

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, 23 October 2023.

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

There being a quorum present, Council President Pro Tempore Martin called the meeting to order. The invocation was given by Reverend Pat Davey of Eastern Shore Presbyterian Church and the Pledge of Allegiance was recited.

Councilmember Burrell moved to amend the agenda by removing Agenda Item No. 16; and addressing Agenda Items No. 34 through No. 39 before Agenda Item No. 5. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Conyers moved to approve minutes of the 9 October 2023, regular meeting; and minutes of the 9 October 2023, work session. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council regarding the following items:

- 1) Coffee with the Mayor on Thursday at 9:00 a.m. at the Recreation Center
- 2) Witches Ride on Thursday evening with around 750 participants
- 3) Trick or Treating on Friday morning Fairhope Elementary School West
- 4) Downtown Trick or Treating on Saturday from 8:00 a.m. to 12:00 p.m.
- 5) Linda Higbee Smith, Lynn Miller Tate, and Mary Louise Nelson were Committee members for the 100th Anniversary for Fairhope High School. Ms. Smith mentioned the activities for the weekend of November 3, 2003 to celebrate the anniversary; and the Homecoming Parade. They thanked the City Council for their support. Mayor thanked the ladies for their work. She said there would be a bronze pirate put in the K-1 Center.

The following individual spoke during Public Participation for Agenda Items:

- 1) Brian Britt, 455 Fairhope Avenue, addressed the City Council regarding Agenda Item No. 7 and said it is a nice addition with a tasteful design. Mr. Britt said he liked the amount of greenspace too.

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Council President Pro Tempore Martin said he was looking forward to Downtown Halloween on Saturday.

Councilmember Burrell moved to grant the request of Lindsey Simmons of the Junior Auxiliary of the Eastern Shore is requesting permission for a road closure of Bancroft Street from the intersection of Fairhope Avenue to Oak Avenue on Sunday, December 10, 2023, from 12:00 p.m. to 5:00 p.m. for the "Jolly Jog" a proposed half-mile fun run for families to raise funds for the organization. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Conyers moved to grant the request of Fairhope East K-6 Parent Teacher Corporation, Fairhope West Parent Teacher Partnership and J. Larry Newton Parent Teacher Organization requesting permission to close streets in downtown Fairhope on Saturday, March 2, 2024, from 6:00 a.m. to 10:00 a.m. for the 8th Annual "The Pirate Dash"; and request electricity at the starting/ending point of race on the bluff (Henry George Park), along with barricades at major road intersections to protect runners. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

Councilmember Burrell moved to amend the request of Mary Riser, Executive Director of the Fairhope Film Festival, requesting to hang 6 pole banners from October 27, 2023 through November 13, 2023; and to authorize the Mayor to work with the Fairhope Film Festival for a banner to be hung across the street if feasible. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Burrell moved to grant the request of Mary Riser, Executive Director of Fairhope Film Festival requesting use of the Welcome Center on Section Street as our Box Office from Wednesday, November 8, 2023 through Sunday, November 12, 2023. Times are listed on letter of request; and signage and additional publicity in City notifications from October 1, 2023 through November 12, 2023 as amended above for pole banners and a banner hung across the street if feasible. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Brian Culwell, KATFU Restaurant Group, LLC, d/b/a Plane and Level, located at 61 N. Section Street, Fairhope, AL 36532. Councilmember Conyers moved to approve the issuance of the license. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Misty Rider, R Bistro, LLC, d/b/a R Bistro, located at 19270 US Scenic Hwy 98, Fairhope, AL 36532. Councilmember Conyers moved to approve the issuance of the license. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

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City Council reviewed an application for a Special Events License by Kamal Constantine, Southern Buyers Group, LLC, d/b/a Piggly Wiggly Wine Walk, November 8, 2023, Fairhope Civic Center, 161 N. Section Street, Fairhope, AL 36532. Councilmember Conyers moved to approve the issuance of the license. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253 and Ordinance No. 1736 Hill Top PUD. Councilmember Conyers introduced in writing an ordinance to amend property of Two Hands Design and Development LLC, Lot 29 front setback from 100' to 30'. The property is approximately 1.14 acres and is located on the west side of Section Street and south of Petiole Dr. PPIN #389630. The Planning Commission gave a favorable recommendation of this ordinance. Planning Director Hunter Simmons read the proposed ordinance and briefly explained the amendments.

