

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, 8 August 2022.

Present were Council President Jimmy Conyers, Councilmembers: Jack Burrell, Corey Martin, Jay Robinson, and Kevin Boone, City Attorney Marcus E. McDowell, and City Clerk Lisa A. Hanks. Mayor Sherry Sullivan 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 there was a need to add on an agenda item after Agenda Item Number 17: a resolution that the City Treasurer is authorized to issue Purchase Orders for Eight (8) Ford Trucks or Equivalent listed on the attached spreadsheet totaling \$307,637.00. The Purchase Orders will lock in vehicle orders and specific prices only. Said pricing and rates are off the Alabama State Bid list, do not require separate bidding, and does not obligate the ultimate purchase of the vehicles.

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

Councilmember Burrell moved to approve minutes of the 25 July 2022, regular meeting; and minutes of the 25 July 2022, work session. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

Councilmember Burrell presented Former Baldwin County Commission Joe Davis, III a Retirement Recognition Proclamation. Mayor Sullivan declared August 8th as Joe Davis, III Day in the City of Fairhope. Mr. Davis said it was an honor and a surprise; and thanked the Mayor and City Council. He recognized his wife Norma and said he could not have done any of these things without her support.

Councilmember Burrell stated that he read a text at the break; and Fairfield citizens are concerned with flooding. He said the Recreation Board discussed the 40 acres at Colony Park. Councilmember Burrell said something must have changed for this to be an issue. He would like Mayor Sullivan to ask City staff to look at this issue.

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Councilmember Martin said it has changed and it does flood. He too would like for this to be addressed.

Councilmember Robinson reminded everyone that school starts back Wednesday so keep children and teachers in your thoughts. He commented have a safe and successful school year.

Council President Conyers said he echoed what Councilmember Robinson said.

A Public Hearing was held as advertised on the request for Renewal of Mediacom Cable Franchise. Council President Conyers recognized Mediacom representatives here tonight: Mitchell Brown, Governmental Relations Manager; Lee Beck, Area Director for Alabama and Mississippi; and Jimmie Coker, Tech Ops Manager. Mr. Beck addressed the City Council and mentioned this was a request for renewal with a few changes all agreed upon; and answered any questions if needed. Councilmember Burrell thanked them for providing services to citizens of Fairhope. He told them any time you can expand would be great; and said everyone has been good.

The public hearing was opened at 6:21 p.m. No one present opposed the proposed renewal of the Mediacom Cable Franchise. The public hearing closed at 6:21 p.m.

Councilmember Burrell introduced in writing an ordinance to Repeal and Replace Ordinance No. 1266, Ordinance No. 1296, and Ordinance No. 1705, Fairhope Code of Ordinances: Article VI, Garbage and Trash Collection and Disposal, Section 21-75.

Due to lack of a motion for immediate consideration, this ordinance will layover until the August 22, 2022 City Council meeting.

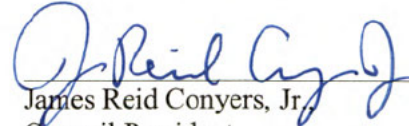
Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to procure Litter Booms and Tactical Cleanups for the Planning and Zoning Department from Osprey Initiative as Sole Source Distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13). The total annual cost not-to-exceed \$27,000.00. The motion was seconded by Councilmember Martin. Don Bates, Owner of Osprey Initiative, LLC, addressed the City Council and explained the scope of work. After further discussion, motion passed unanimously by voice vote.

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**RESOLUTION NO. 4515-22**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City of Fairhope has voted to procure Litter Booms and Tactical Cleanups for the Planning and Zoning Department from Osprey Initiative as Sole Source Distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13). The total annual cost not-to-exceed \$27,000.00.

