

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, 10 June 2024.

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

There being a quorum present, Council President Corey Martin called the meeting to order at 5:25 p.m. The invocation was given by Rev. Matt McCollum of Trinity Presbyterian Church and the Pledge of Allegiance was recited. Council President Martin thank Pastor Pat Davey.

Council President Corey Martin addressed Item No. 1 and asked for a motion to approve the minutes of the 28 May 2024 Regular Meeting; and minutes of the 28 May 2024 Work Session. Councilmember Jack Burrell moved to approve the minutes. Seconded by Councilmember Jay Robinson, motion passed unanimously by voice vote.

Council President Corey Martin addressed Item No. 2 Report of the Mayor. Mayor Sherry Sullivan reminded everyone of the Hurricane Preparedness Seminar at the Nix Center on Tuesday, June 11th at 10:30 a.m. with Spinks Megginson, RedZone Meteorologist. Mayor Sullivan acknowledged Sherry Swartz of the Police Department that has been working on this project. This seminar will educate citizens on how to prepare for a hurricane. Mayor Sullivan commented on the recent tornado and thanked public works, utilities, police, and our staff for taking care of business and our citizens. Mayor Sullivan announced Coffee with the Mayor at Quail Creek Golf Course on Wednesday, June 12th at 9:00 a.m.

Council President Corey Martin addressed Item No. 3 Public Participation – Agenda Items – (3 minutes maximum). No public participation.

Council President Corey Martin addressed Item No. 4 Council Comments – No Council Comments.

Councilmember President Corey Martin addressed Item No. 5 for Final Adoption of Ordinance No. 1800 repealing Ordinance No. 1510 adopted April 14, 2014; and adopting a New Personnel Handbook for the City of Fairhope. (Introduced at the City Council Meeting on May 13, 2024.) City Attorney Marcus E. McDowell recommended amendment and treat as first read and waive second hearing and adopt tonight. Councilmember Jack Burrell made motion to reintroduce ordinance with

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addendum one as Mayor Sherry Sullivan will define for final adoption. Mayor Sullivan defines addendum one with additional changes: I.D.7 – Residence may be required for certain on-call positions; II.H.1 – Residency may be considered when assigning on-call or stand-by status; IV.N.3,8 – Computer Usage and Password Standards aligned to match current requirements and best practices as established by the IT Director; and VI.B.2 – Vacation Accrual Table adjusted to disburse accrual rate increases more evenly.

Councilmember Jimmy Conyers moved to suspend rules and approve Ordinance No. 1800, for final adoption repealing Ordinance No. 1510 adopted April 14, 2014; and adopting a New Personnel Handbook for the City of Fairhope. (Introduced at the City Council Meeting on May 13, 2024) to include addendum one as defined by Mayor Sherry Sullivan with additional changes: I.D.7 – Residence may be required for certain on-call positions; II.H.1 – Residency may be considered when assigning on-call or stand-by status; IV.N.3,8 – Computer Usage and Password Standards aligned to match current requirements and best practices as established by the IT Director; and VI.B.2 – Vacation Accrual Table adjusted to disburse accrual rate increases more evenly. Seconded by Councilmember Jack Burrell, motion to suspend rules and approve ordinance for final adoption with addendum one passed by the following voice votes: AYE – Burrell, Martin, Conyers, Robinson, Boone. NAY – None.

Councilmember Jimmy Conyers moved for final adoption of Ordinance No. 1800, an ordinance repealing Ordinance No. 1510 adopted April 14, 2014; and adopting a New Personnel Handbook for the City of Fairhope. (Introduced at the City Council Meeting on May 13, 2024) to include addendum one as defined by Mayor Sherry Sullivan with additional changes: I.D.7 – Residence may be required for certain on-call positions; II.H.1 – Residency may be considered when assigning on-call or stand-by status; IV.N.3,8 – Computer Usage and Password Standards aligned to match current requirements and best practices as established by the IT Director; and VI.B.2 – Vacation Accrual Table adjusted to disburse accrual rate increases more evenly. Seconded by Councilmember Jack Burrell, motion for final adoption with addendum one passed by the following voice votes: AYE – Burrell, Martin, Conyers, Robinson, Boone. NAY – None.

Council President Corey Martin addressed Item No. 6. Councilmember Jack Burrell moved for final adoption of Ordinance No. 1801, an ordinance to approve the Annexation of Territory within the City Limits of the City of Fairhope, Alabama, various Rights-of-Way within Montrose, from the Baldwin County Commission. (Introduced at the City Council Meeting on May 13, 2024.) Seconded by Councilmember Jimmy Conyers, motion for final adoption passed by the following voice votes: AYE – Burrell, Martin, Conyers, Robinson, Boone. NAY - None.

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Council President Corey Martin addressed Item No. 7. Councilmember Jack Burrell introduced in writing an Ordinance for Annexation, Jason Tickle property located on the East Side of Section Street, approximately 875 feet South of Twin Beech Road, Fairhope, Alabama. Tax Parcel 05-46-09-29-0-000-047.000 (PIN Number 18518); containing 17.75 acres, more or less. Council President Martin addressed due to lack of a motion for immediate consideration, this ordinance will layover until the June 24, 2024 City Council Meeting.

Council President Corey Martin addressed Item No. 8. Councilmember Jimmy Conyers introduced in writing an Ordinance to Repeal Ordinance No. 1551, as amended by Ordinance No. 1622 and 1743, and Codified as Chapter 2, Article III, Division 8 of the Fairhope Code of Ordinances; and Dissolve the City of Fairhope Historic Preservation Committee. Council President Martin addressed due to lack of a motion for immediate consideration, this ordinance will layover until the June 24, 2024 City Council meeting.

