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, 28 June 2021.

Present were Council President Jack Burrell, Councilmembers: Corey Martin, 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 Burrell called the meeting to order. Council President Burrell announced that the meeting scheduled for July 8, 2021 was being moved back to Monday, July 12, 2021 at 6:00 p.m. due to an Electric Cities Conference and no Councilmembers are going this year. City Clerk Lisa Hanks verified everything was in order for the change of date for the meeting.

The invocation was given by Councilmember Corey Martin and the Pledge of Allegiance was recited.

Council President Burrell stated there was a need to add on an agenda item after Agenda Item Number 25: a resolution that the City Council of the City of Fairhope, Alabama, approves the selection of the International Code Council to perform construction plan review of the proposed USA Mapp Family Campus Medical Office Building.

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

Councilmember Conyers moved to approve minutes of the 14 June 2021, regular meeting; minutes of the 14 June 2021, work session; and minutes of the 14 June 2021, agenda meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council and reminded everyone of the Fourth of July Celebration at the pier with the Baldwin Pops playing at 7:30 p.m. and the fireworks at 9:00 p.m. She mentioned the Movie in the Park on July 8, 2021; the first Comp Plan kick off meeting; and Judy Garrick retirement. Mayor Sullivan said she was really going to miss Judy and her institutional knowledge.

Councilmember Martin congratulated Mississippi State fans for being in the College World Series and going to the Championship game for the second time; and said, "Hail State!" He congratulated the Mapp Family for their philanthropic service to our Community and bringing the University of South Alabama and specialist for Pediatrics and Geriatrics; and the academia will be good for Fairhope and Baldwin County.

Councilmember Conyers congratulated Mississippi State and Vanderbilt for both being in the College World Series.

Councilmember Robinson congratulated all of the Recreation Fairhope Baseball Teams. He stated there were multiple teams in the State Tournament; and he would like to bring the teams at a later date to be recognized at a Council meeting.

Councilmember Boone told everyone to be careful on the Fourth of July and to be smart.

Council President Burrell said, "Hail State!" He mentioned several players on the Mississippi State team from our area: Tanner Allen (SEC Player of the Year), Logan Tanner, and Brad Cumbest. Council President Burrell gave another "Hail State."

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Boone introduced in writing an ordinance to rezone the property of Donna Dowsey, Penny Odom, and Sandra Lee from R-1 Low Density Single Family Residential District to HTD Highway Transitional District. The property generally located at 520 N. Greeno Road, Fairhope, Alabama. PPIN Number: 3193. 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.

Council President Burrell opened the Public Hearing at 6:15 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:15 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the July 12, 2021 City Council meeting.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Robinson introduced in writing an ordinance to rezone the property of FSTC Wise Properties-TN, LLC from B-4 Business and Professional District to B-2 General Business District. The property generally located at the Northeast corner of Bancroft Street and Pine Avenue intersection, Fairhope, Alabama. PPIN Number: 386620.

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.

Council President Burrell opened the Public Hearing at 6:19 p.m.

 Larry Smith, Engineer for applicant, addressed the City Council and mentioned the B-4 setback issues and is not exempted. He said the applicant wants to rezone to B-2 which is the intent of the Zoning Ordinance. Mr. Smith asked the City Council to not approve with the conditions. Council President Burrell questioned the setback lines. Mr. Smith said B-2 will allow for lot line to lot line.

No one present opposed the proposed ordinance, the Public Hearing closed at 6:25 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the July 12, 2021 City Council meeting.

Councilmember Martin moved for final adoption of Ordinance No. 1713, an ordinance to amend Zoning Ordinance No. 1253 and zone the property of Roberta U. Harris, Stephen J. Urbanek, and Margaret U. Dunnam to Planned Unit Development (PUD) concurrent with annexation into the City of Fairhope with the conditions recommended by the Planning Commission. The property generally located southeast corner of the intersection of County Road 48 and Blueberry Lane, Fairhope, Alabama. PPIN Number: 43640. The property to be known as Overland PUD. (Introduced at the June 14, 2021 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 Boone moved for final adoption of Ordinance No. <u>1714</u>, an Ordinance of the City of Fairhope repealing and replacing Section 21-21, Code of Ordinances, by the adoption of the following Electric Rates for all Customers of the City. (Introduced at the June 14, 2021 City Council Meeting) Introduced at the 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 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. Due to lack of a motion for immediate consideration, this ordinance will layover until the July 12, 2021 City Council meeting.