Council President Pro Tempore Martin opened the Public Hearing at 6:39 p.m. Trey Jinright with Jade Consulting added guidance for building. No one present opposed the proposed ordinance, the Public Hearing closed at 6:41 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the November 13, 2023 City Council meeting.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Conyers introduced in writing an ordinance to rezone property of Phillip Goodwyn from B-4, Business and Professional District to B3a, Tourist Resort Lodging District. The property is approximately 0.15 acres and is located at 491/493 Pine Avenue. PPIN #14838. The Planning Commission gave a favorable recommendation of this ordinance. The Planning Commission gave a favorable recommendation of this ordinance. Planning Director Hunter Simmons read the proposed ordinance and briefly explained the amendments.

Council President Pro Tempore Martin opened the Public Hearing at 6:45 p.m. Ryan Baker and Phillip Goodwyn said these were high-end short-term rentals; and the home is to be renovated. No one present opposed the proposed ordinance, the Public Hearing closed at 6:47 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the November 13, 2023 City Council meeting.

Planning Director Hunter Simmons addressed the City Council to explain the Site Plan Review of property owned by FST RW LLC, for Site Plan Approval of Vatan Mixed Use Development. The property is approximately 0.52 acres and is located on northeast corner of Magnolia Avenue and N. Church Street. PPIN #: 15164.

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Councilmember Burrell said this is a beautiful project for downtown; and all agreed. Mr. Simmons said they are working around trees for sidewalks. Councilmember Burrell moved to approve the Site Plan of the property owned by FST RW LLC listed above with the conditions. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Burrell moved to approve the request by FST Robert N Graham LLC, and SE Civil, LLC requesting a one-year extension of the Site Plan approval that was granted for the property located on the southeast corner of County Road 48 and US Highway 98. This Site Plan was approved on December 12, 2022. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope, Alabama enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for Sidewalks along Parker Road from CR-98 to SR-42 (US-98): (Preliminary Engineering Agreement). Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

RESOLUTION NO. 4882-23

BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE AS FOLLOWS:

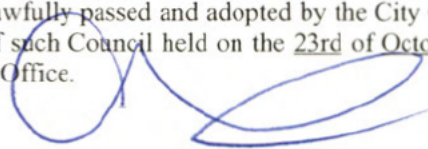
That the City of Fairhope, Alabama enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

Sidewalks along Parker Road from CR-98 to SR-42 (US-98); Project# CRPES-0223(); CPMS Ref# 100076864. (Preliminary Engineering Agreement)

Which agreement is before this Council, and that the agreement be executed in the name of the City of Fairhope, by Mayor Sherry Sullivan for and on its behalf and that it be attested by the City Clerk, Lisa A. Hanks, and the official seal of the City be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City.

I, the undersigned qualified and City Clerk of the City of Fairhope, Alabama do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City of Fairhope therein, at a regular meeting of such Council held on the 23rd of October, 2023, and that such resolution is on file in the City Clerk's Office.


Corey Martin
Council President Pro Tempore

ATTEST:


Lisa A. Hanks, MMC
City Clerk

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Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope, Alabama enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for Sidewalks along Parker Road from CR-98 to SR-42 (US-98); (Construction Agreement). Seconded by Councilmember Burrell, motion passed unanimously by voice vote. Councilmember Burrell explained this will connect the Multi Modal trail and Eastern Shore Trail; and it is an Eastern Shore MPO project.

RESOLUTION NO. 4883-23

BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE AS FOLLOWS:

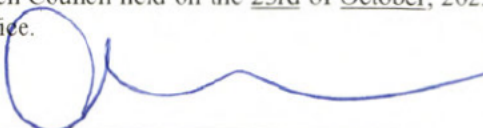
That the City of Fairhope, Alabama enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

Sidewalks along Parker Road from CR-98 to SR-42 (US-98); Project# CRPES-0223(); CPMS Ref# 100076864. (Construction Agreement)

Which agreement is before this Council, and that the agreement be executed in the name of the City of Fairhope, by Mayor Sherry Sullivan for and on its behalf and that it be attested by the City Clerk, Lisa A. Hanks, and the official seal of the City be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City.