Council President Corey Martin addressed Item No. 9. Councilmember Jack Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes acceptance of a FEMA Hazard Mitigation Grant Program (HMGP) Grant for the City of Fairhope 1st Responders Safe Room Project (Grant #4563-0002) in the amount of \$2,433,687.05; and authorizes Mayor Sherry Sullivan to sign all necessary documents. The City's share of this project is \$270,409.67 (10%). In addition, Grant Management costs in the amount of \$135,204.84 will be set aside through FEMA to contract with a FEMA knowledgeable grant management firm. Seconded by Councilmember Jimmy Conyers, motion passed unanimously by voice vote.

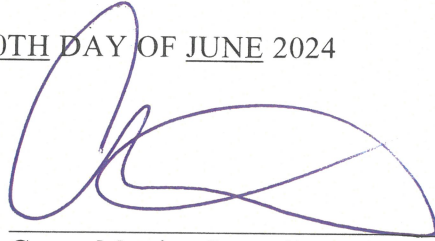
RESOLUTION NO. 5083-24

**AUTHORIZE ACCEPTANCE OF A FEMA HAZARD MITIGATION GRANT
PROGRAM (HMGP) GRANT FOR THE
CITY OF FAIRHOPE 1ST RESPONDERS SAFE ROOM PROJECT
(GRANT #4563-0002)**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE,
ALABAMA,**

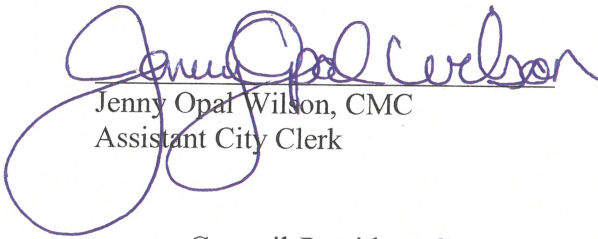
[1] That the City Council hereby authorizes acceptance of a FEMA Hazard Mitigation Grant Program (HMGP) Grant for the City of Fairhope 1st Responders Safe Room Project (Grant #4563-0002) in the amount of \$2,433,687.05; and authorizes Mayor Sherry Sullivan to sign all necessary documents. The City's share of this project is \$270,409.67 (10%). In addition, Grant Management costs in the amount of \$135,204.84 will be set aside through FEMA to contract with a FEMA knowledgeable grant management firm.

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DULY ADOPTED THIS 10TH DAY OF JUNE 2024

Corey Martin, Council President

ATTEST:

Jenny Opal Wilson, CMC
Assistant City Clerk

Council President Corey Martin addressed Item No. 10. Councilmember Jay Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes acceptance of an FAA Airport Infrastructure Grant (AIG) in the amount of \$82,500.00 and an ALDOT grant of \$4,588.00; and authorizes Mayor Sherry Sullivan to sign all necessary documents. The grants will pay construction costs for the parking lot at the new terminal building at the H.L. "Sonny" Callahan Airport. Seconded by Councilmember Jack Burrell, motion passed unanimously by voice vote.

RESOLUTION NO. 5084-24**AUTHORIZE ACCEPTANCE OF AN FAA AIRPORT INFRASTRUCTURE
GRANT (AIG) AND ALDOT GRANT****BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE,
ALABAMA,**

[1] That the City Council authorizes acceptance of an FAA Airport Infrastructure Grant (AIG) in the amount of \$82,500.00 and an ALDOT Grant of \$4,588.00; and authorizes Mayor Sherry Sullivan to sign all necessary documents. The grants will pay construction costs for the parking lot at the new terminal building at the H.L. "Sonny" Callahan Airport.

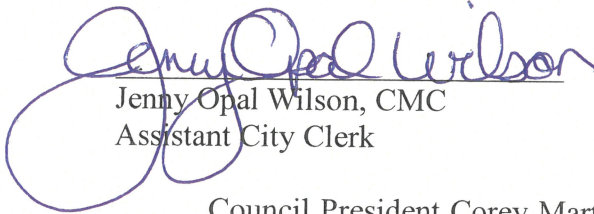
DULY ADOPTED THIS 10TH DAY OF JUNE 2024

10 June 2024



Corey Martin, Council President

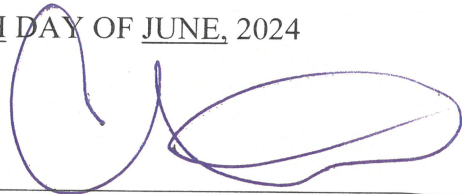
ATTEST:

Jenny Opal Wilson, CMC
Assistant City Clerk

Council President Corey Martin addressed Item No. 11. Councilmember Jack Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes the submission of a Pipeline and Hazardous Materials Safety Administration (PHMSA) Grant to the U.S. Department of Transportation (USDOT) for the FY2024 Natural Gas Distribution Infrastructure Safety and Modernization (NGDISM) Grant Program for Gas Pipe Replacement. The grant amount is approximately \$15,000,000.00 fifteen million dollars and will cover the remaining four phases of the pipe replacement. Seconded by Councilmember Jimmy Conyers, motion passed unanimously by voice vote.

