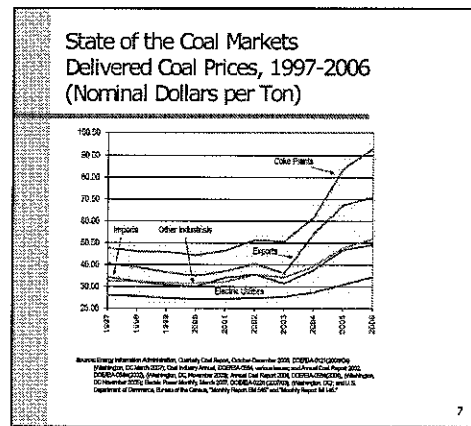
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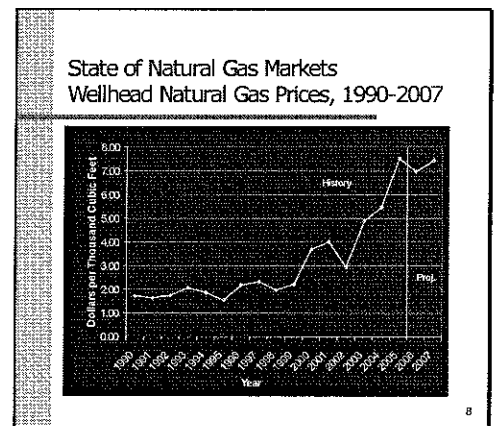
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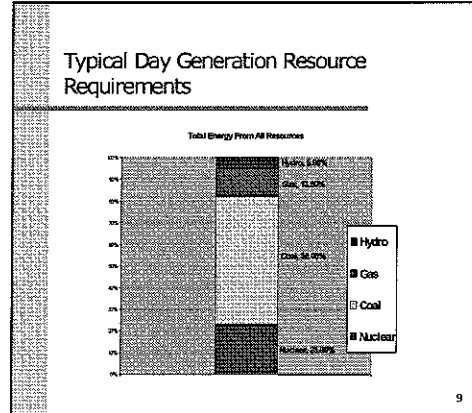


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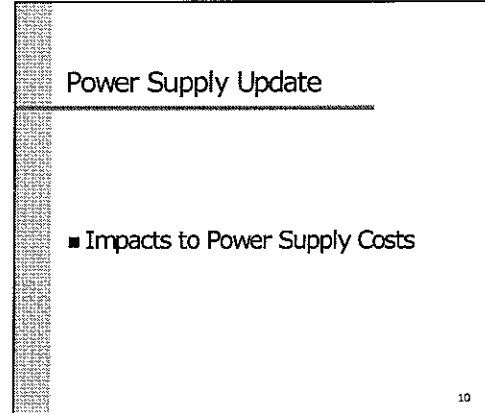


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Councilmember Quinn asked what is your fuel cost adjustment? Mr. Clark answered that it depends on the actual cost of fuel each month and will vary. The levelizer for the summer months was around 8.9%. Council President Gentle commented that the AMEA was the largest purchaser of Alabama Power Company. Mr. Clark stated that the AMEA follow the most current policies for making Transmission Systems the best. AMEA is making sure our generation resources reach you in the most economical way, as well as, reasonable and comparable to other companies.

Councilmember Christenberry moved for final adoption of Ordinance No. 1344, an ordinance replacing Ordinance No. 1220 to protect the public health, safety and welfare by providing policy and procedure for sidewalk and/or street usage within the City of Fairhope. (Introduced at the September 10, 2007 meeting) Seconded by Councilmember Stankoski, motion for final adoption passed unanimously by the following voice votes: AYE-Quinn, Stankoski, Christenberry, Ford, and Gentle. NAY-None.

Councilmember Stankoski moved for final adoption of Ordinance No. 1345, an ordinance replacing Ordinance No. 1221 to protect the public health, safety and welfare by providing policy and procedure for park usage within the City of Fairhope. (Introduced at the September 10, 2007 meeting) Seconded by Councilmember Christenberry, motion for final adoption passed unanimously by the following voice votes: AYE-Quinn, Stankoski, Christenberry, Ford, and Gentle. NAY-None.

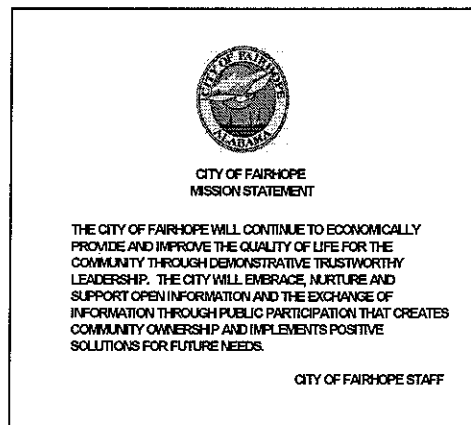
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Councilmember Christenberry introduced an Ordinance amending Ordinance No. 1315 the electric rates, by increasing electrical rates by 3%. Councilmember Quinn asked how much is the 3% in dollars? Mayor Kant answered around \$300,000 total. We have a loop (redundant) system, which allows for a more reliable system. If one substation goes down, we can route the electricity to another with no interruption in power.

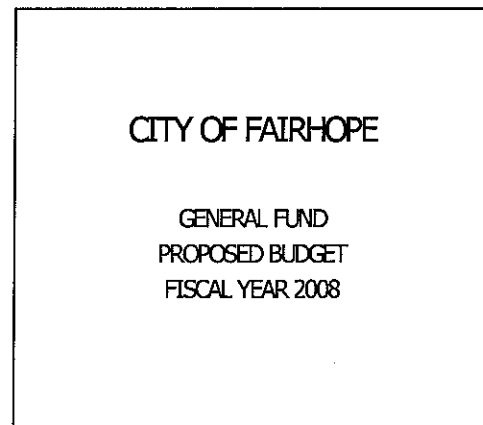
Council President Gentle stated that we tried to reduce millage and that didn't work. Is this a way we can forego it and help our citizens? Mayor Kant replied that is why I suggested holding off until January 2008. This will help downtown merchants. I just want to wait and see what happens. Councilmember Ford asked do you want to table this? Councilmember Quinn said I feel you have already passed a 3% increase last year and fuel adjustment fees. I don't feel comfortable with this right now.

