

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, 11 January 2021.

Present were Council President Jack Burrell, Councilmembers: Jimmy Conyers, Robert Brown, and Kevin Boone (via teleconference), Mayor Sherry Sullivan, City Attorney Marcus E. McDowell, and City Clerk Lisa A. Hanks. Councilmember Corey Martin was absent.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Councilmember Robert Brown and the Pledge of Allegiance was recited.

Council President Burrell announced that one or more of the Councilmembers will be attending the meeting via telephone or videoconference; and that these are matters coming before the body that are “necessary to perform essential minimum functions of the governmental body.”

Councilmember Conyers moved to approve minutes of the 23 December 2020, regular meeting. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council regarding the following items:

- 1) Budget meetings began today;
- 2) Auburn Study – job descriptions arrived;
- 3) Comp Study is the next phase of Phase I;
- 4) Traffic Studies will be done in February;
- 5) Auditors will report at end of the month;
- 6) AS400 is back online;
- 7) Working on telephone system because Customer Service is number 1

Council President Burrell said Happy New Year to everyone.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Conyers introduced in writing an ordinance to amend Article VII, Section D. Non-Conforming Lots. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance.

Planning and Zoning Manager Hunter Simmons briefly explained the proposed ordinance.

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Council President Burrell opened the Public Hearing at 6:09 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:10 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the January 25, 2021 City Council meeting.

Councilmember Conyers moved to approve the 2021 Regular City Council Meetings. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that Haymes Snedeker is hereby appointed as Municipal Judge. The term of the Municipal Judge shall serve a two-year term (January 1, 2021 through January 1, 2023) and until a successor is elected by the council and qualified. Section 12-14-30, Code of Alabama, 1975. Seconded by Councilmember Conyers, motion passed unanimously by voice vote. Council President Burrell commented Haymes Snedeker has been Municipal Judge for 14 years.

RESOLUTION NO. 3938-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that **HAYMES SNEDEKER** is hereby appointed as Municipal Judge. The term of the Municipal Judge shall serve a two-year term (January 1, 2021 – January 1, 2023) and until a successor is elected by the council and qualified. Section 12-14-30, Code of Alabama, 1975.

ADOPTED 11TH DAY OF JANUARY, 2021



Jack Burrell, Council President

ATTEST:



Lisa A. Hanks, MMC
City Clerk

The Honorable Jody W. Bishop, Circuit Judge, 28th Judicial Circuit of the State of Alabama, then gave the Oath of Office to Haymes Snedeker as Municipal Judge. (A Signed Oath of Office is inserted at end of these minutes.)

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Judge Haymes Snedeker addressed the City Council and thanked them for allowing him to serve as the City's Municipal Judge. He thanked his support staff of Betty Starks, Teresa Moyer, Berry McKelvain, and City Prosecutor Marcus McDowell who are the main part and is a team effort.

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 Extension No. 2 with the Government & Economic Development Institute with Auburn University for First Phase of the Auburn Personnel System Project. Due to administrative and personnel changes with the primary participants of the project that necessitate a modification to the AU Fixed Price Technical Assistance Agreement and other issues listed in their letter of request, the new completion date will be May 31, 2021. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

RESOLUTION NO. 3939-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Sherry Sullivan is hereby authorized to execute Extension No. 2 with the Government & Economic Development Institute (GEDI) with Auburn University for First Phase of the Auburn Personnel System Project which includes updating all job descriptions, grades, making them compliant with Federal Law and more. The completion was scheduled for September 30, 2020, and then extended to December 18, 2020 for additional organizational information and modifications.

Due to administrative and personnel changes with the primary participants of the project that necessitate a modification to the AU Fixed Price Technical Assistance Agreement and other issues listed in their letter of request, the new completion date will be May 31, 2021.

DULY ADOPTED THIS 11TH DAY OF JANUARY, 2021


 Jack Burrell, Council President

Attest:


 Lisa A. Hanks, MMC
 City Clerk

11 January 2021

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope hereby terminates the contract titled Second Phase of the Auburn Personnel System Project for the Strategic and Organizational Planning Study between the City of Fairhope and Government and Economic Development Institute (GEDI) with Auburn University pursuant for Termination for Convenience; and the project was to begin July 1, 2020 and be completed on June 20, 2021; and authorizes Mayor Sullivan to sign the necessary paperwork for said termination. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 3940-21

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

1] That on August 15, 2020 the City of Fairhope entered into a contract with Government and Economic Development Institute (GEDI) with Auburn University for the Second Phase of the Auburn Personnel System Project for the Strategic and Organizational Planning Study.

