

**CITY OF FAIRHOPE  
CITY COUNCIL WORK SESSION AGENDA**

**MONDAY, 22 MAY 2023 – 4:30 P.M. – CITY COUNCIL CHAMBER**

1. Presentation by Ashton Sawyer, Eagle Scout Project, Beach Tree Trail
2. 6-Month Financial Review
3. Discussion for Beach Volleyball
4. Committee Updates
5. Department Head Updates

**City Council Agenda Meeting – 5:30 p.m.  
on Monday, May 22, 2023 – City Council Chamber**

**Next Regular Meeting – Monday, June 12, 2023 – Same Time Same Place**

**CITY OF FAIRHOPE  
CITY COUNCIL AGENDA**

**MONDAY, 22 MAY 2023 - 6:00 P.M. – CITY COUNCIL CHAMBER**

**Invocation and Pledge of Allegiance**

1. Approve minutes of 08 May 2023 Regular City Council Meeting and minutes of 08 May 2023 Work Session.
2. Report of the Mayor
3. Public Participation – Agenda Items – (3 minutes maximum)
4. Council Comments
5. Resolution – Appointment of Municipal Judge – Haymes Snedeker  
The Honorable Jody W. Bishop, Circuit Judge, 28th Judicial Circuit, State of Alabama
6. **Public Hearing** – Ordinance – Amend Zoning Ordinance No. 1253  
Request of Applicant, Clifford Street, Jr., acting on behalf of the Owner, Clifford Street and Jean Street as Trustees of the Street Living Trust Dated July 27, 2005, to rezone property from R-1, Low Density Single-Family to Highway Transitional District (HTD). The property is approximately 3.54 acres and is located on the west side of Greeno Road, on either side of the eastern terminus of Farrington Boulevard. PPIN Numbers: 267236, 257637, 356677 and 356679.
7. Site Plan Review and Approval - Request of Applicant, Jade Consulting, LLC, acting on behalf of the Owner, Encounter Development, LLC., for Site Plan Approval of WAWA. The property is approximately 2.73 acres and is located on Northeast corner of State Highway 181 and State Highway 104. PPIN Number 108453. (Planning Commission unanimously recommends approval of SR 23.04.)
8. Resolution - Mayor Sherry Sullivan is authorized to execute Extension No. 1 to (Bid No. 028-22) Disaster Debris Removal and Disposal to CrowderGulf, LLC with all terms and conditions of award until July 31, 2024.
9. Resolution – Mayor Sherry Sullivan is authorized to execute Amendment No. 1 to (Bid No. 23-015) Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course to Jerry Pate Company for an additional \$11,682.25, total not-to-exceed \$41,778.75.
10. Resolution – To award (Bid No. 23-022-2023-PW-010) Repair and Replacement of Modified Bituminous and Gravel Roof at City Hall/Civic Center to Finishing Solutions with total not-to-exceed \$554,654.00.
11. Resolution – To award (Bid No. 23-025-2022-PWI-007) Fairhope Clock Plaza to RH Deas Building Co., LLC with total not-to-exceed \$282,211.00, which includes a 10% contingency and Alternate 01.

12. Resolution - To award quote for procurement and installation of Ten (10) Foot Dump Body on an International 4300 Truck to Truck Equipment Sales, Inc. with total not-to-exceed of \$21,882.00.
13. Resolution - To approve the procurement for Intelligence-Led Policing Sensor Kits for the Police Department from ProTecVideo, LLC as sole source provider of the tag.NET program; and authorizes procurement based on the option allowed by the Code of Alabama 1975, Section 41-16-51(13). Total will not-to-exceed \$20,000.00.
14. Resolution – To approve and authorize Mayor Sherry Sullivan to execute a Memorandum of Agreement between the Alabama Law Enforcement Agency and the City of Fairhope Police Department to establish a joint multi-agency working group known as the Alabama Internet Crimes Against Children Task Force to combat exploitation of children through the use of the internet and other electronic means.
15. Resolution – To apply for grant funding under the Alabama Recycling Fund in support of the Baldwin County Material Recovery Facility; and all grant funds awarded by said application will be given to the Baldwin County Commission or Baldwin County Solid Waste for exclusive purpose of supporting the Baldwin County Material Recovery Facility.
16. Resolution – Mayor Sherry Sullivan is authorized to execute the First Amendment to the Structure Lease Agreement as presented between the City of Fairhope and New Cingular Wireless PCS, LLC, leased area at 590 Nichols Avenue, Fairhope, Alabama 36532.
17. Public Participation – (3 minutes maximum)
18. Adjourn

**Next Regular Meeting – Monday, June 12, 2023 – Same Time Same Place**

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, 8 May 2023.

Present were Council President Jay Robinson, Councilmembers: Jack Burrell, Jimmy Conyers, 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 Robinson called the meeting to order. The invocation was given by Dr. Eric Hankins of First Baptist Church Fairhope and the Pledge of Allegiance was recited. Councilmember Conyers moved to approve minutes of the 24 April 2023, regular meeting; and minutes of the 24 April 2023, work session. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council and recognized May as National Tennis Month with a proclamation. Tomas Catar (Tennis Professional) and Mary Gammer (tennis member) accepted the proclamation. Mr. Catar thanked the Mayor Sullivan and City Council for their support; and commented we have a great Tennis Center.

Mayor Sullivan recognized the Alabama Municipal Electric Authority (“AMEA”) Scholarship recipients for 2023 with each receiving \$2,500.00. To be eligible for an AMEA scholarship, a student’s parent and/or legal guardian must receive electric services from an AMEA Member utility, and the student must attend a four-year college/university, community college, and/or vocational school within the State of Alabama. The AMEA scholarship recipients are Delaney Shawn Hart, Brayden Alberto Mahateker, Hannah Maren Markioli, and Richard Winston Smith, Jr.

Mayor Sullivan said she attended the Power Supply Conference last week and the Fairhope Public Utilities were recognized for their reliable Electric service; and were also nationally recognized by the American Public Power Association (“APPA”) for cost effective reliable service.

Mayor Sullivan also recognized the Junior City Councilmembers and the efforts throughout this year; and for their dedication to the City of Fairhope. She gave plaques to the senior members: Ava Cocke and Ellery Scott. She said the other two seniors would be given their plaques at a later date.

8 May 2023

The following individuals spoke during Public Participation for Agenda Items:

- 1) Jimmy Prestwood, Board President of the Eastern Shore Art Association d/b/a Eastern Shore Art Center, addressed the City Council regarding Agenda Item Number 19: a request for the use and closure of Oak Street between Section and Bancroft Streets for their annual fundraiser event, “5th Annual White Linen Night,” on May 18, 2023 from 5:00 p.m. to 11:00 p.m.; and permission to serve alcohol during this event.

Councilmember Burrell stated he was glad to hear Richard Johnson’s roof presentation; and the reduction in costs.

Councilmember Conyers commented about the Eastern Shore Repertory Theatre’s production of Beauty and the Beast; and said it was a great show.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution the City Council approves the Compensation and Job Classification Plan for the Snack Bar Crew Leader, Grade of Pay 5 and to defund one Snack Bar Attendant position, Grade of Pay 3 in the Golf Department. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 4740-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City Council approves the Compensation and Job Classification Plan along with the Grade Order Sheet be amended and approved to fund and defund specific job positions in the Golf Department; and the job descriptions and grade of pay for same:

<b>Fund:</b>	<b>Job Positions</b>	<b>Grade of Pay</b>
	Snack Bar Crew Leader	5
<b>Defund:</b>	Snack Bar Attendant	3

ADOPTED THIS 8TH DAY OF MAY, 2023

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Jay Robinson, Council President

ATTEST:

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Lisa A. Hanks, MMC  
City Clerk

8 May 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution with additional items, 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 three methods listed on the resolution. Council President Robinson read the additional items to be added to the surplus list. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4741-23**

**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.

ADOPTED AND APPROVED THIS 8TH DAY OF MAY, 2023

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Jay Robinson, Council President

ATTEST:

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Lisa A. Hanks, MMC  
City Clerk

