

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, 13 November 2023.

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

There being a quorum present, Council President Robinson called the meeting to order. The invocation was given by Reverend Forbes Sirmon of St. James Episcopal Church and the Pledge of Allegiance was recited.

Council President Robinson stated the next item on the agenda is the election for a Council President and Council President Pro Tempore. Council President Robinson opened the floor for Council President nominations. Councilmember Conyers nominated Councilmember Martin for Council President and Councilmember Burrell for Council President Pro Tempore. Seconded by Councilmember Boone and no other nominations were made. Councilmember Martin was elected Council President and Councilmember Burrell was elected Council President Pro Tempore unanimously by voice vote.

Councilmember Robinson passed the gavel to Council President Martin and he took the presider's seat. Council President Martin thanked Councilmember Robinson for doing an excellent job as Council President; and asked everyone to give him a round of applause.

Councilmember Conyers moved to approve minutes of the 23 October 2023, regular meeting; and minutes of the 23 October 2023, work session. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council and gave brief comments regarding Lori Lein. She said Ms. Lein joined the League's legal department in 2001, bringing with her a solid background in local government issues. Mayor Sullivan presented Lori Lein, General Counsel of the Alabama League of Municipalities, a Certificate of Appreciation that states:

"In recognition of the many years of service to the Alabama League of Municipalities and service to the municipalities throughout the State of Alabama. The knowledge, expertise, and guidance provided to the City of Fairhope through the years and all other municipalities. As well as your service as the League's General Counsel and responsibilities in advising municipal officials and employees from over 400 member cities and towns.

13 November 2023

Your commitment to serving as a member of the Alabama Association of Municipal Attorneys (AAMA). The City of Fairhope recognizes your dedication, and endless efforts to assist our City over the years and for this you are to be honored and commended.”

Mayor Sullivan also gave Ms. Lein a gift from the Baldwin County Mayor’s Association. Councilmember Burrell thanked Lori Lein for all the work she has done for municipalities and for Fairhope. Mayor Richard Teal from the City of Loxley also thanked Ms. Lein for all of the work she has done helping our municipalities.

Mayor Sullivan announced the 2023 Veteran of the Year: Edwin (Juju) Lessard, Jr.; and mentioned some of the following:

Juju Lessard served his country as an Air Traffic Controller in the U.S. Air Force from 1978-1989, and then worked for the U.S. Federal Aviation Agency from 1999 to 2011. Lessard is an active member of the American Legion, Eastern Shore Post 199, Member of the American Legion Riders, Eastern Shore Post 199, serving multiple times as an elected officer, Member of the Patriot Guarded Riders, 2012 to present, and support member of the Combat Veterans Motorcycle Association, 2018 to present, Volunteer Veteran for Covenant Care Hospice, and in 2019 was honored by the William F. Green Veteran’s Home for his dedication to serving their residents, and organized and participated in the adoption of approximately 50 forgotten veterans in Fairhope and area nursing homes. Mayor Sullivan mentioned he is a Patriot Ride Captain.

Mr. Lessard was awarded Air Force Good Conduct Medal with 2 Oak Leaf Clusters, Air Force Outstanding Unit Award, Air Force Commendation Medal, Humanitarian Service Medal, Air Force Overseas Short Tour Ribbon, Non-Commissioned Officer Professional Military Education Graduate Ribbon, Small Arms Expert Marksmanship Ribbon, and Air Force Training Ribbon.

Mr. Lessard addressed the City Council said he attends High School and City events on behalf of the veterans; and it too is a full-time job. He thanked the City Council and the Veteran of the Year Committee for honoring him with this award.

Mayor Sullivan recognized Jackson Adams, Junior City Councilmember, who was in the audience. She commented that the Junior City Councilmembers will be alternating to attend City Council meetings.

Council President Martin recognized his wife and three kids in the audience and thanked them for being here tonight.

Councilmember Burrell moved to amend the agenda by addressing Agenda Item No. 27 before Agenda Item No. 5. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Girl Scout Troop 8017 walked up to the front and gave Girl Scout cookies to the Councilmembers, Mayor, City Clerk, and City Attorneys. Troop 8017 addressed the City Council and all gave a statement of what they are and do.

