

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, 9 January 2023.

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

There being a quorum present, Council President Robinson called the meeting to order. The invocation was given by Pastor Brent Shaw First Baptist Church Fairhope and the Pledge of Allegiance was recited. Councilmember Conyers moved to approve minutes of the 21 December 2022, regular meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council regarding the following items:

- 1) We are celebrating National Law Enforcement Day today. Always a good day to appreciate our police officers and all that they do for the City of Fairhope.
- 2) I would like to remind everyone we will be celebrating Martin Luther King Day on Monday, January 16, 2022. We are the host for the event this year. Item 14 is on the agenda. Parade starting at 10:30 on Morphy and Young and march to the Civic Center for ceremony. Everyone welcome.
- 3) A Longmont Colorado Newsletter was inserted by into our utility bill in error. You can pick up a City Sketches at a City Building or online.
- 4) We are having billing issues with software and are working to resolve to become more efficient and offer adequate services to our citizens.
- 5) Proclamation presented to Dr. Richard A. Rohe who has served our community and Thomas Hospital (45½) years and served in the field of Obstetrics and Gynecology (48) years. Dr. Rohe attended Auburn University and went on to medical school at the University of Tennessee in Memphis. Dr. Rohe is a veteran with (4) years active duty service in the U.S. Air Force as a physician achieving Major in the Medical Corp. Dr. Rohe estimated delivering (10,000) babies during his career. Dr. Rohe served as First Chairman of Thomas Hospital Department of Surgery Medical Staff, Past Chair of Medical Staff, and Past Chair of Obstetrics Department, and is a member of the Board of Directors of Thomas Hospital for (28) years. Dr. Rohe is actively involved in St. Lawrence Catholic Parrish and Catholic Charities of Archdiocese of Mobile. Dr. Rohe has served thousands of patients, veterans, colleagues, friends, family, church, and community. Mayor Sherry Sullivan proclaims

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January 9th Richard Rohe Day in the City of Fairhope. Dr. Rohe commented he appreciated the proclamation and extended thanks. He loves the City of Fairhope and is looking forward to his retirement. Mayor Sullivan additionally recognized Dr. McBrearty for being here tonight.

Council President Robinson opened Public Participation for Agenda Items. There was no public participation.

Council President Robinson asked for Council Comments.

Councilmember Burrell addressed speeding with safety issues, pedestrian safety, littering, review of ordinances and increase fines, and unregulated and untaxed short term rentals.

Councilmember Conyers made comment of Dr. Rohe tremendous career with (45) years of service and (10,000) babies. Great to see his family here tonight to celebrate.

Councilmember Boone moved for final adoption of Ordinance to Amend Zoning Ordinance No. 1253, and Repeal and Replace Ordinance No. 1375 to Request of Live Oak Properties, LLC to rezone property from Planned Unit Development (PUD) to R-1 Low Density Single Family. The property is approximately 3.79 acres and is located on the east side of Main Street, south of Parker Road. PPIN Number: 11947. (Introduced at the December 21, 2022 City Council Meeting.) Seconded by Councilmember Conyers, motion for final adoption passed by the following voice votes: AYE - Burrell, Martin, Conyers, Robinson, and Boone. NAY - None. Councilmember Burrell commented local residents were supportive of ordinance.

Councilmember Conyers moved for final adoption of Ordinance to Amend Zoning Ordinance No. 1253, to Request to establish initial zoning of June Nelson Long's property to B-2 General Business District, concurrent with conditional annexation into the City of Fairhope. The property is approximately 1.7 acres and is located on the northeast corner of Greeno Road and Old Battles Road. PPIN Number: 26270. (Introduced at Council Meeting, December 21, 2022.) Seconded by Councilmember Boone, motion for final adoption passed by the following voice votes: AYE - Burrell, Martin, Conyers, Robinson, and Boone. NAY - None.

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves Amendment No. 1 to the Contract Agreement with Kimley-Horn and Associates, Inc. for (RFQ PS14-21) Professional Consulting Services for New Water Transmission Line on CR 33 for a not-to-exceed amount of \$80,000.00, increasing the original contract total to \$488,000.00; and hereby authorizes Mayor Sherry Sullivan to execute a contract.

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Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4663-23

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

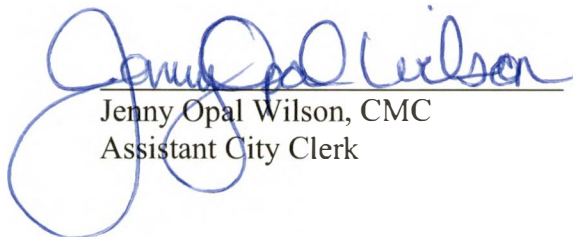
[1] That the City of Fairhope approves Amendment No. 1 to the Contract Agreement with Kimley-Horn and Associates, Inc. for (RFQ PS14-21) Professional Consulting Services for New Water Transmission Line on CR 33 for a not-to-exceed amount of \$80,000.00, increasing the original contract total to \$488,000.00; and hereby authorizes Mayor Sherry Sullivan to execute a contract.