8 May 2023

GOV DEALS				
RECOMMENDED DISPOSITION	DESCRIPTION	MILEAGE	YEAR	VIN NUMBER
GOV DEAL	2 TREADMILLS			
GOV DEAL	1 SQUAT MACHINE			
GOV DEAL	CLARCK FLOOR SCRUB			
GOV DEAL	SCATA CONTROLLERS			
GOV DEAL	BICYCLES & RACK (5)			
GOV DEAL	OFFICE FURNITURE			
GOV DEAL	COMPUTER EQUIPMENT			
GOV DEAL	BAKCLAPPER-FOLEY GRINDER			
GOV DEAL	DRILL PRESS (CRAFTSMAN)			
GOV DEAL	EX GO 32			
GOV DEAL	PLOTTER			
GOV DEAL	AIR CONDITIONER			
GOV DEAL	AIR COMPRESSOR			
GOV DEAL	COMPUTER RACK			
GOV DEAL	2 GASPOWER VENT FANS			
GOV DEAL	EASY PICKER GOLF			
GOV DEAL	FILING CABINET			
GOV DEAL	AIR COMPRESSOR			
GOV DEAL	SYSTEM 1 PARTS CLEANER-RE 500			
GOV DEAL	HYDRO BLAST PARTS CLEANER/STEAM			
GOV DEAL	STEAM CLEANER			
GOV DEAL	HEAD BLASTER			
GOV DEAL	BAND SAW			
GOV DEAL	SHUTTERS (12)			
GOV DEAL	SS CABINET			
GOV DEAL	BILLY GOAT VACCUUM			
GOV DEAL	VARIOUS ELECTRICAL CONTROLLERS/RELAYS			
GOV DEAL	STREET LIGHTS			
GOV DEAL	FORD F250		2011	1FD7X2A62BE05360
GOV DEAL	BLUE MILITARY DUMP TRAILER			
GOV DEAL	CUSHMAN BALL RETRIEVAL CART HAULER 800			
GOV DEAL	SCORE BOARD			
GOV DEAL	OTC GENYSIS DIAGNOSTIC			
GOV DEAL	BOSCH VCI DIAGNOSTIC			
GOV DEAL	ICE MACHINE MANITOWAC			
GOV DEAL	EZ PICKER GOLF PRODUCTION-COIN OPERATED			
GOV DEAL	LASTEC ARTICULATING MOWER 521XR			
GOV DEAL	STREET/TRAFFIC/HIGH BAY LIGHTS			
GOV DEAL	EZ GO GOLF CART			
GOV DEAL	FREIGHTLINER GARBAGE TRUCK			1FVAG3CY8FHGD8237
VENDOR	1 - GE 416 KVA VOLTAGE REGULATOR			
VENDOR	3 - SIEMENS 416 KVA VOLTAGE REGULATOR			
VENDOR	U.S. TRANSFORMER - SUBSTATION 2,327 GAL CU/CU WINDINGS			
VENDOR	U.S. TRANSFORMER - SUBSTATION 2,327 GAL AL/AL WINDINGS			

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution the City Council hereby approves and authorizes the City of Fairhope to execute a Memorandum of Understanding between AltaPointe Health Systems, Inc. and the Fairhope Police Department for administration of pre-employment screenings. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

8 May 2023

**RESOLUTION NO. 4742-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, that the City Council hereby approves and authorizes the City of Fairhope to execute a Memorandum of Understanding between AltaPointe Health Systems, Inc. and the Fairhope Police Department for administration of pre-employment screenings.

ADOPTED ON THIS 8TH DAY OF MAY, 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 Mayor Sherry Sullivan is hereby authorized to execute a Municipal Lease Agreement between the City of Fairhope, Alabama (“Tenant”) and 329 S Greeno, LLC (“Landlord”) for use of the Suite A, or front portion of the Building A one-way exit through Suite B or the rear portion of the Building shall be available to Tenant as an emergency. The Building is located at 329 South Greeno Road, Fairhope, Alabama consisting of approximately 12,000 square feet. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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8 May 2023

**RESOLUTION NO. 4743-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE**, that Mayor Sherry Sullivan is hereby authorized to execute a Municipal Lease Agreement between the City of Fairhope, Alabama (“Tenant”) and 329 S Greeno, LLC (“Landlord”) for use of the Suite A, or front portion of the Building A one-way exit through Suite B or the rear portion of the Building shall be available to Tenant as an emergency. The Building is located at 329 South Greeno Road, Fairhope, Alabama consisting of approximately 12,000 square feet, together with all of the common areas, appurtenances, privileges, licenses, and easements pertaining thereto. Tenant shall pay rent to Lessor of seven thousand five hundred (\$7,500.00) dollars per month with an annual three percent (3%) increase on each anniversary of the Commencement Date. The term of the lease shall be 48 months commencing on the Commencement Date, unless earlier terminated as provided in lease. Tenant shall have access to Premises during business hours beginning 60 days prior to Commencement date for Tenant Improvements and installation of Tenant’s furniture, fixtures and equipment, cabling, security, etc. All other terms and conditions are set forth in the lease agreement.

Adopted on this 8th day of May, 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 Mayor Sherry Sullivan is hereby authorized to execute a contract with O’Donnell & Associates, Inc. to perform Professional Services for Professional Hydrogeologic and Environmental Services for Well Fields 1, 3, and 4 (RFQ PS23-020) with a not-to-exceed amount of \$16,200.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

8 May 2023

**RESOLUTION NO. 4744-23**

**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 O'Donnell & Associates, Inc. to perform Professional Services for Professional Hydrogeologic and Environmental Services for Well Fields 1, 3, and 4 (RFQ PS23-020) with a not-to-exceed amount of \$16,200.00.

DULY ADOPTED THIS 8TH DAY OF MAY, 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 Mayor Sherry Sullivan is hereby authorized to execute a contract with O'Donnell & Associates, Inc. to perform Professional Services for Remote Groundwater Level Monitoring as part of the Fairhope Water System Planning Project Phase 1 (RFQ PS23-021) with a not-to-exceed amount of \$13,500.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 4745-23**

**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 O'Donnell & Associates, Inc. to perform Professional Services for Remote Groundwater Level Monitoring as part of the Fairhope Water System Planning Project Phase 1 (RFQ PS23-021) with a not-to-exceed amount of \$13,500.00.

DULY ADOPTED THIS 8TH DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

8 May 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution the City Council approves the selection of Cavanaugh MacDonald Consulting, LLC to perform Professional Consulting Services to Prepare Actuarial Valuation for the City's OPEB Liability for fiscal year ending 09-30-23, and hereby authorizes Mayor Sherry Sullivan to execute a Contract with an estimated amount of \$10,000.00. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4746-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** that the City Council approves the selection of Cavanaugh MacDonald Consulting, LLC to perform Professional Consulting Services to Prepare Actuarial Valuation for the City's OPEB Liability for fiscal year ending 09-30-23, and hereby authorizes Mayor Sherry Sullivan to execute a Contract with an estimated amount of \$10,000.00.

DULY ADOPTED THIS 8TH DAY OF MAY, 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 Mayor Sherry Sullivan is hereby authorized to execute Amendment No. 1 to the Contract for Professional Engineering Services for Asbestos Inventory and Abatement Plan at the K-1 Center (RFQ PS022-22) with Southern Earth Sciences, Inc. to add additional services in the amount of \$12,450.00 which increases the not-to-exceed amount limit to \$22,850.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

8 May 2023

**RESOLUTION NO. 4747-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That Mayor Sherry Sullivan is hereby authorized to execute Amendment No. 1 to the Contract for Professional Engineering Services for Asbestos Inventory and Abatement Plan at the K-1 Center (RFQ PS022-22) with Southern Earth Sciences, Inc. to add additional services in the amount of \$12,450.00 which increases the not-to-exceed amount limit to \$22,850.00.

DULY ADOPTED THIS 8TH DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Sherry Sullivan is hereby authorized to execute Amendment No. 2 to the Contract for Archaeology Monitoring for the Arts Alley Transit Hub Project (RFP No. 005-20) with TerraXplorations, Inc. to add additional services in the amount of \$25,000.00 which increases the not-to-exceed amount limit to \$45,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 4748-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That Mayor Sherry Sullivan is hereby authorized to execute Amendment No. 2 to the Contract for Archaeology Monitoring for the Arts Alley Transit Hub Project (RFP No. 005-20) with TerraXplorations, Inc. to add additional services in the amount of \$25,000.00 which increases the not-to-exceed amount limit to \$45,000.00.

