

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, 14 October 2024.

Present were Council President Pro Tempore Jack Burrell, Councilmembers: Jimmy Conyers, and Jay Robinson, Mayor Sherry Sullivan, City Attorney Marcus E. McDowell, and City Clerk Lisa A. Hanks. Council President Corey Martin and Councilmember Boone were absent.

There being a quorum present, Council President Pro Tempore Burrell called the meeting to order. The invocation was given by Councilmember Jimmy Conyers and the Pledge of Allegiance was recited. Councilmember Conyers moved to approve minutes of the 23 September 2024, regular meeting; minutes of the 23 September 2024, work session; and minutes of the 30 September 2024, special-called meeting. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council and recognized the Electric Department who sent a crew to Winter Park and then New Smyrna Beach after Hurricane Milton hit Florida. She read a letter from one of the citizens from Winter Park where our crew was dispatched to restore a power pole and electricity to the neighborhood. The citizen said they did a great job and wanted to give an extra thank you to the crew; and said we should be very proud.

Mayor Sullivan recognized Dave Friedel for being named "Airport Manager of the Year" by The Aviation Council of Alabama for his many contributions to improve, sustain, enhance and develop the Fairhope, Alabama airport. She said we are fortunate to have Dave Friedel managing this critical and growing operation. Mayor Sullivan thanked Mr. Friedel for his work with the airport.

The following individual spoke during Public Participation for Agenda Items:

- 1) Dev Wakeley, 8856 Lake View Drive, addressed the City Council regarding Agenda Item Number 5: an Ordinance to amend Ordinance No. 1800: VI. Leave Policies, Section C. Sick Leave; specifically adding 10. Paid Sick Leave Donation. He said this was a great idea and a good practice.

Councilmember Conyers gave his condolences to the Ann Miller family. Ms. Miller owned and operated M&F Causals in Fairhope. He said she will be missed.

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Council President Pro Tempore Burrell said Right of Way approvals come through Planning Department and the Planning Commission. He said there have been several complaints from citizens regarding fiber companies.

Councilmember Conyers moved for final adoption of Ordinance No. 1813, an ordinance to amend Ordinance No. 1800: VI. Leave Policies, Section C. Sick Leave: specifically adding 10. Paid Sick Leave Donation. (Introduced at the City Council Meeting on September 23, 2024) Seconded by Councilmember Robinson, motion for final adoption passed by the following voice votes: AYE – Burrell, Conyers, and Robinson. NAY - None.

Councilmember Conyers moved for final adoption of Ordinance No. 1814, an ordinance to repeal and replace Ordinance No. 1756: Fairhope Code of Ordinances: Article VI, Garbage and Trash Collection and Disposal – Section 21-75: Rates. (Introduced at the City Council Meeting on September 23, 2024) Seconded by Councilmember Robinson, motion for final adoption passed by the following voice votes: AYE – Burrell, Conyers, and Robinson. NAY - None.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the Public Improvements indicated herein for Encounter Commercial Retail Center are hereby accepted for Public Maintenance subject to the Bond posted; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Encounter Development, LLC. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5207-24

WHEREAS, the Owners of Encounter Commercial Retail Center desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slides 2963-A, 2963-B, and 2963-C and all Fairhope public utilities 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, and;

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

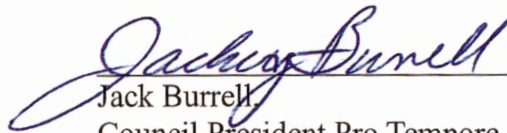
WHEREAS, the City of Fairhope, Alabama, has received from the owners of Encounter Commercial Retail Center, the maintenance bond for the public improvements constructed for a period of 2 years, and;

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NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for Encounter Commercial Retail Center are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Encounter Development, LLC (the "Subdivider").

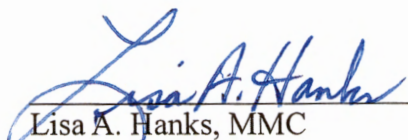
BE IT FURTHER RESOLVED this resolution of acceptance shall not obligate the City of Fairhope to maintain any utility or drainage facilities outside the limits of the right-of-way of the public streets, or any irrigation systems installed within the right-of-way of public streets, whether or not such may be located within dedicated easements in any of these developments.

