

STATE OF ALABAMA))

COUNTY OF BALDWIN))

The City Council, City of Fairhope, met in regular session at 6:00 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 24 March 2025.

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

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Pastor Ty Ulrich of Celebration Church and the Pledge of Allegiance was recited.

Council President Burrell announced that Agenda Item No. 18 had been pulled pending review by our consultant.

Councilmember Robinson moved to approve minutes of the 10 March 2025, regular meeting; and minutes of the 10 March 2025, work session. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council regarding the following items:

- 1) Thanked the Arts & Crafts Festival Foundation and the Eastern Shore Art Center. She also thanked the Dogwood Trail Maids for their appearance at the Festival which was the first appearance of the new Trail Maids.
- 2) Mentioned the Fairhope Junior City Council's trip to Montgomery and commented City Clerk Lisa Hanks planned the trip.
- 3) Announced that the "Arts Alley" project has been honored with the Norman J Walton Sr. Regional Award from the South Alabama Regional Planning Commission. This prestigious award celebrates exceptional regional projects that excel in five key areas: problem solving, intergovernmental cooperation, innovation, enhancement to regional quality of life, and cost-effectiveness.
- 4) Recognized Mandy Bezeredi for serving on the Parking Authority and said she works for Coastal Alabama Community College; and helped with extra parking there.

Mayor Sullivan addressed the City Council regarding the Alabama Public Library Service and stated she has had some productive discussions with the board chairman John Wahl. Mayor Sullivan said, "the state funding to the library was not cut, it was only paused." She said this item was not on the agenda but individuals spoke during public participation; and commented that Mr. Wahl said we could find resolution and meet APLS guidelines.

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Mayor Sullivan said there is no desire to cut funding of approximately \$900,000.00; and the Library Board and staff are not run by the City. She also said the City has already received two rounds of funding for the library from the state, and is expecting another in June, if this is all resolved by then.

Councilmember Martin said, "I have no regard to defund our library." He stated we will follow Alabama law and this should be cleared up soon.

Councilmember Conyers said he has no interest in defunding the library. He commented we already have two items checked off: library cards and policies. Councilmember Conyers said five books have been moved to the adult section; and thanked the Library Board for their service to the City.

Councilmember Robinson said there is a lot of passion in this room; and there is a grey area of what goes where in the library. He said Mr. Wahl is going to come down and see if we are compliant. Councilmember Robinson said, "this has gotten a little bigger than it was intended to, but please understand there is no desire by the Council or the Mayor to defund our library and I don't believe that's the motive of the state either." He was we hope to get a resolution quickly.

Council President Burrell reiterated, "there is no intention of defunding the library." He commented, "we are not the worst library in the State, I think we are the best library in the State." He said it was that pause that still leaves a bad taste in my mouth. That's not America and we were not given due process." He went on to say, "I don't like the fact that somebody, anyone can go to Montgomery and make comments and cause a pause in funding without process. I am very pleased they are going to come and visit the library." Council President Burrell commented we will comply with State law.

A Public Hearing was held as advertised on a proposed ordinance to amend Ordinance No. 1253. Councilmember Robinson introduced in writing Ordinance No. 1825, an ordinance to approve the request from the City of Fairhope Planning and Zoning Department, for an amendment to Table 3.1 of the City of Fairhope's Zoning Ordinance. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance.

Planning Director Hunter Simmons briefly explained the proposed ordinance and mentioned the only change is Boarding House/Dormitory Use shall be removed as an allowable use from Table 3.1.

Council President Burrell opened the Public Hearing at 6:27 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:27 p.m.

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In order to take immediate action, Councilmember Conyers moved for immediate consideration. Seconded by Councilmember Martin, motion for immediate consideration passed unanimously by the following voice votes: AYE – Burrell, Martin, Conyers, and Robinson. NAY - None. Councilmember Conyers then moved for final adoption of Ordinance No. 1825 Seconded by Councilmember Martin, motion for final adoption passed by the following voice votes: AYE – Burrell, Martin, Conyers, and Robinson. NAY - None.