DULY ADOPTED THIS 8TH DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

8 May 2023

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution to Award Bid for Spray Foam Insulation at Recreation Center Gymnasium for the Recreation Department (Bid No. 23-020) to APC Spray Foam, LLC with a total bid cost of \$88,783.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

**RESOLUTION NO. 4749-23**

**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 Spray Foam Insulation at Recreation Center Gymnasium (Bid No. 23-020) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, a bid was received and tabulated as follows:

APC Spray Foam, LLC	\$ 88,783.00
Builder Service Group, Inc. d/b/a Coastal Insulation	\$110,307.00

[3] After evaluating the bid with the required specifications, APC Spray Foam, LLC is now awarded (Bid No. 23-020) for Spray Foam Insulation at Recreation Center Gymnasium with a total bid proposal not-to-exceed \$88,783.00.

ADOPTED ON THIS 8TH DAY OF MAY, 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 Mayor Sherry Sullivan is hereby authorized to execute Amendment No. 1, Option No. 1, for (Bid No. 23-009) Founders Park Athletic Track and Additional Parking Project for the replacement of the 720 ± linear feet that has failed with a cost of \$235,224.70 with McElhenney Construction. The new contract total will be \$2,715,904.75. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

8 May 2023

**RESOLUTION NO. 4750-23**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA**, That Mayor Sherry Sullivan is hereby authorized to execute Amendment No. 1 Option No. 1 for (Bid No. 23-009) Founders Park Athletic Track and Additional Parking Project for the replacement of the 720 ± linear feet that has failed with a cost of \$235,224.70 with McElhenney Construction. The new contract total will be \$2,715,904.75.

Adopted on this 8th day of May, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
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 (Bid No. 23-012-2023-PWI-008) Roadway and Parking Improvements Project at Volanta Sports Park with a cost of \$10,119.55 and to award Change Order No. 1 to McElhenney Construction Company. The new contract total will be \$467,579.26. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

**RESOLUTION NO. 4751-23**

**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 (Bid No. 23-012-2023-PWI-008) Roadway and Parking Improvements Project at Volanta Sports Park with a cost of \$10,119.55 and to award Change Order No. 1 to McElhenney Construction Company. The new contract total will be \$467,579.26.

ADOPTED ON THIS 8TH DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

8 May 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Sherry Sullivan to inform and submit the Municipal Water Pollution Prevention Program (MWPP) Report for 2022 to the Department of Environmental Management. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

**RESOLUTION NO. 4752-23**

**MUNICIPAL WATER POLLUTION PREVENTION (MWPP) PROGRAM**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Sherry Sullivan is hereby authorized to inform the Department of Environmental Management that the following actions were taken by the City Council of the City of Fairhope, Alabama.

1. Reviewed the MWPP Annual Report which is attached to the resolution.
2. Set forth the following actions and schedule necessary to maintain effluent requirement contained in the NPDES Permit, and to prevent the bypass and overflow of raw sewage within the collection system or at the treatment plant:
  - (a) Continue to locate and repair breaches in the collection system that allow infiltration and flow into the wastewater system.
  - (b) Continue to upgrade transmission capacity to keep pace with growth.
  - (c) Continue to develop maintenance alarms within the SCADA System that encourage a proactive maintenance response to prolong the useful life of pumps and motors in the system.
  - (d) Use the SCADA System using system storage and future side stream storage systems when available.
  - (e) Continue to perform O & M requirements to the treatment and collection system and complete repairs when discovered.

Adopted this 8th day of May, 2023

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Jay Robinson, Council President

Attest:

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Lisa A. Hanks, MMC  
City Clerk

8 May 2023

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes and approves the request from the Fairhope Avenue Merchants to close Fairhope Avenue from Section Street to Church Street for “First Friday Artwalk” at 5:00 p.m. and reopen after Artwalk. Seconded by Councilmember Conyers, motion passed unanimously by voice vote. Council President Robinson stated this was a test and we will monitor for at least three months. He said we need to keep an eye on it.

**RESOLUTION NO. 4753-23**

**BE IT HEREBY RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That the City Council hereby authorizes and approves the request from the Fairhope Avenue Merchants to close Fairhope Avenue from Section Street to Church Street for First Friday Artwalk at 5:00 p.m. and reopen after Artwalk.

**BE IT FURTHER RESOLVED,** That all streets that are closed for First Friday Artwalk are intended for pedestrians safety and our Downtown Merchants, therefore, no other merchants, vendors, etc. shall set up on City streets or sidewalks. Bands are approved on private property.

ADOPTED ON THIS 8TH DAY OF MAY, 2023

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Jay Robinson, Council President

Attest:

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Lisa A. Hanks, MMC  
City Clerk

Councilmember Conyers moved to grant the request of James Prestwood, Board President of The Eastern Shore Art Association d/b/a Eastern Shore Art Center requesting the use and closure of Oak Street between Section and Bancroft Streets for their annual fundraiser event, “5th Annual White Linen Night,” on May 18, 2023 from 5:00 p.m. to 11:00 p.m.; and permission to serve alcohol during this event. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.



8 May 2023

Councilmember Burrell moved to reappoint Lisa Atchley and Scott Berry to the Recreation Board for a five-year term which will expire May 2028. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

No one spoke during Public Participation for Non-Agenda Items.

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 legal ramifications of and legal options for pending litigation; and controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action; and 36-25A-7(a)(6) to discuss the consideration the City is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property. Provided, however, that the material terms of any contract to purchase, exchange, or lease real property shall be disclosed in the public portion of a meeting prior to the execution of the contract. The approximate time to be in Executive Session is 45 minutes. Councilmember Burrell moved to go into Executive Session. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Exited the dais at 6:37 p.m. Returned at 7:10 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 7:10 p.m.

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Jay Robinson, Council President

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Lisa A. Hanks, MMC  
City Clerk



Monday, 8 May 2023

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- Recreation Director Pat White addressed the City Council regarding Agenda Item No. 14; and answered any questions if needed.
- Golf Director Bobby Hall addressed the City Council regarding Agenda Item No. 5; and answered any questions if needed.
- Assistant Wastewater Superintendent Tim Manuel addressed the City Council regarding Agenda Items No. 9, No. 10, and No. 17; and answered any questions if needed.
- Human Resources Director Cory Pierce addressed the City Council and gave a snapshot for January 1, 2023 through May 1, 2023 at Worker's Compensation and we have a savings of \$97,000.00. Mr. Pierce stated that he and Wes Boyett would be going to Robertsdale for internship program for Gas Department. He commented they have two great candidates.
- Community Development Director Paige Crawford and Lieutenant Shane Nolte addressed the City Council regarding Agenda Item No. 18; and answered any questions if needed. Ms. Crawford stated the majority of the business owners are in favor of closing Fairhope Avenue. Lt. Nolte commented they checked alcohol and electricity but alcohol is not allowed outside the business. Council President Robinson said he heard a little on both sides; and signatures need to be the business owners. Councilmember Burrell stated that Bone and Barrell was a strong no. Council President Robinson said he was not convinced this will be long term due to Fairhope Avenue being a thoroughfare through downtown. Mayor Sullivan suggested trying for three months. Ms. Crawford said we need to see if De La Mare is still an issue during the event.
- Lieutenant Shane Nolte addressed the City Council regarding Agenda Item No. 19; and answered any questions if needed.
- Public Works Director Richard Johnson addressed the City Council regarding the City Landfill Drop Off Policy and explained the updates to same. Councilmember Conyers questioned the landfill and need to close. Mr. Johnson stated we will close our business when the landfill is closed; and commented C & D landfills are now limited. Councilmember Burrell questioned paint drop off and possibly needs to be revised.

There being no further business to come before the City Council, the meeting was duly adjourned at 5:57 p.m.

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Jay Robinson, Council President

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Lisa A. Hanks, MMC  
City Clerk

**RESOLUTION NO. \_\_\_\_\_**

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that **HAYMES SNEDEKER** is hereby appointed as Municipal Judge. The term of the Municipal Judge shall serve a two-year term (June 1, 2023 – June 1, 2025) and until a successor is elected by the council and qualified. Section 12-14-30, Code of Alabama, 1975.