Adopted this 14th day of October, 2024



Jack Burrell
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the Public Improvements indicated herein for Publix at Point Clear Center are hereby accepted for Public Maintenance subject to the Bond posted; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and RW Battles, LLC. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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14 October 2024

RESOLUTION NO. 5208-24

WHEREAS, the Owners of Publix at Point Clear desire to have all Fairhope public utilities dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slides 2785-B and 2877-A accepted for maintenance by the City of Fairhope, Alabama, and;

WHEREAS, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements, and;

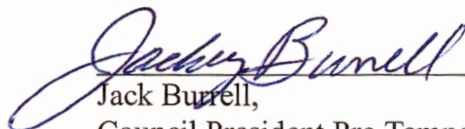
WHEREAS, the Utilities Superintendents have indicated that the improvements meet City requirements, and;

WHEREAS, the City of Fairhope, Alabama, has received from the owners of Publix at Point Clear, maintenance bonds for the public improvements constructed for a period of two (2) years, and;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for Publix at Point Clear are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and RW Battles, LLC (the "Subdivider").

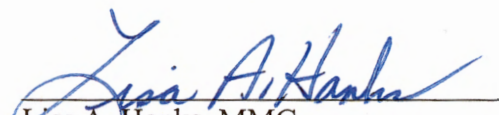
BE IT FURTHER RESOLVED this resolution of acceptance shall not obligate the City of Fairhope to maintain any utility or drainage facilities outside the limits of the right-of-way of the public streets, whether or not such may be located within dedicated easements in any of these developments

Adopted this 14th day of October, 2024



Jack Burrell,
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

14 October 2024

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the Public Improvements indicated herein for Overland Subdivision Phase 2 are hereby accepted for Public Maintenance subject to the Bond posted; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and 68V Overland 2021, LLC. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5209-24

WHEREAS, the Owners of Overland Subdivision Phase II desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2965-A, and all Fairhope public utilities 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, and;

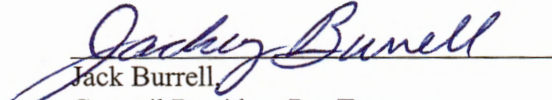
WHEREAS, the Public Works Director has indicated that the improvements meet City requirements, and;

WHEREAS, the City of Fairhope, Alabama, has received from the owners of Overland Subdivision Phase II, the maintenance bond for the public improvements constructed for a period of 2 years, and;

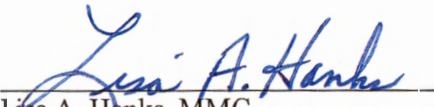
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for Overland Subdivision Phase II are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and 68V Overland 2021, LLC (the "Subdivider").

BE IT FURTHER RESOLVED this resolution of acceptance shall not obligate the City of Fairhope to maintain any utility or drainage facilities outside the limits of the right-of-way of the public streets, or any irrigation systems installed within the right-of-way of public streets, whether or not such may be located within dedicated easements in any of these developments.

Adopted this 14th day of October, 2024


Jack Burrell
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

14 October 2024

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the Public Improvements indicated herein for The Flats at East Bay are hereby accepted for Public Maintenance subject to the Bond posted; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Stoa Construction, LLC. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5210-24

WHEREAS, the Owners of The Flats at East Bay desire to have all Fairhope public utilities 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, and;

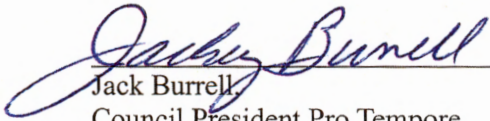
WHEREAS, the Water and Sewer Superintendent has indicated that the improvements meet City requirements, and;

WHEREAS, the City of Fairhope, Alabama, has received from the owners of The Flats at East Bay, a maintenance bond for the public improvements constructed for a period of 2 years, and;

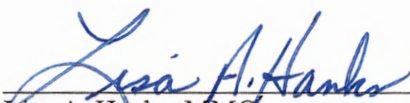
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA that the public improvements indicated herein for The Flats at East Bay are hereby accepted for public maintenance subject to the bond posted; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Stoa Construction, LLC (the "Subdivider").