Councilmember Martin moved for final adoption of Ordinance No. 1826, an ordinance to amend Zoning Ordinance No. 1253 and to zone the property of Tallawampa Properties LLC, for conditional annexation to R-1, Low Density Single-Family Residential District. The property is approximately 5.20 acres and is located at 0 Gayfer Road Ext. **PPIN #13818**. (Introduced at the March 10, 2025 City Council Meeting) Seconded by Councilmember Conyers, motion for final adoption passed by the following voice votes: AYE – Burrell, Martin, Conyers, and Robinson. NAY - None.

Councilmember Robinson moved for final adoption of Ordinance No. 1827, an ordinance to annex the City of Fairhope property located at Section Street / 705 Twin Beech, Fairhope, Alabama. Contains 15.146 acres more or less. Tax Parcels 46-04-19-4-000-012.000 and 46-04-19-4-000-041.000. (Introduced at the March 10, 2025 City Council Meeting) Seconded by Councilmember Martin, motion for final adoption passed by the following voice votes: AYE – Burrell, Martin, Conyers, and Robinson. NAY - None.

Councilmember Martin moved for final adoption of Ordinance No. 1828, an ordinance amending Ordinance No. 522 and repealing and replacing Ordinance No. 1779 Parking Authority; Section 20-31: Said Parking Authority or Committee shall be composed of seven (7) members, and all such members shall be residents of the City of Fairhope, Alabama and over the age of 21 years. (Introduced at the March 10, 2025 City Council Meeting) Seconded by Councilmember Robinson, motion for final adoption passed by the following voice votes: AYE – Burrell, Martin, Conyers, and Robinson. NAY - None.

Councilmember Conyers moved for final adoption of Ordinance No. 1829, an ordinance to approve an Application from Richard T. Barrett for a Franchise Agreement Tennis and Pickleball for at the Mike Ford Tennis Center. (Introduced at the March 10, 2025 City Council Meeting) Seconded by Councilmember Martin, motion for final adoption passed by the following voice votes: AYE – Burrell, Martin, Conyers, and Robinson. NAY - None.

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Councilmember Martin introduced in writing an ordinance to annexation the Casa Azul Fairhope, LLC (Daniel Dorta) property located at 18348 Greeno Road, Fairhope, Alabama and zoned B-1 Local Shopping District. Tax Parcel 46-08-28-0-000-017.001. Due to lack of a motion for immediate consideration, this ordinance will layover until the April 14, 2025 City Council meeting. Council President Burrell questioned conditions on parcel and if anyone opposed zoning at the Baldwin County Commission meeting.

Planning Director Hunter Simmons addressed the City Council to explain the Site Plan Review of property owned by Bon Adventure Too for Staggers Mixed-Use Property. The property is approximately 0.20 acres and is zoned B-2 – General Business District. The property is located on Morphy Avenue west of S. School Street. PPIN #77834. (Planning Commission unanimously recommends approval of SR 24.07). Councilmember Conyers moved to approve the Site Plan property owned by Bon Adventure Too listed above. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute Change Order No. 2 for (Bid No. 2023WWF-034) Working Waterfront and Greenspace Restoration project with a cost of \$251,690.30; and to award Change Order No. 2 to Rolin Construction, Inc. The new contract total will be \$10,240,069.76. Authorize transfer from the General Fund to the Federal Grants Fund in the amount of \$251,690.30. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 5402-25

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Sherry Sullivan is hereby authorized to execute Change Order No. 2 for (Bid No. 2023WWF-034) Working Waterfront and Greenspace Restoration project with a cost of \$251,690.30; and to award Change Order No. 2 to Rolin Construction, Inc. The new contract total will be \$10,240,069.76. Authorize transfer from the General Fund to the Federal Grants Fund in the amount of \$251,690.30.