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For example, all are working on either Bronze, Silver or Gold Awards, provide Community services, and selling cookies is their only fundraiser.

Councilmember Robinson moved to grant the request of Allison Marlow, Girl Scout Troop 8017, requests permission to sell cookies downtown across from the Fairhope Public Library beginning January 10, 2024 through March 25, 2024. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Burrell thanked Councilmember Robinson for his year of service and for doing a great job. He congratulated Council President Martin.

Councilmember Conyers echoed what Councilmember Burrell said regarding Councilmember Robinson.

Councilmember Robinson said he was excited and looking forward to this year.

Councilmember Boone thanked Council President Martin for accepting this position.

Council President Martin thanked the City Council for allowing him to serve; and said he was looking forward to this year.

Councilmember Burrell moved for final adoption of Ordinance No. 1785, an ordinance to amend Zoning Ordinance No. 1253 and Ordinance No. 1736 Hill Top PUD. Request of Jade Consulting, LLC, acting on behalf of the owner, Two Hands Design and Development LLC, amend 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. (Introduced at the City Council Meeting on October 23, 2023.) Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE -Burrell, Martin, Conyers, Robinson, and Boone. NAY - None.

Councilmember Robinson moved for final adoption of Ordinance No. 1786, an ordinance to amend Zoning Ordinance No. 1253. Request of Ryan Baker, Walcott Adams Verneuille Architects, acting on behalf of the owner, Phillip Goodwyn, to rezone property 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. (Introduced at the City Council Meeting on October 23, 2023.) Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE -Burrell, Martin, Conyers, Robinson, and Boone. NAY - None.

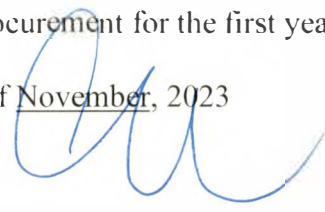
13 November 2023

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the procurement of the NEOGOV Human Resources Management Suite for a cost of \$13,668.50; and request to transfer budget from 001100-50300 to 001170-50300 to fund most of this procurement. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4904-23

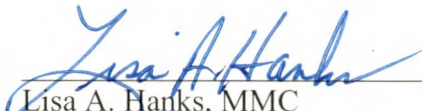
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA. That the City of Fairhope has voted to purchase NEOGOV Online Application Tracking System from Governmentjobs.com d/b a NEOGOV with a cost of \$13,668.50; and authorizes the transfer budget 001100-50300 to 001170-50300 to fund most of this procurement for the first year.

Adopted on this 13th day of November, 2023



Corey Martin, 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 authorizes and approves the hiring of the new Purchasing Agent to allow the current Purchasing Agent (Pay Grade 8), who is retiring at the end of December 2023, 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 Purchasing Agent. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

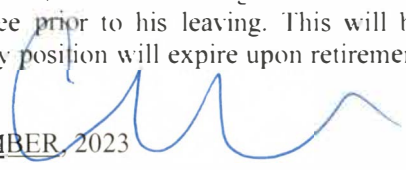
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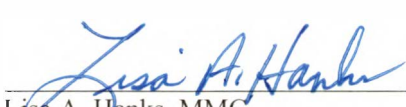
RESOLUTION NO. 4905-23

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 Purchasing Agent to allow the current Purchasing Agent (Pay Grade 8), who is retiring at the end of December 2023, 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 Purchasing Agent.