After further discussion, Councilmember Quinn then moved for this Ordinance to be tabled. Seconded by Councilmember Christenberry, motion to table passed unanimously by the following voice votes: AYE-Quinn, Stankoski, Christenberry, Ford, and Gentle. NAY-None.

Rose Fogarty presented the following Power Point presentation of the City of Fairhope FY 2007-2008 proposed budget.



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GENERAL FUND—PROPOSED BUDGET FISCAL 2008	
PROJECTED REVENUE	
PROPERTY TAXES	4,460,206
LOCAL TAXES	890,200
LICENSES AND PERMITS	3,207,500
FINES AND FORFEITURES	360,000
ADULT RECREATION DEPARTMENT	34,000
STATE OF ALABAMA	220,000
UNITED STATES GOVERNMENT	802,000
INTERESTS AND RENTS	260,000
CHARGES FOR SERVICE	4,782,000
OTHER REVENUE	366,300
PROJECTED TOTAL REVENUE	15,054,306
TRANSFERS FROM UTILITIES	4,330,000
PROJECTED TOTAL REVENUES AND TRANSFERS	19,384,306
PROJECTED EXPENSES	
GENERAL GOVERNMENT	5,990,307
POLICE DEPARTMENT	3,788,207
FIRE DEPARTMENT	800,405
RECREATION DEPARTMENT	502,255
ADULT RECREATION DEPARTMENT	42,500
STREET DEPARTMENT	2,754,014
SANITATION DEPARTMENT	1,500,314
STAFF AGENCIES AND APPROPRIATIONS	1,126,900
DEBT SERVICE	1,772,106
TRANSFERS TO CAPITAL PROJECTS FUND	300,000
PROJECTED TOTAL EXPENDITURES	19,768,524
PROJECTED REVENUES/TRANSFERS OVER EXPENSES	115,482

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GENERAL FUND EQUIPMENT ADDITIONS AND UPGRADES FISCAL 2008	
POLICE CARS	150,000
FIRE DEPARTMENT EQUIPMENT/FACILITIES	108,750
RECREATION DEPARTMENT EQUIPMENT	48,000
INDY CENTER EQUIPMENT	15,000
PUBLIC WORKS—STREET DEPARTMENT EQUIPMENT	68,000
PUBLIC WORKS—SANITATION DEPARTMENT EQUIPMENT	327,000
PLANNING AND BUILDING EQUIPMENT AND COMPUTER UPGRADES	61,500
METER AND REVENUE COLLECTION DEPARTMENTS EQUIPMENT	98,000
PURCHASING DEPARTMENT EQUIPMENT AND UPGRADES	31,500
FINANCE DEPARTMENT EQUIPMENT	3,500
TOTAL GENERAL FUND EQUIPMENT AND UPGRADES	912,250

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NEW CAPITAL PROJECTS	
CENTENNIAL PARK	35,000
BIO-DIESEL PROGRAM	20,000
VARIABLE ROAD PROJECTS	400,000
THEATER 58 PROJECT	175,000
TOTAL NEW CAPITAL PROJECTS	630,000

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Fairhope Public Utilities



**UTILITY AND GOLF FUNDS PROPOSED  
BUDGETS  
FISCAL YEAR 2008**

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PROPRIETARY FUNDS PROPOSED BUDGETS FISCAL 2008	
PROPOSED PROPRIETARY FUNDS REVENUES	
GAS FUND	7,796,000
ELECTRIC FUND	17,883,000
WATER AND SEWER FUND	9,243,500
GOLF FUND	1,725,700
TOTAL PROPRIETARY FUND REVENUES	36,648,200
PROPOSED PROPRIETARY FUNDS EXPENSES	
GAS FUND	6,488,189
ELECTRIC FUND	15,252,711
WATER AND SEWER FUND	6,648,378
GOLF FUND	1,600,800
TOTAL PROPRIETARY FUND EXPENSES	29,991,078
EARNINGS FROM OPERATIONS	6,657,122
TRANSFERS TO GENERAL FUND	-4,330,000
NET EARNINGS	2,327,122

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PROPRIETARY FUNDS CAPITAL EQUIPMENT REQUESTS—FISCAL 2008	
GAS FUND EQUIPMENT AND VEHICLES	205,000
ELECTRIC FUND EQUIPMENT AND VEHICLES	472,000
WATER AND SEWER FUND EQUIPMENT AND VEHICLES	21,000
GOLF FUND CARTS, EQUIPMENT	120,000

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GENERAL FUND DEBT REDUCTION 2008 = \$947,028
PROPRIETARY DEBT REDUCTION 2008 = \$954,588

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PROPOSED BUDGETS SUMMARY GENERAL GOVERNMENT AND PROPRIETARY FUNDS	
REVENUES -- ALL FUNDS	52,202,506
EXPENDITURES -- ALL FUNDS	<u>-49,739,902</u>
NET EARNINGS	2,462,604

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Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution approving and adopting the proposed Budget for FY 2007-2008. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

**RESOLUTION NO. 1412-07**

**BE IT RESOLVED** by the Mayor and Council of the City of Fairhope, Alabama, that the proposed Budget presented and reviewed this 24th day of September 2007, be hereby approved and adopted for FY 2007-2008; and

**BE IT FURTHER RESOLVED** that the Annual Salaries of City Personnel shall be as shown on a list entitled Annual Salaries of All City Personnel - Res. No.1412-07; said list filed in the Office of the Mayor, of the City Clerk, and of the Personnel Director; and

**BE IT FURTHER RESOLVED** that the Mayor's salary as Utility Superintendent shall be increased by 4%; and

**BE IT FURTHER RESOLVED** that each Full Time employee completing 12 (Twelve) months of employment without missing a work day for sick shall receive a special One Time Pay Increase of \$100.00. The twelve month period is October 1 – September 30.