ADOPTED ON THIS 24TH DAY OF MARCH, 2025


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

24 March 2025

Councilmember Martin 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 No. 1 with PipeSuite, A Division of Payne Management, Inc. for Professional Consulting Services (RFQ PS24-023) with a not-to-exceed amount of \$10,080.00. The new contract total will be \$63,240.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 5403-25

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 No. 1 with PipeSuite, A Division of Payne Management, Inc. for Professional Consulting Services (RFQ PS24-023) with a not-to-exceed amount of \$10,080.00 The new contract total will be \$63,240.00.

ADOPTED ON THIS 24TH DAY OF MARCH, 2025


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson 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 Traffic Engineering Services for (RFQ PS25-024) for the Twin Beech Corridor Study to Neel-Schaffer, Inc.; and hereby authorize Mayor Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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24 March 2025

RESOLUTION NO. 5404-25

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 Traffic Engineering Services for (RFQ PS25-024) for the Twin Beech Corridor Study to Neel-Schaffer, Inc.; and hereby authorize Mayor Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 24TH DAY OF MARCH, 2025


Jack Burrell, Council President

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 with Volkert, Inc. for Professional Engineering Services for (RFQ PS25-011) for the Airport Industrial Park Environmental Assessment with a not-to-exceed contract amount of \$104,518.00. Authorize budget transfer from the General Fund to the Capital Project fund in the amount of \$104,518.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5405-25

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Sherry Sullivan is hereby authorized to execute a Contract with Volkert, Inc. for Professional Engineering Services for (RFQ PS25-011) for the Airport Industrial Park Environmental Assessment with a not-to-exceed contract amount of \$104,518.00. Authorize budget transfer from the General Fund to the Capital Project fund in the amount of \$104,518.00.

ADOPTED ON THIS 24TH DAY OF MARCH, 2025


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

24 March 2025

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of a Complete Weather Safety System for Founders Park and Fairhope Soccer Complex from Perry Weather as the sole source, and authorizes procurement based on the option by the Code of Alabama 1975, Section 41-16-51(13) with a not-to-exceed purchase cost of \$30,000.00, \$3,000.00 per year subscription cost, plus a one-time shipping fee of \$800.00; and authorizes Mayor Sherry Sullivan to execute a contract. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

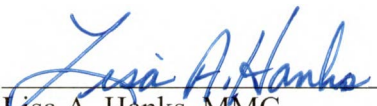
RESOLUTION NO. 5406-25

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope approves the procurement of a Complete Weather Safety System for Founders Park and Fairhope Soccer Complex from Perry Weather as the sole source, and authorizes procurement based on the option by the Code of Alabama 1975, Section 41-16-51(13) with a not-to-exceed purchase cost of \$33,000.00, \$3,000.00 per year subscription cost, plus a one-time shipping fee of \$800.00; and authorizes Mayor Sherry Sullivan to execute a contract.

ADOPTED ON THIS 24TH DAY OF MARCH, 2025


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson 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 and Materials for the installation of an ADA ramping system for entry to Majors Field to MH McLaughlin, LLC. for a not-to-exceed cost of \$17,500.00. This Public Works project will be less than \$100,000.00, and therefore does not need to be formally bid out. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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RESOLUTION NO. 5407-25

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 and Materials for the installation of an ADA ramping system for entry to Majors Field to MH McLaughlin, LLC for a not-to-exceed cost of \$17,500.00. This Public Works project will be less than \$100,000.00, and therefore does not need to be formally bid out.

DULY ADOPTED THIS 24TH DAY OF MARCH, 2025


Jack Burrell, Council President

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 the negotiated price and contract terms and conditions for Bid No. 25-015 Beverage Vending and Concession Annual Contract and awards the bid to Coca-Cola Bottling United-Central, LLC with the total bid proposal attached. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5408-25

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council hereby approves the negotiated price and contract terms and conditions for Bid No. 25-015 Beverage Vending and Concession Annual Contract and awards the bid to Coca-Cola Bottling United-Central, LLC with the total bid proposal attached.

