

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, 9 September 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 Dr. Erick Hankins of First Baptist Church Fairhope and the Pledge of Allegiance was recited. Councilmember Conyers moved to approve minutes of the 26 August 2024, regular meeting; and minutes of the 26 August 2024, work session. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

City Clerk Lisa Hanks addressed the City Council and presented the following two proclamations:

- ❖ National Voter Registration Day Proclamation was read and given to Vice President of League of Women Voters Margaret Enfinger Pace; and
- ❖ Childhood Cancer Awareness Month Proclamation was read and given to Kim Suchan and Abbie Eubanks. City Clerk Hanks told everyone that Miss Abbie is a childhood cancer survivor thanks to St. Jude Children's Research Hospital.

Ms. Pace with League of Women Voters addressed the City Council and thanked them for the proclamation. She mentioned the last day to register to vote for the Presidential Election is October 21, 2024. Ms. Pace said you can register on the Alabama Secretary of State's website and it is easy to do.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Burrell introduced in writing an ordinance to rezone the property of Christopher Lieb from R-1, Low Density Single-Family Residential District to B-4, Business and Professional District. The property is approximately 0.69 acres and is located at 7671 Parker Road. PPINS #: 98380, 7684.

The Planning Commission gave a favorable recommendation of this ordinance. Council President Martin read the proposed ordinance.

Planning Director Hunter Simmons briefly explained the proposed ordinance.

9 September 2024

Council President Martin opened the Public Hearing at 6:20 p.m. Property owner Chris Lieb addressed the City Council and said the most you could put on this property is a 3,200 square foot building with parking behind it. No one present opposed the proposed ordinance, the Public Hearing closed at 6:22 p.m. Councilmember Burrell questioned density and if the City Council could put in the ordinance for a "Mandatory Site Plan Review." City Attorney McDowell stated he would have to check to see if this would need to be readvertised with this addition.

Due to lack of a motion for immediate consideration, this ordinance will layover until the September 23, 2024 City Council meeting.

Councilmember Burrell moved for final adoption of Ordinance No. 1811, 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. (Introduced at the August 26, 2024 City Council Meeting) Seconded by Councilmember Conyers, 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 Change Order No. 3 for (Bid No. 036-22) Pump Station and Force Main Maintenance - Phase II with a cost of \$241,715.00; and to award Change Order No. 3 to A-Long Boring, Inc. The new contract total will be \$5,125,025.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 5180-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Sherry Sullivan is hereby authorized to execute Change Order No. 3 for (Bid No. 036-22) Pump Station and Force Main Maintenance – Phase II with a cost of \$241,715.00; and to award Change Order No. 3 to A-Long Boring, Inc. The new contract total will be \$5,125,025.00.

ADOPTED ON THIS 9TH DAY OF SEPTEMBER, 2024



Corey Martin, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

9 September 2024

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution to Amend the FY2024 Budget for items that have been previously approved in Regularly Scheduled Council Meetings and as related thereto, are hereby adopted and the adjustments are to be recorded as budget transfers as noted in Resolution. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 5181-24

WHEREAS, the City Council adopted on September 25, 2023, a resolution approving and adopting the proposed Budget for the FY2023-2024, Resolution No. 4851-23; and

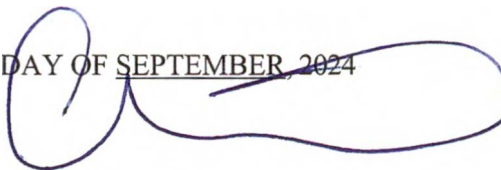
WHEREAS, the City of Fairhope is desirous to amend the Budget for items that have been previously approved in Regularly Scheduled Council Meetings and as related thereto, are hereby adopted and the adjustments are to be recorded as budget transfers as follows:

