

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, 8 July 2024.

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 Reverend Amanda Doshier of St. James Episcopal Church and the Pledge of Allegiance was recited. Councilmember Burrell moved to approve minutes of the 24 June 2024, regular meeting; and minutes of the 24 June 2024, work session. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

IT Director Jeff Montgomery addressed the City Council regarding the new electric vehicles; and said there was one out front for viewing. He suggested that the City put expanded range vehicles in the fleet.

Councilmember Burrell commented it would be cheaper to rent a car to travel to Huntsville instead of purchasing expanded range electric vehicles.

Councilmember Boone said that the "Fireworks Show" was wonderful and he appreciated the staff's hard work making it great.

Council President Martin reiterated that the staff did a great job; and hoped everyone had a safe Fourth of July with family and friends.

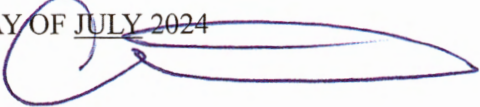
Councilmember Conyers introduced in writing an ordinance to amend Ordinance No. 1599, Code of Ordinances to alter the Schedule of Fees for Construction and Building Permits; and to strike out the paragraph on waivers. Due to lack of a motion for immediate consideration, this ordinance will layover until the July 22, 2024 City Council meeting.

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 Intergovernmental Service Agreement between the Baldwin County Commission and the City of Fairhope, Alabama for Parker Road Sidewalk Funding. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

8 July 2024

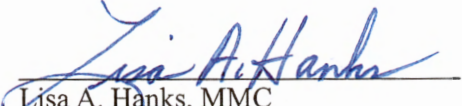
RESOLUTION NO. 5110-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Sherry Sullivan is hereby authorized to execute an Intergovernmental Services Agreement between the Baldwin County Commission and the City of Fairhope, Alabama for Parker Road Sidewalk Funding.

ADOPTED ON THIS 8TH DAY OF JULY 2024

Corey Martin, Council President

Attest:

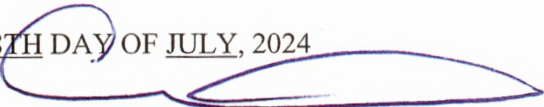


Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute a contract with Goodwyn Mills Cawood for Professional Engineering Services for (RFQ PS24-020) a Gulf of Mexico Energy Security Act (GOMESA) Grant Funded Capital Improvement Project - Magnolia Beach Restoration and Stabilization Project within the existing City Park with a not-to-exceed amount of \$120,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

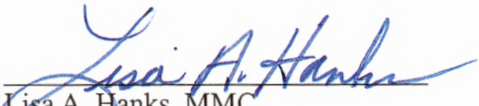
RESOLUTION NO. 5111-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Sherry Sullivan is hereby authorized to execute a contract with Goodwyn Mills Cawood for Professional Engineering Services for (RFQ PS24-020) a Gulf of Mexico Energy Security Act (GOMESA) Grant Funded Capital Improvement Project – Magnolia Beach Restoration and Stabilization Project within the existing City Park with a not-to-exceed amount of \$120,000.00.

DULY ADOPTED THIS 8TH DAY OF JULY, 2024

Corey Martin, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

8 July 2024

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution to reject all bids (Bid No. 24-052-2024-PWI-025) for Big Mouth Gully Slope Stabilization Project and authorize the re-bid of the project under Code of Alabama 1975, Section 39-2-6(b). Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 5112-24

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

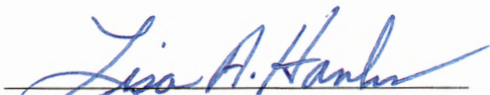
[I] That the City Council to reject all bids (Bid No. 24-052-2024-PWI-025) for Big Mouth Gully Slope Stabilization Project and authorize the re-bid of the project under Code of Alabama 1975, Section 39-2-6(b).

ADOPTED ON THIS 8TH DAY OF JULY 2024



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 to award (Bid No. 24-047-2024-PWI-006) to Klarman & Day General Contractors, LLC for New Concession/Bathroom Facility at Municipal Stadium with a bid proposal not-to-exceed \$388,322.80. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5113-24

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. 24-047-2024-PWI-006) for New Concessions/Bathroom Facility at Municipal Stadium at 555 South Section Street, City of Fairhope offices, Fairhope, Alabama.

