

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 November 2021.

Present were Council President Jimmy Conyers, Councilmembers: Jack Burrell, Corey Martin, Jay Robinson, and Kevin Boone, Mayor Sherry Sullivan, Attorney Steve Hazelwood (for Marcus E. McDowell), and City Clerk Lisa A. Hanks.

Council President Conyers stated there was a need to add on an agenda item after Agenda Item Number 19: a resolution that Mayor Sherry Sullivan is hereby authorized to execute the First Amendment to the Water Tower Lease Agreement as presented between the between the City of Fairhope and SprintCom, Inc., for the leased area located at 8675 Fairhope Avenue, Fairhope, Alabama 36532.

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

There being a quorum present, Council President Conyers called the meeting to order. The invocation was given by Pastor William Parsons of Redeemer Lutheran Church, and the Pledge of Allegiance was recited. Councilmember Martin moved to approve minutes of the minutes of 15 November 2021, regular meeting; minutes of the minutes of 15 November 2021, work session; and minutes of the minutes of 15 November 2021, agenda meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council regarding the following items: Tree Lighting being successful and thanked Staff and the City Council; Christmas Open House; Movie in the Street; Christmas Parade on December 3rd; and Christmas Movie Night on December 5, 2021 (movie "Frozen" on the jumbotron) at the stadium. Mayor Sullivan told everyone Happy Thanksgiving.

The following individuals spoke during Public Participation for Agenda Items:

- 1) Katie Ray, 20580 Lowry Drive, addressed the City Council regarding Agenda Item No. 11: a resolution authorizing Mayor Sullivan to execute an In Aid of Construction Agreement with Baldwin County Electric Corporation for LED streetlights for White Grove Subdivision. She stated the streetlights were badly needed; and the cost was on the Community power bills.

22 November 2021

- 2) Mike Casallo, 20765 Lowry Drive, addressed the City Council regarding Agenda Item No. 11: a resolution authorizing Mayor Sullivan to execute an In Aid of Construction Agreement with Baldwin County Electric Corporation for LED streetlights for White Grove Subdivision. He stated that the streetlights have been out since Hurricane Sally; and it is dangerous to walk at nighttime. Mr. Casallo commented it was great working with Jeremy Morgan and Brian Seals.

Councilmember Burrell mentioned the Lighting of Trees; and said he echoed the Mayor's comments. He told everyone they were invited to the Christmas Parade.

Councilmember Martin told everyone Happy Thanksgiving; and to be safe.

Councilmember Robinson said the Lighting of Trees was wonderful; and a magical event. He told everyone Happy Thanksgiving.

Councilmember Boone told everyone Happy Thanksgiving.

Council President Conyers also told everyone Happy Thanksgiving.

Councilmember Burrell moved to add the following to Agenda Number 5 prior to introduction of the proposed ordinance: "Part-time non-seasonal employees with a minimum of one year's service, as of October 1st are eligible for longevity pay of \$100.00." Seconded by Councilmember Martin, motion passed unanimously by voice vote

Councilmember Martin introduced in writing Ordinance No. 1734 as amended, an ordinance to amend Ordinance No. 1510 known as the Personnel Rules, Policies and Procedures Ordinance by adding Section 6.10. Longevity Pay to Chapter VI. Employee Benefits. In order to take immediate action, Councilmember Burrell moved for immediate consideration. Seconded by Councilmember Boone, motion for immediate consideration passed unanimously by the following voice votes: AYE – Burrell, Martin, Conyers, Robinson, and Boone. NAY - None. Councilmember Burrell then moved for final adoption of Ordinance No. 1734. Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Martin, Conyers, Robinson, and Boone. NAY - None.

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing signees of all City of Fairhope Accounts. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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RESOLUTION NO. 4282-21

WHEREAS, two signatures are required on all monetary transactions of the City of Fairhope; and

WHEREAS, travel is sometimes required of the Mayor and of the Treasurer and provisions should be made to cover monetary requirements of the City in the absence of one or both; **THEN, THEREFORE**


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that all Financial Depositories where monies of the City are deposited, whether in checking, savings, or other type accounts, currently or in the future; be and hereby are advised that **any two of the following signees** are authorized to sign any monetary transaction between said Depositories and the City of Fairhope, Alabama. Attached is a list of all Depositories for the City of Fairhope;

- _____ Sherry Sullivan, Mayor
- _____ James Reid Conyers, Jr., Council President
- _____ Lisa A. Hanks, City Clerk
- _____ Kimberly W. Creech, City Treasurer

BE IT FURTHER RESOLVED that the City Council authorizes to use computer generated signatures for routine checks under Ten Thousand Dollars (\$10,000.00). All monetary transactions over \$10,000.00 must have at least one true signature.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to all Depositories as authorization of and as a record of above signee signatures.

ADOPTED THIS 22ND DAY OF NOVEMBER, 2021



 James Reid Conyers, Jr.,
 Council President

Attest:



 Lisa A. Hanks, MMC
 City Clerk

22 November 2021

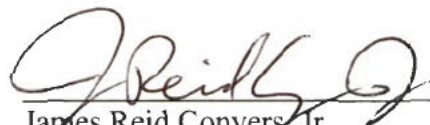
Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the selection of J & M Displays for Professional Consultant for the Design and Production of the Fireworks Displays for FY2022 events for the Community Affairs Department (RFQ No. PS002-22), pursuant to Code of Alabama, "Pyrotechnic Shooter Law"; 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. 4283-21

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

[1] That the City of Fairhope approves the selection of J & M Displays for Professional Consultant for the Design and Production of the Fireworks Displays for FY2022 events for the Community Affairs Department (RFQ No. PS002-22), pursuant to Code of Alabama, "Pyrotechnic Shooter Law"; and hereby authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a not-to-exceed limit with this firm.

Adopted on this 22nd day of November, 2021


James Reid Conyers, Jr.,
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 Council approves the selection of Thompson Engineering, Inc. to perform Professional Engineering Services for Lift Station and Force Main Improvements for the Sewer Department (RFQ No. PS003-22); and hereby authorizes Mayor Sherry Sullivan to execute a Contract with a not to exceed of \$269,000.00. This work will take place near the intersection of State Highway 181 and State Highway 104. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

22 November 2021

RESOLUTION NO. 4284-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection of Thompson Engineering, Inc. to perform Professional Engineering Services for Lift Station and Force Main Improvements for the Sewer Department (RFQ No. PS003-22); and hereby authorizes Mayor Sherry Sullivan to execute a Contract with a not to exceed of \$269,000.00. This work will take place near the intersection of State Highway 181 and State Highway 104.

DULY ADOPTED THIS 22ND DAY OF NOVEMEBR, 2021


James Reid Conyers, Jr.,
Council President

Attest:

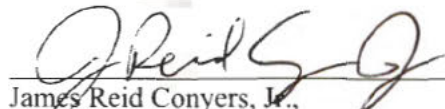

Lisa A. Hanks, MMC
City Clerk

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 for the Holiday Luncheon for City Employees between the City of Fairhope and Oak Hollow Farm Inc., at the "Barn" on Friday, December 17, 2021, from 12:00 p.m. to 3:30 p.m., with a cost not-to-exceed of \$10,000.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4285-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Sherry Sullivan is hereby authorized to execute a Contract for the Holiday Luncheon for City Employees between the City of Fairhope and Oak Hollow Farm Inc., at the "Barn" on Friday, December 17, 2021, from 12:00 p.m. to 3:30 p.m., with a cost not-to-exceed of \$10,000.00.

DULY ADOPTED THIS 22ND DAY OF NOVEMBER, 2021


James Reid Conyers, Jr.,
Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

22 November 2021

Councilmember Robinson 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. 1 for New Scanning Services for converting paper files to digital for the Building Department, to complete the scanning of archive plats and construction plans, with an increased cost in the amount of \$10,639.81; and awards the Change Order to MCCI, LLC. Seconded by Councilmember Martin, motion passed unanimously by voice vote. Councilmember Burrell commented this cost will be paid out of the Building Department's Professional Services Budget.

RESOLUTION NO. 4286-21

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. 1 for New Scanning Services for converting paper files to digital for the Building Department, to complete the scanning of archive plats and construction plans, with an increased cost in the amount of \$10,639.81; and awards the Change Order to MCCI, LLC.

Adopted on this 22nd day of November, 2021


James Reid Conyers, Jr.,
Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

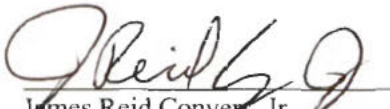
Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes Mayor Sherry Sullivan to execute an "In Aid of Construction" Agreement with Baldwin County Electric Membership Corporation for the installation of 22 Tradonaire LED streetlights for White Grove Subdivision with an estimated cost of \$34,457.59 (Work Order #2105874). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

22 November 2021

RESOLUTION NO. 4287-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council hereby authorizes Mayor Sherry Sullivan to execute an "In Aid of Construction" Agreement with Baldwin County Electric Membership Corporation for the installation of 22 Tradionaire LED streetlights for White Grove Subdivision with an estimated cost of \$34,457.59 (Work Order #2105874).

Adopted on this 22nd day of November, 2021


James Reid Conyers, Jr.,
Council President

Attest:

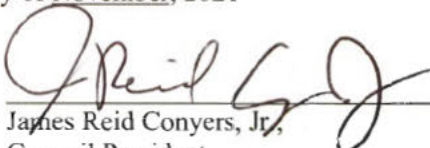

Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to procure the Palo Alto Renewal of Firewall Support/Subscription for the IT Department; and the renewal is available for direct procurement through the OMNIA Partners Contract which has been nationally bid through their bid proves; and therefore, does not have to be let out for bid. The cost will be \$45,088.60. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

RESOLUTION NO. 4288-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope has voted to procure the Palo Alto Renewal of Firewall Support/Subscription for the IT Department; and the renewal is available for direct procurement through the OMNIA Partners Contract which has been nationally bid through their bid proves; and therefore, does not have to be let out for bid. The cost will be \$45,088.60.

Adopted on this 22nd day of November, 2021


James Reid Conyers, Jr.,
Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

22 November 2021

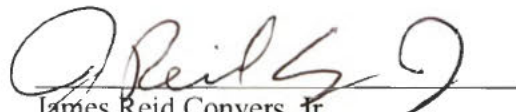
Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase One 1000kVA ERMCO Pad Mount Transformer and Six 50 kVA Pad Mount Transformers for the Electric Department from Gresco Utility Supply, Inc.; and authorizes procurement without formal bid based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The cost will be \$51,089.18; and authorizes a budget transfer from Plant Maintenance to Capital System Improvements (\$51,090.00). Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 4289-21

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

[1] That the City of Fairhope has voted to purchase One 1000kVA ERMCO Pad Mount Transformer and Six 50 kVA Pad Mount Transformers for the Electric Department from Gresco Utility Supply, Inc.; and authorizes procurement without formal bid based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7). The cost will be \$51,089.18; and authorizes a budget transfer from Plant Maintenance to Capital System Improvements (\$51,090.00).

Adopted on this 22nd day of November, 2021


James Reid Conyers, Jr.,
Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that City of Fairhope has voted to procure Custom Carriage Style Swing Doors and Frame at the Museum for the Community Affairs Department; and awards the project to Bailey Door, Inc. in the amount of \$28,826.00. The motion was seconded by Councilmember Martin. Councilmember Burrell commented Brabner-Hollon referred another company; and asked were they called. He said the Council wants to see more quotes in the future. After further discussion, motion for final adoption passed by the following voice votes: AYE – Martin, Conyers, Robinson, and Boone. NAY – Burrell.

22 November 2021

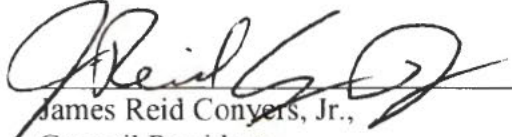
RESOLUTION NO. 4290-21

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 Custom Carriage Style Swing Doors and Frame at the Museum for the Community Affairs Department.

[2] After evaluating the Quotes with the required specifications, Bailey Door, Inc. is now awarded the procurement of Custom Carriage Style Swing Doors and Frame at the Museum for the Community Affairs Department with a total cost of \$28,826.00.

Adopted on this 22nd day of November, 2021


James Reid Conyers, Jr.,
Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to procure Five (5) Solar Powered Speed Guardian Speed Display Signs for the Police Department from MPH Industries, Inc. as Sole Source Provider for The SpeedView™ Analysis Software which is used to analyze traffic data that is compatible with existing equipment and software used by the Police Department. The total cost for the Speed Display Signs is \$17,260.00. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

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22 November 2021

RESOLUTION NO. 4291-21

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

[1] That the City of Fairhope has voted to procure Five (5) Solar Powered Speed Guardian Speed Display Signs for the Police Department from MPH Industries, Inc. as Sole Source Provider for The SpeedView™ Analysis Software which is used to analyze traffic data that is compatible with existing equipment and software used by the Police Department. The total cost for the Speed Display Signs is \$17,260.00.

Adopted on this 22nd day of November, 2021


James Reid Conyers, Jr.,
Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase a 2021 Ford F350 Extended Cab 4x2 Pickup Truck or Equivalent for the Public Works Department; and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid with a total not-to-exceed cost of \$54,558.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4292-21

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

[1] That the City of Fairhope has voted to purchase a 2021 Ford F350 Extended Cab 4x2 Pickup Truck or Equivalent for the Public Works Department; and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and

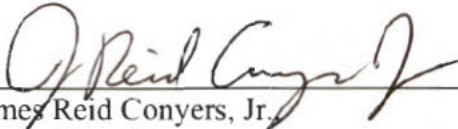
22 November 2021

[2] The following is the Alabama State Department of Purchasing contract information:

Bid Number: T193A

2021 Ford F350 Extended Cab **Cost is not-to-exceed - \$54,558.00**
or Equivalent

Adopted on this 22nd day of November, 2021


James Reid Conyers, Jr.
Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase a 2021 Chevrolet 3500HD Silverado Truck or Equivalent for the Sewer Department; and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid with a total not-to-exceed cost of \$50,281.70. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4293-21

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

[1] That the City of Fairhope has voted to purchase a 2021 Chevrolet 3500HD Silverado Truck with Service Body or Equivalent for the Sewer Department; and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and


22 November 2021

[2] The following is the Alabama State Department of Purchasing contract information:

Bid Number: T193A

2021 Chevrolet 3500HD Silverado with Service Body or Equivalent **Cost is not-to-exceed - \$50,281.70**

Adopted on this 22nd day of November, 2021


James Reid Conyers, Jr.,
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 Compensation and Job Classification Plan along with the Grade Order Sheet be amended and approved to Add the Licensed Electrician Job Position; approve the Job Description and Pay Grade of 26; and to fill with appropriate person within the Paygrade. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

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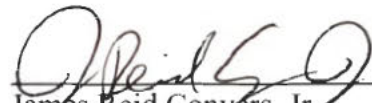
22 November 2021

RESOLUTION NO. 4294-21

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the Compensation and Job Classification Plan along with the Grade Order Sheet be amended and approved to Add the following Job Position; the City Council approves the Job Description and Grade of Pay for same; and to fill with appropriate person within the Paygrade.

Addition:	Job Positions	Grade of Pay
	Licensed Electrician	26

ADOPTED THIS 22ND DAY OF NOVEMBER, 2021



 James Reid Conyers, Jr.,
 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 contract between the City of Fairhope and Thomas Hospital for use of the City facilities (rental and cleaning fees), including streets and parks, depending on availability and permission from the Rental Facilities Manager; but they would be responsible for any incidentals, damages, or security if necessary. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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22 November 2021

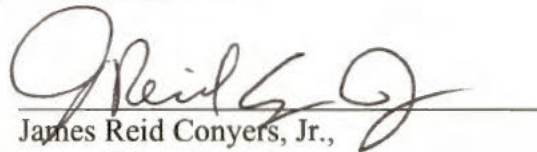
RESOLUTION NO. 4295-21

WHEREAS, Thomas Hospital serves a public purpose and the health education that the Thomas Hospital gives the City of Fairhope is a public service; and,

WHEREAS, We, Thomas Hospital, agree to work with the Mayor, and /or her agent(s), to promote the City of Fairhope and to contribute time, employees, and other resources putting on health related programs, meetings and programs affiliated with Thomas Hospital, throughout the year in the Fairhope community, schools or at the hospital facilities. Many events, schools, and Fairhope programs are sponsored by Thomas Hospital. The Thomas Hospital Auxiliary provides hours of service to the hospital that benefit Fairhope citizens; and

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Sherry Sullivan is hereby authorized to execute contract between the City of Fairhope and Thomas Hospital for use of the City facilities (rental and cleaning fees), including streets and parks, depending on availability and permission from the Rental Facilities Manager; but they would be responsible for any incidentals, damages, or security if necessary.

Adopted this 22nd day of November, 2021


James Reid Conyers, Jr.,
Council President

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 Sherry Sullivan is hereby authorized to execute the First Amendment to the Water Tower Lease Agreement as presented between the between the City of Fairhope and SprintCom, Inc., for the leased area located at 8675 Fairhope Avenue, Fairhope, Alabama 36532. The motion was seconded by Councilmember Martin. Councilmember Burrell explained the amendment and said the new rate added for additional equipment being put on tower. He said this will be an additional \$12,000.00 per year. After further discussion, motion passed unanimously by voice vote.

22 November 2021

RESOLUTION NO. 4296-21

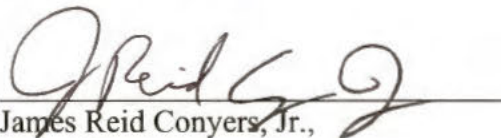
WHEREAS, this First Amendment is effective as of the date of execution by the last party to sign is entered into by and between City of Fairhope, Alabama, an Alabama Municipal Corporation, hereinafter referred to as "Lessor," and SprintCom, Inc., successor in interest to Louisiana Unwired, LLC, a Delaware limited liability company hereinafter referred to "Lessee" and,

WHEREAS, the Lessor and Louisiana Unwired, LLC entered into a "Water Tower Lease Agreement" dated March 28, 2000 regarding the Lessor's leased are located at 8675 Fairhope Avenue, Fairhope, Alabama 36532; and,

WHEREAS, the Lessor and Lessee desire to modify the Agreement with the terms and conditions in the First Amendment.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, that Mayor Sherry Sullivan is hereby authorized to execute the First Amendment to the Water Tower Lease Agreement as presented between the between the City of Fairhope and SprintCom, Inc., for the leased area located at 8675 Fairhope Avenue, Fairhope, Alabama 36532.

Adopted this 22nd Day of November, 2021


James Reid Conyers, Jr.,
Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

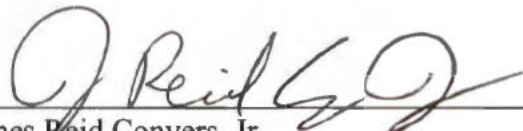
At the request of the City Attorney, Marcus E. McDowell, the City Council will rise from the meeting to go into Executive Session based on Section 36-25A-7(a)(3) to discuss pending and potential litigation. The approximate time to be in Executive Session is 45 minutes. Councilmember Burrell moved to go into Executive Session. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

Exited the dais at 6:37 p.m. Returned at 7:37 p.m.

22 November 2021

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 7:37 p.m.



James Reid Conyers, Jr.,
Council President



Lisa A. Hanks, MMC
City Clerk