

**CITY OF FAIRHOPE
CITY COUNCIL AGENDA**

MONDAY, 14 NOVEMBER 2022 - 6:00 P.M. - CITY COUNCIL CHAMBER

Invocation and Pledge of Allegiance

1. Election of New Council President and Council President Pro-Tempore
2. Approve minutes of 24 October 2022 Regular City Council Meeting and the minutes of 24 October 2022 Work Session.
3. Report of the Mayor
4. Public Participation – Agenda Items – (3 minutes maximum)
5. Council Comments
6. **Final Adoption** – Ordinance – Amend Zoning Ordinance No. 1253
 - Request to establish initial zoning of **Dynamic Holdings LLC** property to B-2 General Business District, concurrent with conditional annexation into the City of Fairhope. The property is approximately .6 acres and is located south of Spring Run Drive, north of the Wolfe-Bayview Funeral Home. PPIN Number: 91211. (Introduced at City Council Meeting on October 24, 2022.)
7. **Final Adoption** – Ordinance – Amend Zoning Ordinance No. 1253
 - Request to establish initial zoning of **The Grand Reserve at Pelham LLC** property to B-2 General Business District, concurrent with conditional annexation into the City of Fairhope. The property is approximately 13.30 acres and is located on the northwest corner of Greeno Road and Old Battles Road. PPIN Numbers: 39376, 210314. (Introduced at City Council Meeting on October 24, 2022.)
8. **Final Adoption** – Ordinance – Amend Zoning Ordinance No. 1253
 - Request to consider the Applicant, S.E. Civil, acting on behalf of the Owner, Burgess Thomasson, Jr., *et al.*, to amend the existing **Montrose Preserve PUD** to remove the requirement of a Preliminary Plat for all 18 lots within the PUD, create five development phases, and to include either Option A; allow Lots 4-6 to be sold individually, or Option B; combine Lots 4-6 as one lot to be sold, reducing the lot count to 16. (Introduced at City Council Meeting on October 24, 2022.)
9. **Final Adoption** - Ordinance – An Ordinance Amending Ordinance No. 1269
 - User Fees Charged by the City of Fairhope Planning and Zoning Department. (Introduced at City Council Meeting on October 24, 2022.)
10. Site Plan Review and Approval – Request of FST Magnolia Avenue LLC, owner, for Site Plan approval of Magnolia Properties Office Building. The subject property is zoned B-2, General Business District, and is approximately 0.5 acres. The property is located on the southern side of Magnolia Avenue and lies west of North Section Street. PPIN Number: 14893, 14394. (Planning Commission unanimously voted to recommend City Council approve SR 22.07.

11. Resolution – That Mayor Sherry Sullivan is hereby authorized to execute a Project Development Agreement between the City of Fairhope and RW Battles, L.L.C. contingent on Annexation into the City of Fairhope.
12. Resolution – That the City of Fairhope gratefully accepts the Warranty Deed from Azalea Ridge Property Owners Association, Inc. to the City of Fairhope, Alabama, for the Raintree Lift Station property; and hereby accepts the Wastewater Infrastructure including lift station, sewer force main, and 8” gravity sewer; and authorizes Mayor Sherry Sullivan to sign any documents necessary to complete the transfer.
13. Resolution – That the public improvements indicated herein for Overland Subdivision Phase 1 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 Overland 2021, LLC (the “Subdivider”).
14. Resolution – That the public improvements indicated herein for Live Oak Estates 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 Breland Homes Coastal, LLC (the “Subdivider”).
15. Resolution – That the City Council approves Amendment No. 1 to RFP 002-19 - Program Administrative Services for Working Waterfront and Green Space Project to Grant Management, LLC for ADCNR Grant #M1A14-FHWW; and authorizes Mayor Sherry Sullivan to execute Amendment No. 1 between the City of Fairhope and Grant Management, LLC in the amount of \$210,500.00.
16. Resolution - That the City Council approves Amendment No. 1 to RFP 010-19 – Professional Engineering Services for Working Waterfront and Green Space Project to Goodwyn, Mills and Cawood, Inc. for ADCNR Grant #M1A14-FHWW; and authorizes Mayor Sherry Sullivan to execute Amendment No. 1 between the City of Fairhope and Goodwyn, Mills and Cawood, Inc. in the amount of \$281,920.00.
17. Resolution – That the City of Fairhope authorizes the submission of a grant application for the Water Quality Program of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf States Act (Restore Act) with a requested amount of \$487,500.00; the proposed cost of the project to be \$650,000.00; grant funds will pay \$487,500.00 of the total project costs, and if a grant is funded the City will be responsible for contributing \$162,500.00 required in cash matching funds, as well, as \$19,500.00 to cover Grant Management Services for the project; and the City Council authorizes Mayor Sherry Sullivan to sign all required grant application documents on behalf of the City.
18. Resolution – That the City of Fairhope authorizes acceptance of the grant award from the Alabama Law Enforcement Agency; and authorizes Mayor Sherry Sullivan to sign the Subrecipient Funding Agreement for the State Homeland Security Grant in the amount of \$49,892.00.
19. Resolution - That the City of Fairhope approves the selection to award the Request for Qualifications (RFQ PS20-22) Professional Architectural & Engineering Services – Redevelopment & Remodel of the Fairhope K-1 Center (EDA & HUD Funded Project No. COF-2023 EDA001) to Watermark Design Group; and hereby authorizes Mayor Sherry Sullivan to negotiate the fee schedule for contract with firm.