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

8 July 2024

Please see attached Bid Tabulation
New Concessions/Bathroom Facility at Municipal Stadium

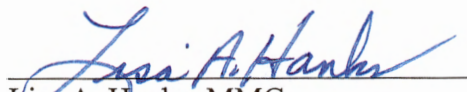
[3] After evaluating the bids with required specifications, Klarman & Day General Contractors, LLC is now awarded (Bid No. 24-047-2024-PWI-006) for New Concessions/Bathroom Facility at Municipal Stadium with a bid proposal not-to-exceed \$388,322.80.

DULY ADOPTED THIS 8TH DAY OF JULY 2024



Corey Martin, Council President

Attest:


 Lisa A. Hanks, MMC
 City Clerk

City of Fairhope Bid Tabulation
 Bid No. 24-047-2024-PWI-006 Concessions/ Bathroom at Municipal Stadium
 Opened June 18, 2024 at 10:00 A.M.

Vendor	Bid Documents Signed / Notarized (Y/N)	Bid Bond (Y/N)	Addendum I/II/III (Y/N)	1. Lump Sum Price	2. Project Contingency for Unforeseen Conditions	3. Electrical Material Contingency	4. Base Bid Total	5. Additive Alternative One
RE Johnson General Contractor	Y	Y	Y	\$409,346.00	\$40,934.60	\$30,000.00	\$480,280.60	\$23,760.00
Klarman & Day	Y	Y	Y	\$304,248.00	\$30,424.80*	\$30,000.00	\$364,672.80*	\$23,650.00
The Green Simmons Co	Y	Y	Y	\$530,000.00	\$53,000.00	\$30,000.00	\$613,000.00	\$25,000.00
Empire Builders Group	Y	Y	Y	\$360,793.00	\$36,079.30	\$30,000.00	\$426,872.30	\$22,186.00
Thomas Construction	Y	Y	Y	\$390,433.99	\$39,043.40	\$30,000.00	\$459,477.39	\$26,000.00
Harris Contracting	Y	Y	Y	\$383,000.00	\$38,300.00	\$30,000.00	\$451,300.00	\$26,000.00
*Corrected Price								

Recommendation:

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

Signature
 Richard Johnson City Engineer Public Works

Signature
 Erin Wolfe, Purchasing Manager

8 July 2024

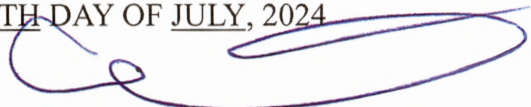
Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection by Mayor Sherry Sullivan for Professional Landscape Architectural Services for (RFQ PS24-030) for the Preliminary Vision and Budget for Bancroft Corner to Christian Preus Landscape Architecture; and hereby authorizes Mayor Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 5114-24

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

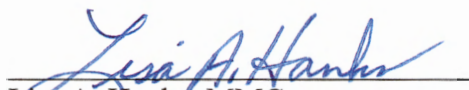
[1] That the City Council approves the selection by Mayor Sherry Sullivan for Professional Landscape Architectural Services for (RFQ PS24-030) for the Preliminary Vision and Budget for Bancroft Corner to Christian Preus Landscape Architecture; and hereby authorizes Mayor Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 8TH DAY OF JULY, 2024



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 the selection by Mayor Sherry Sullivan for (RFQ PS24-029) for Professional Engineering Services for Preliminary Engineering Services associated with PFAS remediation in Well No. 4 to Krebs Engineering; and hereby authorizes Mayor Sullivan to execute a contract with a not-to-exceed amount of \$30,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

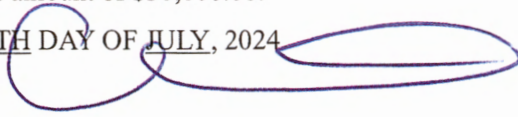
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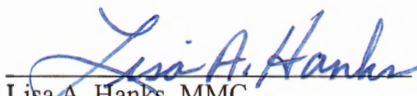
8 July 2024

RESOLUTION NO. 5115-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the selection by Mayor Sherry Sullivan for (RFQ PS24-029) for Professional Engineering Services for Preliminary Engineering Services associated with PFAS contamination in Well No. 4 to Krebs Engineering; and hereby authorizes Mayor Sullivan to execute a contract with a not-to-exceed amount of \$30,000.00.