BE IT FURTHER RESOLVED this resolution of acceptance shall not obligate the City of Fairhope to maintain any utility or drainage facilities outside the limits of the right-of-way of the public streets, or any irrigation systems installed within the right-of-way of public streets, whether or not such may be located within dedicated easements in any of these developments

Adopted this 14th day of October, 2024


Jack Burrell
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

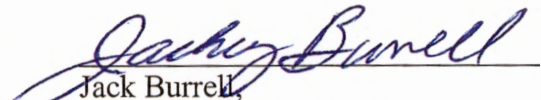
14 October 2024

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes the submission of an FY 2025 Alabama Transportation Rehabilitation and Improvement Program-II (ATRIP-II) grant application. The City has consistently identified the need to upgrade the intersection of Volanta Avenue and Greeno Road, (U.S. Highway 98) for safety. The total project cost is estimated to be \$2,437,455.36, and if funded, the grant will pay \$2,000,000.00 with the City's portion being \$437,455.36. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

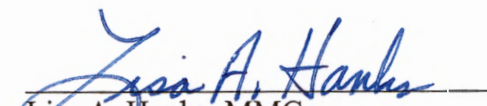
RESOLUTION NO. 5211-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the submission of an FY2025 Alabama Transportation Rehabilitation and Improvement Program-II (ATRIP-II) grant application. The City has consistently identified the need to upgrade the intersection of Volanta Avenue and Greeno Road, (U.S. Highway 98) for safety. The total project cost is estimated to be \$2,437,455.36, and if funded, the grant will pay \$2,000,000.00 with the City's portion being \$437,455.36.

ADOPTED ON THIS 14TH DAY OF OCTOBER, 2024


Jack Burrell,
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

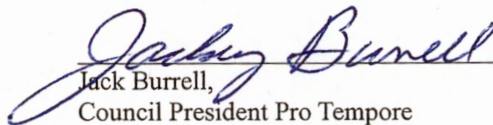
Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the FY2025 Annual Flower Procurement. The total cost not-to-exceed \$150,000.00. There are multiple vendors and the times of procurement vary. This procurement is allowed pursuant to Resolution No. 1650-10 adopted in May 2010 that declares flowers as Unique "Like Items" and the extension of this categorization to include any cultivated varieties, differentiated by scientific name. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

14 October 2024

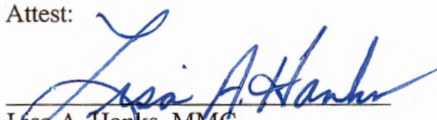
RESOLUTION NO. 5212-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope approves the FY2025 Annual Flower Procurement. The total cost not-to-exceed \$150,000.00. There are multiple vendors and the times of procurement vary. This procurement is allowed pursuant to Resolution No. 1650-10 adopted in May 2010 that declares flowers as Unique "Like Items" and the extension of this categorization to include any cultivated varieties, differentiated by scientific name.

ADOPTED ON THIS 14TH DAY OF OCTOBER 2024


Jack Burrell,
Council President Pro Tempore

Attest:

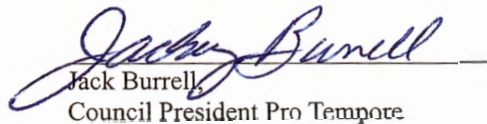

Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes Mayor Sherry Sullivan to execute an Agreement for Acceptance and Processing of Single Stream Recyclables between the Emerald Coast Utilities Authority and the City of Fairhope and the Emerald Coast Utilities Authority. The Agreement is intended as a temporary arrangement and does not establish any long-term or binding obligation beyond the terms outlined. Either Party may terminate this Agreement at any time for convenience with thirty (30) days written notice. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5213-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council hereby authorizes Mayor Sherry Sullivan to execute an Agreement for Acceptance and Processing of Single Stream Recyclables between the Emerald Coast Utilities Authority and the City of Fairhope. The Agreement is intended as a temporary arrangement and does not establish any long-term or binding obligation beyond the terms outlined. Either Party may terminate this Agreement at any time for convenience with thirty (30) days written notice.

Adopted on this 14th day of October, 2024


Jack Burrell
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

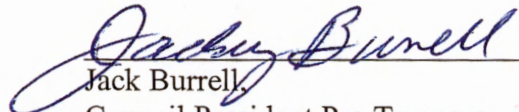
14 October 2024

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Southeastern Archaeological Research, LLC. to perform Professional Consulting Services for (RFQ PS25-001) Architectural Historian Services for an Architectural History Review of K-1 Center; and authorizes Mayor Sherry Sullivan to execute a Contract with a not-to-exceed fee of \$8,720.00. This is to meet the requirements stated by the Alabama Historic Commission. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

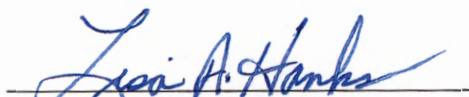
RESOLUTION NO. 5214-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection of Southeastern Archaeological Research, LLC. to perform Professional Consulting Services for (RFQ PS25-001) Architectural Historian Services for an Architectural History Review of K-1 Center; and authorizes Mayor Sherry Sullivan to execute a Contract with a not-to-exceed fee of \$8,720.00. This is to meet the requirements stated by the Alabama Historic Commission.