ADOPTED THIS 13TH DAY OF NOVEMBER, 2023

Corey Martin, Council President

ATTEST:

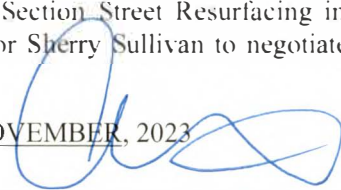


Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Gresham Smith for Professional Engineering Services for (RFQ PS24-009) Section Street Resurfacing in the Central Business District (CBD); and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

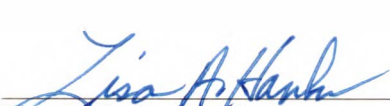
RESOLUTION NO. 4906-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA. That the City Council approves the selection of Gresham Smith to perform Professional Engineering Services for (RFQ PS24-009) the Section Street Resurfacing in the Central Business District (CBD); and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 13TH DAY OF NOVEMBER, 2023

Corey Martin, Council President

ATTEST:



Lisa A. Hanks, MMC
City Clerk

13 November 2023

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Watershed for Professional Architecture and Engineering Services for (RFQ PS24-008) Professional Architecture and Engineering Services for the Nature Center Building Rehabilitation; and 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. 4907-23

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

[1] That the City of Fairhope awards RFQ No. (PS24-008) Professional Architecture and Engineering Services for the Nature Center Building Rehabilitation to Watershed; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 13TH DAY OF NOVEMBER, 2023



Corey Martin, 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 rejects all bids for (Bid No. 2023WWF-038) City of Fairhope Working Waterfront and Greenspace Project; and authorizes Mayor Sherry Sullivan to negotiate a contract with Rolin Construction, Inc. pursuant to the Code of Alabama 1975, Section 39-2-6(b). Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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13 November 2023

RESOLUTION NO. 4908-23

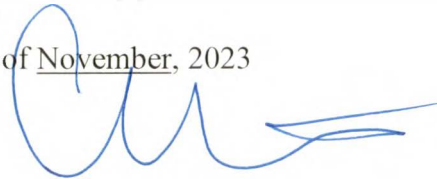
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope did request, receive, and open bids for City of Fairhope Working Waterfront and Greenspace Project (Bid Number 2023WWF-038) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, the bids were opened and tabulated.

[3] After evaluating the bid proposals with the required bid specifications, only one valid bid was received and we request that all bids be rejected for Bid No. 2023WWF-038 City of Fairhope Working Waterfront and Greenspace Project; and authorize Mayor Sherry Sullivan to negotiate a contract with Rolin Construction, Inc. pursuant to the Code of Alabama 1975, Section 39-2-6(b).

Adopted on this 13th day of November, 2023



Corey Martin, Council President

Attest:



Lisa A. Planks, 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 the Evaluation Team and Daryl Morefield for Professional Engineering Services for (RFQ PS23-027) Force Sewer Main Upgrades to Kimley-Horn and Associates; and authorizes Mayor Sherry Sullivan to negotiate the fee schedule for the contract. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

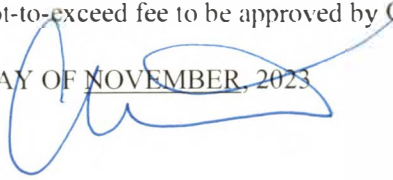
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13 November 2023

RESOLUTION NO. 4909-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA. That the City of Fairhope awards (RFQ No. PS23-027) Professional Engineering Services for Force Sewer Main Upgrades to Kimley-Horn and Associates, Inc.; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 13TH DAY OF NOVEMBER, 2023

Corey Martin, 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 awards (RFQ No. PS23-025) Professional Engineering Services for Wastewater Treatment Plant Headworks Improvements to Krebs Engineering and Associates; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4910-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA. That the City of Fairhope awards RFQ No. PS23-025 Engineering Professional Engineering Services for Wastewater Treatment Plant Headworks Improvements to Krebs Engineering and Associates; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 13TH DAY OF NOVEMBER, 2023

Corey Martin, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

13 November 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 of inventory water meters for the Water Department and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). This cost will not-to-exceed \$500,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4911-23

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 Neptune Water Meters to replenish inventory for the Water Department to be purchased from Consolidated Pipe and Supply Company, Inc. as Sole Source Provider in the State of Alabama for Neptune Technology Group, Inc; and are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed \$500,000.00.

Adopted on this 13th day of November, 2023



Corey Martin, Council President

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 materials for County Road 33 Water Main Upgrade for the Water Department to be purchased from Consolidated Pipe and Supply Company, Inc. as Sole Source Provider in the State of Alabama for Neptune Technology Group, Inc.; and are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed \$63,704.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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RESOLUTION NO. 4912-23

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 Materials for County Road 33 Water Main Upgrade for the Water Department to be purchased from Consolidated Pipe and Supply Company, Inc. as Sole Source Provider in the State of Alabama for Neptune Technology Group, Inc; and are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed \$63,704.00.