I, the undersigned qualified and City Clerk of the City of Fairhope, Alabama do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City of Fairhope therein, at a regular meeting of such Council held on the 23rd of October, 2023, and that such resolution is on file in the City Clerk's Office.


 Corey Martin
 Council President Pro Tempore

ATTEST:


 Lisa A. Hanks, MMC
 City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope authorizes the submission of a Land and Water Conservation Grant to the Alabama Department of Economic and Community Affairs for Construction of Park Facilities at North Triangle Park; and authorizes Mayor Sherry Sullivan to sign all required grant application documents on behalf of the City. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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RESOLUTION NO. 4884-23

**AUTHORIZING THE SUBMISSION OF A LAND AND WATER
CONSERVATION GRANT TO THE ALABAMA DEPARTMENT OF
ECONOMIC AND COMMUNITY AFFAIRS FOR CONSTRUCTION OF
PARK FACILITIES AT NORTH TRIANGLE PARK**

WHEREAS, the City of Fairhope proposes to construct park facilities at North Triangle Park to provide for the health and well-being of the general public; and

WHEREAS, the City intends to make application to the Alabama Department of Economic and Community Affairs for grant assistance to construct the park improvements from the Land and Water Conservation Fund; and

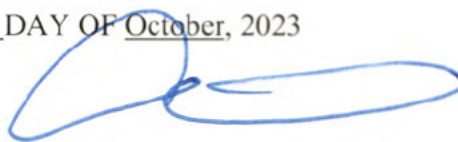
WHEREAS, the total proposed project cost is estimated to be \$1,000,000.00 and, the City is applying for Land and Water Conservation Fund assistance in the amount of \$500,000.00;

NOW, THEREFORE BE IT RESOLVED, that the City of Fairhope will hold in reserve \$500,000.00, or 50% of the total proposed project costs, in cash matching funds; and

BE IT FURTHER RESOLVED, that in the event a grant is awarded, the City of Fairhope understands that it will sign assurances to comply with all applicable Federal and State laws, rules and regulations and that the property acquired and/or developed with Land and Water Conservation Fund assistance will be maintained for public outdoor recreation in perpetuity as required by Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965; and

BE IT FURTHER RESOLVED, THAT THE City Council authorizes the Mayor to sign all required grant application documents on behalf of the City.

DULY ADOPTED THIS 23RD DAY OF October, 2023



Corey Martin
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

23 October 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope hereby accepts the Gulf Coast RC&D Council's grant award for financial assistance for the Community Pollinator Garden Revitalization on South Mobile Street; and authorizes Mayor Sherry Sullivan to sign all required grant documents on behalf of the City. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

RESOLUTION NO. 4885-23

**ACCEPTANCE OF GRANT AWARD FOR FINANCIAL ASSISTANCE
FROM THE GULF COAST RC&D COUNCIL FOR THE
CITY OF FAIRHOPE COMMUNITY POLLINATOR
GARDEN REVITALIZATION**

WHEREAS, the City of Fairhope was awarded a grant from the Gulf Coast RC&D Council for the City of Fairhope Community Pollinator Garden Revitalization located on South Mobile Street, Fairhope, Alabama; and

WHEREAS, the total project cost is \$8,808.25, of which the grant amount is \$6,912.12; and the City will be responsible for \$1,896.13 supplemented from Horticulture's budget; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA. That the City of Fairhope hereby accepts the Gulf Coast RC&D Council's grant award; and authorizes the Mayor to sign all required grant documents on behalf of the City.