ADOPTED ON THIS 14TH DAY OF OCTOBER 2024


Jack Burrell,
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution to award (Bid No. 24-063) to Image Solutions USA for Flame Resistant (FR) Uniform Pants Annual Contract with an annual contract amount not-to-exceed \$35,000.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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14 October 2024

RESOLUTION NO. 5215-24

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 Bid No. 24-063 Flame Resistant (FR) Uniform Pants Annual Contract at 555 South Section Street, City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, four (4) responsive bids were received and tabulated as follows:

CONTRACATOR	BASE BID
Image Solutions USA	\$35,000.00

[3] After evaluating the bid with required specifications, Image Solutions USA is now awarded Bid No. 24-063 Flame Resistant (FR) Uniform Pants Annual Contract for City of Fairhope employees of the Electric Department, Gas Department, Meter Department, and Public Works as needed with a bid proposal not-to-exceed \$35,000.00.

DULY ADOPTED THIS 14TH DAY OF OCTOBER, 2024


Jack Burrell,
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

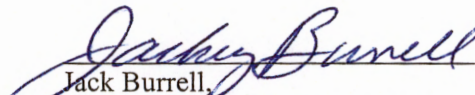
Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council to reject all bids (Bid No. 24-064) to procure Pest Control Services Annual Contract, and authorize the re-bid under Code of Alabama 1975, Section 41-16-57(d). Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

14 October 2024

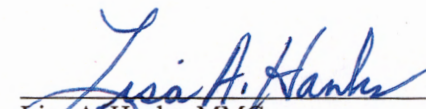
RESOLUTION NO. 5216-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council to reject all bids (Bid No. 24-064) to procure Pest Control Services Annual Contract; and authorize the re-bid under Code of Alabama 1975, Section 41-16-57(d).

ADOPTED ON THIS 14TH DAY OF OCTOBER 2024


Jack Burrell,
Council President Pro Tempore

Attest:

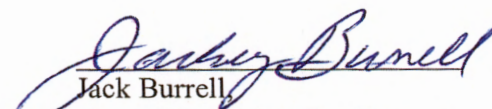

Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the award of the Request for Quotes for Labor, Equipment, and Incidentals for the New Water Main for Flying Creek Nature Preserve John Martin Nature Center to S.C. Stagner Contracting, Inc. for a not-to-exceed project cost of \$37,238.00, plus an additional allocation of not-to-exceed \$24,000.00 to the Water Utility to replace materials consumed in the project. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

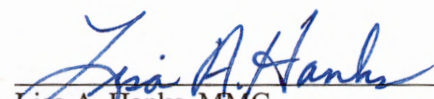
RESOLUTION NO. 5217-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope approves the award of the Request for Quotes for Labor, Equipment, and Incidentals for the New Water Main for Flying Creek Nature Preserve John Martin Nature Center to S.C. Stagner Contracting, Inc. for a not-to-exceed project cost of \$37,238.00, plus an additional allocation of not-to-exceed \$24,000.00 to the Water Utility to replace materials consumed in the project.

ADOPTED ON THIS 14TH DAY OF OCTOBER, 2024


Jack Burrell,
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

14 October 2024

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution to award (Bid No. 24-058) to Morrow Water Technologies for Fairhope Water System Test Well Project for the not-to-exceed amount of \$1,224,542.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5218-24

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

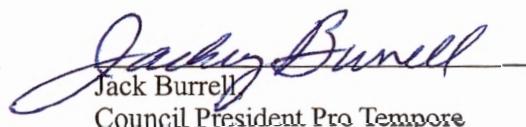
[1] That the City of Fairhope did request, receive, and open bids for Bid No. 24-058 Fairhope Water System Test Well Project at 555 South Section Street, City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, two (2) responsive bids were received and tabulated as follows:

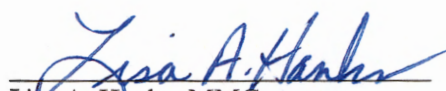
CONTRACATOR	BASE BID
Morrow Water Technologies	\$1,224,542.00
J & P Construction Co., Inc.	\$1,711,380.00

[3] After evaluating the bid with required specifications, Morrow Water Technologies is now awarded Bid No. 24-058 Fairhope Water System Test Well Project with a bid proposal not-to-exceed \$1,224,542.00.