ADOPTED 22ND DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

ATTEST:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 1253  
KNOWN AS THE ZONING ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA as follows:

The ordinance known as the Zoning Ordinance (No. 1253), adopted 27 June 2005, together with the Zoning Map of the City of Fairhope, be and the same hereby is changed and altered in respect to that certain property described below:

After the appropriate public notice and hearing, the Planning Commission of the City of Fairhope, Alabama has forwarded a **favorable** recommendation,

The property of Clifford M. Street, Jr. and Kendall Charles Street, as co-trustees of the Street Living Trust (containing 3.5 acres, more or less, and zoned R-1) is generally located on the west side of Greeno Road, north of Manly Road. Farringdon Blvd runs between the parcels.

**PPINS # 267236, 257637, 356677, 356679**

**Legal Description:** (Case number ZC 22.16)

Parcels ("Lots") 1-3 as recorded on the Street's Commercial Park replat on Slide 2512-A and Lot 1A and 2A as recorded on a Re-Plat of Lots 1 and 2 of the Street's Commercial Park as recorded on Slide 2886-D

Beginning at the southeast corner of Huntington Subdivision, Phase one as recorded on slide 2184-D in the Office of the Judge of Probate, Baldwin County, Alabama; thence run N-01° 14' 37"-E, along the east property line of said subdivision, 522.86 feet to a point located on the south right of way line of Farringdon Boulevard; thence run S-89° 41' 25"-E, along said south right of way line, 212.67 feet to a point; thence run along said south right of way line and along a curve to the right having a radius of 25.00 feet, a chord bearing of S-44° 08' 30"-E, and a chord distance of 35.65 feet to a point located on the west right of way line of U.S. Highway 98; thence run S-01° 19' 45"-W, along said west right of way line, 492.71 feet to a point; thence run S-89° 10' 23"-W, leaving said west right of way line, 237.44 feet to the point of beginning; containing 123,567 sq. ft.±, or 2.84 acres±.

Parcel 4

Commencing at the center of Section 29, Township 6 South, Range 2 East, Baldwin County, Alabama; thence run N 00 degrees 09 minutes 52 seconds east, along the north-south half section line 1325.29 feet to a point; thence run north 89 degrees 43 minutes 57 seconds east, 1328.17 feet to a point; thence run north 89 degrees 41 minutes 38 seconds east, 928.81 feet to a point; thence run south 00 degrees 19 minutes 47 seconds east, 586.93 feet to the point of beginning; thence run south 89 degrees 11 minutes 01 seconds east, 244.14 feet to a point on the west right-of-way of U.S. Highway Number 98; thence run south 01 degrees 19 minutes 38 seconds west, along said west right-of-way of U.S. Highway Number 98, 119.71 feet to a point; thence run southwesterly, leaving said west right-of-way of U.S. Highway Number 98 and along a curve to the right having a radius of 25.00 feet, a delta angle of 88 degrees 53 minutes 22 seconds, a chord of which bears south 45 degrees 46 minutes 19 seconds west a distance of 35.01 and an arc distance of 38.79 feet to a point on the north right-of-way of Farringdon Boulevard; thence run north 89 degrees 47 minutes 00 seconds west along said north right-of-way of Farringdon Boulevard, 215.41 feet to a point; thence run north 00 degrees 19 minutes 47 seconds west leaving said north right-of-way of Farringdon Boulevard, 146.76 feet to the point of beginning.

A map of the property to be rezoned is attached as Exhibit A.

**The property is hereby rezoned HTD, Highway Transitional District.** This property shall hereafter be lawful to construct on such property any structures permitted by Ordinance No. 1253 and to use said premises for any use permitted or building sought to be erected on said property shall be in compliance with the building laws of the City of Fairhope and that any structure shall be approved by the Building Official of the City of Fairhope and that any structure be erected only in compliance with such laws, including the requirements of Ordinance No. 1253.

**Severability Clause** - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

**Effective Date** – This ordinance shall take effect immediately upon its due adoption and publication as required by law.

Adopted and approved this 22nd day of May, 2023

By: \_\_\_\_\_  
Jay Robinson, Council President

Attest:

By: \_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

Adopted and approved this 22nd day of May, 2023

By: \_\_\_\_\_  
Sherry Sullivan, Mayor

**ORDINANCE NO. 1702**

**AN ORDINANCE AMENDING ORDINANCE NO. 1253  
KNOWN AS THE ZONING ORDINANCE**

The ordinance known as the Zoning Ordinance (No. 1253), adopted 27 June 2005, is changed and altered as described below;

**WHEREAS**, the City of Fairhope Planning Commission directed the Planning Department to prepare amendments to our Zoning Ordinance; and,

**WHEREAS**, the proposed amendments relate to the establishment of the Highway Transitional District; and,

**WHEREAS**, after the appropriate public notice and hearing of ZC 21.02, the Planning Commission of the City of Fairhope, Alabama has forwarded a favorable recommendation;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA;**

1. **THAT**, Article V, be hereby amended to add the following:

**I. *HTD - Highway Transitional District***

1. ***Intent*** - The special standards listed in this section for the highway transitional district are intended to:
  - Provide an alternative to properties along state highways within the City of Fairhope that are beyond the area of influence of the Village Nodes and Commercial Nodes as contemplated by the City of Fairhope Comprehensive Plan.
  - Provide development opportunities consistent with the City's vision for commercial corridors to better serve community needs.
  - Unlike other districts within this section, the HTD is not an overlay district and does not affect any property owners, other than those who voluntarily apply for rezoning to this district.
2. ***Size*** - Lots shall be a minimum of 20,000 s.f. and under 3 acres.
3. ***Use*** - Uses for the HTD are listed in Table 3-1: Use Table. Rezoning to HTD may be conditioned so that uses permitted on appeal require a site plan.
4. ***Location*** - Eligible lots must have minimum of 100 feet on one side fronting the rights-of-way of U.S Highway 98, Alabama Highway 104, or Alabama Highway 181 and lie within the Corporate Jurisdiction of the City of Fairhope.
5. ***Dimension Standards*** -
  - a. *Lot frontage shall be adjacent to the highway.*
  - b. *Setbacks*
    - i. *Front Setback shall be 20'.*
    - ii. *Rear Setback shall be 20'.*
    - iii. *Side setbacks shall be 10'.*
  - c. ***Building Height***
    - i. *Maximum Height is 30'.*
    - ii. *A mixed-use building may have a height of 35' if it contains both residential and commercial space. The residential use must make up at least 33% of the total area of the building and be located on the second and/or third floor, and retail or office space must make up at least 50% of the total area of the building and be located on ground and/or second floor.*

Ordinance No. 1702

Page -2-

- d. *Parking*
  - i. *Parking shall be located behind the front building line.*
- e. *Any freestanding single-use or tenant retail building shall not have a building footprint larger than 8,000 square feet.*
- f. *All lands within twenty (20) feet of the boundaries of U.S. Highway 98, Alabama Highway 104, and Alabama Highway 181 within the corporate limits of the City of Fairhope are required to be reserved by owners or developers of such lands as greenspace and tree protection zones. The required greenspace may include land as required by the front setback.*
  - i. *Where no vegetation, other than grass exists, new landscaping and plantings shall be installed at time of development within the 20-foot strip that meet the requirements of the City of Fairhope Tree Ordinance and receives approval by the City Horticulturist; otherwise the land may be left in its natural state and enhanced with the addition of trees and shrubs.*
- g. *Any future rezoning to HTD may be conditioned so that the goals and intent of the Comprehensive Plan and Article V., Section 1.1. of the Zoning Ordinance are achieved.*
- h. *For the purposes of Article IV, Section B.2.b. and the screening requirements of the City of Fairhope Tree Ordinance, the Highway Transitional District shall be considered commercial/business regardless of use.*

2. **THAT**, Article III, Section B. Table 3-1: Use Table, be hereby amended to add a column to read as follows:

*HTD*

*Uses Permitted subject to general ordinance standards and conditions: Single-family, Two-family, Townhouse, Mixed-use, Elementary School, Secondary School, Education Facility, Library, Public Open Space, Common Open Space, General Office, Professional Office, Day Care, and Bed & Breakfast.*

*Uses Permitted subject to special conditions listed in the ordinance: Accessory Dwelling, Home Occupation, and Convenience Store.*

*Uses Permitted only on appeal and subject to special conditions: Multiple-family/Apartment, Place of Worship, Cemetery, Hospital, Community Center or Club, Public Utility, General Merchandise, Outdoor Sales Limited, Garden Center, Convalescent or Nursing Home, Clinic, Outdoor Recreation Facility, Mortuary or Funeral Home, and Limited Manufacturing.*

3. **THAT**, Article III, Section B. Table 3-2: Dimension Table, be hereby amended to add a row to read as follows:

*HTD – See Article V., Section 1.*



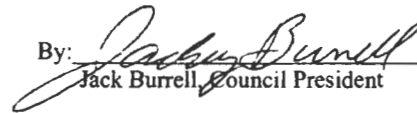
Ordinance No. 1702

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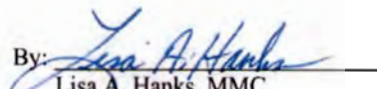
**Severability Clause** - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

**Effective Date** – This ordinance shall take effect immediately upon its due adoption and publication as required by law.

