

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, 22 June 2020.

Present were Council President Jack Burrell, Councilmembers: Jay Robinson, Jimmy Conyers, Robert Brown, and Kevin Boone, Mayor Karin Wilson, City Attorney Marcus E. McDowell, and City Clerk Lisa A. Hanks.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Councilmember Jimmy Conyers and the Pledge of Allegiance was recited. Councilmember Conyers moved to approve minutes of the 8 June 2020, regular meeting; minutes of the 8 June 2020, work session; and minutes of the 8 June 2020, agenda meeting. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Mayor Wilson addressed the City Council with the following report:

The Working Waterfront Project is a Once in a Lifetime Opportunity for which citizen engagement is paramount.

We hear you and want to assure citizens that you will be a part of refinements and additional input until the vision and mission is adopted by our community. The goal from the beginning and continues to be community- engaged plan to ensure this iconic park is enhanced and protected for generations to come. And we are still in the conceptual phase.

I ask everyone to please take the time to get the facts.

My administration has always been forthcoming, open, and available. The idea that something is being push a project forward that has been communicated since early 2017 without anyone's knowledge is patently false. It has been unfortunate and frustrating for us all to endure.

We want Council to be involved. While they elected Councilman Conyers to the steering committee, meetings were scheduled in April. Because of COVID, our initial council touch-bases had to be Zoom meetings. I appreciate you Councilman Brown for participating and Councilman Boone for trying to call in – had some technical issues.

An email was sent to all council on 4/6 with the presentation and other material as an update.

An additional follow up email reminder of the presentation for the work session was sent 4/23 to review to answer any questions ahead of the 4/27 council work session.

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I would much rather you, council, voice your concerns during these opportunities than to wait months and start pushing to throw the baby out with the bathwater.

To our community - please remember there is an election in two months. The things that have been accomplished this term will be transformative for our City and utilities long-term. Much of the hard work accomplished over the last 4 years is unfolding over the next two years.

- After taking a city budget running a \$6 Million annual deficit, requiring over 50% of utility profits to budget, to a fiscally self-sustaining state in three years. In addition, we paid off City debt in full in June 2019.
- Fully upgrading & funded Wastewater, Water, Electric and Gas - (5-year plan over & two years in process)
- In two short years, the city can institute a PILOT fee from our utilities to us MILLIONS of dollars annually for community development and capital projects based on taxpayers' priorities.
- Repaired long-neglected facility maintenance because we simply could not afford it before. All without borrowing money.
- Brought about leadership for responsible growth – citizen's #1 concern – with collaborative process that starts with developers in the very beginning. Strictly enforcing sewer standards and other critical regulatory measures.
- Obtained funding for \$650k for a new Comprehensive Land-Use plan that ties in all city services, UTILITY INFRASTRUCTURE, traffic, pedestrian circulation, impact on schools, public amenities and assets, environmental impacts and smart growth objectives which will serve as a true roadmap for our future. It starts THIS SUMMER.

Although the last week has been extremely negative, I choose to look at this as a GREAT opportunity to use this momentum to come together as a community, discuss what we love - come with an open mind on ways to improve in a positive manner the very best plan to serve our community and protect this iconic park for generations to come.

The money funding four projects totaling \$18M is not coming from the City, Utilities, or the taxpayer. All four are being paid 100% through RESTORE funds and can only be used for this purpose.

Most of the \$18M awarded will be used for sewer system rehabilitation and a plan to prevent SSO's along the Eastern Shore to improving the health of our Bay.

The process to fully upgrade the sewer system started the month I took office in Nov 2016.

22 June 2020

Our team has spent a great deal of time getting out the facts and we will continue to do so. Please look for a mailer to ensure every household gets the facts, how to play an active role in every step of the future.

I hope council will also work with the team.

Our future must include everyone's voice and my goal has always been to make sure big decisions ARE NOT BEING MADE WITHOUT YOU.

Any further negativity, knowing that this is going to be re-engaged should be viewed as the rhetoric it is.