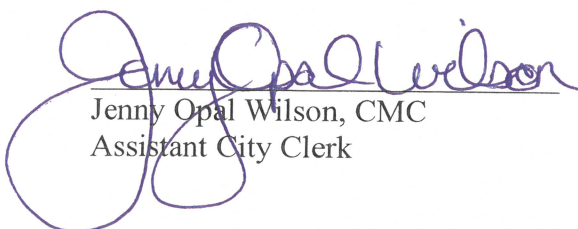
RESOLUTION NO. 5085-24**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,**

[1] That the City Council authorizes the submission of a Pipeline and Hazardous Materials Safety Administration (PHMSA) Grant to the U.S. Department of Transportation (USDOT) for the FY2024 Natural Gas Distribution Infrastructure Safety and Modernization (NGDISM) Grant Program for Gas Pipe Replacement. The grant amount is approximately \$15,000,000.00 fifteen million dollars and will cover the remaining four phases of the pipe replacement.

ADOPTED ON THIS 10TH DAY OF JUNE, 2024

Corey Martin, Council President

Attest:

Jenny Opal Wilson, CMC
Assistant City Clerk

10 June 2024

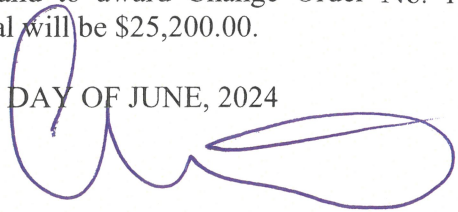
Council President Corey Martin addressed Item No. 12. Councilmember Jack Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute Change Order No. 1 for (RFQ PS24-003) Professional Engineering Services for the D'Olive Creek Crossing Gas Main Leak Repair with a cost of \$3,300.00; and to award Change Order No. 1 to Sawgrass Consulting, LLC. The new contract total will be \$25,200.00. Seconded by Councilmember Kevin Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 5086-24

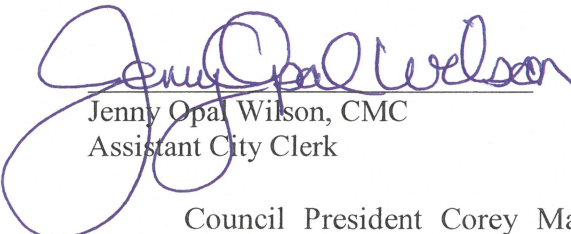
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That Mayor Sherry Sullivan is hereby authorized to execute Change Order No. 1 for (RFQ PS24-003) Professional Engineering Services for the D'Olive Creek Crossing Gas Main Leak Repair with a cost of \$3,300.00; and to award Change Order No. 1 to Sawgrass Consulting, LLC. The new contract total will be \$25,200.00.

DULY ADOPTED THIS 10TH DAY OF JUNE, 2024


Corey Martin, Council President

Attest:


Jenny Opal Wilson, CMC
Assistant City Clerk

Council President Corey Martin addressed Item No. 13. Councilmember Jimmy Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute a contract with PipeSuite, a Division of Payne Management, Inc. for Professional Consulting Services for Natural Gas Pipeline Distribution Compliance (RFQ PS24-023) with a not-to-exceed amount of \$53,160.00 annually. Seconded Councilmember Kevin Boone, motion passed unanimously by voice vote.

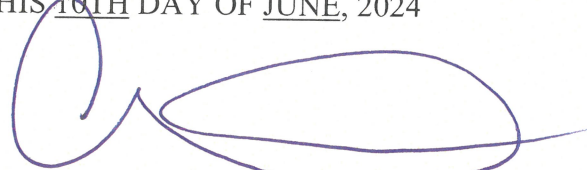
RESOLUTION NO. 5087-24

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

10 June 2024

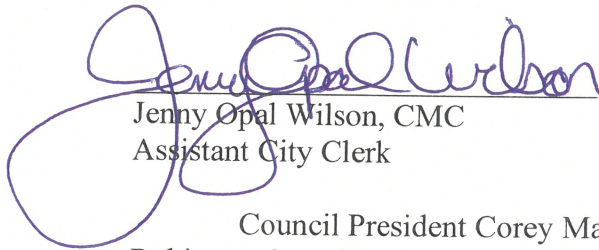
[1] That Mayor Sherry Sullivan is hereby authorized to execute a contract with PipeSuite, a Division of Payne Management, Inc. for Professional Consulting Services for Natural Gas Pipeline Distribution Compliance (RFQ PS24-023) with a not-to-exceed amount of \$53,160.00 annually.

DULY ADOPTED THIS 10TH DAY OF JUNE, 2024



Corey Martin, Council President

Attest:



Jenny Opal Wilson, CMC
Assistant City Clerk

Council President Corey Martin addressed Item No. 14. Councilmember Jay Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of parts and installation for the UV Signa System at the Wastewater Treatment Plant from Trojan Technologies as the sole source and manufacturer. This cost is \$41,048.95, plus freight and handling charges. The equipment is exempt from formal bidding per Code of Alabama 1975, Section 41-16-57 (b)(1). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 5088-24

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

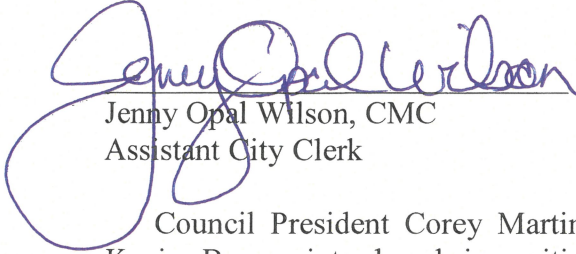
[1] That the City of Fairhope approves the procurement of parts and installation for the UV Signa System at the Wastewater Treatment Plant from Trojan Technologies as the sole source and manufacturer. This cost is \$41,048.95, plus freight and handling charges. The equipment is exempt from formal bidding per Code of Alabama 1975, Section 41-16-57 (b)(1).