Adopted and approved this 22nd day of February, 2021.

By:   
Jack Burrell, Council President

Attest:

By:   
Lisa A. Hanks, MMC  
City Clerk

Adopted and approved this 22nd day of February, 2021.

By:   
Sherry Sullivan, Mayor

Table 3-1: Use table

Zoning District	R-A	R-1(a,b,c)	R-2	R-3 TH	R-3 P/GH	R-3	R-4	R-5	R-6	B-1	B-2	B-3a	B-3b	B-4	M-1	M-2	PUD	VRM	NVC	CVC	HTD
<b>Dwellings</b>																					
Single-family	●	●	●			●	●	●		●	●	●	●	●				●			●
Two-family							●	●		●	●	●	●					●			●
Townhouse				⊃			⊃	⊃		⊃	⊃			⊃				⊃			●
Patio Home					⊃													⊃			●
Multiple-family / Apartment							⊃	●				○	○					⊃	⊃	⊃	○
Manufactured Home									⊃												
Mixed-use										●	●	●	●	●					●	●	●
Accessory Dwelling										⊃	⊃	⊃	⊃	⊃				⊃	⊃	⊃	⊃
Estate																		●			
<b>Child</b>																					
Elementary School		●	●			●	●	●		●	●	●	●	●	●	●	●	●	●	●	●
Secondary School		●	●			●	●	●		●	●	●	●	●	●	●	●	●	●	●	●
Education Facility		●	●			●	●	●		●	●	●	●	●	●	●	●	●	●	●	●
Library		●	●			●	●	●		●	●	●	●	●	●	●	●	●	●	●	●
Place of Worship																			○	○	○
Cemetery	○	○	○			○	○	○		○	○	○	○					○	○	○	○
Hospital										○	○	○	○					○	○	○	○
Public Open Space	●	●	●			●	●	●		●	●	●	●	●	●	●	●	●	●	●	●
Common Open Space	●	●	●			●	●	●		●	●	●	●	●	●	●	●	●	●	●	●
Community Center or Club	○	○	○			○	○	○		○	○	○	○					○	○	○	○
Public Utility	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
<b>Office</b>																					
General										●	●		●	●	●	●			●	●	●
Professional										●	●		●	●	●	●			●	●	●
Home Occupation	⊃	⊃	⊃	⊃	⊃	⊃	⊃	⊃	⊃	⊃	⊃	⊃	⊃	⊃				⊃	⊃	⊃	⊃
<b>Retail</b>																					
Grocery										●	●		●	●	●	●			●	●	●
Convenience Store										⊃	⊃		⊃	⊃	⊃	⊃			⊃	⊃	⊃
General Merchandise										●	●		●	●	●	●			●	●	●
Shopping Center										●	●		●	●	●	●			●	●	●
Automobile Service Station										○	○		○	○				○	○	○	○
Outdoor Sales Limited										○	○		○	○				○	○	○	○
Outdoor Sales Lot										○	○		○	○				○	○	○	○
Garden Center										○	○		○	○				○	○	○	○
<b>Service</b>																					
Convalescent or Nursing Home	○	○	○			○	○	○		○	○	○	○	○	○	○			○	○	○
Clinic	○	○	○			○	○	○		○	○	○	○	○	○	○			○	○	○
Outdoor Recreation Facility	○	○	○			○	○	○		○	○	○	○	○	○	○			○	○	○
Day Care	○	○	○			○	○	○		○	○	○	○	○	○	○			○	○	○
General Personal Services										●	●		●	●	●	●			●	●	●
Mortuary or Funeral Home										○	○		○	○	○	○			○	○	○
Automobile Repair										●	●		●	●	●	●			●	●	●
Indoor Recreation										●	●		●	●	●	●			●	●	●
Dry Cleaner / Laundry										●	●		●	●	●	●			●	●	●
Personal Storage										○	○		○	○	○	○			○	○	○
Bed & Breakfast												●	●	●	●	●			○	○	○
Hotel / Motel										○	○		○	○	○	○			○	○	○
Boarding House or Dormitory										○	○		○	○	○	○			○	○	○
Recreational Vehicle Park												○	○	○	○	○			○	○	○
Restaurant										○	○		○	○	○	○			○	○	○
Bar										○	○		○	○	○	○			○	○	○
Entertainment Venue										○	○		○	○	○	○			○	○	○
Marina												○	○	○	○	○			○	○	○
Kennel or Animal Hospital										○	○		○	○	○	○			○	○	○
Warehouse															○	○			○	○	○
Junk Yard or Salvage Yard															○	○			○	○	○
<b>Manufacturing</b>																					
Limited											○			○	○	○			○	○	○
Light														○	○	○			○	○	○
General														○	○	○			○	○	○
Food Processing														○	○	○			○	○	○
<b>Other</b>																					
Agriculture	●																				
Rural Market	●																				
Plant Nursery	●																				

Uses in the PUD District shall be specified based on a development plan according to the standards and procedures of this ordinance

- Permitted subject to general ordinance standards and conditions.
- ⊃ Permitted subject to special conditions listed in the ordinance
- Permitted only on appeal and subject to special conditions

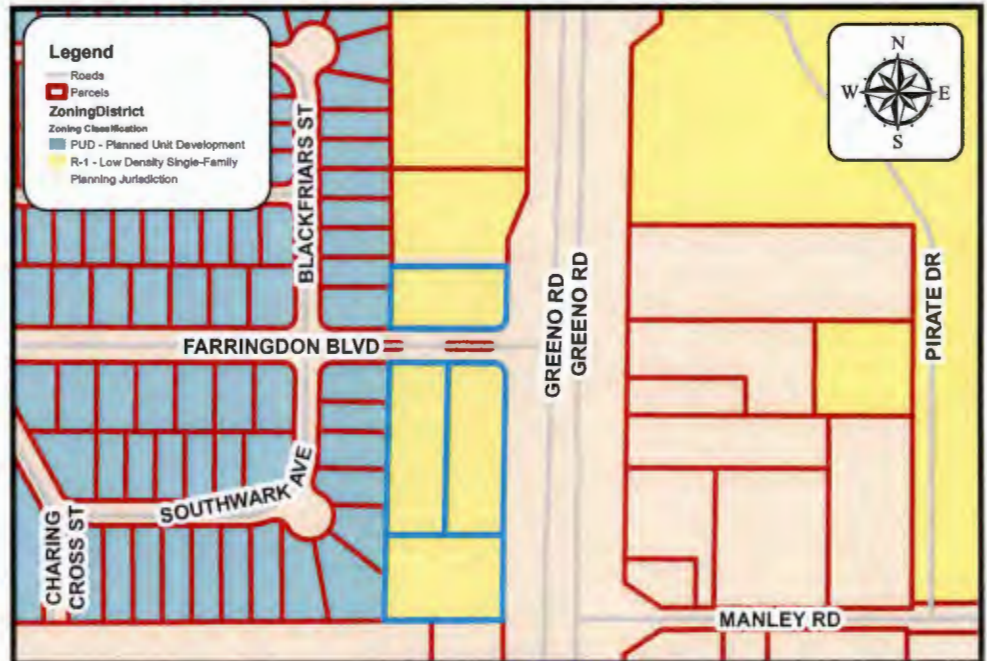
# City of Fairhope Planning Commission

December 5, 2022



Planning Commission unanimously (8 Ayes, 0 Nays) voted to recommend approval of ZC 22.16.

