

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, 24 April 2023.

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

There being a quorum present, Council President Robinson called the meeting to order. The invocation was given by Pastor Rick Malugani of Fairhope Christian Church and the Pledge of Allegiance was recited.

Council President Robinson stated there was a need to add on an agenda item after Agenda Item Number 17: a resolution that the bids for the Installation of a Sanitary Sewer Lift Station at Planters Pointe (Bid No. 23-023) are hereby rejected due to excessive cost; and authorizes staff to revise the specifications for cost savings and rebid.

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

Councilmember Martin moved to approve minutes of the 10 April 2023, regular meeting; and minutes of the 10 April 2023, work session. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council regarding the following items:

- 1) Last week was Volunteer's Week
- 2) Earth Day was Saturday along with Chalk the Walk and a Soccer Tournament
- 3) Tomorrow begins Coffee with the Mayor at the Nix Center

No one spoke during Public Participation for Agenda Items.

Councilmember Burrell stated at the last Work Session the plan for the Triangle property was discussed; and the comments made need to be looked at.

Councilmember Martin commented there will be a Steering Committee meeting on April 26, 2023 for the Triangle.

24 April 2023

Councilmember Boone said that if you did not attend Earth Day, you missed a great event and great day.

Councilmember Burrell asked about pavers being purchased to be placed at the K-1 Center. Mayor Sullivan replied pavers are purchased and placed on sidewalks throughout the City.

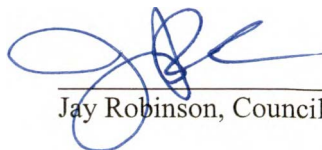
Council President Robinson gave a shout out to the Fairhope Baseball Team who is doing a great job this year.

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the funding of a temporary position for the Electric Superintendent's and the Water and Wastewater Superintendent. These positions will be for training purposes only, not to exceed 60 days and will automatically defund with the retirement of the existing personnel. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4728-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City Council approves the funding of a temporary position for the Electric Superintendent's and the Water and Wastewater Superintendent. These positions will be for training purposes only, not to exceed 60 days and will automatically defund with the retirement of the existing personnel.

ADOPTED THIS 24TH DAY OF APRIL, 2023



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Jay Robinson, Council President

ATTEST:



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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 authorizes and approves hiring an Animal Control Officer (Pay Grade 7/HR); and the current employee will remain on staff which will allow him to work and train the new Animal Control Officer. This will be an overlap position that will be beneficial to the City as well as the new hire. The position overlap will expire on June 8, 2023. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

24 April 2023

**RESOLUTION NO. 4729-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, That the City Council authorizes and approves hiring an Animal Control Officer (Pay Grade 7/HR); and the current employee will remain on staff which will allow him to work and train the new Animal Control Officer. This will be an overlap position that will be beneficial to the City as well as the new hire. The position overlap will expire on June 8, 2023.

ADOPTED THIS 24TH DAY OF APRIL, 2023



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 Jay Robinson, Council President

ATTEST:




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 Lisa A. Hanks, MMC  
 City Clerk

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute a contract with Volkert, Inc. to perform Professional Engineering Services for (RFQ PS23-14) Utilities Relocation for the State of Alabama's US-31 Widening Project with a not-to-exceed amount of \$152,732.96. The engineering services are 100 percent reimbursable by the State of Alabama. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4730-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, That Mayor Sherry Sullivan is hereby authorized to execute a contract with Volkert, Inc. to perform Professional Engineering Services for Utilities Relocation for the State of Alabama's US-31 Widening Project (RFQ PS23-14) with a not-to-exceed amount of \$152,732.96. The engineering services are 100 percent reimbursable by the State of Alabama.

DULY ADOPTED THIS 24TH DAY OF APRIL, 2023



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 Jay Robinson, Council President

Attest:




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 Lisa A. Hanks, MMC  
 City Clerk

24 April 2023

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves Amendment No. 2 to the Contract for On Call Professional Engineering Services with Stewart Engineering, Inc. for the Electric Department (RFQ No. PS005-21) to extend the current contract for the third year until March 7, 2024; and authorizes Mayor Sherry Sullivan to execute Amendment No. 2 with a not-to-exceed amount of \$25,000.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 4731-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City Council approves Amendment No. 2 to the Contract for On Call Professional Engineering Services with Stewart Engineering, Inc. for the Electric Department (RFQ No. PS005-21) to extend the current contract for the third year until March 7, 2024; and the vendor has agreed to honor the terms and conditions as set in the original contract and Amendment No. 1; and authorizes Mayor Sherry Sullivan to execute Amendment No. 2 with a not-to-exceed amount of \$25,000.00.

