

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 August 2022.

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

There being a quorum present, Council President Conyers called the meeting to order. The invocation was given by Pastor Marshal Frye of Celebration 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 15: a request from Leslie Edgemon with the Baldwin Humane Society requesting permission to close the streets in downtown Fairhope on Thursday, October 27, 2022, from 5:00 p.m. to 7:00 p.m. for the Fairhope Witches Ride 2022. The ride will begin and end at Coastal Alabama Community College Amphitheater. This whimsical bike ride benefits local animal rescue and help animals throughout our area; and is contingent on receiving a Certificate of Insurance naming the City of Fairhope additional insured.

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.

Councilmember Robinson moved to approve minutes of the 08 August 2022, regular meeting; and minutes of the 08 August 2022, work session. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council and thanked the City Crews for a great job handling the rain event last week. She commented there are time delay on projects due to the rain. She gave a shout out to the Recreation Department for completing the drainage project and visitor side prior to the football games.

Councilmember Robinson mentioned the Fairhope High School football game and said it was an incredible game. He said congratulations to the football team.

22 August 2022

Councilmember Robinson moved for final adoption of Ordinance No. 1756, 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. (Introduced on August 8, 2022 at the City Council Meeting) Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE – Burrell, Conyers, Robinson, and Boone. NAY - None.

Councilmember Burrell introduced in writing 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. Due to lack of a motion for immediate consideration, this ordinance will layover until the September 12, 2022 City Council meeting.

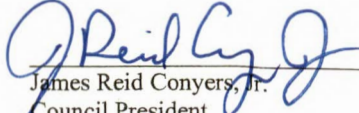
Councilmember Burrell introduced in writing an ordinance to authorizing and Granting to Mediacom Southeast LLC (“Mediacom”) the Right to Use the Rights-of-Way of the City of Fairhope, Alabama (The “City”) to Provide Cable Services to the Citizens of the City Under the Terms of a Cable Television System Franchise Agreement. Due to lack of a motion for immediate consideration, this ordinance will layover until the September 12, 2022 City Council meeting.

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of Grants Management, LLC for Professional Consulting Services for Grants and Grant Management for RFQ No. PS019-22; and hereby authorizes Mayor Sherry Sullivan to execute a Contract of up to \$2,000.00 per month with a not-to-exceed \$24,000.00 annually. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

RESOLUTION NO. 4526-22

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves the selection of Grants Management, LLC for Professional Consulting Services for Grants and Grant Management for RFQ No. PS019-22; and hereby authorizes Mayor Sherry Sullivan to execute a Contract of up to \$2,000.00 per month with a not-to-exceed \$24,000.00 annually.

DULY ADOPTED THIS 22ND DAY OF AUGUST, 2022


James Reid Conyers, Jr.
Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

22 August 2022

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that by this Resolution the City of Fairhope authorizes submission of a grant application to ADECA requesting a FY 2023 RTP grant and authorizes the Mayor to sign the required grant application documents on behalf of the City. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4527-22

AUTHORIZING THE SUBMISSION OF AN FY23 RECREATIONAL TRAILS PROGRAM GRANT APPLICATION TO THE ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS


WHEREAS, the Alabama Department of Economic and Community Affairs (ADECA) is accepting grant applications for the FY 2023 Recreational Trails Program (RTP) grants; and

WHEREAS, the City of Fairhope has identified a need to construct an ADA compliant recreational trail located at the northern portion of the Triangle property, just north of Veterans Drive; and

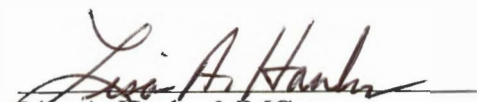
WHEREAS, the total project cost estimate is \$150,000.00 and the City is requesting \$119,999.98 in FY23 RTP funds and, if the grant is funded, the City will provide \$30,000.00 (20%) in local matching funds through a cash contribution.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, in REGULAR SESSION ASSEMBLED, that by this Resolution the City of Fairhope authorizes submission of a grant application to ADECA requesting a FY 2023 RTP grant and authorizes the Mayor to sign the required grant application documents on behalf of the City.