## ZC 22.16 - Street Property, Rezoning



<b>Project Name:</b>	Street Property
<b>Site Data:</b>	3.5 acres
<b>Project Type:</b>	4 Lot Rezoning
<b>Jurisdiction:</b>	Fairhope Planning Jurisdiction
<b>Zoning District:</b>	R-1
<b>PPIN Number:</b>	267236, 257637, 356677, 356679
<b>General Location:</b>	West side of Greeno Road, North of Manly Road. Farringdon Blvd runs between the parcels
<b>Surveyor of Record:</b>	
<b>Engineer of Record:</b>	
<b>Owner / Developer:</b>	Street, Clifford Etal Jean
<b>School District:</b>	Fairhope Elementary School Fairhope Middle and High Schools
<b>Recommendation:</b>	Approval
<b>Prepared by:</b>	Michelle Melton





RECEIVED

OCT 25 2022

BY:     

APPLICATION FOR ZONING DISTRICT CHANGE

**Property Owner / Leaseholder Information**  
 Name: Street Clifford E. A. Sean Phone Number: 251-463-5117  
 Street Address: 8370 County Rd 34  
 City: Fairhope State: AL Zip: 36532

**Applicant / Agent Information**  
If different from above.  
 Notarized letter from property owner is required if an agent is used for representation.  
 Name: Clifford M. Street Sr Phone Number: 251-463-5197  
 Street Address: 17750 Greens Road  
 City: Fairhope State: AL Zip: 36532

Current Zoning of Property: R-1  
 Proposed Zoning/Use of the Property: HTO  
 Property Address: 0 Clifford St LN, 0 Farrington Blvd, 0 Greens Rd  
 Parcel Number: 261234, 257637, 356677, 354679  
 Property Legal Description: \_\_\_\_\_  
 Reason for Zoning Change: Professional office

- Property Map Attached  YES  NO
- Metes and Bounds Description Attached  YES  NO
- Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached.  YES  NO

Character of Improvements to the Property and Approximate Construction Date: NA

Zoning Fee Calculation:  
 Reference: Ordinance 1269

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. \*If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Clifford M. Street Sr. Clifford M. Street Sr.  
 Property Owner/Leaseholder Printed Name Signature  
10-21-2022 \_\_\_\_\_  
 Date Fairhope Single Tax Corp. (If Applicable)

**Summary of Request:**

Applicants, Clifford M. Street, Jr. and Kendall Charles Street, as co-trustees of the Street Living Trust, request the subject property be rezoned from R-1, Low Density Single Family Residential District to Highway Transitional District (“HTD”). The property consists of four (4) parcels (PPINs: 267236, 257637, 356677, and 356679) totaling +/- 3.5 acres. The parcels straddle the entrance to Huntington Woods on Farrington Boulevard, off of South Greeno Road (US Hwy 98). There is one (1) parcel located north of Farrington Boulevard and the rest are situated south of Farrington Boulevard. *See below.*

Applicants contend that the property is better suited for commercial/business use, which is the intent of the Highway Transitional District, rather than as residential use. Moreover, some of the parcels are taxed as commercial by the Baldwin County Revenue Commission. Applicants would like the opportunity to potentially build office space(s) on the parcels justifying their request. This is merely the rezoning request and there are no imminent plans for development at this time.



**Site History:**

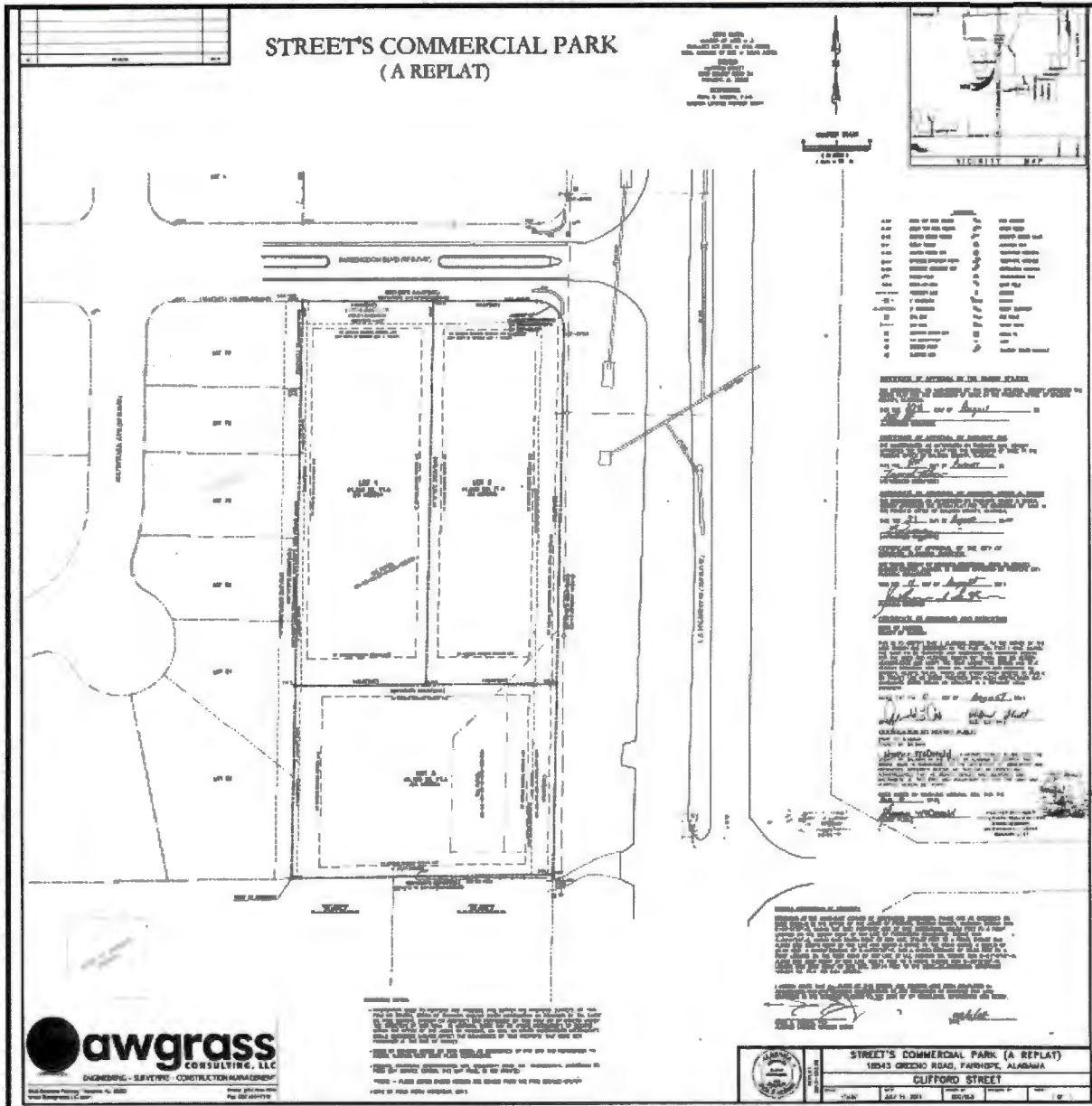
Three (3) of four (4) of the parcels are currently vacant. The southernmost parcel has a well-established ice machine located on its South Greeno Road facing side. The ice machine was placed on the southernmost parcel prior to the R-1 zoning designation and was more or less grandfathered in. *See below.*



Last visited on November 21, 2022.

The three (3) parcels south of Farrington Boulevard make up the 2014 platted Street's Commercial Park (Slide 2512-A, Baldwin County Probate Records) and shown below. The three (3) parcels making up the Street's Commercial Park are taxed as commercial property by the Baldwin County Revenue Commission. However, commercial use beyond the ice machine has not come to fruition.

The subject property has been in the Street family for 20+ years.