20. Resolution - That the City of Fairhope approves the selection of Pyro Productions Inc. as Professional Consultant for the Design and Production of the Fireworks Display for New Year's Eve 2023 for the Community Affairs Department (RFQ No. PS23-004), 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.
21. Resolution - That the City of Fairhope approves the selection of International Code Council for (RFQ PS23-005) Professional Engineering Services for 3rd Party Review of Construction Documents for the RDI Hangar, and the Rockwell Apartment Buildings A and B, etc.; and hereby authorizes Mayor Sherry Sullivan to execute a contract with firm with a hard estimate amount of \$50,000.00.
22. Resolution - To Award (Bid No. 23-001-WA009-21) to Hemphill Construction Company, Inc. for CR 33 24-Inch Water Main Extension Project with a total bid proposal budgeted not-to-exceed \$6,452,960.00.
23. Resolution – That the City of Fairhope approves the procurement for FY2023 Potting Soil Sungro MM830-F3B FB RSi for the Public Works Department from Sungro Horticulture Inc. as Sole Source and Manufacturer of this product; authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13): "Contractual services and purchases of commodities for which there is only one vendor or supplier and contractual services and purchases of personal property which by their very nature are impossible to award by competitive bidding." The total budgeted amount not-to-exceed \$70,937.00.
24. Resolution - That the City of Fairhope approves the procurement of one (1) 2023 Ford Explorer or equivalent for the Planning Department from Stivers Ford Lincoln; the type of vehicle needed is on the State of Alabama Division of Purchasing Contract Number T191L and therefore does not have to be let out for bid; total cost not-to-exceed \$32,753.00, \$1,287.00 of which is not budgeted.
25. Resolution - That the City of Fairhope approves the procurement of one (1) Econoline DP1225DA Backhoe Trailer 24 Ton with Airbrakes or equivalent for the Gas Department; this type of equipment is on the Omnia Partners Contract Number 161534 and therefore does not have to be let out to bid. Total cost not-to-exceed \$23,363.00, over budget \$2,363.00 due to the rise of inflation.
26. Resolution – That the City of Fairhope approves the procurement of Expansion of the Laserfiche Avante Starter Public Portal for the IT Department from MCCi; this is Addendum No. 2 to MCCi Master Services Agreement No. 19570; the contract is through NCPA (National Cooperative Purchasing Alliance) Contract #11-25 and therefore does not have to be let out to bid. The total budgeted amount not-to-exceed \$18,000.00.
27. Resolution – That the City of Fairhope approves the procurement of an upgrade to Internet Bandwidth from 1 Gbps to 2 Gbps for the IT Department from Harbor Communications (now Cspire) as Sole Source Distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13). The budgeted cost will not-to-exceed \$17,400.00 annually.

28. Resolution – That the City of Fairhope declares thirty-eight (38) LED Lights GAN-SA8C-740-U-T2R-GN-U116390 Galleon LED 445W, 120-277V, Type II Roadway, Hartford Green as surplus and the Mayor and City Treasurer are hereby authorized and directed to dispose of personal property owned by the City of Fairhope by one of the following methods: [1] Receiving bids for such property (via GovDeals) sold to the highest bidder; provided, however, that the City Council shall have the authority to reject all bids, when, in its opinion, it deems the bids to be less than adequate consideration for the personal property; [2] Sold to the Private Sector through direct sell.
29. Resolution – That the City of Fairhope declares three (3) sailboats owned by the City and located at Fairhope Docks surplus; and authorizes and directs Mayor Shery Sullivan to dispose of boats by disposal via landfill.
30. Historic Preservation Committee Appointment – Amy Molyneux
31. Personnel Board Reappointment - Genie Frazer
32. Request – Lindsey Simmons with the Eastern Shore Junior Auxiliary is requesting permission of a road closure of Bancroft Street from the intersection of Fairhope Avenue to Oak Avenue on Sunday, December 11, 2022, from 12:00 p.m. to 5:00 p.m. for the “Jolly Jog” a proposed half-mile fun run for families hosted by The Mill to raise funds for the Eastern Shore Junior Auxiliary. The proposed event time includes a one-hour buffer on each side for set-up and clean-up. They are not requesting that Fairhope Avenue be closed in any manner. The event will begin and end directly at the Mill, running towards Oak Avenue, back up Bancroft to close the loop near the Library. In addition activities include; Santa for pictures, live band, kids games and crafts, and costume contests for participants. Based on this same event hosted by the Junior Auxiliary last year, we estimate attendance to be approximately 150 people. This is a family-friendly event.
33. Request – Ed Hammele, Fairhope Sunset Rotary Club Foundation, requesting permission for the use of the City streets for a fundraising event that will benefit the Fairhope-Point Clear Rotary Youth Club on Saturday, January 21, 2023 for the 4th Annual 0.5K Run in Fairhope from 2:45 p.m. to 3:30 p.m.
34. Request – Ailey Cometti with Fairhope East K-6 Parent Teacher Corporation in collaboration with the Fairhope West Parent Teacher Partnership and J. Larry Newton Parent Teacher Organization are requesting permission to close the streets in downtown Fairhope on Saturday, February 4, 2023, from 6:00 a.m. to 10:00 a.m. for their 7th Annual “The Pirate Dash;” and requesting use of barricades at major road intersections to protect runners. The Pirate Dash will begin and end on the bluff (Henry George Park).
35. Public Participation – (3 minutes maximum)
36. Executive Session – To discuss pending and potential litigation.
37. Adjourn

**City Council Work Session - 4:30 p.m.
on Monday, November 14, 2022 – Council Chambers**

**City Council Agenda Meeting - 5:30 p.m.
on Monday, November 14, 2022 – Council Chambers**

Next Regular Meeting – Monday, November 28, 2022 - Same Time and Place