The following individual spoke during Public Participation for Agenda Items:

- 1) Casi Callaway with Mobile Baykeeper, addressed the City Council regarding Agenda Item Number 16, requesting permission to change the dates for the 2020 Publix Grandman Triathlon, due to COVID-19 Pandemic, to September 25, 2020 through September 27, 2020. This request was approved on January 27, 2020 to block streets and the use of the Park on South end of Pier, North Beach Road, Bayfront Park (pier), and Fountain area. The Grandman Triathlon would be held on September 26, 2020 and the Jubilee Kids' Triathlon will be held on September 27, 2020. All requested closures, uses and permissions were previously approved.

Councilmember Robinson commented it was two months before the next election and cautioned the City Council and Mayor about campaigning in these meetings.

Councilmember Conyers mentioned that David Barr and a few Boy Scouts were here for the City Council meeting.

Councilmember Boone commented there are several sewer infrastructure items on the agenda; and said we are being proactive to prevent SSOs.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope hereby amends the AIP Grant Oversight Procedures as presented by the Fairhope Airport Authority by changing all places having Treasury Assistant to City Treasurer. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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RESOLUTION NO. 3737-20

WHEREAS, the City of Fairhope is the grantee, on behalf of the Fairhope Airport Authority, for AIP grants through the Federal Aviation Administration; and

WHEREAS, the Fairhope Airport Authority has adopted the attached AIP Grant Oversight Procedures; and

WHEREAS, the City of Fairhope adopted the AIP Grant Oversight Procedures on November 26, 2018 vis Resolution No. 3235-18; and

WHEREAS, there is a need to amend these Procedures by changing all places having Treasury Assistant to City Treasurer.


NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, the City of Fairhope hereby amends the AIP Grant Oversight Procedures as presented by the Fairhope Airport Authority.

DULY ADOPTED THIS 22ND DAY OF JUNE, 2020



Karin Wilson, Mayor

Attest



Lisa A. Hanks, MMC
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute Amendment No. 1 to the Contract for Professional Engineering Services to perform Survey, Design, ROW, Utility, Traffic and Geotech Services at the Intersection of Twin Beech and U. S. 98 (ATRIP-II funds pursuant to the Rebuild Alabama Act), to extend the proposed turn lane beyond the original ending point and continue to Pirate Drive, at a cost of the amendment not to exceed \$21,024.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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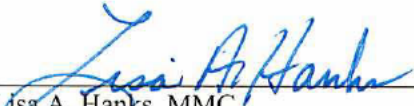
RESOLUTION NO. 3738-20

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to execute Amendment No. 1 to the Contract for Professional Engineering Services to perform Survey, Design, ROW, Utility, Traffic and Geotech Services at the Intersection of Twin Beech and U. S. 98 (ATRIP-II funds pursuant to the Rebuild Alabama Act), to extend the proposed turn lane beyond the original ending point and continue to Pirate Drive, at a cost of the amendment not to exceed \$21,024.00.

DULY ADOPTED THIS 22ND DAY OF JUNE, 2020


 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute Amendment No. 3 to the Contract for On-Call Professional Engineering Services for the Electric Department with Stewart Engineering, Inc. (RFQ No. PS036-17), and hereby authorizes Mayor Karin Wilson to execute the associated contract with a not to exceed amount limit of \$5,000.00. Seconded by Councilmember Brown, motion passed unanimously by voice vote.


RESOLUTION NO. 3739-20

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Karin Wilson is hereby authorized to execute Amendment No. 3 to the Contract for On-Call Professional Engineering Services for the Electric Department with Stewart Engineering, Inc. (RFQ No. PS036-17), and hereby authorizes Mayor Karin Wilson to execute the associated contract with a not to exceed amount limit of \$5,000.00.

DULY ADOPTED THIS 22ND DAY OF JUNE, 2020


 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

22 June 2020

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution to Award RFP for the City's Health Insurance Broker Services to Cobbs-Allen & Hall, Inc.; and hereby authorizes Mayor Karin Wilson and/or the City Treasurer to execute a contract based on the fee schedule found on page 37 in the attached Proposal. Seconded by Councilmember Brown, motion passed unanimously by voice vote.