ADOPTED ON THIS 8TH DAY OF AUGUST, 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 Council approves SE Civil, LLC to perform Professional Engineering Services for Water Main Upgrade from WTP 3 to CR 32 RFQ PS018-22 for the Water and Wastewater Department; with a negotiated fee not-to-exceed the amount of \$18,000.00; and hereby authorize Mayor Sherry Sullivan to execute a contract. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

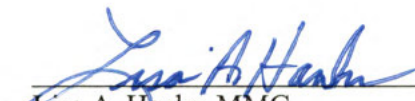
**RESOLUTION NO. 4516-22**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City Council approves SE Civil, LLC to perform Professional Engineering Services for Water Main Upgrade from WTP 3 to CR 32 RFQ PS018-22 for the Water and Wastewater Department; with a negotiated fee not-to-exceed the amount of \$18,000.00; and hereby authorize Mayor Sherry Sullivan to execute a contract.

DULY ADOPTED THIS 8TH DAY OF AUGUST, 2022

  
James Reid Conyers, Jr.,  
Council President

Attest:

  
Lisa A. Hanks, MMC  
City Clerk

8 August 2022

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves amending Bid No. 034-21 for additional repairs that were unanticipated to the Wastewater System and materials need to be purchased for an additional cost of \$158,250.00 which increases the total bid amount to \$1,736,860.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4517-22**


**WHEREAS**, the City of Fairhope did request, receive, and open bids for Phase 2 Project 2 Wastewater Collection and Transmission System (Improvements from Fairhope Avenue at Ingleside to Bishop Avenue) for the Sewer Department Bid Number 034-21 and at the appointed time and place, the following bids were opened and tabulated; and

**WHEREAS**, on September 27, 2021 the City Council awarded Bid No. 034-21 to A-Long Boring, Inc. with total bid proposal not-to-exceed of \$1,578,610.00.

**WHEREAS**, the Wastewater Department needs to make additional repairs that were unanticipated to the Wastewater System and materials need to be purchased for an additional cost of \$158,250.00.

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that the City Council approves amending Bid No. 034-21 for additional repairs that were unanticipated to the Wastewater System and materials need to be purchased for an additional cost of \$158,250.00 which increases the total bid amount to \$1,736,860.00.

ADOPTED ON THIS 8TH DAY OF AUGUST, 2022

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

Attest:

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



8 August 2022

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby approves the addition of the Nix Center Lot Repair and Paving to Bid No. 021-22 with a bid price of \$57,214.50 (\$41,250.00 Nix Center Budget and a General Fund appropriation of \$15,964.50) for the safety of the citizens and users of this facility; and due to rising costs. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

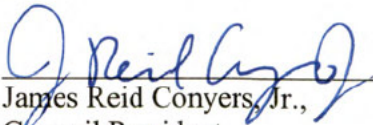
**RESOLUTION NO. 4518-22**

**WHEREAS**, the City Council adopted Resolution No. 4429-22 on April 11, 2022 to award Bid to Asphalt Services, Inc. for City-Wide Road Repair, Resurfacing and Striping Bid No. 021-22 for the Public Works Department; and

**WHEREAS**, there is a need to add the Nix Center Lot Repair and Paving back to Bid No. 021-22 for the safety of the citizens and users of this facility; and due to rising costs.

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, That the City Council hereby approves the addition of the Nix Center Lot Repair and Paving to Bid No. 021-22 with a bid price of \$57,214.50 (\$41,250.00 Nix Center Budget and a General Fund appropriation of \$15,964.50) for the safety of the citizens and users of this facility; and due to rising costs.

ADOPTED ON THIS 8TH DAY OF AUGUST, 2022

  
James Reid Conyers, Jr.,  
Council President

Attest:

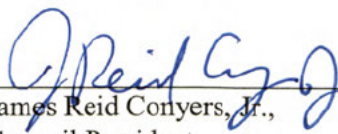
  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves Christian Preus Landscape Architecture, PLLC to perform Professional Engineering Services for Fairhope Clock Plaza RFQ PS014-22 for the Public Works Department; with a negotiated fee not-to-exceed the amount of \$18,799.14; and hereby authorize Mayor Sherry Sullivan to execute a contract. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

8 August 2022

**RESOLUTION NO. 4519-22**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City Council approves Christian Preus Landscape Architecture, PLLC to perform Professional Engineering Services for Fairhope Clock Plaza RFQ PS014-22 for the Public Works Department; with a negotiated fee not-to-exceed the amount of \$18,799.14; and hereby authorize Mayor Sherry Sullivan to execute a contract.