DULY ADOPTED THIS 8TH DAY OF JULY, 2024
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 to award (Bid No. 24-049) for D'Olive Creek Gas Main Replacement to Equix Energy Services, LLC. with a total bid proposal not-to-exceed \$304,812.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

RESOLUTION NO. 5116-24

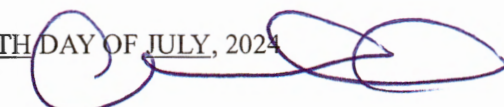
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope did request, receive, and open bids to procure services for (Bid No. 24-049) for D'Olive Creek Gas Main Replacement at 555 South Section Street, City of Fairhope offices, Fairhope, Alabama.

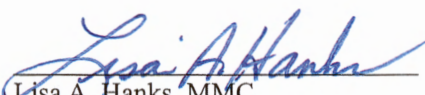
[2] At the appointed time and place, bids were received and tabulated as follows:

Equix Energy Services, LLC	\$304,812.00
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[3] After evaluating the bids with required specifications, Equix Energy Services, LLC is now awarded (Bid No. 24-049) for D'Olive Creek Gas Main Replacement with a bid proposal not-to-exceed \$304,812.00.

DULY ADOPTED THIS 8TH DAY OF JULY, 2024
Corey Martin, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

8 July 2024

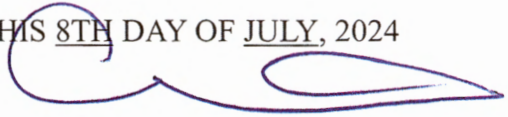
Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes Mayor Sherry Sullivan to execute a contract for (RFQ PS24-027) with Stewart Engineering, Inc. to perform On-Call Professional Engineering Services for the Electric Department projects for three (3) years, with a not-to-exceed contract amount of \$75,000.00 yearly, total contract amount not-to-exceed \$225,000.00 for three (3) years. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 5117-24

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

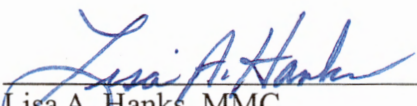
[1] That Mayor Sherry Sullivan is hereby authorized to execute a contract with Stewart Engineering, Inc. for (RFQ PS24-027) On-Call Professional Engineering Services for the Electric Department projects for three (3) agreements; with a not-to-exceed amount of \$75,000.00 per year, for a total contract amount of \$225,000.00.

DULY ADOPTED THIS 8TH DAY OF JULY, 2024



Corey Martin, Council President

Attest:



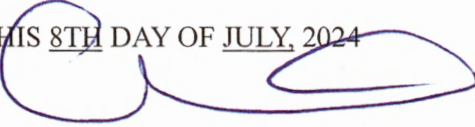
Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the submission of a grant application to the ALDOT's (Section 5310) grant in the amount of \$160,000.00. The funds will be used to purchase a van/bus to replace the current 10-year-old vehicle that serves the seniors of Fairhope by providing transportation services. This is an 80/20 match with ALDOT funding \$128,000.00 and the City providing a 20% match. The total cost of the van/bus is approximately \$160,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

8 July 2024

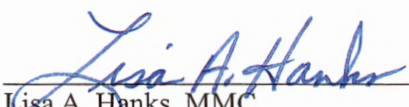
RESOLUTION NO. 5118-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the submission of a grant application to the ALDOT's (Section 5310) grant in the amount of \$160,000.00. The funds will be used to purchase a van/bus to replace the current 10-year-old vehicle that serves the seniors of Fairhope by providing transportation services. This is an 80/20 match with ALDOT funding \$128,000.00 and the City providing a 20% match. The total cost of the van/bus is approximately \$160,000.00.

ADOPTED ON THIS 8TH DAY OF JULY, 2024

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 hereby accepts the \$20,000.00 gift to the City of Fairhope from the Fairhope Arts & Crafts Festival Foundation for Arts Alley to stain the Parking Garage and allow them to put their logo on it. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

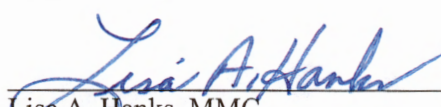
RESOLUTION NO. 5119-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council hereby accepts the \$20,000.00 gift to the City of Fairhope from the Fairhope Arts & Crafts Festival Foundation for Arts Alley to stain the Parking Garage and allow them to put their logo on it.