DULY ADOPTED THIS 22ND DAY OF AUGUST, 2022


James Reid Conyers, Jr.
Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

22 August 2022

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 one (1) E-ONE HR100 Quint on a Cyclone Chassis for the Fire Department from Sunbelt Fire, Inc.; the Aerial Ladder Truck is on the H-GAC Cooperative Purchasing Schedule, Contract No. FS12-19 JA06, and therefore does not have to be let out for bid. Lead time on procurement is 780 days. This purchase is non-budgeted, funding of \$400,000.00 in FY 2024 Budget, and the remainder of funding from Impact Fees. The total budgeted amount not-to-exceed \$1,580,443.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote. Mayor Sullivan clarified that this is a new truck not a replacement; and we are using impact fees.

RESOLUTION NO. 4528-22

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 one (1) E-ONE HR100 Quint on a Cyclone Chassis for the Fire Department from Sunbelt Fire, Inc.; the Aerial Ladder Truck is on the H-GAC Cooperative Purchasing Schedule, Contract No. FS12-19 JA06, and therefore does not have to be let out for bid. Lead time on procurement is 780 days. This purchase is non-budgeted, funding of \$400,000.00 in FY 2024 Budget, and the remainder of funding from Impact Fees. The total budgeted amount not-to-exceed \$1,580,443.00.

Adopted on this 22nd 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 four (4) APX6000 700/800 Model 2.5 Portable Handheld Radios for the Fire Department from Motorola Solutions; this type of radio is on the State of Alabama Division of Purchasing Contract Number T3000 with Motorola Solutions, and therefore does not have to be let out for bid. This purchase is non-budgeted, funding will be from Impact Fees. The total budgeted amount not-to-exceed \$20,613.52. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

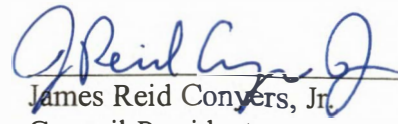
22 August 2022

RESOLUTION NO. 4529-22

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 four (4) APX6000 700/800 Model 2.5 Portable Handheld Radios for the Fire Department from Motorola Solutions; this type of radio is on the State of Alabama Division of Purchasing Contract Number T3000 with Motorola Solutions, and therefore does not have to be let out for bid. This purchase is non-budgeted, funding will be from Impact Fees. The total budgeted amount not-to-exceed \$20,613.52.

Adopted on this 22nd day of August, 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 Change Order No. 3 for (Bid Number 010-20) Church Street Utility and Drainage Improvements to cover the contractor's request for a price increase of the existing sewer rehabilitation, quantity overruns due to inclement weather during the project, and additional work requested by the City for the replacement of an existing corrugated metal pipe at the Morphy Avenue intersection, paving and striping of Oak Avenue (Section St. to Summit St.) and De La Mare Avenue (Section St. to Church St.), and additional rehabilitation of existing sewer main adjacent to the project route by increasing the cost in the amount of \$463,922.30 and to award Change Order No. 3 to Asphalt Services, Inc. (ASI). The working days will be extended 30 days with the new contract time being 300 working days. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

22 August 2022

RESOLUTION NO. 4530-22

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. 3 for (Bid Number 010-20) Church Street Utility and Drainage Improvements to cover the contractor's request for a price increase of the existing sewer rehabilitation, quantity overruns due to inclement weather during the project, and additional work requested by the City for the replacement of an existing corrugated metal pipe at the Morphy Avenue intersection, paving and striping of Oak Avenue (Section St. to Summit St.) and De La Mare Avenue (Section St. to Church St.), and additional rehabilitation of existing sewer main adjacent to the project route by increasing the cost in the amount of \$463,922.30 and to award Change Order No. 3 to Asphalt Services, Inc. (ASI) with a new contract amount of \$5,805,495.75. Due to Change Order No. 3, the working days will be extended by 30 days with the new contract time being 300 working days.