Councilmember Conyers introduced in writing an ordinance to annex the James R. Becker, Margaret G. Becker, and Fairhope Single Tax Corporation property located at 20642 Northwood Drive, Fairhope, Alabama. Tax Parcel 46-06-14-0-000-001.829. Due to lack of a motion for immediate consideration, this ordinance will layover until the July 12, 2021 City Council meeting.

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Jade Consulting, LLC to perform Topographic Survey Services at Triangle Property (Two Parcels) RFQ No. PS027-21; and hereby authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a not-to-exceed limit with this firm. Seconded by Councilmember Boone, motion passed unanimously by voice vote. Council President Burrell commented funds to be paid by non-profit; and we could not find a topo in our files.

RESOLUTION NO. 4126-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the selection of Jade Consulting, LLC to perform Topographic Survey Services at Triangle Property (Two Parcels) RFQ No. 027-21; and hereby authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a not-to-exceed limit with this firm.

DULY ADOPTED THIS 28TH DAY OF JUNE, 2021

Attest:

Lisa A. Hanks, MMC

City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Krebs Architecture and Engineering, Inc. to perform Professional Engineering and Design Services for Treatment Plant #3 and Well #3-11 for the Water and Sewer Departments RFQ No. PS031-21; and hereby authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a not-to-exceed limit with this firm. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

RESOLUTION NO. 4127-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, **ALABAMA**, That the City Council approves the selection of Krebs Architecture and Engineering, Inc. to perform Professional Engineering and Design Services for Treatment Plant #3 and Well #3-11 for the Water and Sewer Departments RFQ No. PS031-21; and hereby authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a not-to-exceed limit with this firm.

DULY ADOPTED THIS 28TH DAY OF JUNE, 2021

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 selection of S.E. Civil, LLC to perform Professional On-Call Engineering Services for the Water and Sewer Department; and hereby authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a three-year not-to-exceed limit with this firm. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

RESOLUTION NO. 4128-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the selection of S.E. Civil, LLC to perform Professional On-Call Engineering Services for the Water and Sewer; and hereby authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a three-year not-to-exceed limit with this firm.

DULY ADOPTED THIS 28TH DAY OF JUNE, 2021

Attest:

Lisa A. Hanks, MMC

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 for On Call Professional Engineering Services to Stewart Engineering, Inc. for the Electric Department (RFQ No. PS005-21). The amendment is for additional consultation and engineering services that were not included in planned projects for the RFQ contract work projected for the first year: Volanta and Greeno Project and the Nursing Home Project at Church Street and Morphy Avenue with an additional not-to-exceed cost of \$25,000.00. This will increase the total three-year not-to-exceed cost of \$100,000.00; and authorizes Mayor Sullivan to execute Amendment No. 1. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

RESOLUTION NO. 4129-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, **ALABAMA**, that the City Council approves Amendment No. 1 to the Contract for On Call Professional Engineering Services to Stewart Engineering, Inc. for the Electric Department (RFQ No. PS005-21). The amendment is for additional consultation and engineering services that were not included in planned projects for the RFQ contract work projected for the first year: Volanta and Greeno Project and the Nursing Home Project at Church Street and Morphy Avenue with an additional not-to-exceed cost of \$25,000.00. This will increase the total three-year not-to-exceed cost of \$100,000.00; and authorizes Mayor Sherry Sullivan to execute Amendment No. 1.

Adopted on this 28th day of June, 2021

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 Kimley-Horn to perform Professional Consulting Services for the New Water Transmission Line on County Road 33 for the Water Department (RFQ No. PS014-21) with a not-to-exceed amount of \$415,000.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 4130-21

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 Kimley-Horn to perform Professional Consulting Services for the New Water Transmission Line on County Road 33 for the Water Department (RFQ No. PS014-21) with a not-to-exceed amount of \$415,000.00.

