



**CITY OF FAIRHOPE
CITY COUNCIL REGULAR AGENDA**

**Monday, August 26, 2024 - 6:00 PM
City Council Chamber**

Council Members

Jack Burrell
Corey Martin
Jimmy Conyers
Jay Robinson
Kevin G. Boone

Invocation and Pledge of Allegiance

1. Approve minutes of 12 August 2024 Regular City Council Meeting and minutes of 12 August 2024 Work Session
2. Report of the Mayor
3. Public Participation – Agenda Items – (3 minutes maximum)
4. Council Comments
5. **Final Adoption** - An Ordinance granting a Non-Exclusive Franchise to Southern Light, LLC, for the purpose of Construction and Maintaining a Fiber-Optic Transmission Line within Certain Public Rights-Of-Way within the City of Fairhope, Alabama in accordance with the terms and conditions pursuant to Franchise stated in Ordinance. (Introduced at the August 12, 2024 City Council Meeting.)
6. **Final Adoption** - An Ordinance granting a Non-Exclusive Franchise to Uniti Fiber GulfCo LLC, for the purpose of Construction and Maintaining a Fiber-Optic Transmission Line within Certain Public Rights-Of-Way within the City of Fairhope, Alabama in accordance with the terms and conditions pursuant to Franchise stated in Ordinance. (Introduced at the August 12, 2024 City Council Meeting.)
7. **Final Adoption** - An Ordinance to amend Ordinance No. 1513; and to repeal Ordinance No. 1730: Article III. Board of Advisors; Section 1 of the Fairhope Recreation Board's By-Laws; changing the Planning Jurisdiction to Police Jurisdiction. (Introduced at the August 12, 2024 City Council Meeting.)
8. **Final Adoption** - Ordinance - Amend Zoning Ordinance No. 1253 - Request of the Applicant, Sawgrass Consulting, on behalf of the Owner, Rockwell LLC, to rezone property from R-1, Low Density Single-Family Residential District to B-2, General Business District, to be known as Rockwell Place. The property is approximately 15 acres and is located east of Highway 181, 1/3 mile north of the Intersection of Highway 104 and Highway 181. **PPINS #: 625447, 625448, 625449.** (Introduced at the August 12, 2024 City Council Meeting.)
9. **Final Adoption** - Ordinance - Amend Zoning Ordinance No. 1253 - Request of the Applicant, David Martin, on behalf of the Owner, Kathryn Mull, to rezone property from R-2, Medium Density Single-Family Residential District to B-3b, Tourist Resort Commercial Service District. The property is approximately 0.42 acres and is located at 53 N. Church Street. **PPIN# 15034.** (Introduced at the August 12, 2024 City Council Meeting.)

10. Ordinance - An Ordinance to amend Chapter 10.5 Environment, specifically Article II, Emergency Water Conservation Plan to add Section 10.5-55.5: Mechanical or System Emergency; City of Fairhope Code of Ordinances.
11. Resolution - That the Public Improvements indicated herein for Harvest Green East Phase 1 are hereby accepted for Public Maintenance subject to the Bond posted; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Harvest Green East 2022, LLC.
12. Resolution - That the Public Improvements indicated herein for Harvest Green West Phase 1 are hereby accepted for Public Maintenance subject to the Bond posted; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and Harvest Green West 2022, LLC.
13. Resolution - To award (Bid No. 24-059-2024-PWI-025) to McElhenney Construction Company for City-wide Road Repair, Resurfacing & Striping Project with a bid proposal not-to-exceed \$676,007.83. Authorize Treasurer to make the following FY2024 budget adjustments: Transfer savings from ADA Compliance Project (103-55887) in the amount of \$89,460.56 to (103-55856). Record Transfer In - Gas Fund (103-49892) in the amount of \$41,312.30 to (103-55856) and Transfers - Capital Project Fund (002-50965) in the amount of \$41,312.30 for road repairs attributable to Gas Department.
14. Resolution - That the City of Fairhope does hereby choose to participate, and approve our participation, in the Baldwin County Comprehensive Solid Waste Management Plan 2025-2035.
15. Resolution - 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 striping Manley Road (from U. S. Highway 98 to County Road 13) and Thompson Hall Road (from Twin Beech Road to Fairhope Avenue).
16. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute a Contract with Neel-Schaffer, Inc. for Professional Engineering Services (RFQ PS24-033) for the Review of Traffic Movements and Intersection Geometry at the Intersection of Fairhope Avenue and Ingleside Street with a not-to-exceed amount of \$8,500.00.
17. Resolution - That the City Council endorses the *Comprehensive Watershed Management Plan for the Eastern Shore* created by the Mobile Bay National Estuary Program (MBNEP) in July 2023; and that the City Council acknowledges the importance of the watershed plan findings and agrees to be an active partner in implementation efforts when appropriate.