DULY ADOPTED THIS 14TH DAY OF OCTOBER, 2024


Jack Burrell
Council President Pro Tempore

Attest:

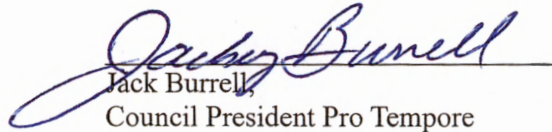

Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection by Mayor Sherry Sullivan for Professional Engineering Services for (RFQ PS25-005) for the Repair and Painting of the Water Tank at Water Treatment Plant No. 2 to Krebs Engineering; and hereby authorizes Mayor Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

14 October 2024

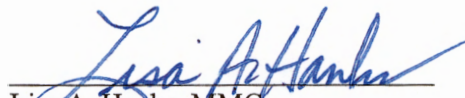
RESOLUTION NO. 5219-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the selection by Mayor Sherry Sullivan for Professional Engineering Services for (RFQ PS25-005) for the Repair and Painting of the Water Treatment Plant No. 2 to Krebs Engineering; and hereby authorizes Mayor Sullivan to negotiate the not-to-exceed to be approved by Council.

ADOPTED ON THIS 14TH DAY OF OCTOBER 2024

Jack Burrell,
Council President Pro Tempore

Attest:

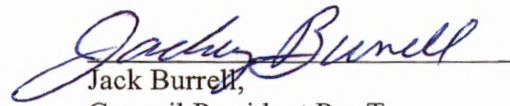


Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council to reject all bids (Bid No. 24-041) to procure Wastewater Treatment Plant Grit Removal Equipment; under Code of Alabama 1975, Section 41-16-57(d). Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5220-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council to reject all bids (Bid No. 24-041) to Procure Wastewater Treatment Plant Grit Removal Equipment; under Code of Alabama 1975, Section 41-16-57(d).

ADOPTED ON THIS 14TH DAY OF OCTOBER 2024

Jack Burrell,
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

14 October 2024

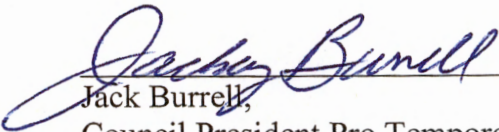
Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council to reject all bids (Bid No. 24-051) to procure Wastewater Treatment Plant Screening Equipment Rebid; under Code of Alabama 1975, Section 41-16-57(d). Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5221-24

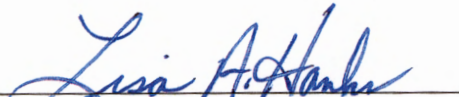
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City Council to reject all bids (Bid No. 24-051) to Procure Wastewater Treatment Plant Screening Equipment Rebid; under Code of Alabama 1975, Section 41-16-57(d).

ADOPTED ON THIS 14TH DAY OF OCTOBER 2024


Jack Burrell,
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute a contract amendment with Thompson Engineering, Inc. for (RFQ PS003-22) Request for Qualifications Professional Engineering Services - Lift Station and Force Main Improvements for the Sewer Department to add additional Construction Engineering and Inspection fees for a not-to-exceed cost of \$25,100.00. The new contract total will be \$294,100.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

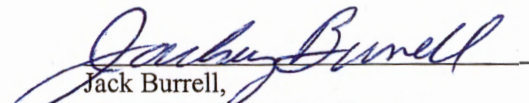
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14 October 2024

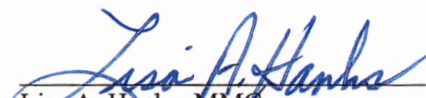
RESOLUTION NO. 5222-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Sherry Sullivan is hereby authorized to execute a contract amendment with Thompson Engineering, Inc. for (RFQ PS003-22) Request for Qualifications Professional Engineering Services - Lift Station and Force Main Improvements for the Sewer Department to add additional Construction Engineering and Inspection fees for a not-to-exceed cost of \$25,100.00. The new contract total will be \$294,100.00.