DULY ADOPTED THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

23 October 2023

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes the submission of an FY24 ATRIP-II Grant to ALDOT requesting grant funds to construct dedicated left and right turn lanes on Volanta Avenue at U.S. Hwy 98, acceleration/deceleration lanes on U.S. Hwy 98 and signalize the intersection; and authorizes the Mayor to sign all required grant application documents on behalf of the City. Total estimated project cost is \$1,682,000.00 with the City's estimated cost of \$301,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4886-23

AUTHORIZING THE SUBMISSION OF AN FY 2024 ALABAMA TRANSPORTATION REHABILITATION AND IMPROVEMENT PROGRAM-II (ATRIP-II) GRANT APPLICATION

WHEREAS, the Alabama Department of Transportation (ALDOT) is accepting applications from municipal governments for Fiscal Year 2024 Alabama Transportation Rehabilitation and Improvement Program- II (ATRIP-II) Grants; and

WHEREAS, the City of Fairhope has identified the need to construct dedicated left and right turn lanes on Volanta Avenue at the intersection with Greeno Road (U.S. Highway 98), acceleration/deceleration lanes on US Hwy 98 and signalize the intersection; and

WHEREAS, the total project cost is estimated to be \$1,682,000.00, and, if funded, the grant will pay for 100% of Construction and CE&I Cost at an estimated \$1,381,000.00 and the City would cover 100% of the Preliminary Engineering, ALDOT PE Review and Utility Relocation Cost at an estimated \$301,000.00; resulting in an approximate 78.22 project cost share; and

WHEREAS, if funded, the City will see this project through to completion and will be responsible for providing long-term maintenance of the new facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That by this Resolution the City of Fairhope authorizes submission of an FY24 ATRIP-II Grant to ALDOT requesting grant funds to construct dedicated left and right turn lanes on Volanta Avenue at the intersection with Greeno Road (U.S. Highway 98), acceleration/deceleration lanes on US Hwy 98 and signalize the intersection.

BE IT FURTHER RESOLVED, That the City Council authorizes the Mayor to sign all required grant application documents on behalf of the City.

DULY ADOPTED THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
Council President Pro Tempore

Attest:


 Lisa Hanks, MMC
 City Clerk

23 October 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to accept the subgrant from the Alabama Emergency Management Agency from the Hazard Mitigation Grant Program in the amount of \$57,680.00 to purchase and install state-of-the-art siren warning systems for mass notification. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

RESOLUTION NO. 4887-23

WHEREAS, the City of Fairhope has identified the need for state-of-the-art siren warning systems for mass notification; and

WHEREAS, the City of Fairhope presented an application to the Alabama Emergency Management Agency ("AEMA") for subgrant assistance to purchase and install state-of-the-art siren warning systems for mass notification from the Hazard Mitigation Grant Program ("HMGP") funds; and

WHEREAS, the Alabama Emergency Management Agency awarded the City of Fairhope the subgrant from the Hazard Mitigation Grant Program CFDA #97.047; HMGP 4503-0031 to purchase and install state-of-the-art siren warning systems for mass notification. The project has been approved for \$57,680.00 with a Federal Share of \$51,912.00 and the City of Fairhope responsible for providing \$5,768.00 (10 percent of cost).

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Sherry Sullivan is hereby authorized to accept the subgrant from the Alabama Emergency Management Agency from the Hazard Mitigation Grant Program in the amount of \$57,680.00 to purchase and install state-of-the-art siren warning systems for mass notification.

Adopted on this 23rd day of October, 2023



Corey Martin
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

23 October 2023

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 Service Agreement between Baldwin County Commission and the City of Fairhope for connectivity to the County Extranet and for Communications and Information Systems (CIS) services at no cost for the initial implementation defined in *Exhibit A*, but has the option to implement additional services in the future based on the CIS Rate Schedule. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

RESOLUTION NO. 4888-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Sherry Sullivan is hereby authorized to execute a Service Agreement between Baldwin County Commission and the City of Fairhope for connectivity to the County Extranet and for Communications and Information Systems (CIS) services at no cost for the initial implementation defined in *Exhibit A*, but the City has the option to implement additional services in the future based on the CIS Rate Schedule.