ADOPTED ON THIS 24TH DAY OF MARCH, 2025


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

24 March 2025

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes and approves hiring a Driver (Grade 4), assigned to work at the Nix Center to assist with delivering meals to home-bound senior citizens, to allow the current Driver (Grade 4) who is retiring April 17, 2025, to work together and train the new employee prior to retirement. This is beneficial to both the City and the new employee. The temporary position will expire upon the retirement of the current Driver. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

RESOLUTION NO. 5409-25

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council authorizes and approves hiring a Driver (Grade 4), assigned to work at the Nix Center to assist with delivering meals to homebound senior citizens, to allow the current Driver (Grade 4) who is retiring April 17, 2025, to work together and train the new employee prior to retirement. This is beneficial to both the City and the new employee. The temporary position will expire upon the retirement of the current Driver.

ADOPTED THIS 24TH DAY OF MARCH, 2025


Jack Burrell, Council President

ATTEST:


Lisa A. Hanks, MMC
City Clerk

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope authorizes Mayor Sherry Sullivan to execute a Change Order No. 1 for the agreement with Long's Human Resource Services to supply temporary employees to supplement the existing workforce. This change order will add custodian services for the Nix Center. This change order will increase the not-to-exceed cost to \$75,000.00. These services are exempt pursuant to Code of Alabama 1975, Section 41-16-51. Authorize Treasurer to transfer \$23,000.00 from Nix Salaries 001300-50040 to Temp Contract Labor 001300-50245. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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RESOLUTION NO. 5410-25

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope authorizes Mayor Sherry Sullivan to execute a Change Order No. 1 for the agreement with Long's Human Resource Services to supply temporary employees to supplement the existing workforce. This change order will add custodian services for the Nix Center. This change order will increase the not-to-exceed cost to \$75,000.00. These services are exempt pursuant to Code of Alabama 1975, Section 41-16-51. Authorize Treasurer to transfer \$23,000.00 from Nix Salaries 001300-50040 to Temp Contract Labor 00130-50245.

ADOPTED ON THIS 24TH DAY OF MARCH, 2025


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of ClearGov Budget Book Software for a not-to-exceed cost of \$5,850.00 for FY2025 and \$11,700.00 for FY2026, and authorize Mayor Sherry Sullivan to execute the Service Order. This purchase is exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(11). Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 5411-25

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope approves the procurement of ClearGov Budget Book Software for a not-to-exceed cost of \$5,850.00 for FY2025 and \$11,700.00 for FY2026, and authorize Mayor Sherry Sullivan to execute the Service Order. This purchase is exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(11).

ADOPTED ON THIS 24TH DAY OF MARCH, 2025


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

24 March 2025

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of a Genetec Server Storage Expansion for the Fairhope Municipal Jail that is on Omnia Partners (Contract #2018011-02) with SHI International Corp.; and therefore, does not have to be let out for bid. The total amount not-to-exceed \$32,008.07. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

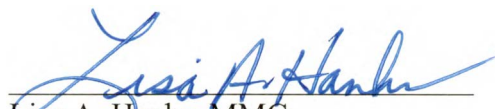
RESOLUTION NO. 5412-25

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope approves the procurement of a Genetec Server Storage Expansion for the Fairhope Municipal Jail that is on Omnia Partners (Contract #2018011-02) with SHI International Corp; and therefore, does not have to be let out for bid. The total amount not-to-exceed \$32,008.07 will come from the Corrections Fund.

ADOPTED ON THIS 24TH DAY OF MARCH, 2025


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson moved to grant the request of Friends of the Halstead, Inc. requesting permission 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 for April 11, 2025, and April 25, 2025. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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

- 1) Jennings Wright, 114 Spring Run Drive, addressed the City Council and read letter that was sent to the Alabama Public Library Service with over 100 signatures. Mr. Wright said he was in favor of the Fairhope Public Library and staff.