Slide 2512-A, Baldwin County Probate Records

**Requirements for the Highway Transitional District:**

The Highway Transitional District was added to the Zoning Ordinance in February 2021 as Ordinance 1702. (See Exhibit A). According to Article V, Section I (1), of the Zoning Ordinance (Ord. 1253), the intent of the HTD is three-fold.





**Dimension Standards:** Article V, Section I(5)(b) calls for the following setbacks in the HTD, all of which can be accomplished in each of the four (4) parcels.

**b. Setbacks**

- i. Front Setback shall be 20'.**
- ii. Rear Setback shall be 20'.**
- iii. Side setbacks shall be 10'.**

Maximum building heights of 30' or 35' shall be applicable to any buildings on the parcels.

Parking shall be located behind the front building line if and when buildings are anticipated.

Per subsection (e), any stand-alone single use or tenant retail building shall not exceed an 8Kft<sup>2</sup> footprint.

Subsection (f) states that "all lands within twenty (20) feet of the boundaries of U.S. Highway 98, Alabama Highway 104, and Alabama Highway 181...are required to be reserved by owners or developers...as greenspace and tree protection zones..." If there is no other vegetation beyond grass at the time of development, then new landscaping and plantings shall be installed at the time of the development. Said landscaping and plantings shall be approved by the City Horticulturalist.

The City of Fairhope Tree Ordinance considers the HTD as commercial/business regardless of the actual use.

Pursuant to Article II, Section C(1) "Zoning Amendments," subsection (e) "Criteria" the application shall be reviewed based on the following criteria:

**(1) Compliance with the Comprehensive Plan;**

**Response:** The current Comprehensive Land Use Plan (circa 2016) supports a village concept with village centers containing the highest intensity of business uses with commercial nodes located on Greeno Road, Highway 181, and Section Street. The preferred plan places village centers at North Village (current Fly Creek PUD), Greeno Road, intersection of Fairhope Avenue and Highway 181, and downtown, with downtown considered the ultimate village center. The nearest village nodes are located at Greeno Road and Twin Beech Road and Greeno Road and County Road 32. An additional node is at Section Street and County Road 34. The "subject" property is triangulated among the aforementioned commercial nodes. *See below.*

The subject property is not appropriate for a full-blown commercial node; however, staff does believe the property is appropriate for HTD by definition and location.



2016 Comprehensive Land Use Plan – Preferred Use Land Map

***(2) Compliance with the standards, goals, and intent of this ordinance;***

**Response:** Currently, all the parcels are zoned R-1. R-1 is most likely not the best use for smaller parcels that directly front a major highway since R-1 is a more appropriate designation for larger parcels. Moreover, “screening” is an important attribute that runs throughout this ordinance and HTD requires the first twenty (20) feet of the parcel from the highways be vegetated beyond that of just grass; whereas, R-1 does not. Also, HTD is transitional and these parcels ease the transition from busy highway to the residential subdivision behind them.

***(3) The character of the surrounding property, including any pending development activity;***

**Response:** Each parcel fronts S. Greeno Road (US Hwy 98). Each parcel is backed by the Huntington Woods subdivision. Parcels north of the stand-alone northern parcel are zoned R-1. There are two (2) such parcels and they are much larger and have what appears to be one (1) residence on each. Parcels located south of the parcels known as Street’s Commercial Park are unzoned as are parcels across S. Greeno Road (US Hwy 98). There is not any known anticipated pending development in the immediate surrounds of the subject property.

***(4) Adequacy of public infrastructure to support the proposed development;***

**Response:** There is no proposed development at this time. At least one (1) parcel (ice machine) is energized. Future development project(s) shall confirm the adequacy of the public infrastructure.

***(5) Impacts on natural resources, including existing conditions and ongoing post-development conditions;***

**Response:** The Applicants have no known plans of construction or redevelopment at this time.

***(6) Compliance with other laws and regulations of the City;***

**Response:** Rezoning complements the Tree Ordinance. At the time of any redevelopment all applicable laws of the city will be applied. If granted, any use within HTD zoning will be allowed 'by right'.

***(7) Compliance with other applicable laws and regulations of other jurisdictions;***

**Response:** At the time of redevelopment all applicable laws will be applied.

***(8) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values; and,***

**Response:** Applicants do not have any immediate plans for development. Nonetheless, the parcels are situated in an area that fits the bill for HTD by definition. If the property is developed commercially there very well may be potential impacts; however, any future building permits will be reviewed by staff prior to any construction and development shall follow all of the appropriate setbacks, footprints, and buffers. In addition, since the parcels front a major highway then ALDOT will also weigh in on any future development plans.

***(9) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.***

**Response:** Since this is a straight rezoning request where a solidified future use and/or site plan is not yet even fully contemplated then it is impossible for staff to determine any specific impacts on the surrounding neighborhood although it is reasonable to assume that there will be some impacts with any future development. Nonetheless, any future development will have various approval processes where these concerns and more will be thoroughly vetted.

**Recommendation:**

Staff recommends **approval** of ZC 22.16.

**From:** [Jacqueline Turner](#)  
**To:** [planning](#)  
**Subject:** Case ZC 22.1G  
**Date:** Monday, November 28, 2022 8:09:30 AM

---

**SENT FROM AN EXTERNAL ADDRESS**

Hello,

With the Thanksgiving Holiday, there really was not enough time to properly draft a response to the letter recently received regarding the above requested rezone.

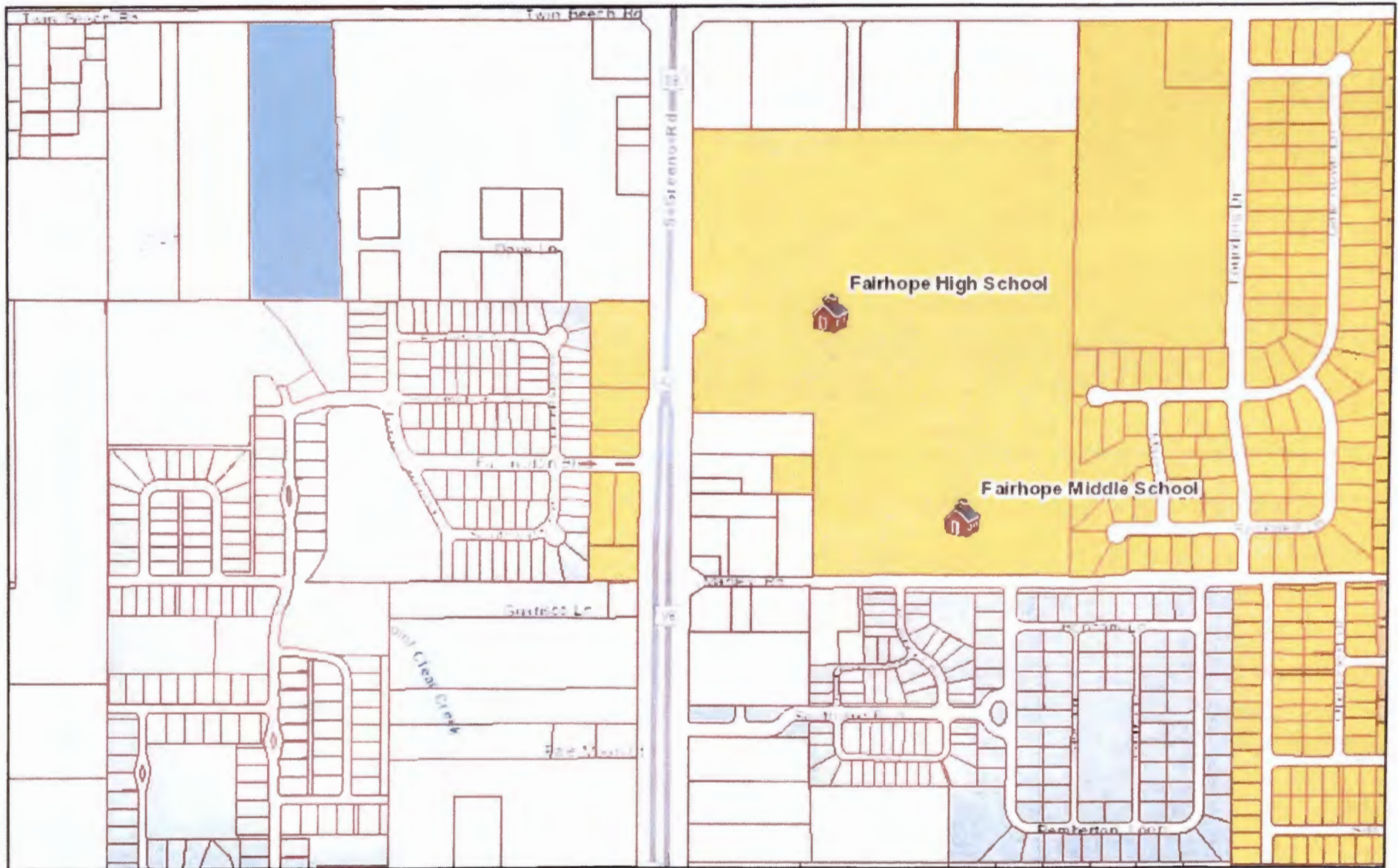
However, as an impacted homeowner, as well as a representative of the almost hundred member HOA, we are VEHEMENTLY OPPOSED to this zoning change! None of our key concerns, such as traffic and the safety of our children, have changed. In fact, they have been increasingly exacerbated by the additional traffic due to residential development behind ours and the overall influx of area development. In addition, commercial driveways would not be feasible off Farrington as it is a tree lined entrance that we maintain. Placing the entrances off of Highway 98 would only add to everyone's nightmare of school traffic as it is across the street from the main high school entrance. Keeping the current zoning is the only common sense choice.