DULY ADOPTED THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves a contract extension for (RFQ No. PS015-22) Natural Gas Engineering Consulting Services with Magnolia River Services, Inc. for Cast Iron Pipe Replacement Phases 1-6 with a not-to-exceed amount of \$500,000.00; and authorizes Mayor Sherry Sullivan to execute contract amendment. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

23 October 2023

RESOLUTION NO. 4889-23

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

[1] That the City Council approves a contract extension for (RFQ No. PS015-22) Natural Gas Engineering Consulting Services with Magnolia River Services, Inc. for Cast Iron Pipe Replacement Phases 1-6 with a not-to-exceed amount of \$500,000.00; and authorizes Mayor Sherry Sullivan to execute contract amendment.

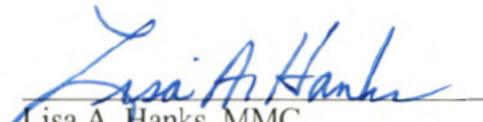
[2] This will increase the original amount of contract from \$500,000.00 to one million dollars \$1,000,000.00.

ADOPTED ON THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell 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 (RFQ PS24-005) to O'Donnell & Associates, Inc. for Professional Hydrogeologic Services for Development of a Fourth Shallow Well at Fairhope Wellfield #3; and hereby authorizes the Mayor to execute a Contract with a not-to-exceed amount of \$17,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

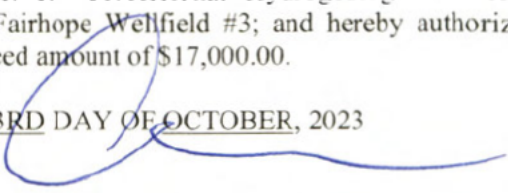
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23 October 2023

RESOLUTION NO. 4890-23

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 (RFQ PS24-005) to O'Donnell & Associates, Inc. for Professional Hydrogeologic Services for Development of a Fourth Shallow Well at Fairhope Wellfield #3; and hereby authorizes the Mayor to execute a Contract with a not-to-exceed amount of \$17,000.00.

DULY ADOPTED THIS 23RD DAY OF OCTOBER, 2023

Corey Martin
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell 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 Architecture and Engineering Services for (RFQ PS24-004) Fairhope Municipal Pool Rehabilitation to Watermark Design; and allow Mayor Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

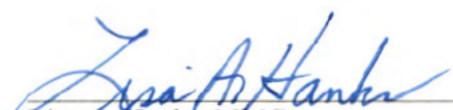
RESOLUTION NO. 4891-23

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 Architecture and Engineering Services for (RFQ PS24-004) Fairhope Municipal Pool Rehabilitation to Watermark Design; and allow Mayor Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 23RD DAY OF OCTOBER, 2023

Corey Martin
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

23 October 2023

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the selection of Overstreet & Associates Consulting Engineering for Professional Engineering Services for (RFQ PS24-006) for New Sidewalks on Parker Road; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4892-23

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

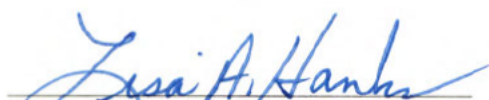
[1] That the City of Fairhope approves the selection of Overstreet & Associates Consulting Engineering for Professional Engineering Services for (RFQ PS24-006) for New Sidewalks on Parker Road; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution to award (Bid No. 23-037) to General Maintenance Contractors of East Alabama, Inc. d/b/a GMC Underground for Cast Iron Pipe Replacement - Phase 1 with a bid proposal not-to-exceed \$1,321,215.67. Seconded by Councilmember Conyers, motion passed unanimously by voice vote. Gas Superintendent Wes Boyett told the City Council this is \$1.2 million under budget.

23 October 2023

RESOLUTION NO. 4893-23

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 to procure services for (Bid No. 23-037) Cast Iron Pipe Replacement – Phase 1 at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

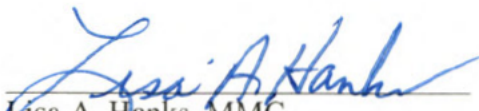
	Total Base Bid
Equix Energy Services, LLC	\$1,918,539.00
GMC Underground	\$1,321,215.67

[3] After evaluating the bids with the required specifications, General Maintenance Contractors of East Alabama, Inc. d/b/a GMC Underground is now awarded (Bid No. 23-037) Cast Iron Pipe Replacement – Phase 1 with a bid proposal not-to-exceed \$1,321,215.67.