Adopted on this 22nd day of August, 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 Council hereby approves the Contract Amendment to RFQ No. PS008-20 between the City of Fairhope and Goodwyn, Mills & Cawood for Professional Engineering Services for the Preliminary Engineering Services for Turn Lane and Traffic Signal Upgrades on Gayfer Avenue (CR-30) at the intersection with SR-42 (US-98) Greeno Road in Fairhope with a not-to-exceed amount of \$71,238.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

22 August 2022

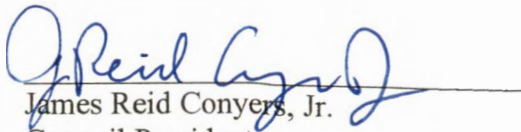
RESOLUTION NO. 4531-22

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

[1] That the City Council hereby approves the Contract Amendment to RFQ No. PS008-20 between the City of Fairhope and Goodwyn, Mills & Cawood for Professional Engineering Services for the Preliminary Engineering Services for Turn Lane and Traffic Signal Upgrades on Gayfer Avenue (CR-30) at the intersection with SR-42 (US-98) Greeno Road in Fairhope with a not-to-exceed amount of \$71,238.00.

[2] The original award amount of contract \$91,821.00. The additional services on contract amendment to RFQ No. PS008-20 \$71,238.00. The new contract total \$163,059.00.

DULY ADOPTED THIS 22ND DAY OF AUGUST, 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 amends the Budget for FY2021-2022 and authorizes the City Treasurer to transfer \$1,000,000.00 to Capital Projects Fund, specifically designated as Infrastructure Improvement Special Account. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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22 August 2022

RESOLUTION NO. 4532-22

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope hereby amends the Budget for the FY2021-2022 and authorizes the City Treasurer to transfer \$1,000,000.00 to Capital Projects Fund, specifically designated as Infrastructure Improvement Special Account. Funds in this Infrastructure Improvement Special Account are to be used only for improvements to City streets, sidewalks, parks, and buildings, as approved by vote of the City Council.

The budget adjustment will be the following amendments:

General Fund

Debit – 001900-50965 Transfers – Capital Projects Fund \$1,000,000.00

Credit – 001-40163 City Sales Tax – PJ	\$800,000.00
001-40165 Seller Use Tax – PJ	\$180,000.00
001-40167 Consumer Use Tax – PJ	\$ 20,000.00

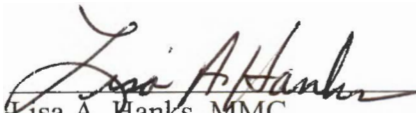
Capital Projects Fund

Credit – 104-49810 Transfers from General Fund \$1,000,000.00

ADOPTED THIS 22ND DAY OF AUGUST, 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 amends the Budget for FY2021-2022 as recommended and presented; and authorizes the City Treasurer to make the necessary changes to expenses as appropriated. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

22 August 2022

RESOLUTION NO. 4533-22


WHEREAS, the City Council adopted on October 11, 2021, a resolution approving and adopting the proposed Budget for the FY2021-2022, Resolution No. 4231-21; and

WHEREAS, the City of Fairhope is desirous to amend the Budget and that the following estimates of expenses, as related thereto, are hereby adopted and those expenses are appropriated as follows:

Account	Description	Debit	Credit
005030-50440	Maintenance-Vehicles & Equipment	55,000.00	
005-41220	Sanitation Collections		55,000.00

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope hereby amends the Budget for the FY2021-2022 as recommended and presented above; and authorizes the City Treasurer to make the necessary changes.

ADOPTED ON THIS 22ND DAY OF AUGUST, 2022


James Reid Conyers, Jr.
Council President

Attest:


Lisa Hanks, MMC
City Clerk

Councilmember Burrell moved to grant the request of Leslie Edgemon with the Baldwin Humane Society requesting permission to close the streets in downtown Fairhope on Thursday, October 27, 2022, from 5:00 p.m. to 7:00 p.m. for the Fairhope Witches Ride 2022. The ride will begin and end at Coastal Alabama Community College Amphitheater. This whimsical bike ride benefits local animal rescue and help animals throughout our area; and is contingent on receiving a Certificate of Insurance naming the City of Fairhope additional insured. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.


22 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 and potential litigation. The approximate time to be in Executive Session is 60 minutes. Councilmember Boone moved to go into Executive Session. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

Exited the dais at 6:24 p.m. Returned at 7:37 p.m.

Councilmember Boone 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 7:38 p.m.


James Reid Conyers, Jr.,
Council President


Lisa A. Hanks, MMC
City Clerk