ADOPTED ON THIS 14TH DAY OF OCTOBER, 2024

Jack Burrell,
Council President Pro Tempore

Attest:

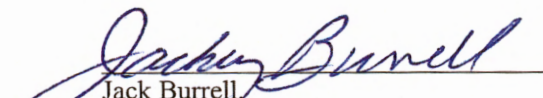


Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes Mayor Sherry Sullivan to execute the First Amendment to the Utility Connection Agreement between the City of Fairhope and Corte, Cave/Mitchell 1, LLC. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

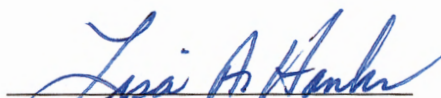
RESOLUTION NO. 5223-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council hereby authorizes Mayor Sherry Sullivan to execute the First Amendment to Utility Connection Agreement between the City of Fairhope and Corte, Cave/Mitchell 1, LLC.

ADOPTED THIS 14TH DAY OF OCTOBER, 2024

Jack Burrell,
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

14 October 2024

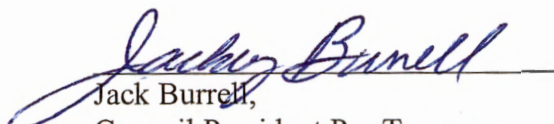
Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of the Annual Renewal of the Microsoft 365 Licenses that is on Omnia Partners (Contract #2018011-02) with SHI International Org. and therefore does not have to be let out for bid. The total amount not-to-exceed \$84,720.71. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5224-24

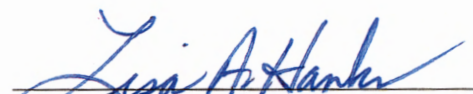
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope approves the procurement of the Annual Renewal of the Microsoft 365 Licenses that is on Omnia Partners (Contract #2018011-02) with SHI International Org. and therefore does not have to be let out for bid. The total amount not-to-exceed \$84,720.71.

ADOPTED ON THIS 14TH DAY OF OCTOBER, 2024


Jack Burrell,
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby approves and authorizes Mayor Sherry Sullivan to execute a Memorandum of Understanding ("MOU") between the Baldwin County Commission, Baldwin County Sheriff's Office, and the City of Fairhope, which outlines the purpose, goals, objectives, and procedures for the administration of the School Resource Officer ("SRO") Program at Baldwin County Public Schools. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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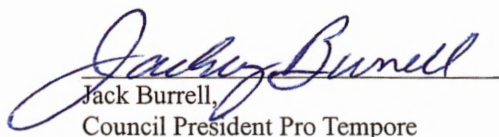
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14 October 2024

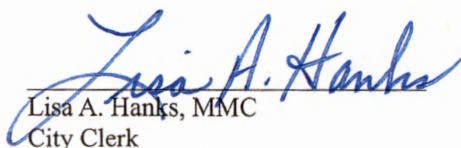
RESOLUTION NO. 5225-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby approves and authorizes Mayor Sherry Sullivan to execute a Memorandum of Understanding ("MOU") between the Baldwin County Commission, Baldwin County Sheriff's Office, and the City of Fairhope, which outlines the purpose, goals, objectives, and procedures for the administration of the School Resource Officer ("SRO") Program at Baldwin County Public Schools.

ADOPTED ON THIS 14TH DAY OF OCTOBER, 2024


Jack Burrell,
Council President Pro Tempore

Attest:

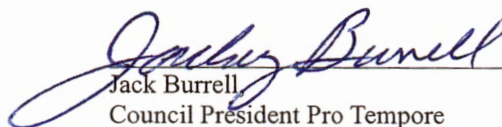

Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the use of funds from the McKesson Alabama Settlement to sponsor three local educators to attend the CADCA National Leadership Forum in 2025. CADCA is a nonprofit organization that strives to create healthy, safe, and drug-free communities. The amount requested for tickets, flights, registration, and hotel is \$8,901.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5226-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope approves the use of funds from the McKesson Alabama Settlement to sponsor three local educators to attend the CADCA National Leadership Forum in 2025. CADA is a nonprofit organization that strives to create healthy, safe, and drug-free communities. The amount requested for tickets, flights, registration, and hotel is \$8,901.00.