Account	Description	Debit	Credit
004010-50475	Water - Capital Improvement	\$61,564.75	
004010-40900	Transfer In Capital Purchases		\$61,564.75
001900-50940	Transfer Out - Water/Sewer	\$61,564.75	
001-40950	General - Interest Revenue		\$61 564.75
103-55940	Cap Project - Founders Track	\$7,069.00	
103-49810	Transfer - General		\$7,069.00
001900-50965	Transfer - Cap Project Fund	\$7,069.00	
001250-50475	Recreation - Capital Improv		\$7,069.00
103-55710	Capital Project - Pine St. Improvement	\$74,938.30	
103-55887	Capital Project - ADA Comp		\$74,938.30
002-50470	Gas - Purchases/Equip	\$75,000.00	
002-59500	Gas - Utility Sys Improvement		\$75,000.00
001900-50945	Transfer to Fed Grants Fund	\$1,186,365.11	
110-49810	Transfers from General Fund		\$1,186,365.11
001900-50965	Transfer – Cap Project Fund	\$2,131,000.00	
103-49810	Transfers from General Fund		\$2,131,000.00

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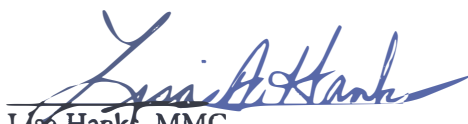
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope hereby amends the Budget for the FY2023-2024 as recommended and presented above; and authorizes the City Treasurer to make the necessary changes.

DULY ADOPTED THIS 9TH DAY OF SEPTEMBER, 2024



Corey Martin, Council President

Attest:



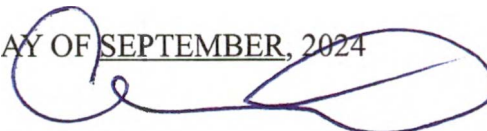
Lisa Hanks, MMC
City Clerk

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 an Indemnity Agreement between Oak Hollow Farm Inc. and the City of Fairhope for the City's Christmas Event for City Employees at the "Barn" on Friday, December 13, 2024, from 12:00 p.m. to 3:30 p.m. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 5182-24

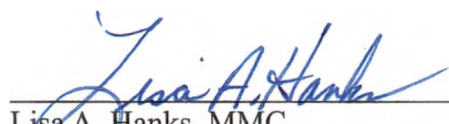
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Sherry Sullivan is hereby authorized to execute an Indemnity Agreement between Oak Hollow Farm Inc. and the City of Fairhope for the City's Christmas Event for City Employees at the "Barn" on Friday, December 13, 2024, from 12:00 p.m. to 3:30 p.m.

DULY ADOPTED THIS 9TH DAY OF SEPTEMBER, 2024



Corey Martin, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

9 September 2024

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution to Authorize Submission of Pre-Application for FY2025 Airport Improvement Program and Airport Infrastructure Grant Projects for H. L. "Sonny" Callahan Airport (KCQF); and any related forms or documents on behalf of the City of Fairhope by its Mayor. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 5183-24

A RESOLUTION TO AUTHORIZE SUBMISSION OF PRE-APPLICATION FOR FY2025 AIRPORT IMPROVEMENT PROGRAM AND AIRPORT INFRASTRUCTURE GRANT PROJECTS FOR H. L. "SONNY" CALLAHAN AIRPORT (KCQF)

WHEREAS, the City of Fairhope, Alabama, as the designated Sponsor for H. L. "Sonny" Callahan Airport (KCQF) intends to apply for Federal and State matching funds for Airport Improvement Program Project (AIP) Grants and ALDOT Maintenance Grants during fiscal year 2025; and

WHEREAS, the overall scope of the AIP and ALDOT grants is expected to include runway rehabilitation; runway lighting system replacement; pavement maintenance on the East Terminal ramp; and pavement maintenance on the Northwest apron, all at H. L. "Sonny" Callahan Airport (KCQF); and

WHEREAS, the submittal of the pre-application is necessary and required in order to pursue the grants, if awarded.

THEREFORE, BE IT RESOLVED, by the City Council of the City of Fairhope, Alabama as follows:

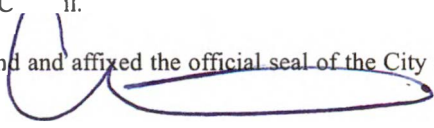
1. That the City of Fairhope is authorized to make pre-application for Federal assistance (FAA) and State assistance (ALDOT) for FY2025 projects at H. L. "Sonny" Callahan Airport, to include the following:

- a. Rehabilitate Runway 1/19 – FAA Airport Improvement Program (AIP);
- b. Replace Runway Lighting System and Guidance Signs – FAA Airport Improvement Program (AIP);
- c. Pavement Maintenance – East Terminal Ramp – ALDOT Pavement Maintenance Grant Program; and
- d. Pavement Maintenance – Northwest Apron – ALDOT Pavement Maintenance Grant Program.