Adopted on this 13th day of November, 2023



Corey Martin, Council President

Attest:



Lisa A. Wanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the Mayor and City Treasurer are hereby authorized and directed to dispose of the personal property owned by the City of Fairhope, Alabama, described in Section I by the following method: Sold for scrap or recycle at the highest offered value. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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13 November 2023

RESOLUTION NO. 4913-23

WHEREAS, the City of Fairhope, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Code of Alabama of 1975 authorizes the municipal governing body to dispose of unneeded personal property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FAIRHOPE, ALABAMA, AS FOLLOWS:

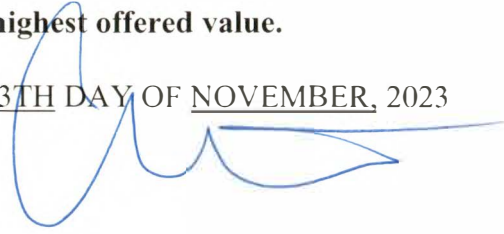
SECTION 1. That the following personal property owned by the City of Fairhope, Alabama, is not needed for public or municipal purposes, and hereby declared surplus:

200+ Non-Serviceable Water Meters

SECTION 2. That the Mayor and City Treasurer are hereby authorized and directed to dispose of the personal property owned by the City of Fairhope, Alabama, described in Section 1, above, by the following method:

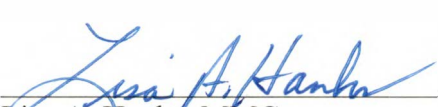
- a. Sold for scrap or recycle at the highest offered value.**

ADOPTED AND APPROVED THIS 13TH DAY OF NOVEMBER, 2023



Corey Martin, Council President

ATTEST:



Lisa A. Hanks, MMC
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the That the City of Fairhope awards (RFQ No. PS24-010) Professional Engineering Services for Lead Service Line Inventory and Compliance to Kimley-Horn and Associates, Inc.; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

13 November 2023

RESOLUTION NO. 4914-23

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

[1] That the City of Fairhope awards (RFQ No. PS24-010) Professional Engineering Services for Lead Service Line Inventory and Compliance to Kimley-Horn and Associates, Inc.; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 13TH DAY OF NOVEMBER, 2023

Corey Martin, Council President

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. 24-005) US 31 Widening Gas Main Relocation to Equix Energy Services, LLC with a bid proposal not-to-exceed \$588,947.75. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4915-23

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. 24-005) US 31 Widening Gas Main Relocation at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

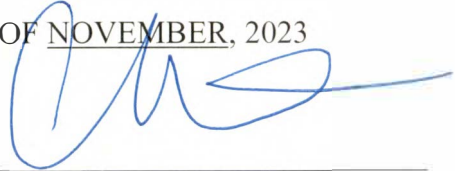
[2] At the appointed time and place, bids were received and tabulated as follows:

Equix Energy Services, LLC	\$ 588,947.75
General Maintenance Contractors of East Alabama, Inc.	\$1,639,695.91

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[3] After evaluating the bids with the required specifications, Equix Energy Services, LLC is now awarded (Bid No. 24-005) US 31 Widening Gas Main Relocation with a bid proposal not-to-exceed \$588,947.75.

DULY ADOPTED THIS 13TH DAY OF NOVEMBER, 2023


 Corey Martin, Council President

Attest:

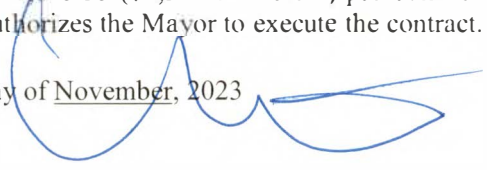

 Lisa A. Hanks, MMC
 City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase Insightsoftware Spreadsheet Server (Report Writer Software) 3-year Maintenance Contract from Global Software, LLC d/b/a Insight Software for the Treasury for a total amount of \$21,075.35 (\$6,367.18 Year 1) pursuant to Code of Alabama 1975, Section 41-16-51(a)(11); and authorizes Mayor Sherry Sullivan to execute the contract. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4916-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope has voted to purchase Insightsoftware Spreadsheet Server (Report Writer Software) 3-year Maintenance Contract from Global Software, LLC d/b/a Insight Software for the Treasury for a total amount of \$21,075.35 (\$6,367.18 Year 1) pursuant to Code of Alabama 1975, Section 41-16-51(a)(11); and authorizes the Mayor to execute the contract.

Adopted on this 13th day of November, 2023


 Corey Martin, Council President

Attest:


 Lisa A. Hanks, MMC
 City Clerk

13 November 2023

Councilmember Burrell 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 Intergovernmental Agreement establishing the South Alabama Purchasing Association and to participate in its membership. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 4917-23

**INTERGOVERNMENTAL AGREEMENT ESTABLISHING
THE SOUTH ALABAMA PURCHASING ASSOCIATION**

This Intergovernmental Agreement ("Agreement") is entered into by and between the public bodies governed by the General Provisions of the public contract law of the State of Alabama (Code of Alabama §41-16-50) located within the southern region of Alabama, and educational facilities under (Code of Alabama §16-13B-1) southern region being defined as the counties of Escambia, Baldwin, and Mobile, within each of these counties, or adjoining counties, of Alabama, or other entities that choose to be governed by the provisions of the South Alabama Purchasing Association intergovernmental agreement and by-laws as hereinafter set forth.

WHEREAS, the parties hereto do hereby create, as a voluntary association, the South Alabama Purchasing Association, hereinafter referred to as "the Association", for the purpose of coordinating Association joint purchases for the mutual economic advantage of its members. The Association shall consist of each entity participating in this Agreement. Said Association shall be free to adopt such rules for organization as it may deem suitable for the conduct of its business; and

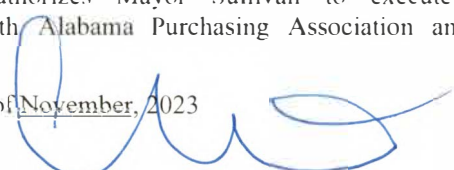
WHEREAS, the parties to this agreement will identify by way of their membership on the Advisory Board those items and classes of items for which joint purchase may be advantageous for the period commencing with the execution of this Agreement and continuing until terminated; and

WHEREAS, the City of Fairhope desires to help establish the Association and to participate in its membership; and

WHEREAS, the City of Fairhope agrees to the premises, and the mutual covenants and agreements stipulated herein.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council hereby authorizes Mayor Sullivan to execute the Intergovernmental Agreement Establishing the South Alabama Purchasing Association and to participate in its membership.

Adopted on this 13th day of November, 2023


Corey Martin, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

13 November 2023

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope hereby declares its official intent to allocate a portion of the proceeds of the warrants to reimburse the General Fund of the City for expenditures incurred after the date that is no more than sixty (60) days prior to the date of the adoption of this resolution, but prior to the issuance of the warrants, in connection with the acquisition, provision, equipping and construction of the improvements. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4918-23

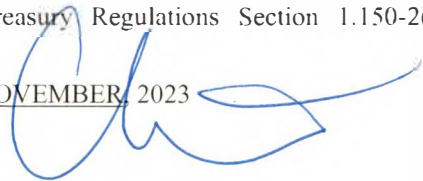
BE IT RESOLVED by the City Council (the "Council") of the City of Fairhope, Alabama (the "City"), as follows:

Section 1. Findings. The City has ascertained and does hereby find and declare as follows:

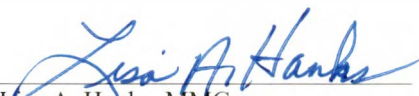
- (a) The City is in the process of planning the design, construction and financing of various capital improvements to the water works plant and distribution system and the sanitary sewer system of the City (the "Water and Sewer System Improvements");
- (b) The City intends to issue, in one or more series, not more than \$50,000,000 aggregate principal amount of its Utility Revenue Warrants (collectively, the "Warrants"), for the purpose of paying a portion of the costs of acquiring, providing, equipping and constructing the Improvements and paying the costs of issuing the Warrants;
- (c) The City expects to issue the Warrants by not later than March 31, 2024;
- (d) Prior to issuance of the Warrants, the City expects to incur certain costs and make certain expenditures out of the general fund of the City in connection with the Improvements; and
- (e) The City expects to allocate to itself, from the proceeds of the Warrants, moneys to reimburse the City for the expenditures made prior to the date of issuance of the Warrants.

Section 2. Official Intent. The City hereby declares its official intent to allocate a portion of the proceeds of the Warrants to reimburse the general fund of the City for expenditures incurred after the date that is no more than sixty (60) days prior to the date of the adoption of this resolution, but prior to the issuance of the Warrants, in connection with the acquisition, provision, equipping and construction of the Improvements. This resolution is being adopted pursuant to the requirements of the Internal Revenue Code of 1986, as amended, and Treasury Regulations Section 1.150-2(e) promulgated thereunder.

ADOPTED THIS 13TH DAY OF NOVEMBER, 2023


Corey Martin, Council President

ATTEST:


Lisa A. Hanks, MMC
City Clerk

13 November 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby approves the Uniform Work Pants Allowance mentioned in the resolution but will furnish the required work shirts beginning January 1, 2024. Seconded by Councilmember Boone. motion passed unanimously by voice vote.

RESOLUTION NO. 4919-23

WHEREAS, the City of Fairhope will be ending our rental uniform program with Cintas as of December 31, 2023; and

WHEREAS, the City of Fairhope approved in the FY 2023 – 2024 Budget to authorize a Uniform Allowance for Employee Work Pants as follows; and

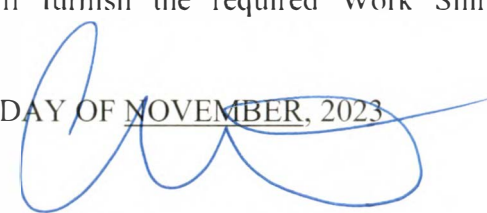
General Government \$40.00 per pair for 5 pair of pants (\$200.00)

FR Employees \$100.00 per pair for 6 pair of pants (600.00)

WHEREAS, the City of Fairhope will furnish the required Work Shirts.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby approves the Uniform Work Pants Allowance mentioned above but will furnish the required Work Shirts beginning January 1, 2024.

DULY ADPOTED ON THIS 13TH DAY OF NOVEMBER, 2023



Corey Martin, Council President

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 name the property known as The Triangle the “Flying Creek Nature Preserve”. Seconded by Councilmember Robinson. motion passed unanimously by voice vote.

13 November 2023

RESOLUTION NO. 4920-23

WHEREAS, the City of Fairhope acquired the property known as “The Triangle” via a Real Estate Purchase Agreement, Development Agreement and Warranty Deed; and

WHEREAS, the City has received a grant to construct the North Triangle Nature Park Trail and Facility Improvements and preserve this property to be used as a public park; and

WHEREAS, the City Council is desirous to name the property known as “The Triangle” the “Flying Creek Nature Preserve”.

NOW BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope adopts to name the property known as The Triangle the “Flying Creek Nature Preserve”.

DULY ADOPTED THIS 13TH DAY OF NOVEMBER, 2023

Corey Martin, Council President

Attest:

Lisa A. Hanks, MMC
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute a loan funding agreement with the Fairhope Airport Authority, a public corporation pursuant to Alabama Code Section 11-63-2. The general framework of the loan funding agreement shall not exceed \$600,000.00 allocated for use by the Authority as matching funds related to a federal grant. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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13 November 2023

RESOLUTION NO. 4921-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Sherry Sullivan is hereby authorized to execute a loan/funding agreement with the Fairhope Airport Authority, a public corporation pursuant to Alabama Code Section 11-63-2.

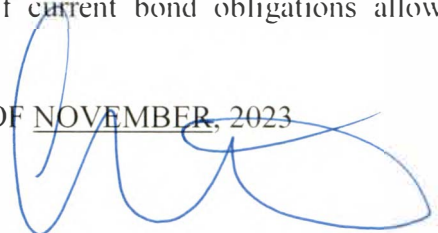
The general framework of the loan funding agreement shall not exceed \$600,000.00 allocated for use by the Authority as matching funds related to a federal grant. The agreement shall be taken in draws and will not be a lump sum loan to the Authority. The grant and funds will be used to construct a new terminal at the Fairhope Airport.

Repayment terms: Payments to the City on the loan/funding agreement shall be interest only paid on a monthly basis for the first 18 months. The principal balance plus continuing interest will be paid in nine annual installments starting at month 19 and shall be paid off within ten years from the commencement of principal and interest payments.

Interest rate: The current applicable interest rate is 4.75%. If the City's best interest rate on deposits goes below 4.75%, the rate will be the average of the new rate and 4.75%, but never more than 0.75% higher than the City's earnings on deposits. If the City's interest rate on deposits goes up, the rate will go up accordingly, but shall never exceed 5.5%. For rates between 4.75% and 5.5%, Airport Authority will pay the City's best savings rate on deposits. Interest rates shall be computed and adjusted every 90 days.

Collateral: Collateral may be tied to and further encumber land that is subject to prior funding agreements with the City of Fairhope if current bond obligations allow secondary encumbrances on the subject property.

DULY ADOPTED THIS 13TH DAY OF NOVEMBER, 2023



Corey Martin, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

13 November 2023

Councilmember Conyers moved to accept the donation from Katie Bolton, owner of Pro-Cycle and Tri, donating two bike racks to the Fairhope Soccer Complex in the amount of \$500.00 per bike rack. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

City Council reviewed an application for a Beer/Wine Off Premises License by Ravidu Roshan Halawaththage, d/b/a FRC General Trading LLC, 17026 State Highway 181, Fairhope, Alabama 36532. Councilmember Robinson moved to approve the issuance of the license. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

Councilmember Robinson moved to appoint David Johnson to the Fairhope Public Schools Commission to serve the remainder of the vacated term by Amy Foley and fill position until December 31, 2023; and appoint him to serve a three year term effective January 1, 2024 and ending January 31, 2027. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Robinson moved to appoint Chris Shrader to the Parking Authority for a four-year term which will expire November 2027. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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

- 1) Carol Wilson, 489 Bartlett Avenue, addressed the City Council regarding the Library Board of Trustees have not responded to their request. She commented on a list of books filed in the Teen Section of the Fairhope Public Library. Ms. Wilson said she was opposed to the books in the children and teen area in the Fairhope Public Library.
- 2) Rebecca Watson, 124 Fig Avenue, addressed the City Council regarding the books in the children and teen area in the Fairhope Public Library. She told Mayor Sullivan they have not heard her stance on this issue. Ms. Watson is the Chair for Moms for Liberty Baldwin County; and said she was opposed to the books in the children and teen area in the Fairhope Public Library.
- 3) Stephanie Durnin, 209 Hemlock Drive, addressed the City Council and mentioned that 10,144 children has visited the Fairhope Public Library this year. Ms. Durnin said she was opposed to the books in the children and teen area in the Fairhope Public Library; and for purchasing these books.

At the request of the City Attorney, Marcus E. McDowell, the City Council will rise from the meeting to go into Executive Session based on Alabama Code Section 36-25A-7(a)(3) to discuss imminent, potential, and pending litigation. The approximate time to be in Executive Session is 45 minutes. Councilmember Robinson moved to go into Executive Session. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

13 November 2023

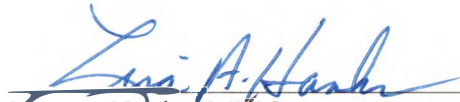
Exited the dais at 7:02 p.m. Returned at 7:59 p.m.

Councilmember Burrell 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 8:00 p.m.



Corey Martin, Council President



Lisa A. Hanks, MMC
City Clerk