ADOPTED ON THIS 14TH DAY OF OCTOBER, 2024


Jack Burrell,
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

14 October 2024

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the Fairhope City Council hereby authorizes Mayor Sherry Sullivan, on behalf of the City of Fairhope, to send Baldwin County Board of Education a Letter of Intent to purchase the property known as the "Anna T. Jeanes School Property" located at Twin Beech and Section Street, Fairhope, Alabama. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5227-24

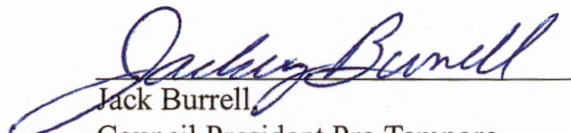
WHEREAS, the City of Fairhope is desirous of purchasing the Baldwin County Board of Education's ("BCBE") property located at the intersection of Twin Beech and Section Street known as "Anna T. Jeanes School Property;" and

WHEREAS, the City of Fairhope has contributed and provided capital contributions for construction and renovation in addition to annual cash contributions and services to Baldwin County School System; and

WHEREAS, the City of Fairhope is willing to take on the responsibility, the removal of liability and obligations by BCBE; and other financial investments as compensation for this transaction.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the Fairhope City Council hereby authorizes Mayor Sherry Sullivan, on behalf of the City of Fairhope, to send Baldwin County Board of Education a Letter of Intent to purchase the property known as the "Anna T. Jeanes School Property" located at Twin Beech and Section Street, Fairhope, Alabama.

Adopted on this 14th day of October, 2024


Jack Burrell
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

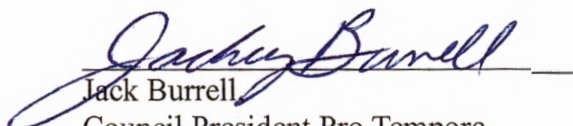
14 October 2024

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute Extension No. 2 for RFQ No. PS019-22 Professional Consulting Services for Grants and Grant Management with Grant Management, LLC with all terms and conditions as original bid award; and extend the contract until October 17, 2025 with a not-to-exceed annual amount of \$24,000.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

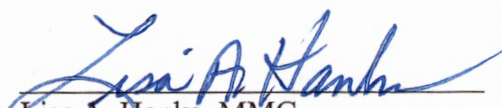
RESOLUTION NO. 5228-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Sherry Sullivan is hereby authorized to execute Extension No. 2 for RFQ No. PS019-22 Professional Consulting Services for Grants and Grant Management with Grant Management, LLC with all terms and conditions as original bid award; and extend the contract until October 17, 2025 with a not-to-exceed annual amount of \$24,000.00.

ADOPTED ON THIS 14TH DAY OF OCTOBER, 2024


Jack Burrell
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution to approve the 2024 - 2025 Holidays. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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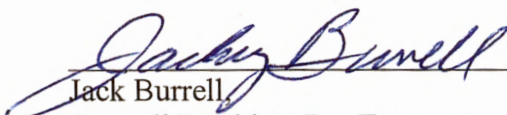
14 October 2024

RESOLUTION NO. 5229-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, THAT THE FOLLOWING 2024 – 2025 HOLIDAYS WILL BE OBSERVED BY ALL CITY PERSONNEL EXCEPT EMERGENCY EMPLOYEES:

Veterans Day Holiday	-	Monday, November 11, 2024
Thanksgiving Holidays	-	Thursday & Friday, November 28 & 29, 2024
Christmas Holidays	-	Tuesday & Wednesday, December 24 & 25, 2024
New Year's Day	-	Wednesday, January 1, 2025
Martin Luther King, Jr.	-	Monday, January 20, 2025
Mardi Gras Day	-	Tuesday, March 4, 2025
Memorial Day	-	Monday, May 26, 2025
Juneteenth Day	-	Thursday, June 19, 2025
Independence Day	-	Friday, July 4, 2025
Labor Day	-	Monday, September 1, 2025

DULY ADOPTED THIS 14TH DAY OF OCTOBER, 2024


Jack Burrell
Council President Pro Tempore

Attest:

Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers moved to grant the request of Darnelle Wolf with Baldwin County Humane Society requesting permission to close streets in downtown Fairhope on Thursday, October 24, 2024, from 5:00 p.m. to 7:00 p.m. for the Fairhope Witches Ride 2024. The ride will begin and end at Coastal Alabama Community College Amphitheater. This whimsical bike ride benefits local animal rescue and helps animals throughout our area. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

14 October 2024

Councilmember Conyers moved to grant the request of Friends of the Halstead, Inc. for a Street Closure on School Street between Morphy Avenue and Fairhope Avenue for Live at Five for Concert at Halstead Amphitheater for bus and truck parking on November 8, 2024. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