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- 2) Sarah Bogdanovich, 618 Bellangee, addressed the City Council and said that John Wahl on February 7, 2025 said the Library was in compliance with the APLS. Ms. Bogdanovich is in favor of the Fairhope Public Library and staff.
- 3) Dev Wakeley, 8856 Lakeview Drive, addressed the City Council and told them not to believe the anti-Library group. He said they are trying to destroy the Library and it is public execution. Mr. Wakeley is in favor of the Fairhope Public Library and staff.
- 4) Caleb Whitehead, 20 Burlington Drive, addressed the City Council and said the Fairhope Public Library should be freely accessible for all. He said the legal age for marriage in Alabama is 16 years old. Mr. Whitehead said the Mom's for Liberty group is destructive. Mr. Whitehead is in favor of the Fairhope Public Library and staff.

Councilmember Robinson addressed the audience and asked for them to be respectful of each other; and not to call names or disrespect others when speaking to the City Council.

- 5) Mette McCall, 7190 Brodbeck Lane, addressed the City Council and mentioned one of the books that excerpts were read at the APLS meeting was "Sold" which has been on the Top 10 List and has won many awards. She said the book pertains to trafficking; and told the City Council that 86% of the \$42,000.00 has been raised. Ms. McCall said they are protecting children from reality. Ms. McCall is in favor of the Fairhope Public Library and staff.
- 6) Roseanne Tebay, 21944 Veranda Boulevard, addressed the City Council regarding her seven year old child who has questioned her identity since she was three years old. Ms. Tebay said she was a victim of incest at a very young age; and wished books had been available back then to help her. Ms. Tebay is in favor of the Fairhope Public Library and staff.
- 7) Brent Wiles, 21307 Rolling Oaks Drive, addressed the City Council and said this is a small group of people associated with Mom's for Liberty who are attempting censorship and to close the Library. He said this is anti-government group; and asked for the City Council to ignore this group. Mr. Wiles is in favor of the Fairhope Public Library and staff.
- 8) Gustavo Enrique, 219 Orleans Drive, addressed the City Council and said he is from Venezuela and came to America for democracy. He told the City Council he has read 22 of the 35 books that are in question; and said he did not find any pornography. Mr. Enrique said the individuals questioning the books have not read them. The books are about discrimination, racism, minorities, etc. Mr. Enrique is in favor of the Fairhope Public Library and staff.

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- 9) Cheryl Corvo, 20 Burlington Drive, addressed the City Council and commented Mr. Wahl ignored their letter and moved to pause funding without due process. She said our Fairhope Public Library is a model of excellence. Ms. Corvo is in favor of the Fairhope Public Library and staff.
- 10) Randal Wright, 137 Stratford, addressed the City Council and thanked them and the audience for their support. She introduced Library Director Rob Gourlay. Ms. Wright is in favor of the Fairhope Public Library and staff.
- 11) Rob Gourlay, Library Director and resident of Daphne, Alabama, addressed the City Council and announced the grand opening of the newly renovated part of the Library and the 125 Anniversary of the Fairhope Public Library.
- 12) Jada Pryor, 9376 Twin Beech Road, addressed the City Council and said being a mom living in Fairhope is a dream. Ms. Pryor commented she is in favor of the Fairhope Public Library and loves everyone. Ms. Pryor said she relies on the Library and its staff.
- 13) Elizabeth Williams, 702 Greenwood Avenue, addressed the City Council and thanked them for their support. She said the Library complied with the APLS; and we raised \$35,000.00 in just four days. Ms. Williams is in favor of the Fairhope Public Library and staff.
- 14) Matthew Moon, 19760 Hunter Loop, addressed the City Council and thanked the City Council for supporting the Library. Mr. Moon is in favor of the Fairhope Public Library and staff.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 7:38 p.m.


Jack Burrell, Council President


Lisa A. Hanks, MMC
City Clerk