DULY ADOPTED THIS 28TH DAY OF JUNE, 2021

Jack Burrell Council President

Attest:

Lisa A. Hanks, MMC

City Clerk

Councilmember Martin 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 Lieb Engineering Company to perform Professional Engineering Services for Design and Construction Administration for additional Ballfields and Parking for the Recreation Department (RFQ No. PS025-21) with a not-to-exceed amount of \$25,000.00. Seconded by Councilmember Robinson , motion passed unanimously by voice vote.

RESOLUTION NO. 4131-21

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 Lieb Engineering Company to perform Professional Engineering Services for Design and Construction Administration for additional Ballfields and Parking for the Recreation Department (RFQ No. PS025-21) with a not-to-exceed amount of \$25,000.00.

DULY ADOPTED THIS 28TH DAY OF JUNE, 2021

Jack Burrell Council President

Attest:

Lisa A. Hanks, MMC

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for New Roof and Gutter Replacement for Public Works/Public Utilities Administration Building damaged by Hurricane Sally (FEMA 4563) for the Public Works Department (Bid No. 027-21) to Roof Doctor of Alabama with a total bid proposal of \$112,000.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 4132-21

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 Roof and Gutter Replacement for Public Works/Public Utilities Administration Building damaged by Hurricane Sally (FEMA 4563) for the Public Works Department (Bid Number 027-21).
- [2] Bid No. 027-21 was sent to seven contractors, as well as multiple state agencies for MBE and DBE consideration, and the City's website.
- [3] At the appointed time and place, the following bids were opened and tabulated as follows:

Please see attached Bid Tabulations for New Roof and Gutter Replacement for Public Works And Public Utilities Administration Building for the Public Works Department

[4] After evaluating the bid proposals with the required bid specifications, Roof Doctor of Alabama with a total bid proposal of \$112,000.00, is now awarded the bid for New Roof and Gutter Replacement for Public Works/Public Utilities Administration Building damaged by Hurricane Sally (FEMA 4563) for the Public Works Department.

Adopted on this 28th day of June, 2021

Attest:

Lisa A. Hanks, MMC

CITY OF FAIRHOPE BID TABULATION
BID 027-21 New Roof & Gutter Replacement for PW/PU Admin Bldg--FEMA 4563
BID OPENED: June 9, 2021, 10:00 a.m.

Vendor	Bid Docs Signed/ Notarized	Contractor license	Anti-Lobbying Certification	Additional Documentation Required	New Roof System*	New Internal Gulter	Scupper, Conductor Head & Downspout	Overheed and Profit	TOTAL Price
Roof Doctor of Alabama, inc.	Yes	Yes	Yes	N/A	\$83,400	\$3,600	\$4,500	\$15,000	*\$112,000
								"Due to an administrative error, Roof Doctor of Alabama, Inc. did not include overhead and grofit (IGEP) into the price bid on this project. Roof Doctor of Alabama, Inc. restead listed IGEP in a separate line dem. Furthermore, the total pricing did not add up to \$112,000. Roof Doctor of Alabama, Inc. has confirmed that infact \$112,000 is their lotal bid response.	

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution to Award RFQ for the procurement to Resurfacing Six Hard Courts at the Mike Ford Tennis Center for the Recreation Department to American Tennis Courts, Inc. with a total cost of \$28,621.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 4133-21

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 Resurfacing Six Hard Courts at the Mike Ford Tennis Center for the Recreation Department.
- [2] After evaluating the Quotes with the required specifications, American Tennis Courts, Inc. is now awarded the procurement of Resurfacing Six Hard Courts at the Mike Ford Tennis Center with a total cost of \$28,621.00.

Adopted on this 28th day of June, 2021

Attest:

Lisa A. Hanks, MMC

City Clerk

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to procure 5,000 Strings of Outdoor Miniature LED Lights for the 2021/2022 Seasonal Lighting of the Trees; 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 \$48,750.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote. Council President Burrell said this is a savings of \$170,000.00 this year.

*

RESOLUTION NO. 4134-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows: That the City of Fairhope has voted to procure 5,000 Strings of Outdoor Miniature LED Lights for the 2021/2022 Seasonal Lighting of the Trees; 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 \$48,750.00.