[2] That the City of Fairhope hereby terminates the contract titled Second Phase of the Auburn Personnel System Project for the Strategic and Organizational Planning Study between the City of Fairhope and Government and Economic Development Institute (GEDI) with Auburn University pursuant for Termination for Convenience; and the project was to begin July 1, 2020 and be completed on June 20, 2021; and authorizes Mayor Sullivan to sign the necessary paperwork for said termination.

Adopted on this 11th day of January, 2021


Jack Burrell, Council President

Attest:


Lisa A. Harks, MMC
City Clerk

11 January 2021

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby approves and authorizes Mayor Sherry Sullivan to execute an Amendment to the Intergovernmental Services Agreement between the Baldwin County Commission and the City of Fairhope related to RFQ PS007-18 (Professional Architecture Services for Landscape and Design of a New Transit HUB–FTA-ESMPO) which allocates additional 5307 funds and an additional local match; and amends name of the County contact and the City of Fairhope’s Mayor. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 3941-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby approves and authorizes Mayor Sherry Sullivan to execute an Amendment to the Intergovernmental Services Agreement between the Baldwin County Commission and the City of Fairhope related to RFQ PS007-18 (Professional Architecture Services for Landscape and Design of a New Transit HUB – FTA- ESMPO) which allocates additional 5307 funds and an additional local match; and amends name of the County contact and the City of Fairhope’s Mayor.

Adopted on this 11th day of January, 2021


Jack Burrell, 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 agrees to contribute the required twenty percent (20%) local match for the Downtown Fairhope Transit Shelter (Project); and to amend PS007-18 for Professional Architect Services for Landscape and Design of a New Transit HUB FTA-ESMPO 5307 in the amount of \$98,675.00. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

11 January 2021

RESOLUTION NO. 3942-21

WHEREAS, on July 24, 2019, the Eastern Shore Metropolitan Planning Organization (“MPO”) adopted and approved Resolution 2019-21 authorizing additional 5307 funds in the amount of \$533,750.00 in federal funder for the “Downtown Fairhope Transit Shelter (“Project”); and

WHEREAS, the City of Fairhope (“City”) has agreed to contribute an additional \$106,750.00 for the 20% local match; and

WHEREAS, there is a need to amend RFQ PS007-18 for Professional Architect Services for Landscape and Design of the New Transit HUB Christian Preus Landscape to increase the Architecture contract to \$98,675.00.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that the City Council agrees to contribute the required twenty percent (20%) local match for the Downtown Fairhope Transit Shelter (Project); and to amend PS007-18 for Professional Architect Services for Landscape and Design of a New Transit HUB FTA-ESMPO 5307 in the amount of \$98,675.00.

ADOPTED THIS 11TH DAY OF JANUARY, 2021


 Jack Burrell, Council President

ATTEST:


 Lisa A. Hanks, MMC
 City Clerk

Councilmember Brown 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 Volkert, Inc. to perform Professional Engineering and C&E Services for the Installation of UV SIGNA Disinfecting at the Wastewater Treatment Plant (RFQ No. PS002-21) with a not-to-exceed amount of \$65,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

11 January 2021

RESOLUTION NO. 3943-21

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 Volkert, Inc. to perform Professional Engineering and C&E Services for the Installation of UV SIGNA Disinfecting at the Wastewater Treatment Plant (RFQ No. PS002-21) with a not-to-exceed amount of \$65,000.00.

DULY ADOPTED THIS 11TH DAY OF JANUARY, 2021


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to approve the negotiated fee for Masonry and Concrete Work for Alterations at Fairhope Municipal Stadium (ADA Compliance) for the Recreation Department (Bid Number 034-20); and authorizes the Mayor to execute a contract with Kahlbau Construction, LLC for a not-to-exceed amount of \$138,504.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 3944-21

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

[1] That the City of Fairhope has voted to approve the negotiated fee for Masonry and Concrete Work for Alterations at Fairhope Municipal Stadium (ADA Compliance) for the Recreation Department (Bid Number 034-20); and authorizes the Mayor to execute a contract with Kahlbau Construction, LLC for a not-to-exceed amount of \$138,504.00.

Adopted on this 11th day of January, 2021


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

11 January 2021

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves Amendment No. 1 to the Contract with Engineering Design Technologies, Inc. for Professional Engineering Services to extend the time for Federal and Alabama Department of Transportation ADA Street Compliance; and authorizes Mayor Sherry Sullivan to execute Amendment No. 1 to the Contract with a cost of \$6,600.00 plus training cost of \$150.00 per hour as needed. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

RESOLUTION NO. 3945-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves Amendment No. 1 to the Contract with Engineering Design Technologies, Inc. for Professional Engineering Services to extend the time for Federal and Alabama Department of Transportation ADA Street Compliance; and authorizes Mayor Sherry Sullivan to execute Amendment No. 1 to the Contract with a cost of \$6,600.00 plus training cost of \$150.00 per hour as needed.

