

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 Wednesday, 20 December 2023.

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

There being a quorum present, Council President Martin called the meeting to order. The invocation was given by Pastor Rick Malugani of Fairhope Christian Church and the Pledge of Allegiance was recited. Councilmember Conyers moved to approve minutes of the 11 December 2023, regular meeting; and minutes of the 11 December 2023, work session. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council and wished everyone a Merry Christmas. She introduced Lilly Norris who presented a presentation titled “Bringing Ecotourism to Fairhope. (A copy of the Presentation is on file in the City Clerk’s office) Council President Martin told Ms. Norris she did a good job and this is forward thinking. Councilmember Conyers mentioned the “Parking Deck” may be a good location due to its large amount of rain runoff. Councilmember Boone commented Bermuda only using rain water.

No one spoke during Public Participation for Agenda Items.

Councilmember Burrell presented the Fairhope Volunteer Fire Department with a check for \$1,680.00 that the City Council earned in tips at the “Cheers for Charity” held Wednesday night at the Fairhope Brewing Company. He told everyone Merry Christmas.

Councilmember Conyers said Merry Christmas to City workers and thanked them for their hard work.

Councilmember Boone gave a “Shout Out” to the First Responders for their quick response to a dear friend of his who passed away with a heart attack. He said they arrived very quick and did all they could do, treated the family with respect. Councilmember Boone thanked them from the bottom of his heart; and the family does too.

Council President Martin told everyone Merry Christmas; and asked them to keep the families who have lost loved ones during the Holiday Season in their prayers.

20 December 2023

Councilmember Burrell moved for final adoption of Ordinance No. 1787, an ordinance to annex the property of Nicole Scopolites Administratrix for the Estate of James M. Scopolites. (containing 4.66 acres. more or less), property located at 8611 Gayfer Avenue Extension, Fairhope, Alabama. Tax Parcel 46-02-09-0-000-016.000 (PIN Number 43888). (Introduced at the December 11, 2023 City Council Meeting) Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Martin, Conyers, Robinson, and Boone. NAY - None.

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 an Agreement between the City of Fairhope (“City”) and Local Government Services, LLC (“LGS”) to provide for Video Fee Payment Compliance Review Services. The service options chosen under this Agreement shall not exceed \$6,000.00 plus pre-approved out-of-pocket expenses if applicable. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 4958-23

A RESOLUTION OF THE CITY OF FAIRHOPE THROUGH THE CITY COUNCIL TO AUTHORIZE THE MAYOR OF SAID CITY TO EXECUTE A VIDEO FEE PAYMENT COMPLIANCE REVIEW SERVICE

WHEREAS, the City of Fairhope desires to regulate and oversee the provision of video services:

WHEREAS, Local Government Services, LLC has available a video fee payment compliance review service to assist the City in such regulation offered through a Joint Service Agreement with LGS as an independent contractor of the Municipal Association of Alabama;

NOW THEREFORE BE IT RESOLVED, that the Mayor of the City of Fairhope is hereby authorized to execute a video fee payment compliance review service agreement on behalf of the City, in substantially the same form as Appendix A which is attached to and made a part of this resolution.

RESOLVED by the Mayor and City Council of the City of Fairhope this 20th day of December, 2023.



 Corey Martin, Council President

ATTEST:



 Lisa A. Hanks, MMC
 City Clerk

20 December 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution That the City of Fairhope approved the procurement of the Annual Renewal of Palo Alto Support/Subscriptions for the Firewall that is on NASPO (Contract #AR3229) with Clearwinds Technologies and therefore does not have to be let out to bid. The total amount not-to-exceed \$52,230.24. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 4959-23

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 Annual Renewal of Palo Alto Support/Subscriptions for the Firewall that is on NASPO (Contract #AR3229) with Clearwinds Technologies and therefore does not have to be let out to bid. The total amount not to exceed \$52,230.24.

ADOPTED ON THIS 20TH DAY OF DECEMBER, 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 of Fairhope approves the procurement of the Annual Renewal of Palo Alto Cortex XDR Pro Upgrade for 1 Endpoint that is on NASPO (Contract #AR3229) with Clearwinds Technologies and therefore does not have to be let out to bid. The total amount not-to-exceed \$10,125.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

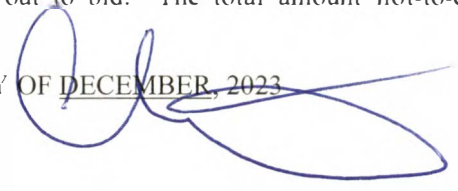
*

*

20 December 2023

RESOLUTION NO. 4960-23

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 Palo Alto Cortex XDR Pro Upgrade for 1 Endpoint that is on NASPO (Contract #AR3229) with Clearwinds Technologies and therefore does not have to be let out to bid. The total amount not-to-exceed \$10,125.00.

ADOPTED ON THIS 20TH DAY OF DECEMBER, 2023
Corey Martin, Council President

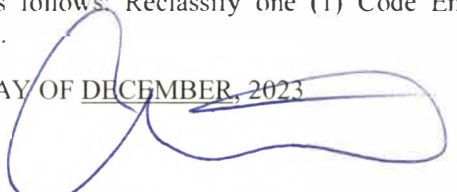
Attest:


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 approves and adopts the recommendations for the Planning Department Restructuring and Reclassification as follows: Upon the retirement of one Code Enforcement Officer on December 31, 2023 reclassify one (1) Code Enforcement Officer (Grade 7) to Planning Technician (Grade 8) effective January 1, 2024. Seconded by Councilmember Burrell, motion passed unanimously by voice vote. Planning Director Hunter Simmons thanked Kim Burmeister for 26 years of service.

RESOLUTION NO. 4961-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves and adopts the recommendations for the Planning Department Restructuring and Reclassification as follows: Reclassify one (1) Code Enforcement Officer (Grade 7) to Planning Technician (Grade 8).

ADOPTED THIS 20TH DAY OF DECEMBER, 2023
Corey Martin, Council President

ATTEST:


Lisa A. Hanks, MMC
City Clerk

20 December 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution to award (Bid No. 24-010) to Osprey Initiative for GOMESA Litter Trap Project with a bid proposal not-to-exceed \$166,722.50. Seconded by Councilmember Burrell, motion passed unanimously by voice vote. Cassie Eldredge, Project Manager with Osprey Initiative addressed the City Council and answered any questions if needed.

RESOLUTION NO. 4962-23

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. 24-010) Request for Proposal - GOMESA Litter Trap Project at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, a bid was received and tabulated as follows:

Osprey Initiative – Average Score 91	\$166,725.50
--------------------------------------	--------------

[3] After evaluating the bid with the required specifications, Osprey Initiative is now awarded (Bid No. 24-010) Request for Proposal - GOMESA Litter Trap Project for the not-to-exceed cost of \$166,722.50.

[4] This project is funded by the Gulf of Mexico Energy Security Act of 2006 (GOMESA) Grant Agreement, Alabama Department of Conservation and Natural Resources (ADCNR) and ADEM. Grant #: G-ADEMLT/21/ADEM, Subaward #ADEMLT-SA07 for \$166,725.50.

DULY ADOPTED THIS 20TH DAY OF DECEMBER, 2023



Corey Martin, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

20 December 2023

City Engineer Richard Johnson addressed the City Council and answered any question if needed. Councilmember Burrell stated we need to target the vendors who sell the item; and not send out to everyone. Council President Martin also stated we need to target each product to get more bids and possibly get lower bids. He said we need to get Purchasing to send to only the vendors who produce the product. The City Council consensus was to hire someone who could do this. Mayor Sullivan said we have been working on this but it takes time to get this done. Councilmember Robinson said we went through this about five years ago; and was told the purchasing process is a little burdensome. Mr. Johnson said there is a lot of documentation needed to bid; and there is more money in the private sector. Councilmember Robinson said maybe we are touching base with vendors but they are not bidding. Councilmember Burrell said we are up against higher and larger projects.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution award (Bid No. 24-011-2024-PWI-012) to Southern Steel Structures for Metal Building - 50' x 100' x 18' Truck Shed for City of Fairhope - Public Works Department with a bid proposal not-to-exceed \$131,467.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4963-23

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. 24-011-2024-PWI-012) to Install 50' x 100' x 18' Pre-Manufactured Metal Truck Shed at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, one (1) bid was received and tabulated as follows:

Southern Steel Structures	\$131,467.00
---------------------------	--------------

[3] After evaluating the bid with required specifications, Southern Steel Structures is now awarded (Bid No. 24-011-2024-PWI-012) to Install 50' x 100' x 18' Pre-Manufactured Metal Truck Shed with a bid proposal not-to-exceed \$131,467.00.