ADOPTED ON THIS 10TH DAY OF JUNE 2024

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Council President, Corey Martin

Attest:

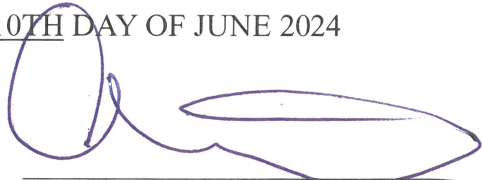

Jenny Opal Wilson, CMC
Assistant City Clerk

Council President Corey Martin addressed Item No. 15. Councilmember Kevin Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of a Third Eye Camera and GPS Tracking System for sanitation trucks that are on the Alabama Statewide Contract (Contract #MA230000003433) with Ingram Equipment Company; and therefore, does not have to be let out for bid. The total purchase amount not-to-exceed \$63,946.68; and to approve the transfer of budget funds from Sanitation – Maintenance (Veh & Equip) to Sanitation – Purchases (Veh & Equip). Seconded by Councilmember Jimmy Conyers, motion passed unanimously by voice vote.

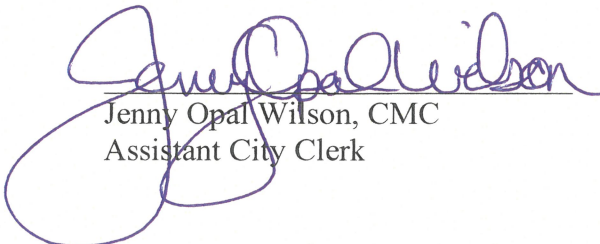
RESOLUTION NO. 5089-24

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

[1] That the City of Fairhope approves the procurement of a Third Eye Camera and GPS Tracking System for sanitation trucks that are on the Alabama Statewide Contract (Contract #MA230000003433) with Ingram Equipment Company; and therefore, does not have to be let out for bid. The total purchase amount not-to-exceed \$63,946.68; and to approve the transfer of budget funds from Sanitation – Maintenance (Veh & Equip) to Sanitation – Purchases (Veh & Equip).

ADOPTED ON THIS 10TH DAY OF JUNE 2024
Council President, Corey Martin

Attest:


Jenny Opal Wilson, CMC
Assistant City Clerk

10 June 2024

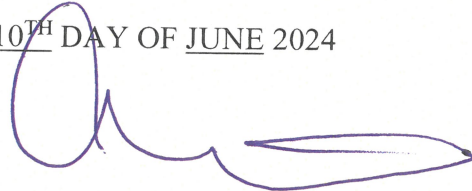
Council President Corey Martin addressed Item No. 16. Councilmember Jimmy Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute Change Order No. 1 for (Bid No. 24-039-2024-PWI-019) Pecan Building Warehouse Roof Replacement with a cost of \$54,800.00; and to award Change Order No. 1 to Roof Doctors of Alabama, Inc.; and authorize the Treasurer to transfer \$54,800.00 from the General Fund to the Water and Sewer Fund. The new contract total will be \$266,364.75. Seconded by Councilmember Jay Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5090-24

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

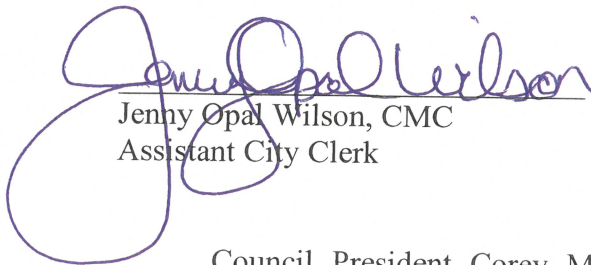
[1] That Mayor Sherry Sullivan is hereby authorized to execute Change Order No. 1 for (Bid No. 24-039-2024-PWI-019) Pecan Building Warehouse Roof Replacement with a cost of \$54,800.00; and to award Change Order No. 1 to Roof Doctors of Alabama, Inc.; and authorize the Treasurer to transfer \$54,800.00 from the General Fund to the Water and Sewer Fund. The new contract total will be \$266,364.75.

ADOPTED ON THIS 10TH DAY OF JUNE 2024



Council President, Corey Martin

Attest:



Jenny Opal Wilson, CMC
Assistant City Clerk

Council President Corey Martin addressed Item No. 17. Councilmember Jimmy Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute Change Order No. 1 for (Bid No. 24-020-2024-PWI-001) Pine Street One-Way Conversion and Parking Project with a cost of \$31,295.00; and to award Change Order No. 1 to R.H. Deas Building Co.; and authorize the Treasurer to enter FY24 Budget Transfer of \$31,295.00 from ADA Compliance Project savings (103-55887) to Pine St. Capital Improvements (103-55710). The new contract total will be

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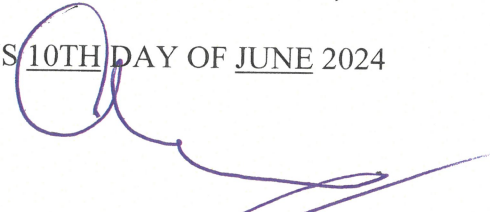
\$282,693.00. Seconded by Councilmember Jack Burrell, motion passed unanimously by voice vote.