DULY ADOPTED THIS 8TH DAY OF AUGUST, 2022


James Reid Conyers, Jr.,  
Council President

Attest:

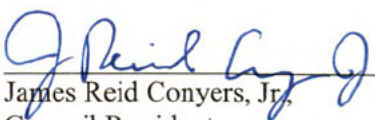


Lisa A. Hanks, MMC  
City Clerk

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes Mayor Sherry Sullivan, on behalf of the City of Fairhope, to execute a purchase agreement and all closing documents related to the sale of the two (2) Quail Creek parcels; and allocates funding out of the Municipal Capital Improvement Fund. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

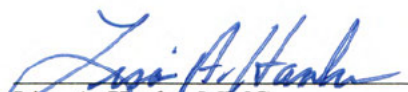
**RESOLUTION NO. 4520-22**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City Council hereby authorizes Mayor Sherry Sullivan, on behalf of the City of Fairhope, to execute a purchase agreement and all closing documents related to the sale of the two Quail Creek parcels; and allocates funding out of the Municipal Capital Improvement Fund.

ADOPTED ON THIS 8TH DAY OF AUGUST, 2022


James Reid Conyers, Jr.,  
Council President

Attest:



Lisa A. Hanks, MMC  
City Clerk

8 August 2022

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase one (1) John Deere 1550 TerrainCut Commercial Front Mower and Rear Discharge Deck or equivalent for the Public Works Department; and the equipment is available for direct procurement through the Sourcewell Contract #031121-DAC which has been nationally bid; and therefore, does not have to be let out for bid. The cost will not-to-exceed \$30,000.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

**RESOLUTION NO. 4521-22**

**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 (1) John Deere 1550 TerrainCut Commercial Front Mower and Rear Discharge Deck or equivalent for the Public Works Department; and the equipment is available for direct procurement through the Sourcewell Contract #031121-DAC which has been nationally bid; and therefore, does not have to be let out for bid. The cost will not-to-exceed \$30,000.00.

ADOPTED ON THIS 8TH DAY OF AUGUST, 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 has voted to procure MUNIS Software Annual Maintenance and Licensing Fees for the IT Department from Tyler Technologies as Sole Source Distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13). The cost will not-to-exceed \$58,648.27. Seconded by Councilmember Martin, motion passed unanimously by voice vote.


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**RESOLUTION NO. 4522-22**

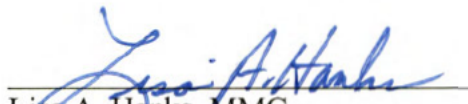
**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:**

[1] That the City of Fairhope has voted to procure MUNIS Software Annual Maintenance and Licensing Fees for the IT Department from Tyler Technologies as Sole Source Distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13). The cost will not-to-exceed \$58,648.27.

ADOPTED ON THIS 8TH DAY OF AUGUST, 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 adopts a Resolution in Support of Thomas Hospital’s request to the Certificate of Need Review Board for 30 additional beds. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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8 August 2022

**RESOLUTION NO. 4523-22**

**RESOLUTION IN SUPPORT OF THOMAS HOSPITAL'S  
REQUEST TO THE CERTIFICATE OF NEED REVIEW BOARD**

**WHEREAS**, Thomas Hospital provides comprehensive, award-winning healthcare services, and is the primary choice for Baldwin County residents; and


**WHEREAS**, Thomas Hospital offers the County's only open-heart surgical program to a state-of-the-art birth center; and continues to meet the medical needs of the fastest growing County in the State; and

**WHEREAS**, the population migration to Baldwin County is ranked nationally in terms of growth; and the care available at Thomas Hospital is one of the reasons for the tremendous influx of new residents and the result is a need for additional beds at Thomas Hospital; and

**WHEREAS**, the City of Fairhope proclaims its support on this 8th day of August of Thomas Hospital's request to the Certificate of Need Review Board for 30 additional beds.