RESOLUTION NO. 3740-20

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

[1] That the City of Fairhope did request and receive RFPs for the City's Health Insurance Broker Services (RFP 002-20).

[2] After evaluating the RFP responses with the required specifications, Cobbs-Allen & Hall, Inc. is now awarded the RFP for the City's Health Insurance Broker Services; and hereby authorizes Mayor Karin Wilson and/or the City Treasurer to execute a contract based on the fee schedule found on page 37 in the attached Proposal.

DULY ADPOTED ON THIS 22ND DAY OF JUNE, 2020



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute Change Order No. 1 to Bid Number 014-19, Fels Avenue Lift Station Rehabilitation to rectify final quantities for a deductive change order in the amount of (\$3,972.25); and award of the Change Order to Cunningham Delaney Construction, LLC. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

22 June 2020

RESOLUTION NO. 3741-20

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Karin Wilson is hereby authorized to execute Change Order No. 1 to Bid Number 014-19, Fels Avenue Lift Station Rehabilitation to rectify final quantities for a deductive change order in the amount of (\$3,972.25); and award of the Change Order to Cunningham Delaney Construction, LLC.

Adopted on this 22nd day of June, 2020


 Karin Wilson, Mayor

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 approves the procurement of additional Zinc Orthophosphate for the Water Department for the water treatment system due to an increase in water pumping demand for a cost of \$5,755.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 3742-20

WHEREAS, the City Council adopted Resolution No. 3443-19 on June 24, 2019 approving the Extension No. 2 for Zinc Orthophosphate and TKKP Chemicals for the Water Department; and

WHEREAS, the Water Department needs to procure additional Zinc Orthophosphate for the water treatment system due to an increase in water pumping demand for a cost of \$5,755.00.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the procurement of additional Zinc Orthophosphate for the Water Department for the water treatment system due to an increase in water pumping demand for a cost of \$5,755.00.

Adopted on this 22nd day of June, 2020


 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

22 June 2020

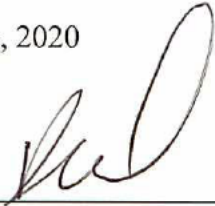
Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution That the City of Fairhope has voted to procure 7,800 Strings of Outdoor LED Lights; and the items are available for direct procurement through the OMNIA Partners Contract which has been nationally bid; and therefore, does not have to be let out for bid. The cost will be \$76,050.00. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

RESOLUTION NO. 3743-20

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

[1] That the City of Fairhope has voted to procure 7,800 Strings of Outdoor LED Lights; and the items are available for direct procurement through the OMNIA Partners Contract which has been nationally bid; and therefore, does not have to be let out for bid. The cost will be \$76,050.00.

Adopted on this 22nd day of June, 2020



Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase SCADA System Annual Software Support/Maintenance Agreement for the Electric, Gas, Water, and Sewer Departments, from Survalent Technology as Sole Source Distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13): "Contractual services and purchases of commodities for which there is only one vendor or supplier and contractual services and purchases of personal property which by their very nature are impossible to award by competitive bidding." The cost will be \$22,280.00. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

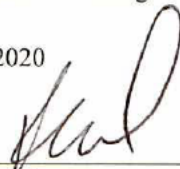
22 June 2020

RESOLUTION NO. 3744-20

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

[1] That the City of Fairhope has voted to purchase SCADA System Annual Software Support/Maintenance Agreement for the Electric, Gas, Water, and Sewer Departments, from Survalent Technology as Sole Source Distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13): "Contractual services and purchases of commodities for which there is only one vendor or supplier and contractual services and purchases of personal property which by their very nature are impossible to award by competitive bidding." The cost will be \$22,280.00.

Adopted on this 22nd day of June, 2020



 Karin Wilson, Mayor

Attest:



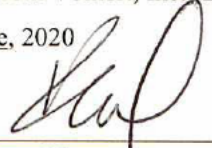
 Lisa A. Hanks, MMC
 City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute Amendment No. 1 to the contract for Extension No. 2 of Bid No. 027-17, Cured-In-Place Pipe (CIPP) for Sanitary Sewer Mains by extending the time to complete the contract to January 31, 2020 which expired on December 31, 2019. The explanation for the extension is included in the letter from Volkert, Inc. (Exhibit A). Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 3745-20

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to execute Amendment No. 1 to the contract for Extension No. 2 of Bid No. 027-17, Cured-In-Place Pipe (CIPP) for Sanitary Sewer Mains by extending the time to complete the contract to January 31, 2020 which expired on December 31, 2019. The explanation for the extension is included in the letter from Volkert, Inc. (Exhibit A).