**BE IT FURTHER RESOLVED** that each Full Time employee shall receive a One Time Pay Increase for the period 1 December 2006 through 30 November 2007, each qualifying employee shall receive \$20.00 per month of employment. To qualify, the employee must be a Full-Time Employee during this period. An employee hired on or before the fifteenth (15) day of a month

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will be given credit for the full month; an employee hired on or after the sixteenth (16<sup>th</sup>) day of a month will not be given credit for that month. In order to receive this One Time Pay Increase an employee must be employed on the 30<sup>th</sup> of November.

For the same time period, and hiring rule each qualifying Part-time employee shall receive the following:

First year	\$ 25.00
Second year	\$ 50.00
Third year	\$ 75.00
Fourth year	\$100.00

The maximum amount for Part-time employees is \$100.00. In the past, temporary employees have not received anything.

This One-Time increase will be awarded on Friday, 7 December 2007.

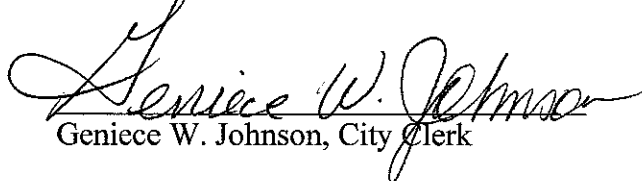
**BE IT FURTHER RESOLVED** that the following attachments are hereby amended:

1. Golf Cart Fees/Membership Fees
  - a. Golf Cart Fees – Amending Resolution No. 1062-04, adopted on the 11<sup>th</sup> day of October, 2004.
  - b. Golf Cart Fees – Amending Resolution No. 751-01, adopted on the 28<sup>th</sup> day of February, 2001.
  - c. Membership Fees – Amending Resolution No. 751-01, adopted on the 28<sup>th</sup> day of February, 2001.
2. Recreation Department Fees

ADOPTED THIS 24th DAY OF September, 2007.

  
 Timothy M. Kant, Mayor

ATTEST:

  
 Geniece W. Johnson, City Clerk

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**RESOLUTION NO. 1412-07**  
**ATTACHMENT NO. 1**

**NEW GOLF MEMBERSHIP AND CART FEES**

**WHEREAS**, The City of Fairhope owns and operates the Quail Creek Municipal Golf Course; and,

**WHEREAS**, the cost of operation of said Golf Course has increased 52% over the past six years; and,

**WHEREAS**, the revenues have only increased 30% over the past six years; and,

**WHEREAS**, the reason for season passes is given at a discount of 35% to 50% of the normal play.

The Governing Body of the City of Fairhope hereby proposes to increase the following fees for the Municipal Golf Course:

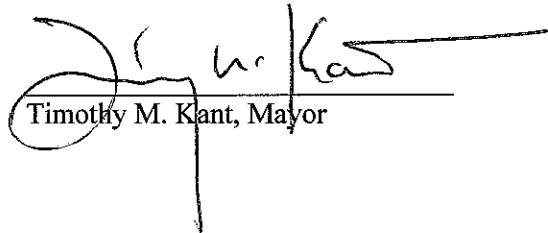
<b>Type of Pass</b>	<b>Current</b>	<b>Proposed</b>
Senior Single	\$625.00	\$725.00
Senior Single (Inside City Limits of Fairhope)	-0-	\$700.00
Senior with Spouse	\$775.00	\$875.00
Senior with Spouse (Inside City Limits of Fairhope)	-0-	\$850.00
Regular Adult	\$675.00	\$775.00
Regular Adult (Inside City Limits of Fairhope)	-0-	\$750.00
Regular Adult with Spouse	\$850.00	\$950.00
Regular Adult with Spouse (Inside City Limits of Fairhope)	-0-	\$925.00
Add each Child with Adult	\$100.00	\$150.00
Student/Junior Rate under 21	-0-	\$250.00
Add each Sibling	-0-	\$150.00
Green Fees – 18 Holes	\$ 24.00	\$ 28.00
Green Fees – 9 Holes	\$ 14.00	\$ 18.00
Cart Fees – 18 Holes	\$ 14.00	\$ 16.00
Cart Fees – 9 Holes	\$ 8.00	\$ 9.00

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**WHEREAS**, The High School Golf Team and Coaches shall gain approval from the Golf Pro as to the time and days that they are allowed to play.

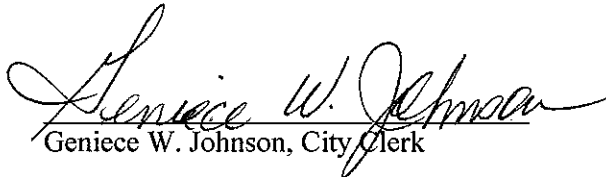
**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA**, that the proposed fees shall take effect October 1, 2007.

ADOPTED THIS 24th DAY OF September, 2007.



Timothy M. Klant, Mayor

ATTEST:



Geniece W. Johnson, City Clerk

**RESOLUTION NO. 1412-07**  
**ATTACHMENT NO. 2**

NEW RECREATION CENTER FEES

**WHEREAS**, The Governing Body of the City of Fairhope hereby proposes the following fees for the City of Fairhope Recreation Center which includes pool, gyms, fitness, etc.:

Daily	\$ 5.00
10-Pack (10 Visits)	\$ 40.00
Monthly	
Single	\$ 45.00
Couple	\$ 55.00
Family	\$ 65.00
Quarterly "Taste of The Club"	
Single	\$120.00
Couple	\$150.00
Family	\$180.00
Yearly	
Single	\$360.00
Couple	\$420.00
Family (immediate family only)	\$480.00
Senior Single (55 and over)	\$320.00
Senior Couple (55 and over)	\$375.00

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Rates for Persons outside the City of Fairhope's School Zone  
(Can purchase daily or yearly pass only)

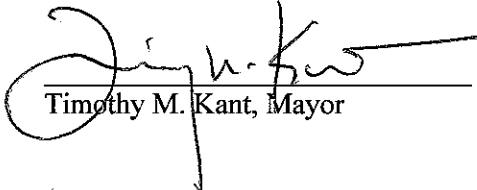
Daily	\$ 5.00
Yearly	
Single	\$500.00
Couple	\$650.00
Family	\$800.00

The Fairhope School zone boundaries are:

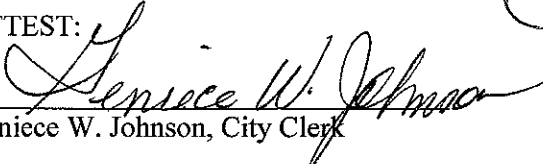
- North of Windingbrook within Montrose
- Across Highway 98 aka Greeno Road
- Below Daphmont
- To Fish River
- Drop South to Weeks Bay
- And back to Mobile Bay.

