

**CITY OF FAIRHOPE  
CITY COUNCIL AGENDA**

**MONDAY, 12 SEPTEMBER 2022 - 6:00 P.M. - CITY COUNCIL CHAMBER**

**Invocation and Pledge of Allegiance**

1. Approve minutes of 22 August 2022 Regular City Council Meeting and the minutes of 22 August 2022 Work Session.
2. Report of the Mayor
3. Public Participation – Agenda Items – (3 minutes maximum)
4. Council Comments
5. **Final Adoption** - Ordinance – An Ordinance to amend Ordinance No. 1754 Known as the Right of Way Construction and Administration Ordinance, Section 10: Schedule of Fees – Rights of Way and Excavation Permit Fees. (Introduced on August 22, 2022 at the City Council Meeting)
6. **Final Adoption** - Ordinance – An Ordinance Authorizing and Granting to Mediacom Southeast LLC (“Mediacom”) the Right to Use the Rights-of-Way of the City of Fairhope, Alabama (The “City”) to Provide Cable Services to the Citizens of the City Under the Terms of a Cable Television System Franchise Agreement. (Introduced on August 22, 2022 at the City Council Meeting)
7. Resolution – That the City Council approves and authorizes the deed restrictions to be attached to the land known as “The Triangle Property”; and authorizes Mayor Sherry Sullivan to work with the Fairhope Single Tax Corporation on preparing these deed restrictions for said property; and that the City Council approves and authorizes Mayor Sherry Sullivan to have a deed for the Triangle Property prepared and deeded to the Fairhope Single Tax Corporation for them to prepare a deed back to the City of Fairhope with deed restrictions included in said deed.
8. Resolution – That Legal Counsel for the City is authorized to resolve the pending real property dispute with Penelope Johnson by payment in the amount of sixteen thousand dollars (\$16,000.00) in exchange for a deed and other appropriate documents approved by Counsel for the City; and that Mayor Sherry Sullivan is authorized to execute all documents and agreements to consummate the settlement on behalf of the City.
9. Resolution – That Mayor Sherry Sullivan is hereby authorized to execute a Reciprocal Agreement between Baldwin County Alabama, Baldwin County Revenue Commissioner’s Office and City of Fairhope for exchanging information relating to Building Permit Information and Related Documents. This agreement will be for a period of three (3) years and automatically renew annually thereafter.
10. Resolution – That Mayor Sherry Sullivan is hereby authorized to execute an Indemnity Agreement between Oak Hollow Farm Inc. and the City of Fairhope for the City’s Christmas Event for the City Employees at the “Barn” on Friday, December 9, 2022, from 12:00 p.m. to 3:30 p.m.
11. Resolution – That the City Council hereby approves and amends the Rules and Regulations for the “Fairhope Docks” for paragraphs 21, 30, 32 and 33.