Adopted on this 8th day of July, 2024

Corey Martin, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

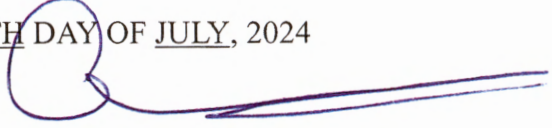
8 July 2024

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that City Council hereby authorizes Mayor Sherry Sullivan to enter into a rental agreement with Mobile County Aquatic League for use of the City's municipal pool facility for their Swim meet scheduled on July 27, 024 and July 28, 2024. The pool rental fee shall be \$2,000.00 (\$1,000.00 per day) plus cost of Lifeguards in the amount of \$3,000.00 (1,500.00 per day) for two days. Mobile County Aquatic League shall name the City as an additional insured on its policy and shall execute a hold harmless/indemnity agreement with the City. Seconded by Councilmember Burrell , motion passed unanimously by voice vote.

RESOLUTION NO. 5120-24

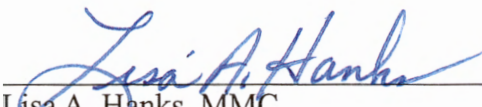
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That City Council hereby authorizes Mayor Sherry Sullivan to enter into a rental agreement with Mobile County Aquatic League for use of the City's municipal pool facility for their Swim meet scheduled on July 27, 024 and July 28, 2024. The pool rental fee shall be \$2,000.00 (\$1,000.00 per day) plus cost of Lifeguards in the amount of \$3,000.00 (1,500.00 per day) for two days. Mobile County Aquatic League shall name the City as an additional insured on its policy and shall execute a hold harmless/indemnity agreement with the City

DULY ADOPTED THIS 8TH DAY OF JULY, 2024



Corey Martin, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell moved to approve the recommendation of the Recreation Board requesting the City Council approve the Recreation Board Five-Year Plan (2024 – 2029). Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Councilmember Robinson moved to approve the recommendation of the Recreation Board requesting the City Council to purchase the Recreation Property in Barnwell in the next budget year. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

8 July 2024

Councilmember Burrell moved to approve the recommendation of the Street & Traffic Control Committee requesting the City Council to purchase two additional traffic calming signs. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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

- 1) Doug Greengard, 311 Wakefield, addressed the City Council regarding Public Participation removal request by Council President Martin and the Prism Event at the Civic Center. Mr. Greengard stated the law was broken pursuant to Article X.
- 2) Dev Wakeley, 8856 Lake View Drive, addressed the City Council regarding the public transit bus and said it is a vital and wise use for public funds. He stated this is a good deal with the 5310 funds; and suggested long-term plan would be to expand public transportation.
- 3) Andrew Mullek, 20760 Lacy Road in Silverhill, addressed the City Council regarding Prism United event at the park. He said that during the month of May many groups prayed about this event; and on June 1, 2024 an EF-1 tornado hit that area. Mr. Mullek also addressed the Drag Show held at the Civic Center; and called it a sexual event. He said an ordinance to prevent these events was sent to the City Council.
- 4) Debbie Greengard, 311 Wakefield, addressed the City Council and read a press release was read from the Coalition; and also said Article X law is being broken.
- 5) Carol Wilson, 489 Bartlett Avenue, addressed the City Council regarding the Alabama Public Library Service new policy. She said we need to make policies governing books for minors. Ms. Wilson stated minors are under 18; and we should put minor cards in our policies. She read a resolution from the Coalition.
- 6) Charles Wilson, 489 Bartlett Avenue, addressed the City Council and mentioned the City Attorney asked who he was. He told City Attorney Marcus McDowell that he was a Christian, minister, retired banker, member of 8 to 9 social conservative Christian groups. He stated that the Fairhope Public Library Board has no written policy as of today.
- 7) Edward Bals, 502 Calibre Street, addressed the City Council and said he retired here 13 years ago because it was a conservative State. Mr. Bals said he was in law enforcement for 33 years: 3 years as a State Investigator and 30 years as a Drug Enforcement Officer. Mr. Bals said once you open the door you are going to have problems.

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 pending and potential litigation; and § 36-25A-7(a)(6) to discuss the consideration the City is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property. The discussions could have a detrimental effect upon the competitive position of the City in the negotiations if the matter was discussed in public.

8 July 2024

The approximate time to be in Executive Session is 45 minutes. Councilmember Burrell moved to go into Executive Session. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

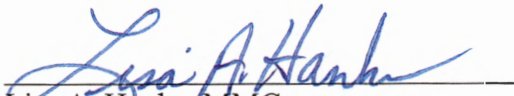
Exited the dais at 6:55 p.m. Returned at 7:46 p.m.

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

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



Corey Martin, Council President



Lisa A. Hanks, MMC
City Clerk