RESOLUTION NO. 5091-24

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

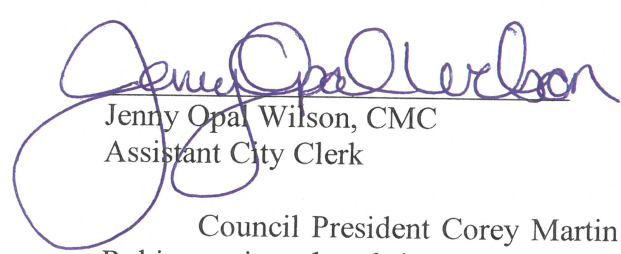
[1] That Mayor Sherry Sullivan is hereby authorized to execute Change Order No. 1 for (Bid No. 24-020-2024-PWI-001) Pine Street One-Way Conversion and Parking Project with a cost of \$31,295.00; and to award Change Order No. 1 to R.H. Deas Building Co.; and authorize the Treasurer to enter FY24 Budget Transfer of \$31,295.00 from ADA Compliance Project savings (103-55887) to Pine St. Capital Improvements (103-55710). The new contract total will be \$282,693.00.

ADOPTED ON THIS 10TH DAY OF JUNE 2024



Council President, Corey Martin

Attest:



Jenny Opal Wilson, CMC
Assistant City Clerk

Council President Corey Martin addressed Item No. 18. Councilmember Jay Robinson 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 for Professional Engineering (Coastal) Services for (RFQ PS24-020) for a Gulf of Mexico Energy Security Act (GOMESA) Grant Funded Capital Improvement Project – Magnolia Beach Restoration and Stabilization Project within the existing City Park to Goodwyn Mills Cawood; and authorize Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Jimmy Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 5092-24

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

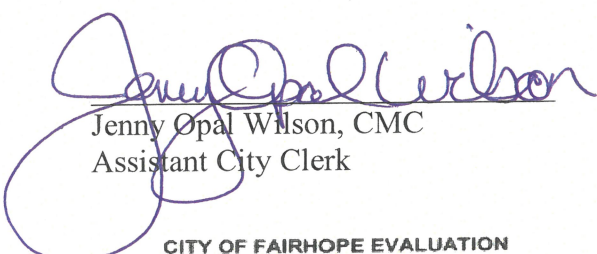
10 June 2024

[1] That the City Council approves the selection by the Evaluation Team for Professional Engineering (Coastal) Services for (RFQ PS24-020) for a Gulf of Mexico Energy Security Act (GOMESA) Grant Funded Capital Improvement Project – Magnolia Beach Restoration and Stabilization Project within the existing City Park to Goodwyn Mills Cawood; and authorize Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 10TH DAY OF JUNE, 2024

Council President, Corey Martin

Attest:


Jenny Opal Wilson, CMC
Assistant City Clerk

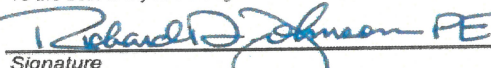
CITY OF FAIRHOPE EVALUATION
Request for Qualifications No. PS24-020
NAME: Professional Engineering (Coastal) Services
GOMESA Grant No. G-CFMB/23/CF
Opened: May 23, 2024 at 10:00 A.M.

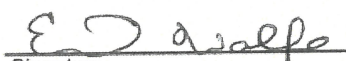
Goodwyn Mills Cawood (GMC)

	Points Range	Evaluator 1	Evaluator 2	Evaluator 3
Criteria 1: Minimum Qualifications	0-10	10	10	10
Criteria 2: Knowledge of the GOMESA and other Federally Funded programs	0-15	13	14	15
Criteria 3: Resources and Availability	0-20	18	19	20
Criteria 4: Experience of proposed personnel (emphasis on Coastal Engineering)	0-20	19	19	20
Criteria 5: Scope of Services	0-15	14	13	15
Criteria 6: Experience with Similar Projects (emphasis on Coastal Engineering)	0-20	19	19	20
Total Score:		93	94	100
Average Score:				96

Recommendation:

To the best of my knowledge this is an accurate Evaluation Tabulation


Signature
Richard Johnson, City Engineer


Signature
Erin Wolfe, Purchasing Manager

10 June 2024

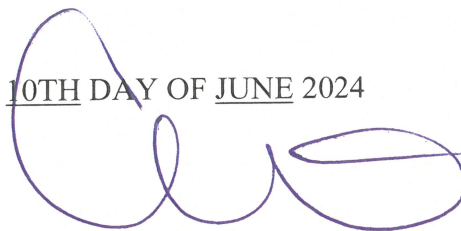
Council President Corey Martin addressed Item No. 19. Councilmember Jay Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute a contract for Extension No. 1 for (RFQ PS021-22) Consulting Urban Forester Related to the GOMESA Grant No. G-CFNP21CF to Fulgham's Inc. for one (1) year extension of the annual contract from January 20, 2024 to January 19, 2025 per the same terms and conditions of the original contract. Seconded by Councilmember Jimmy Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 5093-24

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

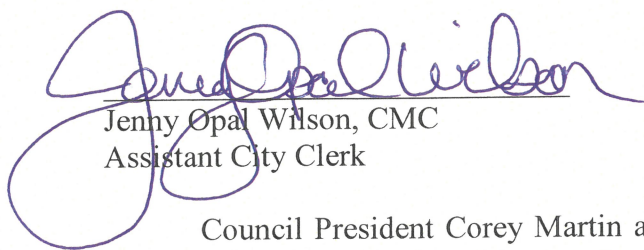
[1] That Mayor Sherry Sullivan is hereby authorized to execute a contract for Extension No. 1 for (RFQ PS021-22) Consulting Urban Forester Related to the GOMESA Grant No. G-CFNP21CF to Fulgham's Inc. for one (1) year extension of the annual contract from January 20, 2024 to January 19, 2025 per the same terms and conditions of the original contract.