DULY ADOPTED THIS 23RD DAY OF OCTOBER, 2023

Corey Martin
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. 24-001) to Equix Energy Services, LLC for Cowpen Creek Boring with a total bid proposal not-to-exceed \$56,738.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

23 October 2023

RESOLUTION NO. 4894-23

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

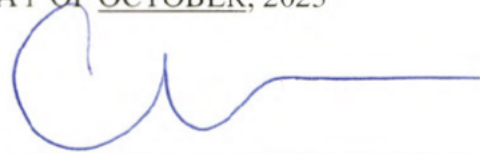
[1] That the City of Fairhope did request, receive, and open bids to procure services for (Bid No. 24-001) Cowpen Creek Boring at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Equix Energy Services, LLC	\$56,738.00
GMC Underground	\$73,200.00
UnderGround, Inc.	\$67,700.00

[3] After evaluating the bids with the required specifications, Equix Energy Services, LLC is now awarded (Bid No. 24-001) Cowpen Creek Boring with a bid proposal not-to-exceed \$56,738.00.

DULY ADOPTED THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
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 procurement of one (1) New Pumper Fire Truck for the Fairhope Volunteer Fire Department. The total cost not-to-exceed \$860,000.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote. Councilmember Burrell said we need to negotiate gold and blue instead of white and blue.

23 October 2023

RESOLUTION NO. 4895-23

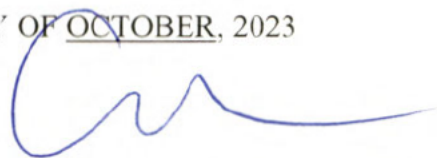
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope approves the procurement of one (1) New Pumper Fire Truck, (E-ONE PTAL-TYPN Low Hosebed Pumper on a Typhoon Chassis) for the Fairhope Volunteer Fire Department. The total cost not-to-exceed \$860,000.00.

[2] This fire truck is available for direct procurement through H-GAC Cooperative Purchasing Schedule, Contract No. FS12-19 JA06, and therefore does not have to be let out for bid.

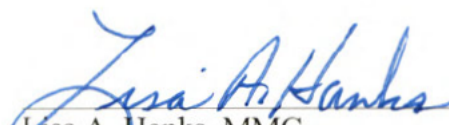
[3] The budgeted cost for the fire truck is \$775,000 plus \$85,000 in loose equipment for necessary outfitting of the truck. Due to build times, we budgeted one-third of the truck cost for FY24 (\$258,334) along with the cost for loose equipment of (\$85,000.00). Subsequent budgets for FY25 & FY26 will include (\$258,234) each year to account for the remaining two-thirds of the truck cost, which should coincide with actual delivery of the fire truck.

ADOPTED ON THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
Council President Pro Tempore

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to procure Tyler Technologies Time and Attendance Software as a replacement to Kronos System from Tyler Technologies as Sole Source; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13). The cost will not-to-exceed \$117,113.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

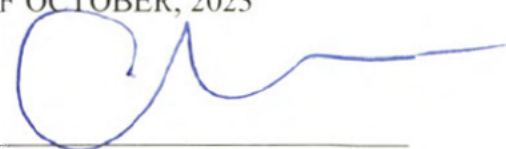
23 October 2023

RESOLUTION NO. 4896-23

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

[1] That the City of Fairhope has voted to procure Tyler Technologies Time and Attendance Software as a replacement to Kronos System from Tyler Technologies as Sole Source; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13). The cost will not-to-exceed \$117,113.00.

ADOPTED ON THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
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 FY2024 Annual Flower Procurement. The total cost not-to-exceed \$111,353.36. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

RESOLUTION NO. 4897-23

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

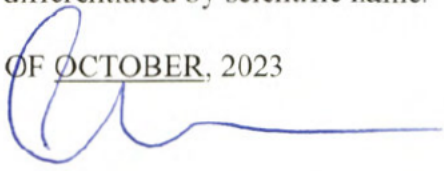
[1] That the City of Fairhope approves the FY2024 Annual Flower Procurement. The total cost not-to-exceed \$111,353.36. This cost exceeds the limit requiring City Council approval. There are multiple vendors and the times of procurement vary.