12. Resolution - That the City of Fairhope authorizes submission of a HMGP Grant to AEMA requesting grant funds to construct a First-Responder Safe Room; estimated total \$2,433,687.05 of project cost and the City of Fairhope is matching funds estimated at \$270,409.67; the City Council authorizes Mayor Sherry Sullivan to sign all required grant application documents on behalf of the City; and Resolution No. 4333-22 is hereby repealed.
13. Resolution - That the City Council approves the selection of Magnolia River as Consultant for (RFQ PS015-22) Natural Gas Engineering Consulting Services; and authorizes Mayor Sherry Sullivan to negotiate a fee schedule and establish a not-to-exceed limit with this firm.
14. Resolution - That the City Council approves the selection of Southern Earth Sciences, Inc. for Professional Engineering Services for (RFQ PS022-22) Asbestos Inventory and Abatement Plan at the K-1 Center; and hereby authorizes Mayor Sherry Sullivan to execute a contract with a not-to-exceed amount of \$10,400.00.
15. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute a Contract for Professional Landscape Architectural Services for (GOMESA Grant No. G-CFNP21CF) Grant Funded Capital Improvement Project in the Triangle Property with Thompson Engineering, Inc. who will partner with Watershed, LLC for (RFQ PS001-22) with a negotiated not-to-exceed amount of \$163,500.00; and fees are reimbursable on grant are in the amount of \$107,141.71.
16. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute a Contract for Professional Services for Public Engagement and Master Planning for the Triangle Park Capital Improvement Project (GOMESA Grant No. G-CFNP21CF) with Thompson Engineering, Inc. who will partner with Watershed, LLC for (RFQ PS001-22) with a negotiated not-to-exceed amount of \$29,700.00; and no grant funds would be used for Public Engagement and Master Planning Services on Contract.
17. Resolution - That Mayor Sherry Sullivan is hereby authorized to execute Change Order No. 1 for (Bid No. 017-22) Pecan Building Phase 2 West Wing Office Remodel for a project increase not-to-exceed \$3,315.00 to MW Rogers Construction Co., LLC. The new contract total will be \$230,461.00.
18. Resolution – That the City Council hereby authorizes the issuance of \$1,946,719.00 Master Equipment Lease/Purchase award to United Bank at an interest rate of 1.79% fixed as a bank qualified tax-exempt rate with a 3-year term; and the equipment with provisions will be financed; and that the City Council approves and authorizes the execution of any and all related documents by the Council President, Mayor, City Clerk, and Treasurer necessary to authorize and effect the issuance and closing of the Master Equipment Lease/Purchase; and that the City Council approves the Bond Counsel R. Preston Bolt, Jr. of Hand, Arendall, Harrison, Sale to prepare all closing documents; and that United Bank will pay closing cost up to \$6,500.00.
19. Resolution – To Award (Bid No. 034-22) to Roof Doctors of Alabama, Inc. for Fairhope Recreation Center and Municipal Pool Complex Roof, Trim and Soffit Repair with a total bid proposal not-to-exceed \$83,090.00.
20. Resolution – To Award (Bid No. 037-22) to BCM Moring Company, Inc. for New Ballpark Bathrooms at Founders & Volanta Parks with a total bid proposal not-to-exceed \$374,174.00.

21. Resolution – That the City of Fairhope has voted to purchase one (1) 2022 Ford Explorer with XLT Package or equivalent for the Police 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. The cost will not-to-exceed the amount of \$31,308.00.
22. Resolution - That the City of Fairhope approves the procurement of one (1) 300 kVA 3 Phase Pad Mount Transformer from Maddox for the New Obstetrics Building and the customer will reimburse cost; procurement authorized based on transformers are exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7). The total cost not-to-exceed \$16,430.00.
23. Resolution – That the City Council hereby approves the procurement of a New Awning for the Pecan Street Building to Artcraft Awning Company with a not-to-exceed amount of \$6,732.00.
24. Resolution - That the bids for the Fairhope Docks Marina Electrical System (Bid No. 032-22) are hereby rejected; and to allow Mayor Sherry Sullivan to negotiate contract with the one responsive bidder Bill Smith Electric, Inc. per the Code of Alabama 1975, Section 39-2-6(b).
25. Resolution - That the bids for the Disaster Related Emergency Tree Service (Bid No. 035-22) are hereby rejected; and to allow Mayor Sherry Sullivan to negotiate contract with the one responsive bidder KDF Enterprises, LLC per the Code of Alabama 1975, Section 39-2-6(b).
26. Appointment – Parking Authority – Josh Turner
27. Public Participation – (3 minutes maximum)
28. Adjourn

**City Council Work Session - 4:30 p.m.  
on Monday, September 12, 2022 – Council Chambers**

**City Council Agenda Meeting - 5:30 p.m.  
on Monday, September 12, 2022 – Council Chambers**

**Next Regular Meeting – Monday, September 26, 2022 - Same Time and Place**