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA**, that the proposed fees shall take effect October 1, 2007.

ADOPTED THIS 24th DAY OF September, 2007.

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

ATTEST:

  
\_\_\_\_\_  
Geniece W. Johnson, City Clerk

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution accepting the one-time lump sum payment for City Retirees as provided for by said Act 2007-257. Nancy Wilson, Treasurer reported that our cost was \$15,345.00 and would be divided in nine equal parts from January through December. We have 54 retirees and this is not in the budget. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

Council President Gentle challenged the Mayor and Council to get the \$15,345.00 for paying this lump sum amount.

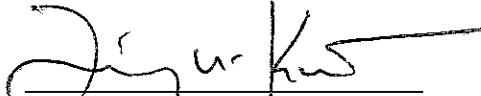
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**RESOLUTION NO. 1413-07**

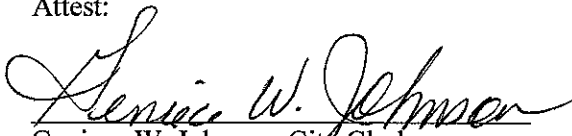
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that the City of Fairhope elects to come under the provisions of Section 2 of Act 257 of the Regular Session of the 2007 Legislature.

The City of Fairhope agrees to provide all funds necessary to the Employee's Retirement System to cover the cost of the one-time lump sum payment as provided for by said Act for those eligible employees retired from the City of Fairhope with the aforementioned increase being paid on or about December 17, 2007.

ADOPTED THIS 24th DAY OF SEPTEMBER, 2007.

  
 Timothy M. Kant, Mayor

Attest:

  
 Geniece W. Johnson, City Clerk

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I, Geniece W. Johnson, City Clerk of the City of Fairhope, Fairhope, Alabama, hereby certify that the foregoing is a true and correct copy of Resolution No. 1413-07 passed, approved, and duly adopted on 24th September 2007.

\_\_\_\_\_  
 Geniece W. Johnson, City Clerk

\_\_\_\_\_  
 Date

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing an appropriation of \$6,000.00 to the Eastern Shore Chamber of Commerce. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

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**RESOLUTION NO. 1414-07**

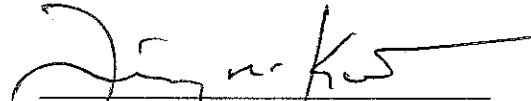
WHEREAS, a contract shall be executed between the City of Fairhope and the Eastern Shore Chamber of Commerce, making an appropriation of \$6,000.00.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2007 and ending 30 September 2008; but the contract shall be cancelled at any time upon notice.

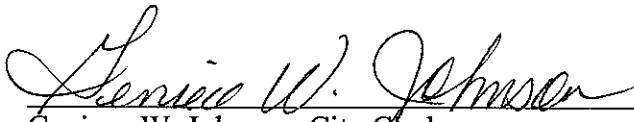
WHEREAS, payment shall be made monthly in the amount of \$125.00 from the General Fund and \$125.00 from each of the Utility Funds of the City of Fairhope.

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 Eastern Shore Chamber of Commerce.

DULY ADOPTED THIS 24th DAY OF SEPTEMBER, 2007.

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

**Attest**

  
\_\_\_\_\_  
Geniece W. Johnson, City Clerk

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I, Geniece W. Johnson, City Clerk of the City of Fairhope, Fairhope, Alabama, hereby certify that the foregoing is a true and correct copy of Resolution No. 1414-07 passed, approved, and duly adopted on 24th September 2007.

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Geniece W. Johnson, City Clerk

Date

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing an appropriation of \$30,000.00 to the Fairhope Rotary Boys and Girls Club. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

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**RESOLUTION NO. 1415-07**

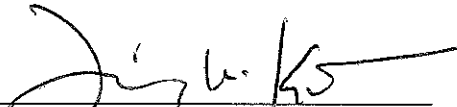
WHEREAS, a contract shall be executed between the City of Fairhope and the Boys' and Girls' Club of Fairhope, making an appropriation of \$30,000.00

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2007 and ending 30 September 2008; but the contract shall be cancelled at any time upon notice.

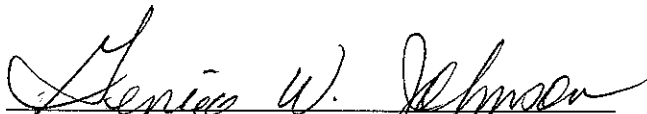
WHEREAS, payment shall be made quarterly in the amount of \$2,500 from the three Utility Funds of the City of Fairhope.

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 Boys' and Girls' Club of Fairhope.

DULY ADOPTED THIS 24th DAY OF SEPTEMBER, 2007.

  
 Timothy M. Kant, Mayor

Attest

  
 Geniece W. Johnson, City Clerk

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I, Geniece W. Johnson, City Clerk of the City of Fairhope, Fairhope, Alabama, hereby certify that the foregoing is a true and correct copy of Resolution No. 1415-07 passed, approved, and duly adopted on 24th September 2007.