Adopted on this 11th day of January, 2021


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution to award the Replacement and Repair of the Salt Pump Systems and Lights in the Mullet Run Fountain at the Fairhope Museum of History to Classic Pools and Patio Center with a total unbudgeted cost of \$5,626.02. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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11 January 2021

RESOLUTION NO. 3946-21

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

[1] That the City of Fairhope did request and solicit Quotes for Replace and Repair the Salt Pump Systems and Lights in the Mullet Run Fountain at the Fairhope Museum of History.

[2] After evaluating the Quotes with the required specifications, Classic Pools and Patio Center is now awarded the Replace and Repair the Salt Pump Systems and Lights in the Mullet Run Fountain at the Fairhope Museum of History with a total cost of \$5,626.02 which is unbudgeted.

Adopted on this 11th day of January, 2021


Jack Burrell, 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 Mayor Sherry Sullivan is hereby authorized to execute a contract with Jade Consulting, LLC to perform Topographic Survey Services at Volanta Park for the Recreation Department with a not-to-exceed amount of \$33,925.00. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

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11 January 2021

RESOLUTION NO. 3947-21

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 Jade Consulting, LLC to perform Topographic Survey Services at Volanta Park for the Recreation Department with a not-to-exceed amount of \$33,925.00.

DULY ADOPTED THIS 11TH DAY OF JANUARY, 2021


Jack Burrell, 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 the Replaster of Pool at Recreation Center to Riviera Pools with a total proposal cost of \$49,480.00 (Informal Quote for Bid No. 001-21. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

RESOLUTION NO. 3948-21

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 Informal Quotes for Bid No. 001-21 Replaster Pool at Recreation Center.

[2] After evaluating the Informal Quotes with the required specifications, Riviera Pools is now awarded the Replaster Pool at the Recreation Center with a total proposal cost of \$49,480.00.

DULY ADPOTED ON THIS 11TH DAY OF JANUARY, 2021


Jack Burrell, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

11 January 2021

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)(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; and Section 36-25A-7(a)(3) to discuss pending and potential litigation. The approximate time to be in Executive Session is 30 minutes. Councilmember Conyers moved to go into Executive Session. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

Exited the dais at 6:25 p.m. Returned at 6:51 p.m.

Council President Burrell stated there was a need to add on two agenda items after Agenda Item Number 18: two resolutions authorizing Hand Arendall to handle a land donation and RSA agreement pertaining to a "side stream storage" facility.

Councilmember Brown moved to add on the above-mentioned items not on the printed agenda. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes Hand Arendall Harrison Sale, LLC to negotiate the Agreement with regard to the land donation to the City of Fairhope by Wal-Mart. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 3949-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council authorizes Hand Arendall Harrison Sale, LLC to negotiate the Agreement with regard to the land donation to the City of Fairhope by Wal-Mart.

Adopted on this 11th day of January, 2021


Jack Burrell, Council President

Attest:

Lisa A. Hanks, MMC
City Clerk

11 January 2021

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes Hand Arendall Harrison Sale, LLC to engage in further negotiations with RSA regarding the Agreement dated January 28, 2020 pertaining to a "side stream storage" facility. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 3950-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council authorizes Hand Arendall Harrison Sale, LLC to engage in further negotiations with RSA regarding the Agreement dated January 28, 2020 pertaining to a "side stream storage" facility.

Adopted on this 11th day of January, 2021


Jack Burrell, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Conyers moved to adjourn the meeting. Seconded by Councilmember Brown, 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.


Jack Burrell, Council President


Lisa A. Hanks, MMC
City Clerk

11 January 2021

OATH OF OFFICE

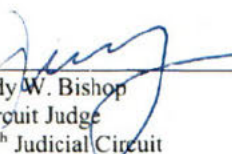
MUNICIPAL JUDGE

STATE OF ALABAMA)	
	:	
COUNTY OF BALDWIN)	
	:	
CITY OF FAIRHOPE))

I, **HAYMES SNEDEKER**, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office of Municipal Judge upon which I am about to enter, to the best of my ability, so help me God.

(Signed) 
 Haymes Snedeker

Sworn to and subscribed before me this 11th Day of January, 2021.

(Signed) 
 Jody W. Bishop
 Circuit Judge
 28th Judicial Circuit
 State of Alabama