DULY ADOPTED THIS 20TH DAY OF DECEMBER, 2023

Corey Martin, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

20 December 2023

Mr. Johnson said Kim Burmeister worked with Osprey Initiative from the very beginning; and she handles the Stormwater Discharge Permit (MS4) with Alabama Department of Environmental Management.

Councilmember Burrell 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 for Extension No. 1 of (Bid No. 038-22) Asphalt and Concrete Repair with JTB Construction LLC for two (2) months per the terms and conditions of the original contract. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4964-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Sherry Sullivan is hereby authorized to execute a contract for Extension No. 1 of (Bid No. 038-22), Asphalt and Concrete Repair with JTB Construction LLC as per the terms and conditions of the original contract to extend Extension 1 agreement for two months, which will begin immediately upon the expiration of the original time period December 7, 2023 and will end on February 6, 2024.

ADOPTED ON THIS 20TH DAY OF DECEMBER, 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 approves the procurement of Hydrofluorosilicic Acid from Hawkins, Inc. 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 is estimated at \$50,000.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

20 December 2023

RESOLUTION NO. 4965-23

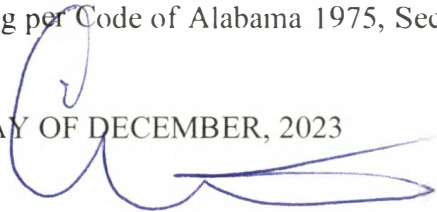
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope approves the procurement of Hydrofluorosilicic Acid for Water Treatment for an estimated budgeted amount of \$50,000.00.

[2] Requests for quotes were sent to three (3) vendors. Hawkins, Inc. provided the lowest quote that met the procurement requirements. The price per unit for Hydrofluorosilicic Acid is five dollars and thirty cents (\$5.30) per gallon.

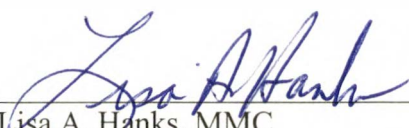
[3] The chemical is exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7).

ADOPTED ON THIS 20TH DAY OF DECEMBER, 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 Hydrated Lime and Chlorine Liquefied Gas from Hawkins, Inc. for the Water Department and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The cost is an estimated \$85,000 for Hydrated Lime and \$60,000.00 for Chlorine Liquefied Gas. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

*

*

20 December 2023

RESOLUTION NO. 4966-23

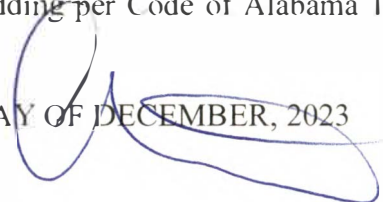
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope approves the procurement of Hydrated Lime and Chlorine Liquefied Gas for Water Treatment for an estimated budgeted amount of \$145,000.00.

[2] Requests for quotes were sent to three (3) vendors. Hawkins, Inc. provided the lowest quote that met the procurement requirements. The price per unit for Hydrated Lime is Fifteen Dollars (\$15.00) per Fifty (50) Pound Bag. The price per unit for the Chlorine Liquefied Gas is Two Hundred Thirty-Two and Fifty cents (\$232.50) per One Hundred Fifty (150) Pound Cylinder.

[3] The chemicals are exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7).

ADOPTED ON THIS 20TH DAY OF DECEMBER, 2023



Corey Martin, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

No one spoke during Public Participation for Non-Agenda Items.

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 § 36-25A-7(a)(3) to discuss the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action. The approximate time to be in Executive Session is 45 minutes. Councilmember Robinson moved to go into Executive Session. Seconded by Councilmember Boone. motion passed unanimously by voice vote.

20 December 2023

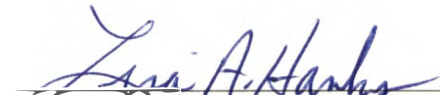
Exited the dais at 2:49 p.m. Returned at 4:02 p.m.

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

There being no further business to be conducted before the City Council, the meeting was duly adjourned at 4:03 p.m.

A handwritten signature in blue ink, appearing to read 'Corey Martin', with a long horizontal flourish extending to the right.

Corey Martin, Council President

A handwritten signature in blue ink, appearing to read 'Lisa A. Hanks', with a long horizontal flourish extending to the right.

Lisa A. Hanks, MMC
City Clerk