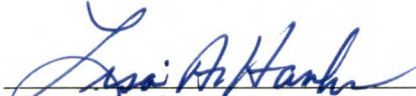
Adopted on this 24th day of April, 2023




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Jay Robinson, Council President

Attest:




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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 the selection Kimley-Horn and Associates, Inc. for Rehab Engineering Services for (RFQ PS23-019) Dog House Lift Station Project; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

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24 April 2023


**RESOLUTION NO. 4732-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, That the City Council approves the selection Kimley-Horn and Associates, Inc. for Rehab Engineering Services for (RFQ PS23-019) Dog House Lift Station Project; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 24TH DAY OF APRIL, 2023


Jay Robinson, 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 the selection of O'Donnell & Associates, Inc. to perform Professional Services for (RFQ PS23-020) Professional Hydrogeologic and Environmental Services for Well Fields 1, 3, and 4; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

**RESOLUTION NO. 4733-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, That the City Council approves the selection of O'Donnell & Associates, Inc. to perform Professional Services for (RFQ PS23-020) Professional Hydrogeologic and Environmental Services for Well Fields 1, 3, and 4; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 24TH DAY OF APRIL, 2023


Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC  
City Clerk

24 April 2023

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of O'Donnell & Associates, Inc. to perform Professional Services for (RFQ PS23-021) Remote Groundwater Level Monitoring as part of the Fairhope Water System Planning Project Phase 1; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 4734-23**

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

[1] That the City Council approves the selection of O'Donnell & Associates, Inc. to perform Professional Services for (RFQ PS23-021) Remote Groundwater Level Monitoring as part of the Fairhope Water System Planning Project Phase 1; and hereby authorizes Mayor Sherry Sullivan to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 24TH DAY OF APRIL, 2023



Jay Robinson, 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 to Award Bid No. (Bid No. 23-021-2023-PWI-005) for Transfer Station Slab Reconstruction to Impact Divisions, LLC with a total bid proposal of \$145,583.10. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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24 April 2023

**RESOLUTION NO. 4735-23**

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

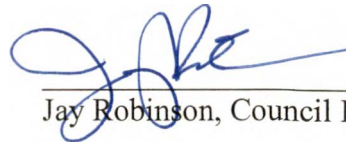
[1] That the City of Fairhope did request, receive, and open bids for Transfer Station Slab Reconstruction (Bid No. 23-021-2023-PWI-005) for the Public Works Department at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

RH Deas Building Co., LLC	\$147,711.00
Impact Divisions, LLC	\$145,583.10

[3] After evaluating the bids with the required specifications, Impact Divisions, LLC is now awarded (Bid No. 23-021-2023-PWI-005) for Transfer Station Slab Reconstruction with a total bid proposal of \$145,583.10.

Adopted on this 24th day of April, 2023



Jay Robinson, 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 approves the selection by Mayor Sherry Sullivan for (RFQ PS23-003) Professional Engineering Services for the 46 KV Transmission Loop along the West Side of Green Road; and authorizes the Mayor to execute a contract with Stewart Engineering with a not-to-exceed amount of \$166,000.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.



24 April 2023

**RESOLUTION NO. 4736-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City of Fairhope approves the selection by Mayor Sherry Sullivan for (RFQ PS23-003) Professional Engineering Services for the 46 KV Transmission Loop along the West Side of Green Road; and authorizes the Mayor to execute a contract with Stewart Engineering with a not-to-exceed amount of \$166,000.00.

DULY ADOPTED THIS 24TH DAY OF APRIL, 2023

  
Jay Robinson, 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 City Council authorizes and approves the direct payment to the subcontractor GeoCon Engineering & Testing, Inc. for Professional Engineering Services for Athletic Track & Additional Parking with a not-to-exceed amount of \$8,000.00. This expense is not an additional expense but will save the City 10% administrative fees; and will be deducted from the total contract cost with Sawgrass Consulting, LLC. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

**RESOLUTION NO. 4737-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That City Council authorizes and approves the direct payment of the subcontractor GeoCon Engineering & Testing, Inc. for Professional Engineering Services for Athletic Track & Additional Parking with a not-to-exceed amount of \$8,000.00. This expense is not an additional expense but will save the City 10% administrative fees; and will be deducted from the total contract cost with Sawgrass Consulting, LLC.