ADOPTED ON THIS 10TH DAY OF JUNE 2024



Council President, Corey Martin

Attest:



Jenny Opal Wilson, CMC
Assistant City Clerk

Council President Corey Martin addressed Item No. 20. Councilmember Jay Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution be it hereby Resolved that the Governing Body of the City of Fairhope hereby accepts the Statutory Warranty Deed from BYC, LLC for certain property that will serve as a Sewer Lift Station. The City Clerk is authorized to record said Deed in the Probate Records of Baldwin County and the Treasurer is directed to pay said monetary sum as indicated in the Deed. The parcel is approximately .08 acres and a copy is attached hereto for reference. Seconded by Councilmember Jack Burrell, motion passed unanimously by voice vote.

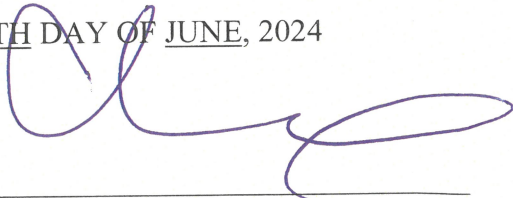
10 June 2024

RESOLUTION NO. 5094-24

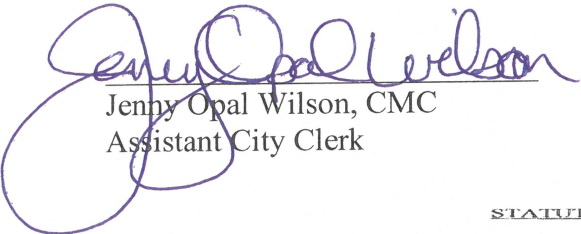
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIHOPE, ALABAMA, as follows:

[1] Be it hereby Resolved that the Governing Body of the City of Fairhope hereby accepts the Statutory Warranty Deed from BYC, LLC for certain property that will serve as a Sewer Lift Station. The City Clerk is authorized to record said Deed in the Probate Records of Baldwin County and the Treasurer is directed to pay said monetary sum as indicated in the Deed. The parcel is approximately .08 acres and a copy is attached hereto for reference.

ADOPTED ON THIS 10TH DAY OF JUNE, 2024


 Corey Martin, Council President

Attest:


 Jenny Opal Wilson, CMC
 Assistant City Clerk
STATUTORY WARRANTY DEED

STATE OF ALABAMA)
 COUNTY OF BALDWIN)

KNOW ALL MEN BY THESE PRESENTS, that in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration hereby acknowledged to have been paid to the undersigned Grantor by the Grantee herein, the receipt whereof is acknowledged, Grantor, BYC, LLC, an Alabama limited liability company (hereinafter referred to as the "Grantor"), does hereby GRANT, BARGAIN, SELL and CONVEY unto THE CITY OF FAIRHOPE, ALABAMA, a municipal corporation (hereinafter referred to as "Grantee"), in fee simple all of Grantor's right, title and interest in the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at the Northeast corner of Lot 1 marked with a capped rebar (Thompson), NW Corner HWY181-HWY104 Subdivision as recorded on Slide 2725-E found in the office of the Judge of Probate Baldwin County, Alabama with said corner lying on the west right of way line for State Highway 181; thence run South 00°17'09" West along said right of way line 7.38 feet; thence run South 15°48'23" West for 47.51 feet; thence run South 00°55'28" West for 177.05 feet; thence run South 00°25'10" West for 74.75 feet; thence run South 38°45'55" West for 63.89'; thence run South 00°15'38" West for 164.73 feet to the Point of Beginning; South 00°15'38" West for 35.27 feet; thence run South 33°25'46" East for 17.65 feet; thence leaving said right of way line run West for 77.80 feet; thence run North 50.00'; thence run East 68.24 feet to the Point of Beginning, containing 3,478 sf (0.08 acres) more or less.

TOGETHER WITH ALL AND SINGULAR the rights, members, privileges, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD to the said Grantee in fee simple, and to Grantee's successors and assigns forever.

10 June 2024

This conveyance and deed and all warranties of title by Grantor are subject to the lien for current ad valorem taxes, all matters a current inspection and/or survey would show, to all prior conveyances of minerals and mineral rights, and to all matters of public record.

Said property is further conveyed in its AS-IS, WHERE IS condition, with all faults and defects. Grantor makes no, and hereby disclaims all, representations and warranties as to the condition of the property. Grantee has inspected the property and is satisfied with the condition of same.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal on this the day of June, 2024.

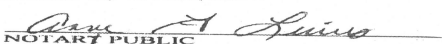
BYC, L.L.C. an Alabama limited liability company

By: 
Del A. Corte
Manager

STATE OF ALABAMA
COUNTY OF BALDWIN

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Del A. Corte, whose name as Manager of BYC, L.L.C. an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said company.

Given under my hand and seal on this the 5th day of June, 2024.


NOTARY PUBLIC
My Commission Expires: 03-10-2026

Grantor's Address:
23100 State Highway 181
Fairhope, AL 36532

Grantee's Address:
P.O. Drawer 429
Fairhope, AL 36533

INSTRUMENT PREPARED BY:
RICHARD D. JOHNSON, PE with Legal
prepared by Thompson Engineering
P.O. Drawer 429
Fairhope, AL 36533

Council President Corey Martin addressed Item No. 21. Councilmember Jay Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute a Construction Easement for work to be done on the Planters Point Lift Station; and authorize the Mayor to sign all necessary documents. Seconded by Councilmember Kevin Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 5095-24

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

[1] That Mayor Sherry Sullivan is hereby authorized to execute a Construction Easement for work to be done on the Planters Point Lift Station; and authorize the Mayor to sign all necessary documents.