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that The City of Fairhope adopts a Resolution in Support of Thomas Hospital's request to the Certificate of Need Review Board for 30 additional beds.

ADOPTED ON THIS 8TH DAY OF AUGUST, 2022

  
James Reid Conyers, Jr.,  
Council President

Attest:

  
Lisa A. Hanks, MMC  
City Clerk

8 August 2022


Councilmember Robinson 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 job position of Benefits Coordinator, Grade 8; the City Council approves the Job Description and Grade of Pay for same; and to fill with appropriate person within the Paygrade. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 4524-22**

**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.

<b>Addition:</b>	<b>Job Position</b>	<b>Grade of Pay</b>
	Benefits Coordinator	8

ADOPTED THIS 8TH DAY OF AUGUST, 2022

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

ATTEST:

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

Councilmember Martin moved to appoint Dan Hoover to the Recreation Board for a four-year term which will expire August 2026. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Treasurer is authorized to issue Purchase Orders for Eight (8) Ford Trucks or Equivalent listed on the attached spreadsheet totaling \$307,637.00. The Purchase Orders will lock in vehicle orders and specific prices only. Said pricing and rates are off the Alabama State Bid list, do not require separate bidding, and does not obligate the ultimate purchase of the vehicles. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

8 August 2022

**RESOLUTION NO. 4525-22**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City Treasurer is authorized to issue Purchase Orders for Eight (8) Ford Trucks or Equivalent listed on the attached spreadsheet totaling \$307,637.00. The Purchase Orders will lock in vehicle orders and specific prices only. Said pricing and rates are off the Alabama State Bid list, do not require separate bidding, and does not obligate the ultimate purchase of the vehicles.

ADOPTED ON THIS 8TH DAY OF AUGUST, 2022


James Reid Conyers, Jr.,  
Council President

Attest:



Lisa A. Hanks, MMC  
City Clerk

**EXHIBIT A - Ford F150 or Equivalent from Alabama State Bid List for 2023**

Department	Organization	Object	Year	Qty	Amount	Description
Building	001130	50470	2023	1	\$34,927.00	F150 2WD Crew Cab for Building Inspector
Meter	001190	50470	2023	1	\$33,643.00	F150 4X2 Truck or Equivalent
Recreation	001250	50470	2023	1	\$35,000.00	F150 or Equivalent for Parks Custodian
Recreation	001250	50470	2023	1	\$34,332.00	1/2 Ton Crew Cab for Recreation Director
Gas	002	50470	2023	2	\$90,000.00	F150 or 1500 Truck or Equivalent
Electric	003	50470	2023	1	\$41,737.00	F150 Supercrew 4X4 or Equivalent plus Tool Box, Bed Liner, Strobe Lights
Electric	003	50470	2023	1	\$37,998.00	F150 Supercrew 4X2 or Equivalent plus Tool Box, Bed Liner, Strobe Lights
					<u>\$307,637.00</u>	Total

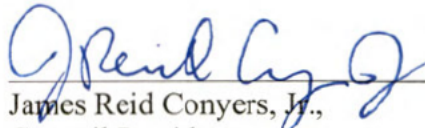
8 August 2022

At the request of the City Attorney, Marcus E. McDowell, the City Council will rise from the meeting to go into Executive Session based on Section 36-25A-7(a)(3) to discuss pending litigation and possible settlement options regarding said pending litigation; and Section 36-25A-7(a)(4) to discuss security plans, procedures, assessments, measures, or systems, or the security or safety of persons, structures, facilities, or other infrastructures, the public disclosure of which could reasonably be expected to be detrimental to public safety or welfare. The approximate time to be in Executive Session is 60 minutes. Councilmember Boone moved to go into Executive Session. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Exited the dais at 6:46 p.m. Returned at 8:15 p.m.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 8:16 p.m.

  
James Reid Conyers, Jr.,  
Council President

  
Lisa A. Hanks, MMC  
City Clerk