[2] The budgeted amount for this procurement is \$105,366.00, inclusive of a contingency for unforeseen events.

23 October 2023

[3] 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 23RD DAY OF OCTOBER, 2023



Corey Martin
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell 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 the 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 \$80,961.73. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4898-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA. 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 \$80,961.73.

ADOPTED ON THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
Council President Pro Tempore

Attest:



Lisa Hanks, MMC
City Clerk

23 October 2023

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement for FY2024 Potting Soil from Sungro Horticulture Inc. as sole source and manufacturer. The cost will not-to-exceed \$69,634.60. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4899-23

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

[1] That the City of Fairhope approves the procurement for FY2024 Potting Soil Sungro MM830-F3B FB RSi from Sungro Horticulture Inc. as sole source and manufacturer. The cost will not-to-exceed \$69,634.60.

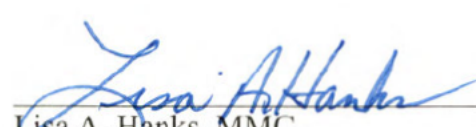
[2] Authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13): "Contractual services and purchases of commodities for which there is only one vendor or supplier and contractual services and purchases of personal property which by their very nature are impossible to award by competitive bidding."

ADOPTED ON THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of the 2023 Lighting of the Trees stage, miscellaneous equipment, and labor costs to Sound Associates, Inc. with a total not-to-exceed cost of \$13,000.00 for the City of Fairhope's Lighting of the Trees Celebration on November 16, 2023. Seconded by Councilmember Conyers, motion passed unanimously by voice vote. Councilmember Burrell said for the records South end of Section Street almost to Morphy will be lit unless the trees are too large.

23 October 2023

RESOLUTION NO. 4900-23

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 2023 Lighting of the Trees stage, miscellaneous equipment, and labor cost to Sound Associates, Inc. with a total not-to-exceed cost of \$13,000.00 for the City of Fairhope's Lighting of the Trees Celebration on November 16, 2023.

ADOPTED ON THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
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 a three (3) month extension of the Osprey Initiative, LLC contract for a total not-to-exceed cost of \$3,136.26; and authorizes Mayor Sherry Sullivan to execute the contract extension. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

RESOLUTION NO. 4901-23

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

[1] That the City Council approves a three (3) month extension of the Osprey Initiative, LLC contract for a not-to-exceed cost of \$3,136.26; and authorizes Mayor Sherry Sullivan to execute the contract extension.

[2] The original contract cost of the litter boom installation and debris reports for the first twelve (12) months was quoted and approved for \$27,000.00. Council approved contract during August 8, 2022, regularly scheduled meeting. The actual cost for the twelve (12) months of service and installation of litter boom totaled \$23,863.74.

23 October 2023

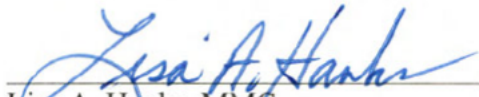
[3] We are requesting a contract renewal to use the remaining monies originally approved for this project to expand the timeline of services.

ADOPTED ON THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
Council President Pro Tempore

Attest:



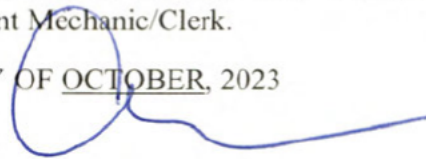
Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes and approves the hiring of the new Mechanic/Clerk to allow the current Mechanic/Clerk (Pay Grade 6), who is retiring at the end of January 2024, to work with and train the new employee prior to his leaving. The temporary position will expire upon retirement of the current Mechanic/Clerk. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4902-23

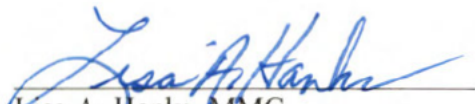
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council authorizes and approves the hiring of the new Mechanic/Clerk to allow the current Mechanic/Clerk (Pay Grade 6), who is retiring at the end of January 2024, to work with and train the new employee prior to his leaving. This will be beneficial to the City as well as the new hire. The temporary position will expire upon retirement of the current Mechanic/Clerk.