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Geniece W. Johnson, City Clerk

Date

Councilmember Christenberry introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing an appropriation of \$10,000.00 to the Ecumenical Ministries, Inc. of Fairhope. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

24 September 2007

**RESOLUTION NO. 1416-07**

WHEREAS, in Fairhope, Alabama, Ecumenical Ministries Incorporated (EMI) is a public, non-profit, non-denominational, United Way social service agency; and,

WHEREAS, EMI's mission is to improve the quality of life in Baldwin County by meeting basic needs, encouraging personal growth, effecting social and economic justice and celebrate our common life; and,

WHEREAS, EMI provide services to the socio-economic and those in crisis situations and have no place to turn for help on the Eastern Shore, including Fairhope and South Baldwin County. The services rendered include:

- Emergency Aid – Direct assistance for medical, food, utilities, rent, clothing, child care, transportation and other emergency needs.
- Meals on Wheels (MOW'S) – Volunteer's deliver nutritious, warm meals six days a week. Meals are subsidized based on need and funding – Fairhope area has nine routes.
- Home Repair – These projects include plumbing, electrical work, rebuilding floors, installing windows and doors, roofing, building wheelchair ramps and more. This program is for the elderly and disabled.
- Food Pantry – Our pantries provide a week's supply of food based on the size of the family and their situation.
- Prescription Assistance – This program allows under-insured and non-insured persons to receive life-sustaining medications at reduced or no cost through pharmaceutical companies indigent care program. EMI also provide prescription assistance through the Ozanam Charitable Pharmacy in Mobile.
- Church-based Community Organizing – This program empowers poor and moderate income families to participate effectively in our democratic system and allow community members the opportunity to address the issues affecting their lives: paved streets, lighting, sewage, recreation and drainage.
- EMMY'S Thrift Shop – Through our emergency aid center vouchers are given at no cost. With these vouchers, people can receive such items as appliances, furniture, clothing, etc.

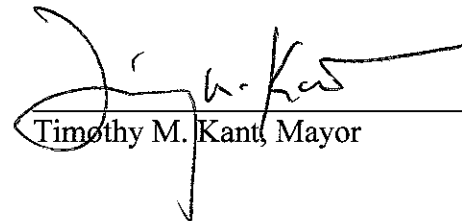
24 September 2007

WHEREAS, Ecumenical Ministries Incorporated has served Fairhope residents since 1969 on a continuous basis and successfully demonstrated the capacity to operate a neighborhood based on social service agency improving countless lives; and,

WHEREAS, Ecumenical Ministries support for 2007 - 2008 fiscal year will provide for two new programs. The first is a Housing Counseling Agency which offers budget counseling classes, credit repair/building classes, assistance with down payment program applications etc. The second is a pilot program for the South Alabama Regional Planning Commission, Area Agency on Aging involving a nutritional supplement program for Baldwin County. This program provides ensure to individuals 60 years of age and over who are medically prescribed this liquid supplement and meet the income eligibility for this program.

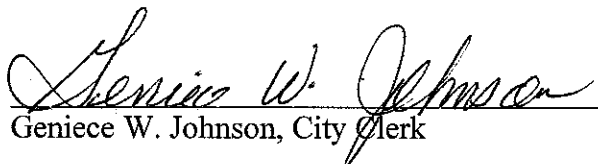
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that Mayor Timothy Kant is hereby authorized to establish a contract for services between the City of Fairhope and Ecumenical Ministries Incorporated to appropriate the sum of \$10,000.00 to be used for the needs of Fairhope residents.

APPROVED THIS THE 24th DAY OF SEPTEMBER, 2007.



Timothy M. Kant, Mayor

ATTEST:



Geniece W. Johnson, City Clerk

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I, Geniece W. Johnson, City Clerk of the City of Fairhope, Fairhope, Alabama, hereby certify that the foregoing is a true and correct copy of Resolution No. 1416-07 passed, approved, and duly adopted on 24th September 2007.

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Geniece W. Johnson, City Clerk

Date

24 September 2007

Councilmember Christenberry introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing an appropriation of \$3,500.00 to the American Red Cross – Alabama Gulf Coast Chapter. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

**RESOLUTION NO. 1417-07**

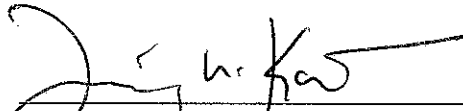
WHEREAS, a contract shall be executed between the City of Fairhope and the American Red Cross, Alabama Gulf Coast Chapter, making an appropriation of \$3,500.00.

WHEREAS, the term of said contract shall be for one (1) year, beginning 1 October 2007 and ending 30 September 2008; but the contract shall be cancelled at any time upon notice.

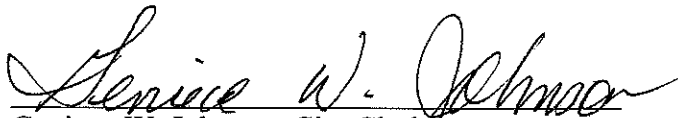
WHEREAS, payment shall be made in the amount of \$3,500.00 from the three Utility Funds of the City of Fairhope.

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 American Red Cross, Alabama Gulf Coast Chapter.

DULY ADOPTED THIS 24th DAY OF SEPTEMBER, 2007.

  
 Timothy M. Kant, Mayor

Attest

  
 Geniece W. Johnson, City Clerk

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I, Geniece W. Johnson, City Clerk of the City of Fairhope, Fairhope, Alabama, hereby certify that the foregoing is a true and correct copy of Resolution No. 1417-07 passed, approved, and duly adopted on 24th September, 2007.

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Geniece W. Johnson, City Clerk

Date

24 September 2007

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing an appropriation of \$3,500.00 to The Lighthouse, Baldwin County Family Violence Project. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

**RESOLUTION NO. 1418-07**

WHEREAS, The Lighthouse, Baldwin County Family Violence Project, is funded in part by the Law Enforcement/Traffic Safety Division of the Alabama Department of Economic and Community Affairs. The program currently has a full time Sexual Assault Counselor and a full time Sexual Assault Specialist and serves Baldwin.

WHEREAS, The Sexual Assault Counselor works directly with adult victims of rape and sexual assault and their families/significant other providing assessment and counseling services.

WHEREAS, The Sexual Assault Specialist is responsible for recruiting, training, and coordinating volunteer advocates to respond to adult victims of rape and sexual assault in the crisis situation as requested by law enforcement or hospital emergency room staff. The Sexual Assault Specialist will also be involved in developing and implementing rape prevention programs throughout the county.

WHEREAS, there are several other services provided by this program for sexually assaulted victims.