DULY ADOPTED THIS 24TH DAY OF APRIL, 2024

  
Jay Robinson, Council President

Attest:

  
Lisa A. Hanks, MMC  
City Clerk



24 April 2023

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that certain items are declared 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 four methods listed on the resolution. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4738-23**

**WHEREAS**, the City of Fairhope, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

**WHEREAS**, Section 11-43-56 of the Code of Alabama of 1975 authorizes the municipal governing body to dispose of unneeded personal property;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FAIRHOPE, ALABAMA, AS FOLLOWS:**

**SECTION 1.** That the following personal property owned by the City of Fairhope, Alabama, is not needed for public or municipal purposes, and hereby declared surplus:

**[SEE ATTACHED LIST OF EQUIPMENT]**

**SECTION 2.** That the Mayor and City Treasurer are hereby authorized and directed to dispose of the personal property owned by the City of Fairhope, Alabama, described in Section 1, above, by one of the following methods:

- a. Receiving bids for such property (“via GovDeals”). All such property shall be sold to the highest bidder, provided, however, that the City Council shall grant the authority to the Mayor to reject all bids when, in her opinion, she deems the bids to be less than adequate consideration for the personal property.
- b. Sold for scrap or recycle at the highest offered value.
- c. Disposal via landfill.
- d. Sell Ford Excursion to Silverhill Fire Department

ADOPTED AND APPROVED THIS 24TH DAY OF APRIL, 2023



Jay Robinson, Council President

ATTEST:

City Clerk

24 April 2023

**GOV DEALS**

RECOMMENDED DISPOSITION	DESCRIPTION	YEAR	VIN NUMBER
GOV DEAL	FREIGHTLINER 114SD	2015	1FVAG3CY8FHGD8237
GOV DEAL	FORD F250	2011	1FD7X2A62BEB05360
SELL	FORD EXCURSION (SELL TO SILVERHILL FIRE DEPT)	2004	1FMNU40S94EA91485
GOV DEAL	CAT BACKHOE 420E		CAT0420EADJL02602
GOV DEAL	TRAVIS TRAILER	2013	48XAR4522D1008547
GOV DEAL	TRAVELLIFT BOAT HAULER		SPL25 SN 3011258
GOV DEAL	EZGO GOLF CART		5400182 MN 6385404G01
GOV DEAL	KNAPHEIDE UTILITY BODY		20190319-0626101
GOV DEAL	TRAILER BLUE (MILITARY)		NA
GOV DEAL	JAG BATHROOM TRAILER	2012	1J9H7FE20CH358913
GOV DEAL	CANOE 20FT OLD TOWN		UNCLAIMED PROPERTY (MARINA)
GOV DEAL	KAYAK BLUE		UNCLAIMED PROPERTY (MARINA)
GOV DEAL	KAYAK GREEN		UNCLAIMED PROPERTY (MARINA)
GOV DEAL	KAYAK ORANGE		UNCLAIMED PROPERTY (MARINA)
GOV DEAL	KAYAK YELLOW		UNCLAIMED PROPERTY (MARINA)
GOV DEAL	CUSHMAN HAULER 800		NA

Councilmember Martin moved to appoint Carole Tebay to the Fairhope Environmental Advisory Board for a four-year term which will expire April 2027. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

Councilmember Burrell moved to appoint Shawn Graham, Cynthia Rush, and Elizabeth Williams to the Historic Preservation Committee for a three-year term which will expire April 2026. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the bids for the Installation of a Sanitary Sewer Lift Station at Planters Pointe (Bid No. 23-023) are hereby rejected due to excessive cost; and authorizes staff to revise the specifications for cost savings and rebid. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

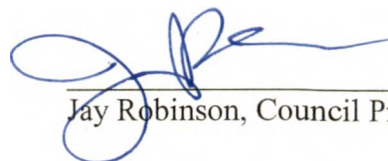
24 April 2023

**RESOLUTION NO. 4739-23**

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

[1] That the bids for the Installation of a Sanitary Sewer Lift Station at Planters Pointe (Bid No. 23-023) are hereby rejected due to excessive cost; and authorizes staff to revise the specifications for cost savings and rebid.


ADOPTED ON THIS 24TH DAY OF APRIL, 2023



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Jay Robinson, Council President

ATTEST:



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Lisa A. Hanks, MMC  
City Clerk

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

- 1) Todd Sealy, owner of Gallery by the Bay, addressed the City Council on behalf on the Fairhope Avenue merchants regarding First Friday Art Walk. They would like Fairhope Avenue closed down from Section Street to Church Street just like De La Mare. He stated they are okay with alternating the closures if needed. Councilmember Burrell commented he liked the idea. Community Affairs Director Paige Crawford said safety issues were the reason for the closure of De La Mare in the beginning. She stated now there are issues with individuals setting up tables in the street. Ms. Crawford commented there would be no parking after 5:00 p.m. on these Fridays.

Councilmember Martin said we need to take into consideration the projects and other closures. Councilmember Burrell said the end result looks good. Councilmember Martin commented we need to look at logistics and make sure these are correct. Council President Robinson said this is worth looking at.

24 April 2023

Councilmember Martin 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 6:30 p.m.



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Jay Robinson, Council President



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Lisa A. Hanks, MMC  
City Clerk