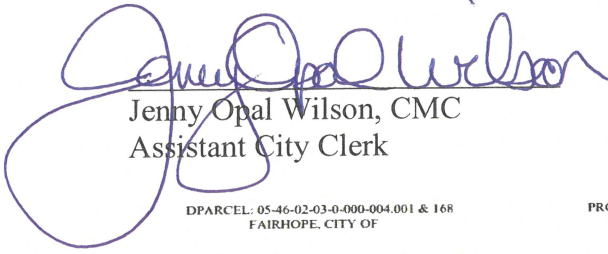
ADOPTED ON THIS 10TH DAY OF JUNE, 2024

10 JUNE 2024



Corey Martin, Council President

Attest:



Jenny Opal Wilson, CMC
Assistant City Clerk

 DPARCEL: 05-46-02-03-0-000-004.001 & 168
FAIRHOPE, CITY OF

 PROJECT: Planters Pointe Lift
Station & FM Project

**TEMPORARY RIGHT-OF-ENTRY PERMIT
AND CONSTRUCTION EASEMENT AGREEMENT**

 STATE OF ALABAMA
COUNTY OF BALDWIN

The undersigned hereby certifies and warrants that he is the title owner, holder and/or the authorized agent of said owner of the property described herein, and the undersigned hereby authorizes the City of Fairhope (City), its successors and assigns, including its contractors and subcontractors, the temporary authority and permission to enter in and onto the premises located within the County of Baldwin, State of Alabama, more commonly identified as Temporary Sanitary Sewer Easement (As shown in Exhibit "A") (the "Easement Area"), being a twenty foot (20') wide strip of land along the north and west boundaries of the following property being conveyed by undersigned to the City on the date hereof (the "City Parcel"):

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 MARKED WITH A CAPPED REBAR (THOMPSON), NW CORNER HWY181-JHWY104 SUBDIVISION AS RECORDED ON SLIDE 2725-E FOUND IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA WITH SAID CORNER LYING ON THE WEST RIGHT OF WAY LINE FOR STATE HIGHWAY 181; THENCE RUN SOUTH 00°17'09" WEST ALONG SAID RIGHT OF WAY LINE 7.38 FEET; THENCE RUN SOUTH 15°48'23" WEST FOR 47.51 FEET; THENCE RUN SOUTH 00°55'28" WEST FOR 177.05 FEET; THENCE RUN SOUTH 00°25'10" WEST FOR 74.75 FEET; THENCE RUN SOUTH 38°45'55" WEST FOR 63.89'; THENCE RUN SOUTH 00°15'38" WEST FOR 164.73 FEET TO THE POINT OF BEGINNING; SOUTH 00°15'38" WEST FOR 35.27 FEET; THENCE RUN SOUTH 33°25'46" EAST FOR 17.65 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE RUN WEST FOR 77.80 FEET; THENCE RUN NORTH 50.00'; THENCE RUN EAST 68.24 FEET TO THE POINT OF BEGINNING, CONTAINING 3.478 SF (0.08 ACRES) MORE OR LESS.

CITY SHALL HAVE THE RIGHT TO USE THE RIGHTS GRANTED HEREUNDER TO ***DO THE FOLLOWING WORK ON THE ABOVE DESCRIBED EASEMENT AREA***: INGRESS & EGRESS; STORAGE OF EQUIPMENT & MATERIALS; AND WORKING AREA AS NECESSARY TO MAKE ALL SUCH SANITARY SEWER SYSTEM REPAIRS AND IMPROVEMENTS ON THE CITY PARCEL, INCLUDING, BUT NOT LIMITED TO, CONSTRUCTION OF SANITARY SEWER INFRASTRUCTURES, INSTALLATION OF A LIFT STATION, PLACEMENT/REPLACEMENT OF SEWER FORCE MAINS AND LATERALS, GRADING, STABILIZATION, MULCH, SEEDING AND ALL OTHER WORK RELATED TO PLANTERS POINT LIFT STATION AND FORCE MAIN PROJECT TO BE CONSTRUCTED ON THE CITY PARCEL; PROVIDED, IN NO EVENT SHALL THE CITY ERECT, CONSTRUCT OR INSTALL ANY FACILITIES OR IMPROVEMENTS WITHIN THE EASEMENT AREA, EXCEPT FOR INSTALLATION OF THE NECESSARY PIPING TO TIE IN THE EXISTING MANHOLE TO THE LIFT STATION.

The undersigned further grants the City the temporary authority and permission to enter into and upon the area located adjacent to the south boundary of the City Parcel, as depicted on the subdivision plat that has been filed with the City for said area and other adjacent property but not yet recorded, and contemplated by said plat to be dedicated to the City upon recording of said plat (the "Intended ROW"), in connection with the construction of said improvements on the City Parcel, but the City shall not park vehicles on or otherwise block the Intended ROW, shall not disturb the surface of the Intended ROW, shall not store materials or equipment on the Intended ROW, or construct or install any facilities or improvements within the Intended ROW pursuant to this instrument, except those infrastructure improvements as shown in the Thompson Engineering Planter's Point Lift Station Plans (Project No. 21-1101-0257) - May 2023.

All at no expense to the said property owner. It is understood and agreed that any and all lands and/or improvements, excluding trees, shrubs, ornamental plantings and turf grass sod, that are disturbed in the utilization of the rights hereby granted will be restored by City to a condition substantially the same as existed immediately prior to said disturbance. All rights hereby granted are temporary in nature and (i) for the Easement Area, will expire and terminate one hundred eighty (180) days after the date of this instrument (the "End Date"), and (ii) for the Intended ROW, on the earlier of the End Date or when said plat is recorded and Intended ROW dedicated to the City. The City

shall complete the construction of said Planters Point lift station and related improvements on the City Parcel no later than the End Date.