Adopted on this 22nd day of June, 2020



 Karin Wilson, Mayor

Attest:



 Lisa A. Hanks, MMC
 City Clerk

22 June 2020

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to procure an Additional 2,000 Gallon Tank at the Fairhope Docks for Diesel Fuel for the Recreation Department; and the item is available for direct procurement through the NJPA/Sourcewell Purchasing Co-op which has been nationally bid; and therefore, does not have to be let out for bid. The total cost will be \$15,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 3746-20

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

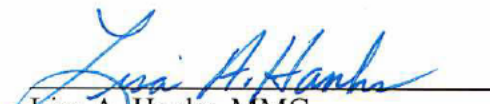
[1] That the City of Fairhope has voted to procure an Additional 2,000 Gallon Tank at the Fairhope Docks for Diesel Fuel for the Recreation Department; and the item is available for direct procurement through the NJPA/Sourcewell Purchasing Co-op which has been nationally bid; and therefore, does not have to be let out for bid. The total cost will be \$15,000.00.

Adopted on this 22nd day of June, 2020



Karin Wilson, Mayor

Attest:



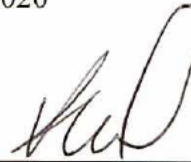
Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute Extension No. 1 of the Contract with W. R. Mitchell Contractor, Inc. for Sewer Main Point Repair and By-Pass Connections (Bid Number 009-19) for an additional one year as per the terms and conditions of the original contract with a total annual cost of \$250,000.00 per year (total bid proposal not-to-exceed \$1,185,500.00). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

22 June 2020

RESOLUTION NO. 3747-20

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to execute Extension No. 1 of the Contract with W. R. Mitchell Contractor, Inc. for Sewer Main Point Repair and By-Pass Connections (Bid Number 009-19) for an additional one year as per the terms and conditions of the original contract with a total annual cost of \$250,000.00 per year (total bid proposal not-to-exceed \$1,185,500.00).

Adopted on this 22nd day of June, 2020_____
Karin Wilson, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Boone moved to grant the request of Casi Callaway, Mobile Baykeeper, requesting permission to change the dates for the 2020 Publix Grandman Triathlon, due to COVID-19 Pandemic, to September 25, 2020 through September 27, 2020. This request was approved on January 27, 2020 to block streets and the use of the Park on South end of Pier, North Beach Road, Bayfront Park (pier), and Fountain area. The Grandman Triathlon would be held on September 26, 2020 and the Jubilee Kids' Triathlon will be held on September 27, 2020. All requested closures, uses and permissions were previously approved. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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

- 1) David Castleman addressed the City Council regarding the Fourth of July Event and asked the City Council to reconsider. He said Dr. Scott Harris is alarmed at skepticism. Mr. Castleman questioned face masks in public. He said the festival is sending a message that you do not care about citizens or visitors. Mr. Castleman said Gulf Shores cancelled their event. He commented COVID-19 Protocol must be followed: six feet apart, social distancing, wearing face masks, and wash hands. Mr. Castleman said COVID-19 cases are still rising.

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- 2) Catherine King, 503 Dyson, addressed the Mayor and staff regarding the Working Waterfront Project; but concerned about changes to the bluff and slope of the bluff. She asked for everyone to get involved.
- 3) Boy Scouts from Troop 47 addressed the City Council and announced their names. They were in attendance for their Merit Badge requirement.

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 Section 36-25A-7(a)(3) to discuss pending litigation and possible settlement options regarding said pending litigation. The approximate time to be in Executive Session is 45 minutes. Councilmember Brown moved to go into Executive Session. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Exited the dais at 6:35 p.m. Returned at 7:19 p.m.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 7:20 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk