

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 April 2022.

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

There being a quorum present, Council President Conyers called the meeting to order. The invocation was given by Dr. Darren McClellan, Senior Pastor of Fairhope United Methodist Church, and the Pledge of Allegiance was recited.

Council President Conyers stated that Agenda Item No. 24 was pulled from the agenda and there was a need to add on an agenda item after Agenda Item Number 23: a resolution that the City of Fairhope approves the procurement of Tsurumi Duplex Cutter Package (Quotation #PSC0322-38) for the Wastewater Department to be purchased from J. H. Wright & Associates. The cutter package equipment is exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed the amount of \$28,190.00.

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

Councilmember Martin moved to approve minutes of the 28 March 2022, regular meeting; and minutes of the 28 March 2022, work session. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council and thanked them for adding the resolution to the agenda.

Mayor Sullivan presented the Fairhope Dispatchers a Proclamation for National Public Safety Telecommunications Week, April 10, 2022 through April 16, 2022. Lieutenant Larry Sledge and Dispatcher Supervisor LaKisha Johnson accepted the proclamation on behalf of the Dispatchers.

Mayor Sullivan mentioned the Easter Sunrise Service at the Pier and the Library fundraiser this past weekend.

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Councilmember Burrell moved for final adoption of Ordinance No. 1748, an ordinance to amend Zoning Ordinance No. 1253 to change and alter the City of Fairhope Zoning Ordinance to revise Article V, Section B. Central Business District to add a subsection for Rooftop Terraces. (Introduced at the March 28, 2022 City Council Meeting) Seconded by Councilmember Martin, motion for final adoption passed by the following voice votes: AYE – Burrell, Martin, Conyers, and Robinson. NAY - None.

Councilmember Burrell moved for final adoption of Ordinance No. 1749, an ordinance to amend Zoning Ordinance No. 1253 and Ordinance No. 1703 to amend existing Planned Unit Development (PUD) known as the Reserve at Fairhope (Ordinance No. 1703). Dominion Senior Living of Fairhope, LLC property is 16.62 acres and is located southwest of the intersection of Greeno Road and Volanta Avenue, Fairhope, Alabama. PPIN Number: 386193 & 386197. (Introduced at the March 28, 2022 City Council Meeting) Seconded by Councilmember Martin, motion for final adoption passed by the following voice votes: AYE – Burrell, Martin, Conyers, and Robinson. NAY - None.

Councilmember Martin introduced in writing an ordinance to repeal and replace Ordinance No. 1747; and to approve the revised lease to the Fairhope Center for the Writing Arts, Inc. declaring that certain real property of the City of Fairhope (Writer's Cottage at 9 North Section Street) for Fairhope Center for the Writing Arts, Inc. is not needed for public or municipal purposes in response to an offer to lease property to be used only as a center for the writing arts and in accordance with uses normally incident to hereto and for no other purpose; and it is hereby declared to be in the best interest of the public and the City of Fairhope, Alabama, to lease said real property to Fairhope Center for the Writing Arts, Inc. with a lease term of five years with an option to renew for an additional five years. Renewal shall only be valid on approval by City Council. Due to lack of a motion for immediate consideration, this ordinance will layover until the April 25, 2022 City Council meeting.

Planning Director Hunter Simmons addressed the City Council to explain the Site Plan Review of property owned by KWH Properties, LLC for Polo Crossing, a 5-unit multiple-occupancy project. The property is approximately 1.77 acres and is located on the eastern side of Greeno Road/Hwy 98 and lies south of Wolfe-Bayview Funeral Home (SR 22.01). PPIN #: 21517 (Planning Commission unanimously voted to recommend City Council approve SR 22.01). Staff recommends conditional approval with the four listed conditions in Site Plan report.

Councilmember Burrell moved to approve the Site Plan property owned by KWH Properties, LLC listed above subject to the four conditions presented and stated to the City Council. Seconded by Councilmember Robinson, motion passed by the following voice votes: AYE – Burrell, Conyers, and Robinson. NAY - Martin.

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Planning Director Hunter Simmons addressed the City Council to explain the Site Plan Review of property owned by Robert M. Green, Jr., owner, for Site Plan approval of Fairhope Urology, a 1-unit project. The property is approximately 1.66 acres and is located on the on the west side of U. S. Highway, south of Hoyle Avenue (SR 22.01). PPIN #s: 17231, 200528, 202819, 114269, and 287963 (Planning Commission unanimously voted to recommend City Council approve SR 22.02). Councilmember Martin questioned the right turn only and his concerns regarding Hoyle Avenue. Councilmember Burrell questioned ALDOT and their authority. Public Works Director Richard Johnson replied that ALDOT regulates all State roads. Councilmember Robinson asked if ALDOT would consider our access recommendation for decision; and state in number four “to work with ALDOT.” Mr. Simmons commented ALDOT had already reviewed and recommended to allow a left turn at Hoyle Avenue. The consensus of the City Council was to take off number four as a recommendation.

Councilmember Burrell moved to approve the Site Plan property owned by Robert M. Green, Jr. listed above subject to the three conditions presented and stated to the City Council. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the public improvements indicated herein for Old Battles Village, Phase Four-A are hereby accepted for public maintenance subject to a hold harmless and indemnity agreement approved by the City Attorney and a bond posted by the “Subdivider” as amended by Planning Director Simmons; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and 68V OBV 2020, LLC (the “Subdivider”). Seconded by Councilmember Martin, motion passed unanimously by voice vote.

#### **RESOLUTION NO. 4419-22**

**WHEREAS**, the Owners of Old Battles Village, Phase Four-A desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2777-D, and all Fairhope public utilities located in public right-of-ways accepted for maintenance by the City of Fairhope, Alabama, and;

**WHEREAS**, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements, and;

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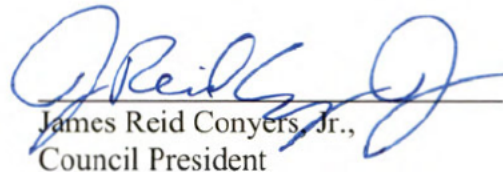
**WHEREAS**, the Public Works Director has indicated that the improvements meet City requirements, and;

**WHEREAS**, the City of Fairhope, Alabama, has received from the owners of Old Battles Village, Phase Four-A, maintenance bonds for the public improvements constructed for a period of 2 years, and;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA** that the public improvements indicated herein for Old Battles Village, Phase Four-A are hereby accepted for public maintenance subject to a hold harmless and indemnity agreement approved by the City Attorney and a bond posted by the "Subdivider". Mayor Sherry Sullivan is authorized to execute the Maintenance and Guaranty Agreement between the City of Fairhope and 68V OBV 2020, LLC (the "Subdivider").

**BE IT FURTHER RESOLVED** this resolution of acceptance shall not obligate the City of Fairhope to maintain any utility or drainage facilities outside the limits of the right-of-way of the public streets, whether or not such may be located within dedicated easements in any of these developments.

Adopted this 11th day of April, 2022

  
James Reid Conyers, Jr.,  
Council President

Attest:

  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the public improvements indicated herein for Old Battles Village, Phase Four-B are hereby accepted for public maintenance subject to the bond posted by the "Subdivider" as amended by Planning Director Simmons; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and 68V OBV 2020, LLC (the "Subdivider"). Seconded by Councilmember Martin, motion passed unanimously by voice vote.

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**RESOLUTION NO. 4420-22**

**WHEREAS**, the Owners of Old Battles Village, Phase Four-B desire to have all public streets and public right-of-ways dedicated on the plat filed for record in the Probate Records of Baldwin County, Alabama, on Slide 2817-D, and all Fairhope public utilities located in public right-of-ways accepted for maintenance by the City of Fairhope, Alabama, and;

**WHEREAS**, the City of Fairhope, Alabama, has received notice from the engineers of the project that the design and capacity of the public improvements have been designed in conformance with City requirements, and;

**WHEREAS**, the Public Works Director has indicated that the improvements meet City requirements, and;

**WHEREAS**, the City of Fairhope, Alabama, has received from the owners of Old Battles Village, Phase Four-B, maintenance bonds for the public improvements constructed for a period of 2 years, and;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA** that the public improvements indicated herein for Old Battles Village, Phase Four-B are hereby accepted for public maintenance subject to the bond posted by the "Subdivider"; and authorizes Mayor Sherry Sullivan to execute the Maintenance and Guaranty Agreement between the City of Fairhope and 68V OBV 2020, LLC (the "Subdivider").

**BE IT FURTHER RESOLVED** this resolution of acceptance shall not obligate the City of Fairhope to maintain any utility or drainage facilities outside the limits of the right-of-way of the public streets, whether or not such may be located within dedicated easements in any of these developments.

Adopted this 11th day of April, 2022

  
James Reid Conyers, Jr.,  
Council President

Attest:

  
Lisa A. Hanks, MMC  
City Clerk

11 April 2022


Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Kimley-Horn to perform Professional Preliminary Engineering Services for County Road 32 Upgrade for SRF Grant for Water Upgrades on County Road 32 from County Road 33 to Greeno Road then north to High School; (RFQ No. PS012-22); and hereby authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a not-to-exceed limit with this firm. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4421-22**

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

[1] That the City Council approves the selection of Kimley-Horn to perform Professional Preliminary Engineering Services for County Road 32 Upgrade for SRF Grant for Water Upgrades on County Road 32 from County Road 33 to Greeno Road then north to High School; (RFQ No. PS012-22); and hereby authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a not-to-exceed limit with this firm.

DULY ADOPTED THIS 11TH DAY OF APRIL, 2022

  
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, LLC to perform Professional Preliminary Engineering Services for Water and Wastewater Upgrades in the Fruit and Nut Area (RFQ No. PS011-22); and hereby authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a not-to-exceed limit with this firm. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.


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**RESOLUTION NO. 4422-22**

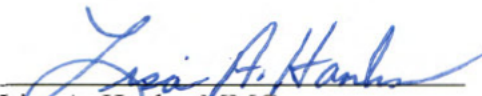
**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, as follows:

[1] That the City Council approves the selection of Thompson Engineering, LLC to perform Professional Preliminary Engineering Services for Water and Wastewater Upgrades in the Fruit and Nut Area (RFQ No. PS011-22); and hereby authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a not-to-exceed limit with this firm.

DULY ADOPTED THIS 11TH DAY OF APRIL, 2022

  
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 of Fairhope hereby declares (Bid No. 001-22) Arts Alley Downtown Transit Hub at the request of Staff along with our Project Architect of Record through consultation with the ESMPO, the County, and ALDOT personnel to be void due to mandated Federal bid law issues. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

**RESOLUTION NO. 4423-22**

**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 Arts Alley Downtown Transit Hub for the Public Works Department (Bid Number 001-22) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

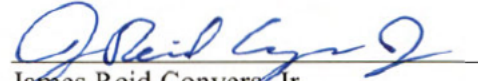
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[2] After evaluating the bid proposals with the required bid specifications and Federal mandates, Staff along with our Project Architect of Record through consultation with the ESMPO, the County, and ALDOT personnel, request that the bid be (Bid No. 001-22) Arts Alley Downtown Transit Hub through consultation with ESMPO, County and ALDOT personnel, we request that the initial bid be declared void due to mandated Federal bid law issues.

Adopted on this 11th day of April, 2022

  
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 approves the procurement for Fencing Installation and Gate at Well 3 Property on CR33 to be purchased from Hagan Fence for the Water Department with a cost not-to-exceed the amount of \$24,999.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4424-22**

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

[1] That the City of Fairhope approves the procurement for Fencing Installation and Gate at Well 3 Property on CR33 to be purchased from Hagan Fence for the Water Department. Three quotes were obtained for this procurement and Hagan Fence was the lowest. The total cost not-to-exceed amount of \$24,999.00.

Adopted on this 11th day of April, 2022

  
James Reid Conyers, Jr.,  
Council President

Attest:

  
Lisa A. Hanks, MMC  
City Clerk



11 April 2022


Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of inventory for 860 Fisher Type HSR Regulators for the Gas Department to be purchased from John H. Carter Co., Inc. as Sole Source Provider in the State of Alabama. Regulators are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed the amount of \$51,238.80. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

**RESOLUTION NO. 4425-22**

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

[1] That the City of Fairhope approves the procurement of inventory for 860 Fisher Type HSR Regulators for the Gas Department to be purchased from John H. Carter Co., Inc. as Sole Source Provider in the State of Alabama. Regulators are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed the amount of \$51,238.80 to replenish inventory.

Adopted on this 11th day of April, 2022

  
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 of Fairhope approves the procurement of inventory for 850 Meters for the Gas Department to be purchased from ELSTER American Meter Company, through Ed Young Sales Company (EYSCO) as sole-source sales representative for Elster. The units must fit into our existing standardized system; and are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed the amount of \$107,045.25. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

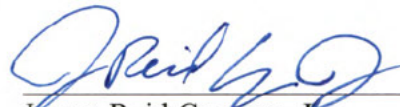
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**RESOLUTION NO. 4426-22**

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

[1] That the City of Fairhope approves the procurement of inventory for 850 Meters for the Gas Department to be purchased from ELSTER American Meter Company, through Ed Young Sales Company (EYSCO) as sole-source sales representative for Elster. The units must fit into our existing standardized system; and are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed the amount of \$107,045.25 to replenish inventory.

Adopted on this 11th day of April, 2022

  
\_\_\_\_\_  
James Reid Conyers, Jr.,  
Council President

Attest:

  
\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of 8,000 feet of 6” DR 11 Green Stripe Pipe for St. Michael Way Sewer Extension for the Wastewater Department to be purchased from Consolidated Pipe and Supply Company, Inc. The pipes are exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed the amount of \$78,800.00. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

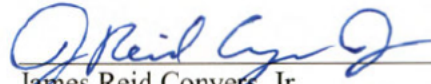
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11 April 2022

**RESOLUTION NO. 4427-22**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City of Fairhope approves the procurement of 8,000 feet of 6" DR 11 Green Stripe Pipe for St. Michael Way Sewer Extension for the Wastewater Department to be purchased from Consolidated Pipe and Supply Company, Inc. The pipes are exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed the amount of \$78,800.00.

Adopted on this 11th day of April, 2022


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 Change Order No. 2 for (Bid Number 029-21) Pecan Building – Phase I – East Wing Office Remodel for an increase cost not-to-exceed the amount of \$2,827.56 and award Change Order No. 2 to Eric Lazzari Construction, LLC. The new contract total will be \$296,059.56. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4428-22**

**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. 2 for (Bid Number 029-21) Pecan Building – Phase I – East Wing Office Remodel for an increase cost not-to-exceed the amount of \$2,827.56 and award Change Order No. 2 to Eric Lazzari Construction, LLC. The new contract total will be \$296,059.56.

Adopted on this 11th day of April, 2022


Jimmy Reid Conyers, Jr.  
Council President

Attest:



Lisa A. Hanks, MMC  
City Clerk

11 April 2022

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution to award (Bid No. 021-22) City-Wide Road Repair, Resurfacing and Striping Project for the Public Works Department to Asphalt Services, Inc. with total bid proposal not-to-exceed the amount of \$507,916.84 with budget amendments, which does not include parking lots which will be rebid. Seconded by Councilmember Robinson, motion passed unanimously by voice vote. Councilmember Burrell stated he supports road paving, but a \$104,000.00 increase we need to know where funds are coming from.

**RESOLUTION NO. 4429-22**

**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 City-Wide Road Repair, Resurfacing and Striping Project for the Public Works Department (Bid No. 021-22) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, the following bids were opened and tabulated as follows:

Please see attached Bid Tabulation for  
City-Wide Road Repair, Resurfacing and Striping Project  
for the Public Works Department

[3] After evaluating the bid proposals with the required bid specifications, Asphalt Services, Inc., with the total bid proposal not-to-exceed the amount of \$507,916.84, that does not include parking lots which will be rebid, is now awarded the bid for City-Wide Road Repair, Resurfacing and Striping Project for the Public Works Department.

[4] Add \$91,130.98 from Natural Gas Fund due to the Natural Gas Department damaged Orange Avenue and Pecan Avenue. Budget Amendment to increase 103-49894 Transfer in Rebuild AL Fund \$13,185.86; 103-49892 Transfer In-Gas Fund \$91,130.98; 103-55856 City Wide Street Resurface/Miscellaneous \$104,316.84; 002-50965 Transfer-Cap Project Fund \$91,130.98.

Adopted on this 11th day of April, 2022

  
James Reid Conyers, Jr.,  
Council President

Attest:

  
Lisa A. Hanks, MMC  
City Clerk

11 April 2022

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 Change Order No. 1 for (Bid Number 024-21) Fairhope Docks Bulkhead Repairs – FEMA 4563 – RE-BID for 46 Linear Feet of Bulkhead and Edge Dock to be Replaced for an increase cost not-to-exceed amount of \$32,008.80 and award Change Order No. 1 to Asphalt Services, Inc. The new contract total will be \$361,876.57. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4430-22**

**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 (Bid Number 024-21) Fairhope Docks Bulkhead Repairs – FEMA 4563 – RE-BID for 46 Linear Feet of Bulkhead and Edge Dock to be Replaced for an increase cost not-to-exceed the amount of \$32,008.80 and to award Change Order No. 1 to Asphalt Services, Inc. The new contract total will be \$361,876.57.

Adopted on this 11th day of April, 2022

  
 Jimmy 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 of Fairhope approves the procurement for the Upgrade of the River Mill Lift Station Pumps, Controls, and Piping on Quotation #PSC0222-08A from J.H. Wright & Associates for the Water & Wastewater Department; and authorizes procurement based Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed the amount of \$76,686.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

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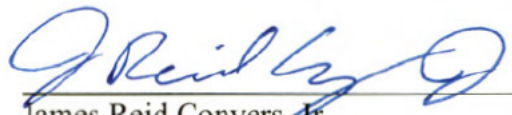
**RESOLUTION NO. 4431-22**

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

[1] That the City of Fairhope approves the procurement for the Upgrade of the River Mill Lift Station Pumps, Controls, and Piping on Quotation #PSC0222-08A from J.H. Wright & Associates for the Water & Wastewater Department; and authorizes procurement based on concrete wet-well lift station equipment is exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed the amount of \$76,686.00.

[2] The developer/owner of Overland Subdivision paid aid to construction towards this rehab. The amount charged was \$55,000.00 We will receive SDCs per meter for this new development that will go towards Sewer Infrastructure Improvements.

Adopted on this 11th day of April, 2022

  
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 Mayor Sherry Sullivan is hereby authorized to execute an Engagement Letter with Maynard, Cooper & Gale, P.C. for professional government affairs services and assistance as well as assist in special projects and provide strategic consulting advice (from time to time) for the City of Fairhope, Alabama. This engagement will be for a six month period with a not-to-exceed amount of \$54,000.00. The motion was seconded by Councilmember Burrell. Mayor Sullivan explained the need for these services; and said there are Federal funds out there; i.e., ARPA funds. She commented infrastructure is not just utilities. Councilmember Burrell said they are available 24/7; and he asked about hours with firm. After further discussion, motion passed unanimously by voice vote.

11 April 2022

**RESOLUTION NO. 4432-22**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that Mayor Sherry Sullivan is hereby authorized to execute an Engagement Letter with Maynard, Cooper & Gale, P.C. for professional government affairs services and assistance as well as assist in special projects and provide strategic consulting advice (from time to time) for the City of Fairhope, Alabama. This engagement will be for a six month period with a not-to-exceed amount of \$54,000.00.

DULY ADOPTED THIS 11TH DAY OF APRIL, 2022


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 of Fairhope accepts the donation of the Fly Away Sculpture from Martha Hopkins which will be placed at the H.L. "Sonny" Callahan Airport. Donor to have Fairhope Ironworks powder coat paint sculpture (chrome color) with holes drilled to bolt into a cement column. The City will provide the cement column, installation, maintenance and liability protection. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

**RESOLUTION NO. 4433-22**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE**, That the City of Fairhope accepts the donation of the Fly Away Sculpture from Martha Hopkins which will be placed at the H.L. "Sonny" Callahan Airport. Donor to have Fairhope Ironworks powder coat paint sculpture (chrome color) with holes drilled to bolt into a cement column. The City will provide the cement column, installation, maintenance and liability protection.

Adopted on this 11th day of April, 2022


Jimmy Reid Conyers, Jr.,  
Council President

Attest:



Lisa A. Hanks, MMC  
City Clerk

11 April 2022

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of Tsurumi Duplex Cutter Package (Quotation #PSC0322-38) for the Wastewater Department to be purchased from J. H. Wright & Associates. The cutter package equipment is exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed the amount of \$28,190.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4434-22**

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

[1] That the City of Fairhope approves the procurement of Tsurumi Duplex Cutter Package (Quotation #PSC0322-38) for the Wastewater Department to be purchased from J. H. Wright & Associates. The cutter package equipment is exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed the amount of \$28,190.00.

Adopted on this 11th day of April, 2022



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 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 were 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 60 minutes. Councilmember Burrell moved to go into Executive Session. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

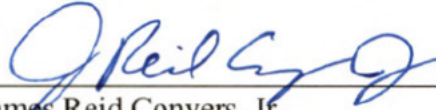
Exited the dais at 7:17 p.m. Returned at 8:20 p.m.



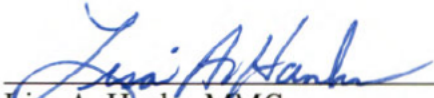
11 April 2022

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

There being no further business to come before the City Council, the meeting was duly adjourned at 8:20 p.m.



James Reid Conyers, Jr.,  
Council President



Lisa A. Hanks, MMC  
City Clerk