WHEREAS, the Lighthouse provides a Domestic Violence Program were the following services are provided:

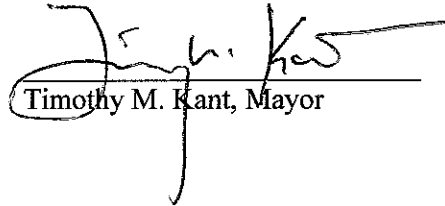
- Twenty-four hour Crisis Line
- Safe, Confidential shelter
- Individual Crisis Counseling
- Support Groups
- Direct services provided to children while in the shelter
- Court advocacy and accompaniment
- Training on issues relating to domestic violence
- Speakers Bureau
- Elementary School Programs
- Dating Violence Date Rape Program

While the Lighthouse is excited to be in the position to offer these needed services for the residents of Baldwin County, the Lighthouse needs the support to continue to provide these and other services.

24 September 2007

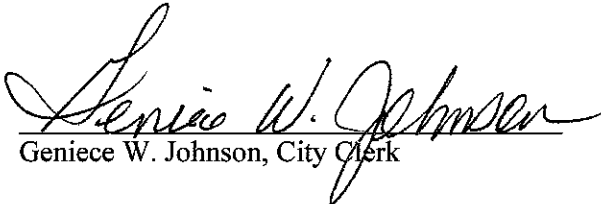
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that Mayor Timothy M. Kant is hereby authorized to execute a Contractual Agreement between the City of Fairhope and The Lighthouse, Baldwin County Family Violence Project, to support the Lighthouse domestic violence program and sexual assault program, in the amount of \$3,500.00.

Adopted on this the 24th day of September, 2007.



Timothy M. Kant, Mayor

Attest:



Geniece W. Johnson, City Clerk

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution accepting all of Fairhope's public utilities within Greythorne Estates. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

**RESOLUTION NO. 1419-07**

**WHEREAS**, the Owners of Greythorne Estates desire to have all public utilities dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2330A, 2330B, 2330C, 2330D, located in public right-of-ways 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 as indicated on the recorded plat, and;

**WHEREAS**, the Public Works Director has indicated that the improvements meet City requirements, and;

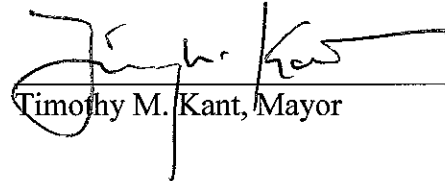
**WHEREAS**, the City of Fairhope, Alabama, is not and in no manner will be responsible for the maintenance of common areas in the subdivision as indicated on the recorded plat, and;

24 September 2007

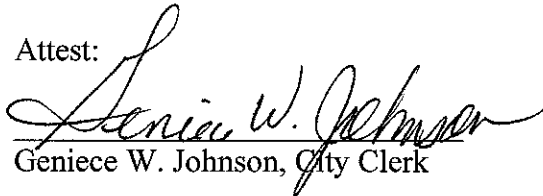
**WHEREAS**, the City of Fairhope, Alabama, has received from the owners of Greythorne Estates maintenance bonds for the public utilities constructed for a period of 2 years, and;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA** that the public utilities indicated herein for Greythorne Estates are hereby accepted for public maintenance subject to the bond posted.

Adopted, this 24th day of September, 2007.

  
Timothy M. Kant, Mayor

Attest:

  
Geniece W. Johnson, City Clerk

Councilmember Ford introduced in writing, and moved for the adoption of the following resolution, a resolution accepting the segment of Bishop Road between U.S. Highway 98 and County Road 13 within the city limits only for maintenance by the City of Fairhope from the Baldwin County Highway Department. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

**RESOLUTION NO. 1420-07**

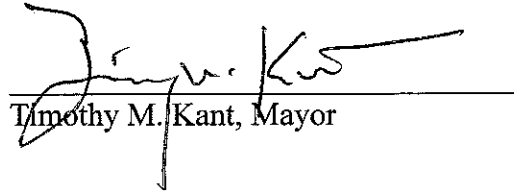
**WHEREAS**, based on the formal request by the Baldwin County Highway Department, that the City of Fairhope is hereby accepting for maintenance, from the Baldwin County Highway Department, the segment of Bishop Road between U.S. Highway 98 and County Road 13 within the city limits only, and;

**WHEREAS**, This acceptance is a follow up based on the action taken by the City of Fairhope under Resolution No. 464-03, passed on May 27, 2003, and;

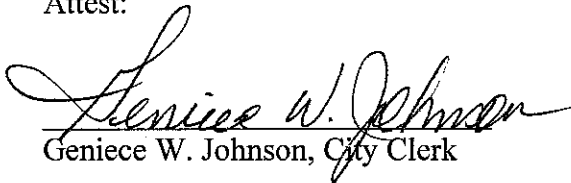
24 September 2007

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA**, that the segment of Bishop Road between U.S. Highway 98 and County Road 13 within the city limits only will be accepted for maintenance by the City of Fairhope from the Baldwin County Highway Department.

DULY ADOPTED THIS 24th DAY OF SEPTEMBER, 2007.

  
 Timothy M. Kant, Mayor

Attest:

  
 Geniece W. Johnson, City Clerk

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I, Geniece W. Johnson, duly appointed City Clerk of the City of Fairhope, Alabama, do hereby certify that Resolution No. 1420-07 is a true and correct copy of a resolution passed and approved by the City Council of the City of Fairhope, Alabama, on the 24th day of September, 2007.