2. That the pre-application be submitted for and on behalf of the City of Fairhope by its Mayor, as designated by the City Council, who is authorized by this Resolution to sign the pre-application and any related forms or documents on behalf of the City of Fairhope.

3. That the final grant agreement, if AIP and/or ALDOT funds are awarded based on the pre-application, shall remain subject to the approval of the City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Fairhope on this 9th day of September, 2024.



Corey Martin, Council President

ATTEST:



Lisa A. Hanks, MMC
City Clerk

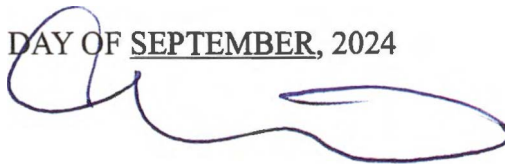
9 September 2024

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves an application submittal to the EDPA's SEEDS funding opportunity in the amount of \$1,000,000.00 for the Airport Industrial Park. The grant does require a 50/50 match. The City will utilize the \$3,000,000.00 HUD Community Project Funding grant as its match. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 5184-24

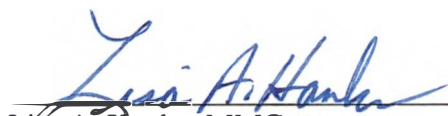
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves an application submittal to the EDPA's SEEDS funding opportunity in the amount of \$1,000,000.00 for the Airport Industrial Park. The grant does require a 50/50 match. The City will utilize the \$3,000,000.00 HUD Community Project Funding grant as its match.

DULY ADOPTED THIS 9TH DAY OF SEPTEMBER, 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 the City of Fairhope accepts Amendment No. 3 to Grant No.8 RDCGR010087-01-02 Restore Act Working Waterfront and Greenspace Restoration Project Agreement for additional grant funds from the U.S. Treasury in the amount of \$3,589,095.00; and that City Council authorizes Mayor Sherry Sullivan to sign the amended grant agreement on behalf of the City. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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RESOLUTION NO. 5185-24

**APPROVAL OF U.S. DEPARTMENT OF THE TREASURY NOTICE OF
AWARD FOR AMENDMENT NO. 3 FOR GRANT NO. 8 RDCGR010087-01-02
RESTORE ACT WORKING WATERFRONT AND
GREENSPACE RESTORATION PROJECT**

WHEREAS, the City of Fairhope was awarded a RESTORE Act Grant (#M1A14-FHWW) from the Alabama Department of Conservation and Natural Resources (ADCNR) on April 26, 2019 for Fairhope Municipal Pier and South Beach Park Improvements; and

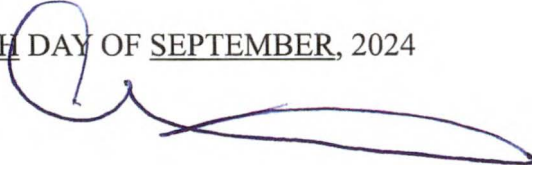
WHEREAS, ADCNR requested additional grant funds from U.S. Treasury in the amount of \$3,589,095.00 for the City to implement Phase II of the project that includes the bidding, contracting and construction, and construction inspection services; and

WHEREAS, U.S. Treasury issued a Notice of Award approving Amendment No. 3, on August 26, 2024 increasing the grant amount to \$9,249,829.00 and extending the period of performance to October 31, 2026. The total project cost is \$9,988,379.00 with the City covering \$1,186,365.00.

NOW, THEREFORE IT BE RESOLVED BY THE City of Fairhope, IN REGULAR SESSION ASSEMBLED, that the City accepts Amendment No. 3 to the Grant Agreement; and

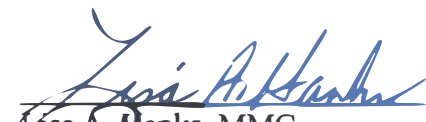
BE IT FURTHER RESOLVED BY THE City of Fairhope, that the Council authorizes the Mayor to sign the Amended Grant Agreement on behalf of the City.