ADOPTED THIS 23RD DAY OF OCTOBER, 2023



Corey Martin
Council President Pro Tempore

ATTEST:



Lisa A. Hanks, MMC
City Clerk

23 October 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution appointing a Director to the Educational Building Authority of the City of Fairhope, Alabama – St. Michael Catholic High School: James C. Bailey for a term ending on the second Monday of November 2026. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

RESOLUTION NO. 4903-23

**A RESOLUTION APPOINTING A DIRECTOR TO THE EDUCATIONAL BUILDING
AUTHORITY OF THE CITY OF FAIRHOPE, ALABAMA –
ST. MICHAEL CATHOLIC HIGH SCHOOL**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA (the "City Council"), as follows:

Section 1. The City Council has found and determined and does hereby find, determine and declare as follows:

(a) The City Council has heretofore authorized the incorporation, and appointed the directors, of The Educational Building Authority of the City of Fairhope, Alabama - St. Michael's Catholic High School (the "Authority").

(b) The current term of Mr. James C. Bailey as a director of the Authority will expire on the second Monday of November, 2023.

(c) It is in the best interests of the Authority and the City to reappoint Mr. James C. Bailey as a director of the Authority.

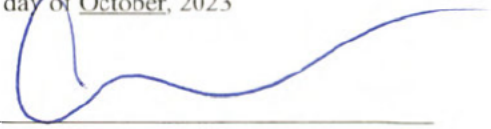
Section 2. Pursuant to Section 16-17-5 of the Code of Alabama 1975, the City Council does hereby appoint the following person as a director of the Authority for the term ending on the date and year set opposite the name thereof:

<u>Name</u>	<u>End of Term</u>
Mr. James C. Bailey	Second Monday of November, 2026

Section 3. All ordinances, resolutions, orders, or parts of any thereof, of the City in conflict, or inconsistent, with any provision of this resolution hereby are, to the extent of such conflict or inconsistency, repealed.

Section 4. This resolution shall take effect immediately.

Duly passed and adopted this 23rd day of October, 2023



Corey Martin
Council President Pro Tempore

Attest:



Lisa A. Hanks, MMC
City Clerk

23 October 2023

Councilmember Conyers moved to approve the recommendation of the Street and Traffic Committee to install a speed table on Summer Lake Street between Twin Beech Road and the tree median. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

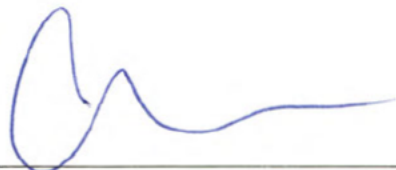
Councilmember Burrell moved to approve the recommendations of the Street and Traffic Committee to (lower the speed limit in the downtown business area to 15 mph with boundaries being Oak Avenue to Morphy Avenue (North & South) and Mershon Street to Summit Street (East & West); and change the intersection of South Summit and Nichols Avenue to right-turns only using a safety island. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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

- 1) Charles Wilson, 489 Bartlett Avenue, addressed the City Council regarding an e-mail sent to Mayor Sullivan, Council President Robinson, and Jack Burrell opposing books in the Children and Teen Areas; and requesting these be moved to the 18 and older area. He mentioned the Council President said twice that they are not involved with running the Library. Mr. Wilson said you own the building and give an appropriation that helps with running the Fairhope Public Library.
- 2) Luke Dasinger, 115 Keplar Place, addressed the City Council and thanked them for their service. He read from Governor Ivey's letter to the Alabama Library Association. Mr. Dasinger said he was opposed to the books in the children and teen area in the Fairhope Public Library.
- 3) Brian Dasinger, 115 Keplar Place, addressed the City Council and commented the Library Board does not read the books, so who is accountable. He asked the City Council to take a lead role like Governor Ivey.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 7:46 p.m.



Corey Martin,
Council President Pro Tempore



Lisa A. Hanks, MMC
City Clerk