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Geniece W. Johnson, City Clerk

Date

Councilmember Christenberry introduced in writing, and moved for the adoption of the following resolution, a resolution accepting Courthouse Road from the centerline of County Road 48 (Fairhope Avenue) 500 linear feet North to the end of public right-of-way (to the North boundary of Courthouse property) within the city limits only, for maintenance by the City of Fairhope from the Baldwin County Highway Department. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

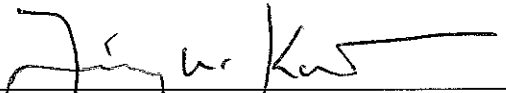
24 September 2007

**RESOLUTION NO. 1421-07**

**WHEREAS, based on the formal request by the Baldwin County Highway Department,** that the City of Fairhope is hereby accepting for maintenance, from the Baldwin County Highway Department, Courthouse Road from the centerline of County Road 48 (Fairhope Avenue) 500 linear feet North to the end of public right-of-way (to the North boundary of Courthouse property) within the city limits only; and

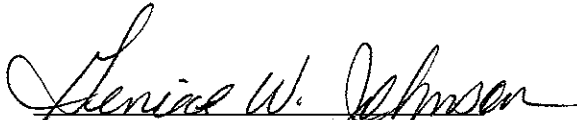
**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA,** that Courthouse Road from the centerline of County Road 48 (Fairhope Avenue) 500 linear feet North to the end of public right-of-way (to the North boundary of Courthouse property) within the city limits only will be accepted for maintenance by the City of Fairhope from the Baldwin County Highway Department.

DULY ADOPTED THIS 24th DAY OF SEPTEMBER, 2007.



Timothy M. Kant, Mayor

Attest:



Geniece W. Johnson, City Clerk

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I, Geniece W. Johnson, duly appointed City Clerk of the City of Fairhope, Alabama, do hereby certify that Resolution No. 1421-07 is a true and correct copy of a resolution passed and approved by the City Council of the City of Fairhope, Alabama, on the 24th day of September, 2007.

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Geniece W. Johnson, City Clerk

Date

Councilmember Christenberry introduced in writing, and moved for the adoption of the following resolution, a resolution accepting Fairhope Avenue (County Road 48) from U.S. Highway 98 a/k/a Greeno Road to State Highway 181 within the city limits only, for maintenance by the City of Fairhope from the Baldwin County Highway Department. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

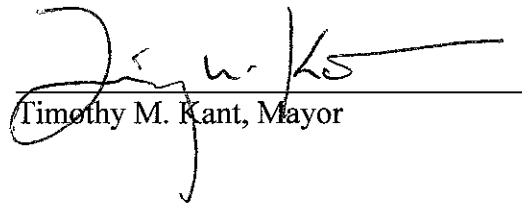
24 September 2007

**RESOLUTION NO. 1422-07**

**WHEREAS, based on the formal request by the Baldwin County Highway Department**, that the City of Fairhope is hereby accepting for maintenance, from the Baldwin County Highway Department, Fairhope Avenue (County Road 48) from U.S. Highway 98 a/k/a Greeno Road to State Highway 181 within the city limits only, and;

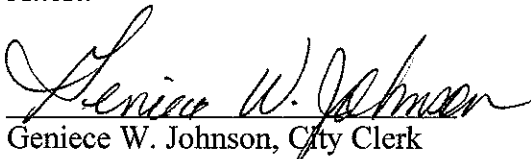
**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA**, that Fairhope Avenue (County Road 48) from U.S. Highway 98 a/k/a Greeno Road to State Highway 181 within the city limits only will be accepted for maintenance by the City of Fairhope from the Baldwin County Highway Department.

DULY ADOPTED THIS 24th DAY OF SEPTEMBER, 2007.



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

Attest:



\_\_\_\_\_  
Geniece W. Johnson, City Clerk

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I, Geniece W. Johnson, duly appointed City Clerk of the City of Fairhope, Alabama, do hereby certify that Resolution No. 1422-07 is a true and correct copy of a resolution passed and approved by the City Council of the City of Fairhope, Alabama, on the 24th day of September, 2007.

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Geniece W. Johnson, City Clerk

Date

Councilmember Quinn introduced in writing, and moved for the adoption of the following resolution, a resolution accepting Thompson Hall Road, between the city limits of Fairhope (from a point 300 feet South of the center line of Derby Lane North to County Road 48) and County Road 48 (a/k/a Fairhope Avenue) within the city limits only, for maintenance by the City of Fairhope from the Baldwin County Highway Department. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

24 September 2007

**RESOLUTION NO. 1423-07**

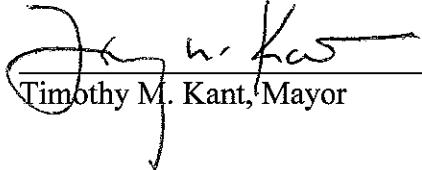
**WHEREAS, based on the formal request by the Baldwin County Highway Department,** that the City of Fairhope is hereby accepting for maintenance, from the Baldwin County Highway Department, Thompson Hall Road, between the city limits of Fairhope (from a point 300 feet South of the center line of Derby Lane North to County Road 48) and County Road 48 (a/k/a Fairhope Avenue) within the city limits only, after the following conditions are met:

1. The County repairs deficient edges of asphalt road
2. The County resurfaces said roadway
3. The County repairs deficient drainage systems on the right-of-ways

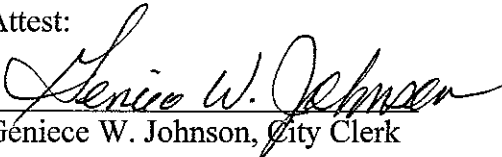
**WHEREAS,** this new resolution for Thompson Hall Road will supercede the recently passed Resolution No. 1394-07, which included a two-year delay in formal acceptance by the City of Fairhope after said repairs were made, and;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA,** that Thompson Hall Road, between the city limits of Fairhope (from a point 300 feet South of the center line of Derby Lane North to County Road 48) and County Road 48 (a/k/a Fairhope Avenue) within the city limits only, will be accepted for maintenance by the City of Fairhope from the Baldwin County Highway Department.

DULY ADOPTED THIS 24th DAY OF SEPTEMBER, 2007.

  
 Timothy M. Kant, Mayor

Attest:

  
 Geniece W. Johnson, City Clerk

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I, Geniece W. Johnson, duly appointed City Clerk of the City of Fairhope, Alabama, do hereby certify that Resolution No. 1423-07 is a true and correct copy of a resolution passed and approved by the City Council of the City of Fairhope, Alabama, on the 24th day of September, 2007.