DULY ADOPTED THIS 9TH DAY OF SEPTEMBER, 2024



Corey Martin, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

9 September 2024

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution to Award (Bid No. 24-062-2024-PWI-025) for Stacks Gully Slope Stabilization Project to Thomas H. Davis, III Construction Company, Inc. with a total bid proposal not-to-exceed \$186,883.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 5186-24

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 for Stacks Gully Slope Stabilization Project (Bid No. 24-062-2024-PWI-025) 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:

Thomas H. Davis, III Construction Company, Inc.	\$186,883.00
Blade Construction, LLC	\$553,580.00

[3] After evaluating the bids with required specifications, Thomas J. Davis, III Construction Company, Inc. is now awarded (Bid No. 24-062-2024-PWI-025) Stacks Gully Slope Stabilization Project for a bid proposal not-to-exceed \$186,883.00.

DULY ADOPTED THIS 9TH DAY OF SEPTEMBER, 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 the City Council approves the selection by Mayor Sherry Sullivan for Wolfe House Movers, LLC to conduct an on-site moving feasibility study for Tolstoy Park, a.k.a. The Henry Stuart House, Hermit House and allows the Mayor to execute a contract for a not-to-exceed cost of \$6,500.00. The motions was seconded by Councilmember Conyers.

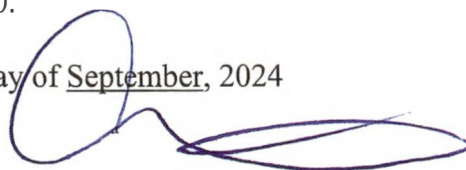
9 September 2024

Councilmember Boone said this will be paid out of citizens money. Councilmember Burrell stated this is a good compromise for the home. Sonny Brewer addressed the City Council and read an excerpt out of a Facebook page regarding this home. Mr. Brewer said that post has had 6,500 responses and 1,100 shares; commented that would be approximately 130,000 views. He thanked the City Council for allowing the feasibility study and help with this home. After further discussion, motion passed unanimously by voice vote.

RESOLUTION NO. 5187-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the selection of Wolfe House Movers, LLC for Consultant Services for Structure Moving Feasibility Study and Cost Proposal to move Tolstoy Park, a/k/a The Henry Stuart House – Hermit House; and hereby authorizes Mayor Sherry Sullivan to execute a Contract with a contract not-to-exceed amount of \$6,500.00.

Adopted on this 9th day of September, 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 to award (Bid No. 24-060-2024-PWI-002) to American Tennis Courts, Inc. for New Tennis & Pickleball Courts at Mike Ford Tennis Center with a bid proposal not-to-exceed \$600,745.95. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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9 September 2024

RESOLUTION NO. 5188-24

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 for New Tennis and Pickleball Courts at Mike Ford Tennis Center (Bid No. 24-060-2024-PWI-002) 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:

Harris Contracting Services	\$708,750.00
American Tennis Courts, Inc.	\$600,745.95
PL Russell, LLC	\$649,934.89

[3] After evaluating the bids with required specifications, American Tennis Courts, Inc. is now awarded (Bid No. 24-060-2024-PWI-002) New Tennis and Pickleball Courts at Mike Ford Tennis Center for a bid proposal not-to-exceed \$600,745.95.

DULY ADOPTED THIS 9TH DAY OF SEPTEMBER, 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 as amended and read, a resolution that the City Council adopts the following recommendation from the Recreation Board for Mike Ford Tennis Center and Quail Creek for Tournaments and School Play (other than Fairhope Middle and High School) subject to availability and staff approval with no rental fee deductions: To set a rental fee rate for the use of hard courts only at Mike Ford Tennis Center be set at \$100.00 per court for a total of 4 hours maximum; and \$50.00 per court for pickleball courts (including the pickleball courts at Quail Creek) for a total of 4 hours maximum. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

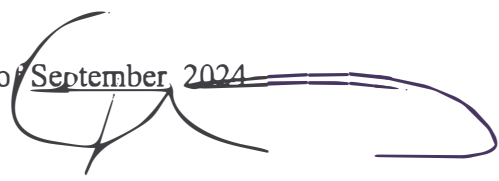
9 September 2024

RESOLUTION NO. 5189-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council adopts the following recommendation from the Recreation Board for Mike Ford Tennis Center and Quail Creek for Tournaments and School Play (other than Fairhope Middle and High School) subject to availability and staff approval with no rental fee reductions:

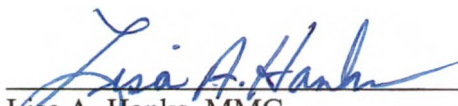
1. To set a rental fee rate for the use of hard courts only at Mike Ford Tennis Center be set at \$100.00 per court for a total of 4 hours maximum; and \$50.00 per court for pickleball courts (including the pickleball courts at Quail Creek) for a total of 4 hours maximum.