The undersigned, in consideration of allowing the City to conduct the above described work (Lift Station and Force Main Project) within the City Parcel, do hereby covenant with the City on behalf of myself, my heirs, assigns and successors that I/We will never sue the City or its agents, servants or employees for or on account of said work as long as the improvements and facilities constructed or installed by the City in connection with the work are located within the City Parcel. I/We acknowledge the City will be responsible for the standard upkeep and maintenance of its Lift Station and Force Main.

I/We hereby authorize the City of Fairhope to record this document with the Judge of Probate of Baldwin County so my successors and/or assigns will be on notice regarding the existence of this Agreement.

[SIGNATURE ON FOLLOWING PAGE]



10 June 2024

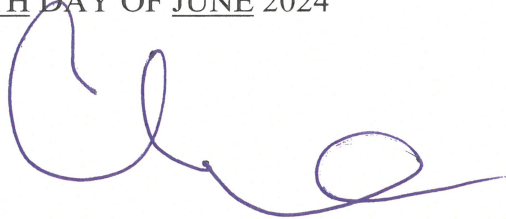
Council President Corey Martin addressed Item No. 22. Councilmember Jay Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope hereby authorizes Mayor Sherry Sullivan to execute the proposal from Granicus as sole source for the annual fee of \$4,850.42. Seconded by Councilmember Jack Burrell, motion passed unanimously by voice vote.

RESOLUTION NO. 5096-24

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

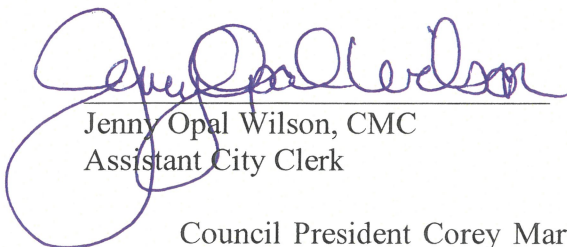
[1] That the City of Fairhope hereby authorizes Mayor Sherry Sullivan to execute the proposal from Granicus as sole source for the annual fee of \$4,850.42.

ADOPTED ON THIS 10TH DAY OF JUNE 2024



Corey Martin, Council President

Attest:



Jenny Opal Wilson, CMC
Assistant City Clerk

Council President Corey Martin addressed Item No. 23. Councilmember Jay Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the purchase of 144 cartons of NARCAN® Nasal Spray from Emergent BioSolutions as the sole source for a not-to-exceed cost of \$4,752.00; and authorizes the use of funds from the McKesson Alabama Settlement Agreement. Seconded by Councilmember Jimmy Conyers, motion passed unanimously by voice vote.

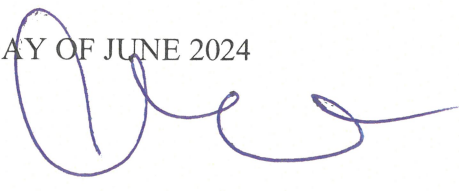
RESOLUTION NO. 5097-24

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

10 June 2024

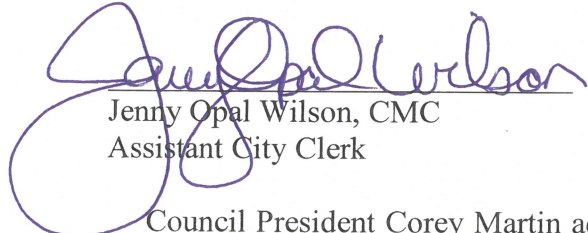
[1] That the City of Fairhope approves the purchase of 144 cartons of NARCAN® Nasal Spray from Emergent BioSolutions as the sole source for a not-to-exceed cost of \$4,752.00; and authorizes the use of funds from the McKesson Alabama Settlement Agreement.

ADOPTED ON THIS 10TH DAY OF JUNE 2024



Corey Martin, Council President

Attest:



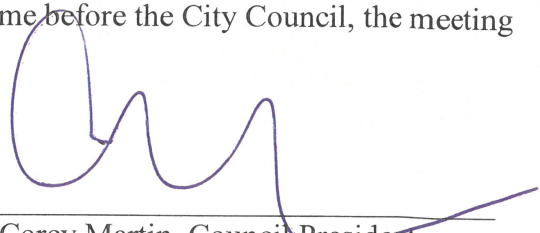
Jenny Opal Wilson, CMC
Assistant City Clerk

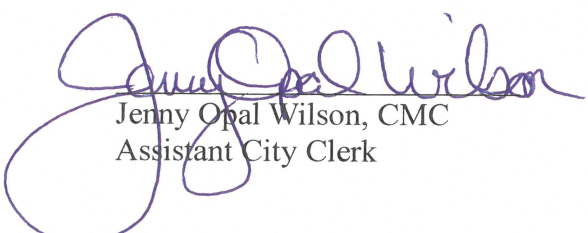
Council President Corey Martin addressed Item No. 24 Public Participation – (3 minutes maximum).

- Autum Zellner, Director/Owner, Starts Early Learning Academy 8209 Gayfer Road Extension, Fairhope, Alabama 36532. Ms. Zellner addressed rainwater issues on property. Mayor Sullivan will follow up with Ms. Zellner.

Council President Corey Martin addressed Item No. 25. Councilmember Jack Burrell moved to adjourn the meeting. Seconded by Councilmember Kevin Boone, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 6:05p.m.



Corey Martin, Council President

Jenny Opal Wilson, CMC
Assistant City Clerk