DULY ADOPTED THIS 9TH DAY OF JANUARY, 2023



Jay Robinson, Council President

Attest:



Jenny Opal Wilson, CMC
Assistant City Clerk

Councilmember Conyers 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 Project No. STPOA-0220(252) Turn Lane Construction and Traffic Signal Upgrades on CR-30 (Gayfer Avenue) at SR-42 (US-98) (Rebid No. 009-22) for a project cost increase not-to-exceed \$45,555.72 to McElhenney Construction Company, LLC. The new contract total will be \$595,293.09. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

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9 January 2023

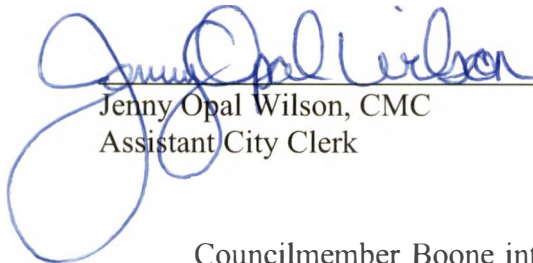
RESOLUTION NO. 4664-23

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 Project No. STPOA-0220(252) Turn Lane Construction and Traffic Signal Upgrades on CR-30 (Gayfer Avenue) at SR-42 (US-98) (Rebid No. 009-22) for a project cost increase not-to-exceed \$45,555.72 to McElhenney Construction Company, LLC. The new contract total will be \$595,293.09.

ADOPTED ON THIS 9TH DAY OF JANUARY, 2023


Jay Robinson, Council President

Attest:


Jenny Opal Wilson, CMC
Assistant City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution to Award (Bid No. 23-012-2023-PW1-008) to McElhenney Construction Company, LLC for Roadway and Parking Improvements Project at Volanta Sports Park with a total bid proposal not-to-exceed \$457,459.71. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4665-23

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 to procure services for (Bid No. 23-012-2023-PWI-008) Roadway and Parking Improvements Project at Volanta Sports Park at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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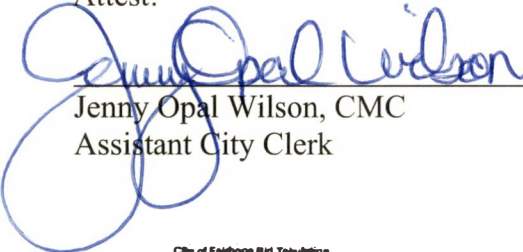
[2] At the appointed time and place, bids were received and tabulated as follows:

Please see attached Bid Tabulation for
Roadway and Parking Improvements Project at Volanta Sports Park

[3] After evaluating the bids with the required specifications, McElhenney Construction Company is now awarded (Bid No. 23-012-2023-PWI-008) Roadway and Parking Improvements Project at Volanta Sports Park with a total bid proposal not-to-exceed \$457,459.71, over budget \$132,459.71. General Fund Reserve to be used for shortfall.

ADOPTED ON THIS 9TH DAY OF JANUARY, 2023


Jay Robinson, Council President

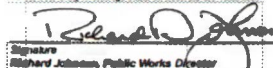
Attest:

Jenny Opal Wilson, CMC
Assistant City Clerk

City of Fairhope Bid Tabulation
Bid No. 23-012-2023-PWI-008 Roadway and Parking Improvements Project at Volanta Sports Park
Created December 16, 2022 at 10:00 A.M.

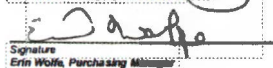
	Bid Documents Signed / Returned (Y/N)	Addendum 1 & 2 Acknowledged	Bid Bond (Y/N)	Vendor Compliance (Y/N)	Total Contract Cost
Asphalt Services, Inc. (AS)	Y	Y/Y			
John G. Walton Construction	Y	Y/Y			
McElhenney Construction	Y	Y/Y			

Recommendation:

To the best of my knowledge this is an accurate Bid Tabulation


Signature
Richard Johnson, Public Works Director

12/16/2022


Signature
Erin Wolfe, Purchasing Manager

12/20/2022

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution to Award (Bid No. 23-002-2022-PWD-005) to Blade Construction, LLC for Drainage between Morphy and Bellangee Avenues

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Improvement Project with a total bid proposal not-to-exceed \$199,065.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4666-23

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 to procure services for (Bid No. 23-002-2022-PWD-005) Drainage Between Morphy and Bellangee Avenues Improvement Project at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for
Drainage Between Morphy and Bellangee Avenues Improvement Project

[3] After evaluating the bids with the required specifications, Blade Construction, LLC is now awarded (Bid No. 23-002-2022-PWD-005) Drainage Between Morphy and Bellangee Avenues Improvement Project with a total bid proposal not-to-exceed \$199,065.00, under budget \$50,935.00.