18. Resolution - That the City Council hereby authorizes acceptance of an ADECA General Fund appropriation of \$1,000,000.00 (Grant #AL-LI-25-001); and authorizes Mayor Sherry Sullivan to sign all necessary documents. This funding will supplement an EDA grant of \$2,500,000.00 to renovate the K1 Center to serve as a business resource hub, *Hatch*.
19. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute a contract with Adams Stewart Architects, LLC for Professional Architectural Services for (RFQ PS24-024) for the City of Fairhope 1st Responder Hurricane Safe Room Project with a not-to-exceed amount of \$188,000.00.
20. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute Change Order No. 1 for (Bid No. 23-027) the Lift Station at State Highway 104 and State Highway 181 with a cost of \$38,543.00 and to award Change Order No. 1 to Hill Brothers, Inc. The new contract total will be \$263,643.00.
21. Resolution - That the City Council approves Contract Amendment No. 1 to (RFQ PS017-20) Engineering Services Contract for the Fairhope RESTORE Sewer Upgrade Phase 1, to extend the period of performance to April 30, 2026, and authorizes Mayor Sherry Sullivan to execute Amendment No. 1 between the City of Fairhope and Dewberry, Inc.
22. Resolution - That the City Council approves Contract Amendment No. 1 to (RFP 003-20) Professional Administrative Services for Fairhope Sewer Upgrade Phase 1, to extend the period of performance to April 30, 2026, and authorizes Mayor Sherry Sullivan to execute Amendment No. 1 between the City of Fairhope and Grant Management, LLC.
23. Resolution - That the City Council to reject all bids (Bid No. 24-054) to Procure Services for Joint Use Attachment Inventory for the Electric Department; and authorize the re-bid of the annual contract under Code of Alabama 1975, Section 41-16-57(d).
24. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute a contract for Extension No. 2 of (Bid No. 026-22) On Call Contractor for Gas Department with Equix Energy Services, LLC per the terms and conditions of the original contract.
25. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute a Contract with Volkert, Inc. for Professional Engineering Services for 4' Gas Main Replacements at Four (4) Creek Locations (RFQ PS24-035) with a not-to-exceed amount of \$76,000.00.
26. Resolution - That the City authorizes Mayor Sherry Sullivan to execute an extension of the Maynard, Cooper & Gale, P.C. Engagement Letter Agreement for the City of Fairhope from October 2024 to September 2025 with a retainer fee of Eight Thousand Dollars (\$8,000.00) per month; and a not-to-exceed amount of \$96,000.00.

27. Resolution - That the City of Fairhope adopts a Resolution in Support of Colony Rehabilitation Hospital at Thomas Hospital's request to the Certificate of Need Review Board for 10 additional beds.
28. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute a Contract with Gulf State Engineering for On-Call Consulting Services Annual Contract for Fire Protection Requirements (RFQ PS24-032) with an annual not-to-exceed amount of \$30,000.00.
29. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute a Contract with Gonzalez-Strength & Associates, Inc. for Professional Engineering Services for a Feasibility Study for a new 114-Acre Park (RFQ PS24-025) with a not-to-exceed amount of \$50,000.00.
30. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute a Contract with Paul Carpenter Davis Architecture, P.C. for Professional Architect Services (RFQ PS24-036) for Additions and Alterations to the Fairhope Stadium Press Box with a not-to-exceed amount of \$22,750.00.
31. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute a contract for Extension No. 2 of (Bid No. 23-003) Lease of Fairhope Soccer Concession Stand with Blast Soccer Club, Inc. per the terms and conditions of the original contract. The lease is \$417.00 per month paid to the City of Fairhope.
32. Resolution - That the City Council hereby approves the Homecoming Parade in Downtown Fairhope for Fairhope High School on Thursday, September 26, 2024, from 5:00 p.m. to 8:30 p.m. as well as the use of the Fairhope Beach Pavilion; and immediately following the parade for the bonfire pep rally. The route begins at the Fairhope Civic Center to Fairhope Avenue; right on Fairhope Avenue; then right to Pavilion. The City will provide for Public Safety.
33. Resolution - That TBT Fairhope, LLC d/b/a The Blind Tiger is authorized to place a 10 foot x 7 foot screened structure around an outdoor charcoal grill contiguous to the southwest corner of the leased premises to comply with Health Department mandates. The area in question is strictly limited to exterior grill food prep only and shall not be used for direct sale of food, merchandise sales, storage, or any other purpose. The structure shall comply with all building, fire, health department and other regulatory mandates. The limited screened in area is allowed by the Governing Body in consideration of ADA compliant ramps, emergency exits and other improvements provided to the leased premises by TBT Fairhope, LLC.
34. Appointment - Harbor Board
35. Public Participation – (3 minutes maximum)
36. Adjourn