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Geniece W. Johnson, City Clerk

Date

24 September 2007

Councilmember Stankoski questioned Jennifer Fidler about Manley Road. Why have we not accepted this road? Don't we have a two-year agreement? Ms. Fidler stated that we could go into a two-year agreement as long as both parties agree with the terms of the agreement. The County performed the work, but before the two years were up places in the road were bad and there are drainage problems.

The City Council reviewed an application for a Restaurant Liquor License by Roger N. Lartigue dba Lartigue's Seafood, Inc., located at 19344 Scenic Highway 98, Fairhope, Alabama. (Tabled at the September 10, 2007 meeting) Councilmember Quinn moved to untable the issuance of the license. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

After discussion with Police Chief Comalander regarding Lartigue's application, Councilmember Christenberry moved to approve the issuance of the license. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Leodis Mitchell, dba Mitchell's Snack Bar, located at 307 Young Street, Fairhope, Alabama. Due to questions that the Council had and Mr. Mitchell not present, this application was tabled. Councilmember Stankoski moved to table the issuance of the license. Seconded by Councilmember Christenberry, motion passed unanimously by voice vote.

Councilmember Christenberry moved to approve the charge-off of 2002-2003 un-collectible utility accounts. These accounts total \$71,677.87. Seconded by Councilmember Stankoski, motion passed unanimously by voice vote.

Sherry Sullivan introduced Item No. 21 the request of Page & Palette and the Downtown Business Association for the City of Fairhope to fund a speaker for the local merchants. Ginger Milligan, owner of Fantasy Island Toys, addressed the Mayor and City Council regarding Jeff Milchen, the speaker in question. Ms. Milligan stated that several of the members were not present at the last meeting for the Fairhope Merchant's Association when they decided to request funding of this speaker. Ms. Milligan said she was not sure that endorsing the speaker was the right choice right now.

Council President Gentle mentioned that Diane Douglas, owner of In the Company of Angels, sent an e-mail to the Mayor and City Council members stating she did not support the city's financial involvement in this venture. After further discussion, Councilmember Stankoski moved to table the request for the City of Fairhope to fund a speaker for the local merchants. Seconded by Councilmember Quinn, motion passed unanimously by voice vote.

24 September 2007

Gregg Mims, Planning Director, and Jennifer Fidler, Public Works Director, addressed the Mayor and City Council to report on the large live oak tree on Charles Bassett's property. Mr. Mims reported that Planning is beginning to review the plans for the hotel and parking garage.

Ms. Fidler stated initially the tree measured 54 inches and now it is 57 inches. She has met with Mr. Charles Bassett and Mr. John Pate regarding the oak tree. Formwalt's Tree Service, Inc. was hired by John Pate to inspect the live oak tree and report his findings. Cleveland Formwalt, Jr. wrote, "If the tree is to remain I suggest the following:

- All pruning to be supervised by a Certified Arborist.
- All trenching around the tree be done by hand, and any roots be cut by hand.
- Fertilize the tree before anything is done.
- Mulch the root area to keep compaction down, and keep as much traffic off the root system as possible.
- The lightning struck limb should be treated.
- This tree will need maintenance after construction (watering, fertilization, and pruning).
- The side over the existing building should have very little pruning (deadwood, low limbs to clear building only).

Ms. Fidler met again with Mr. Bassett. He stated that John Pate, the developer, agrees with and will comply with the seven points of the Formwalt letter. Mr. Pate also agrees with the requests by the Fairhope Tree Committee:

- Remove pavers from the courtyard and replace with crushed stone
- Change sprinkler system to a drip system

The hotel and courtyard footprint comply with what was approved during the site review process by the City Council and Planning Commission.

Ms. Fidler commented that she feels like Mr. Bassett truly wants to keep the tree.

Mr. Charles Bassett addressed the Mayor and City Council stating that the live oak tree is not only an asset to the City of Fairhope, but also to the hotel. He pointed out that the tree is actually 100 feet back from the building and the view shown here, as an example is not the only view. He commented that he met with the City of Fairhope two or three times and also the Tree Committee several times regarding this issue.

24 September 2007

Ms. Fidler said she has received several letters about the tree cutting. Ms. Fidler stated that this was just a public notice and awareness that this live oak tree is going to be cut.

Councilmember Stankoski stated the issue is progress, development, and saving the tree:

- 1) Parking garage - more parking.
- 2) Hotel - add to downtown Fairhope.
- 3) Tree – hired a consultant, gave items to be addressed, and Bassett has agreed

Councilmember Quinn suggested that the Tree Committee reevaluate the guidelines and/or process for tree cutting. Council President Gentle asked Ms. Fidler to supervise the cutting of the live oak tree.

Councilmember Christenberry stated that Mr. Bassett has gone through our hoops and did everything we have asked. Lightning has struck the tree and its effects will not be seen until a later date. Councilmember Quinn asked that the Tree Committee bring back some recommendations for future trees. Mr. Skinner, neighbor next door to Bassett property, stated that he wanted the whole tree trimmed. Mr. Pate replied that the tree expert said very little would need to be trimmed on Mr. Skinner's property.

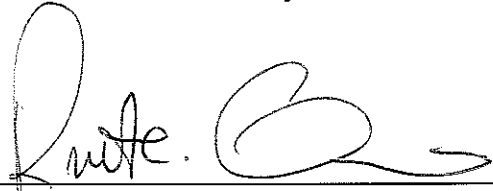
Mary Daves, citizen of Fairhope, addressed the Mayor and City Council requesting the following:

- 1) The parking in front and on the side of the Library should be designated for Library customers only.
- 2) Some of the flowers need to be trimmed in order to see when backing out.
- 3) When the School of Nursing opens, nursing students should park in the back of the Library.

Councilmember Quinn inquired about the information on growth issues requested at the September 10, 2007 City Council meeting. Police Chief Comalander approached the dais and hand delivered reports from the Fairhope Police Department and Fairhope Volunteer Fire Department how many calls are outside the city limits, how much time is spent on these calls, and how many calls per day to the Mayor and City Council.

24 September 2007

There being no further business to come before the City Council, the meeting was duly adjourned at 7:25 p.m.

  
Robert C. Gentle, Council President

  
Lisa A. Hanks, Assistant City Clerk