City Council reviewed an application for a Special Events Retail License by Kamal Constantine, Southern Buyers Group, LLC, d/b/a Piggly Wiggly Wine Walk, October 18, 2024, 111 St. James Avenue, Fairhope, AL 36532. Councilmember Conyers moved to approve the issuance of the license. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Garrett Deluca, Market by the Bay Fairhope LLC, d/b/a Market by the Bay Fairhope, located 7 S. Church St., Suite C, Fairhope, AL 36532. Councilmember Conyers moved to approve the issuance of the license. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Councilmember Conyers moved to reappoint Danielle Mashburn-Myrick and Miranda Schrubbe retroactively for second terms which began January 1, 2023 and will end December 31, 2025; to reappoint P. J. Hannon retroactively for second term which began January 1, 2024 and will end December 31, 2026; to reappoint Joe Kelley for a second term which will begin January 1, 2025 and will end December 31, 2027; and to appoint Vickie Watterson Bailey for first term which will begin January 1, 2025 and will end December 31, 2027. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

The following individuals spoke during Public Participation for Non-Agenda Items:

- 1) Mary Kelley, 19535 South Ingleside, addressed the City Council regarding an issue with not being able to build an RV cover.
- 2) Brian Dasinger, 115 Keplar Place, addressed the City Council regarding the Faith Family Freedom Fest scheduled for Saturday, October 19, 2024, at 11:00 a.m. He said this is a family event with free food.
- 3) Donna Allsup, 11623 County Road One, addressed the City Council and asked, "when are you going to take action; and what about a follow up from the last meeting."

Councilmember Conyers mentioned the Fairhope Public Library Board adopted policies based on the State's mandate; and submitted those to the State for approval.

14 October 2024

Mayor Sullivan said she sent a letter to the Department of Homeland Security and to the Department of Justice; and read the following:

"I am writing to express serious concerns regarding an immigration issue that has recently surfaced within the City of Fairhope. Given the importance of this matter, I am writing to seek your assistance in finding answers for myself and the citizens of Fairhope.

In recent months, public concerns have been raised related to the parole program for Cubans, Haitians, Nicaraguans, and Venezuelans (CHNV). Specifically, within Fairhope, there have been rumors of Haitian immigrants being placed by the Department of Homeland Security (DHA) within our City.

While the City of Fairhope remains committed to enforcing immigration laws, far too often, federal policies place an undue burden on our local resources, which are already stretched far too thin. Our country has a proud tradition of providing refuge for those fleeing oppression and seeking the American dream. However, we also have an obligation to ensure that our nation's immigration policies do not create additional strains on local governments or jeopardize the safety and well-being of citizens.

Therefore, should DHS intend to place migrants within the City of Fairhope, I strongly recommend and encourage that our local government be given the opportunity to engage in the decision-making process before such decisions are made to ensure resources are adequately met for our citizens and immigrants alike. As Mayor, I am hopeful that you can provide answers, negate misinformation, and ensure that meaningful consultation related to decisions that impact our local community occurs.

I look forward to hearing from you and thank you in advance for your time and attention to this matter."

Mayor Sullivan said she sent this letter to Senator Katie Britt, Senator Tommy Tuberville, Representative Jerry Carl, Representative Barry Moore, Senator Chris Elliott, and Representative Jennifer Fidler. Mayor Sullivan said Governor Kay Ivey sent letters to President Biden and Vice President Harris. Councilmember Robinson had a conference call with Senator Tommy Tuberville; and the consensus was to communicate with local government. Council President Pro Tempore explained what the Council or Mayor could do without the whole body of Council.

- 4) Doug Greengard, 311 Wakefield Avenue, addressed the City Council and questioned why the letter was not shared sooner. He said this is vital information that needed to be shared. Mr. Greengard said Council President Martin should apologize to the citizens.
- 5) Lynn Ellis, 312 Majestic Beauty Avenue, addressed the City Council regarding a friend's car that was broken into, the person slept in the car; and could not speak English. Ms. Ellis said it was a trailer park just past Old Tyme Feed.

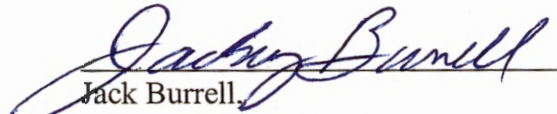
Councilmember Conyers said she need to file a Police Report; and we need to enforce sleeping overnight in cars. Councilmember Conyers said he as seen an increase in transients over the past year.

14 October 2024

Councilmember Robinson commented there is no evidence that any immigrants have come to the City of Fairhope.

Councilmember Conyers moved to adjourn the meeting. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 7:05 p.m.


Jack Burrell
Council President Pro Tempore


Lisa A. Hanks, MMC
City Clerk