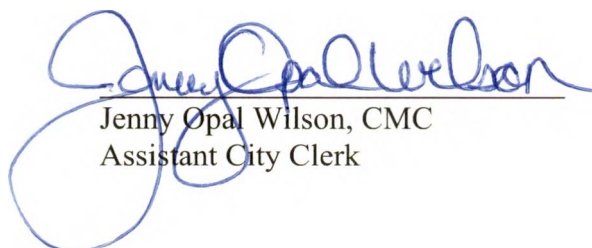
9 January 2023

ADOPTED ON THIS 9TH DAY OF JANUARY, 2023



Jay Robinson, Council President

Attest:



Jenny Opal Wilson, CMC
Assistant City Clerk

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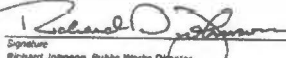
9 January 2023

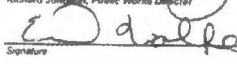
City of Fairhope Bid Tabulation
 Bid 23-007-0023-FWD-010 (Storm) and Drainage Area Drainage
 Opened November 10, 2022 at 10:00 A.M.

Vendor	Bid Documents Signed / Received (Y/N)	Bid Bond	Vendor Compliance (Y/N)	Attachment 1 Acknowledged (Y/N)	Attachment 2 Acknowledged (Y/N)	Quote Total	Additional Alternative Quote Total
James Bros Excavating Inc.	Y	Y	Y	Y	Y	171,188.00	857,500.00
Blade Construction, LLC	Y	Y	Y	Y	Y	164,217.00	884,848.00

Recommendation:

To the best of my knowledge this is an accurate Bid Tabulation

 11/10/2022
 Signature
 Richard Johnson, Public Works Director

 11/10/2022
 Signature

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution That the City of Fairhope approves the selection for (RFQ PS23-011) Flood Study of area near Fairfax and Cowpen Creek Watershed; and hereby authorizes Mayor Sherry Sullivan to execute a contract with Hydro Engineering Solutions with a not-to-exceed amount of \$27,500.00. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

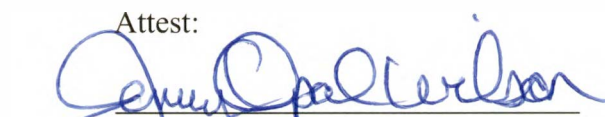
RESOLUTION NO. 4667-23

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

[1] That the City of Fairhope approves the selection for (RFQ PS23-011) Flood Study of area near Fairfax and Cowpen Creek Watershed; and hereby authorizes Mayor Sherry Sullivan to execute a contract with Hydro Engineering Solutions with a not-to-exceed amount of \$27,500.00.

DULY ADOPTED THIS 9TH DAY OF JANUARY, 2023


 Jay Robinson, Council President

Attest:

 Jenny Opal Wilson, CMC
 Assistant City Clerk

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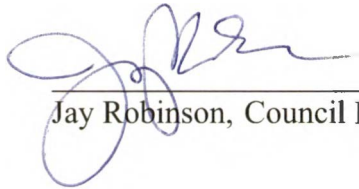
Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to approve annual inspections and testing of Fire Trucks to Sunbelt Fire, Inc. as sole source distributor; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13). The total amount will not-to-exceed \$15,135.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4668-23

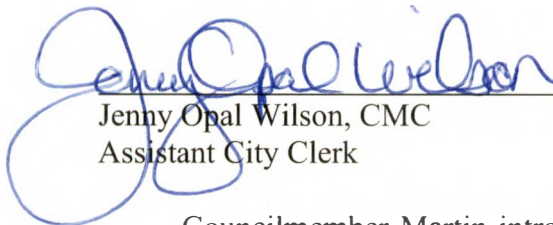
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to approve annual inspections and testing of Fire Trucks from Sunbelt Fire, Inc. 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 \$15,135.00.