Adopted on this 28th day of June, 2021

Jack Burrell Council President

Attest:

Lisa A. Hanks, MMC

City Clerk

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to procure the Playground Equipment for the Fairhope-Point Clear Rotary Youth Club and Community Park; 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 \$68,284.70. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4135-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows: That the City of Fairhope has voted to procure the Playground Equipment for the Fairhope-Point Clear Rotary Youth Club and Community Park; 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 \$68,284.70.

Adopted on this 28th day of June, 2021

ack Burrell Council Presiden

Attest:

City Clerk

Lisa A. Hanks, MMO

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope awards RFQ for the procurement of Pumps and Controls for Rehabilitation of the Tennis Club Lift Station off County Road 32 for the Sewer Department to Jim House & Associates with a cost of \$31,966.00; and authorizes procurement of Miscellaneous Materials to complete the install with a not-to-exceed cost of \$32,000.00 for a total not-to-exceed cost of \$63,966.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4136-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope awards RFQ for the procurement of Pumps and Controls for Rehabilitation of the Tennis Club Lift Station off County Road 32 for the Sewer Department to Jim House & Associates with a cost of \$31,966.00; and authorizes procurement of Miscellaneous Materials to complete the install with a not-to-exceed cost of \$32,000.00 for a total not-to-exceed cost of \$63,966.00.

Adopted on this 28th day of June, 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 hereby authorizes Mayor Sherry Sullivan to execute a Biller Agreement with Invoice Cloud for Invoice Cloud Suite of Services which will allow the City of Fairhope to offer online payment processing in a securely hosted real-time environment pursuant to the terms and conditions of the Agreement. The motion was seconded by Councilmember Martin. Council President Burrell stated he spoke with our City Attorney and there are terms and conditions being discussed with the Invoice Cloud attorney. After further discussion, motion passed unanimously by voice vote.

RESOLUTION NO. 4137-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE,

ALABAMA, That the City Council hereby authorizes Mayor Sherry Sullivan to execute a Biller Agreement with Invoice Cloud for Invoice Cloud Suite of Services which will allow the City of Fairhope to offer online payment processing in a securely hosted real-time environment pursuant to the terms and conditions of the Agreement.

DULY ADOPTED THIS 28TH DAY OF JUNE, 2021

Jack Burrell Council President

Attest:

isa 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 of DiRecManagement, Inc. for the Collection of the City of Fairhope's outstanding Accounts Receivables; and hereby authorizes Mayor Sherry Sullivan to execute a Services Agreement between DiRecManagement, Inc. and the City of Fairhope. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4138-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the selection of DiRecManagement, Inc. for the Collection of the City of Fairhope's outstanding Accounts Receivables; and hereby authorizes Mayor Sherry Sullivan to execute a Services Agreement between DiRecManagement, Inc. and the City of Fairhope.

DULY ADOPTED THIS 28TH DAY OF JUNE, 2021

k Burrell Council Presider

Attest:

Lisa A. Hanks, MMC

Councilmember Boone moved to appoint Pel Henry to the Airport Authority to fill unexpired term of Lee Shelton. Councilmember Martin reiterated for everyone to keep the Shelton family in their hearts and prayers. The term which will expire March 2027. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Councilmember Boone moved to appoint Frank Lamia; and reappoint Anil Vira and Cathy Slagle to the Board of Adjustments and Appeals for a three-year term which will expire June 2024; and to move Donna Cook from 1st Alternate to Member and move David Martin from 2nd Alternate to 1st Alternate with term expiration remaining February 2024. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council of the City of Fairhope, Alabama, approves the selection of the International Code Council to perform construction plan review of the proposed USA Mapp Family Campus Medical Office Building at the corner of State Highway 181 and State Highway 104 for the Building Department; and hereby authorizes Mayor Sherry Sullivan to execute a contract with a not-to-exceed of \$12,118.03. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4139-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the selection of the International Code Council to perform construction plan review of the proposed USA Mapp Family Campus Medical Office Building at the corner of State Highway 181 and State Highway 104 for the Building Department; and hereby authorizes Mayor Sherry Sullivan to execute a contract with a not-to-exceed of \$12,118.03.

DULY ADOPTED THIS 28TH DAY OF JUNE, 2021

Attest:

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Councilmember Martin 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 6:50 p.m.

Jack Burrell Council Presiden

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