Adopted this 9th day of September, 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 as amended and read, a resolution that the City Council adopts the following recommendation from the Recreation Board for Fairhope Municipal Indoor Pool subject to availability and staff approval with no rental fee deductions: That the Eastern Shore Parents Aquatic Foundation, Inc. (SWAT) continue to utilize pool lane rental fees in the amount of \$1,200.00 per month; Individual indoor pool lane rental fees be \$25.00 per lane/per hour (this will include lane rental fees for Bayshore Christian School and St. Michael's Catholic School); and to allow Eastern Shore Masters Swim pay a total of \$250.00 per month for the use of 4 indoor pool lanes on Monday, Wednesday, and Friday from 5:30 a.m. to 7:00 a.m. only; and in turn, Eastern Shore Masters Swim will provide the City with documentation of 8 hours of in-kind services (swimming lessons) each month. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

9 September 2024

RESOLUTION NO. 5190-24

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council adopts the following recommendation from the Recreation Board for Fairhope Municipal Indoor Pool subject to availability and staff approval with no rental fee reductions:

1. That Eastern Shore Parents Aquatic Foundation, Inc. (SWAT) continue to utilize pool lane rental fees in the amount of \$1200.00 per month; and
2. Individual indoor pool lane rental fees be \$25.00 per lane/per hour (this will include lane rental fees for Bayshore Christian School and St. Michael's Catholic School); and
3. To allow Eastern Shore Masters Swim to pay a total of \$250.00 per month for the use of 4 indoor pool lanes on Monday, Wednesday, and Friday from 5:30 a.m. to 7:00 a.m. only; and Eastern Shore Masters Swim will provide the City with documentation of 8 hours of in-kind services (swimming lessons) each month.

Adopted this 9th day of September, 2024

Corey Martin, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson moved to appoint Mike Baugh and Mary Lee Matzenger to the Recreation Board for a five-year term which will expire September 2029. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Burrell moved to appoint the following individuals to the Historic Preservation Commission with staggered terms: Mara Kozelsky, Dannie Mixon, and Amy Molyneux for a three-year term which will expire September 2027; Susan Stein and Harvey "Skip" Jones for a two-year term which will expire September 2026; and Ginger Golson and Gary Gover for a one-year term which will expire September 2025. The motion was seconded by Councilmember Boone.

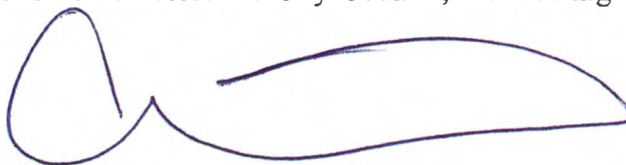
9 September 2024

Councilmember Robinson said we received many qualified applicants; and hopefully with the one-year terms we can cycle some of the other applicants. After further discussion, motion passed unanimously by voice vote.

Councilmember Robinson moved to grant the request of Celeste Rivenbark, Executive Director of Fairhope Educational Enrichment Foundation (FEEF) requesting to serve beer and alcohol on Friday, September 27, 2024, for FEEF's Inaugural Tennis Tournament to be held at the Mike Ford Tennis Center at 600 Morphy Avenue. The event will begin at 8:00 a.m. and will conclude at 1:00 p.m. These beverages will be available in accordance with Alabama Alcohol Beverage Control guidelines. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

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 6:54 p.m.

A handwritten signature in blue ink, appearing to read 'Corey Martin', written over a horizontal line.

Corey Martin, Council President

A handwritten signature in blue ink, appearing to read 'Lisa A. Hanks', written over a horizontal line.
Lisa A. Hanks, MMC
City Clerk