ADOPTED ON THIS 9TH DAY OF JANUARY, 2023


Jay Robinson, Council President

Attest:


Jenny Opal Wilson, CMC
Assistant 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 Bullhorn RM4251 DC Remote Monitoring Cathodic Protection service fees and installation materials for the Gas Department with American Innovations as Sole Source; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51 (b)(7). The total amount will not-to-exceed \$5,000.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

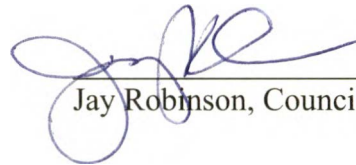
9 January 2023

RESOLUTION NO. 4669-23

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

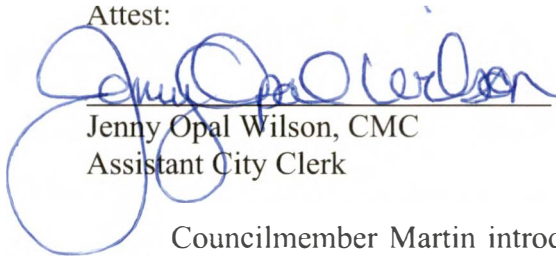
[1] That the City of Fairhope approves the procurement of Bullhorn RM4251 DC Remote Monitoring Cathodic Protection service fees and installation materials for the Gas Department with American Innovations as Sole Source; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51 (b)(7). The total amount will not-to-exceed \$5,000.00.

ADOPTED ON THIS 9TH DAY OF JANUARY, 2023



Jay Robinson, Council President

Attest:



Jenny Opal Wilson, CMC
Assistant City Clerk

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution Authorizing Mayor Sherry Sullivan to execute a Contract between the City of Fairhope and the Baldwin County Martin Luther King Jr. Celebration Committee Inc. for use of the City facilities (rental and cleaning fees) on Martin Luther King's Birthday (January 16, 2023), including streets and parks; but they would be responsible for any incidentals or damages if necessary. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4670-23

WHEREAS, the Baldwin County Martin Luther King Jr. Celebration Committee Inc. serves a public purpose and the County-wide publicity that the Baldwin County Martin Luther King Jr. Celebration Committee Inc. gives the City of Fairhope is a public service; and,

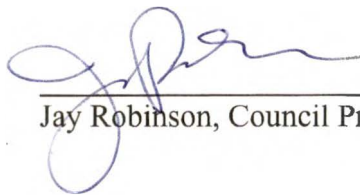
WHEREAS, We, the Baldwin County Martin Luther King Jr. Celebration Committee Inc., agree to work with the Mayor, and /or his agent(s), to advertise and promote the City of Fairhope and to continue providing scholarships to Baldwin County High School students; continue partnering with OWA to give funds to schools and students through essay contests; and to allow over 1,000 participants to enjoy the Celebrations during our Dr. Martin Luther King Jr. Celebration; and

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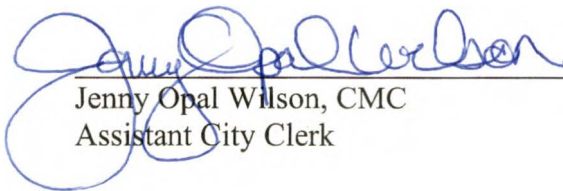
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Sherry Sullivan is hereby authorized to execute contract between the City of Fairhope and the Baldwin County Martin Luther King Jr. Celebration Committee Inc. for use of the City facilities (rental and cleaning fees) on Martin Luther King’s Birthday (January 16, 2023), including streets and parks; but they would be responsible for any incidentals or damages if necessary.

ADOPTED THIS 9TH DAY OF JANUARY, 2023



Jay Robinson, Council President

ATTEST:



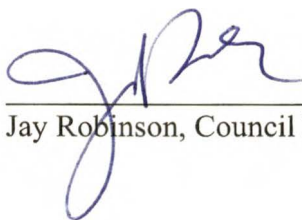
Jenny Opal Wilson, CMC
Assistant City Clerk

The following individual spoke during Public Participation for Non-Agenda Items:

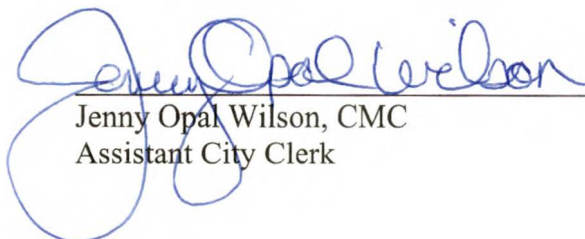
Kitty Crumpton, 104 Laurel Avenue, addressed the Council regarding easement on the back of her property. Council President Robinson directed Planning and Zoning Manager Hunter Simmons to follow-up with Ms. Crumpton.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 6:34 p.m.



Jay Robinson, Council President



Jenny Opal Wilson, CMC
Assistant City Clerk