Thank you for your consideration,  
Jacqueline Turner

Erik Perrin, Huntington Woods Resident









Mr. Perrin called on November 28<sup>th</sup>, 2022, to voice his opinion regarding Case ZC 22.16, the rezoning of the Street property to HTD. He stated that he was not against the rezoning, he would like to see the property develop, but did ask that the ingress/egress for the lots be located on Greeno Road rather than Farrington Boulevard and entrance to the Huntington Woods Subdivision. He added that there is a lot of traffic from Old Battles Village being developed.

# ArcGIS Web Map

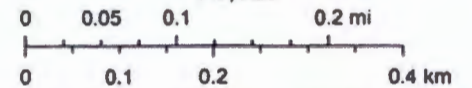


October 27, 2022

**Zoning**

- |   |  |  |   |
|---|--|--|---|
|  | B-3a - Tourist Resort Lodging District |  | HTD - Highway Transition District                 |
|   | B-1 - Local Shopping District          |   | B-3b - Tourist Resort Commercial Service District |
|   | B-2 - General Business District        |   | B-4 - Business and Professional District          |
|   |  |  | M-1 - Light Industrial District                   |
|   |  |  | P-1 - Parking                                     |

1:9,028

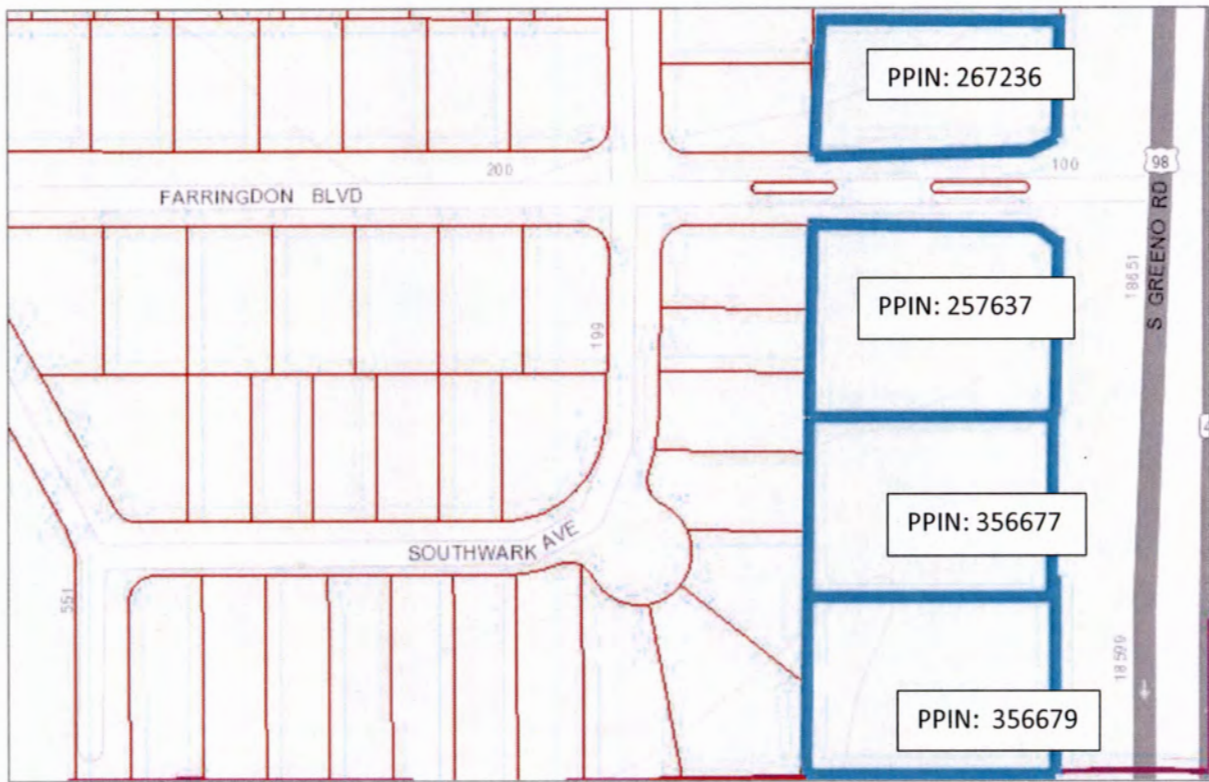


KCS, Esri, HERE, Garmin, GeoTechnologies, Inc., Intermap, USGS, METV, NASA, EPA, USDA

Web AppBuilder for ArcGIS

Exhibit A:

Map of the Property of the Street Living Trust to be re-zoned to HTD (Case ZC 22.16)



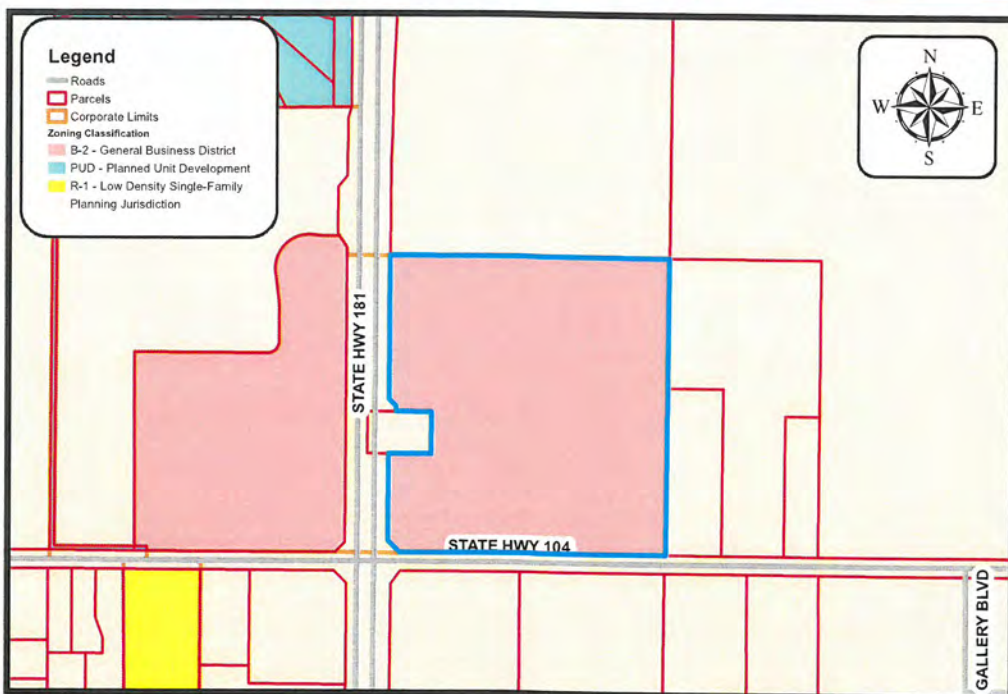
# City of Fairhope City Council

May 22, 2023

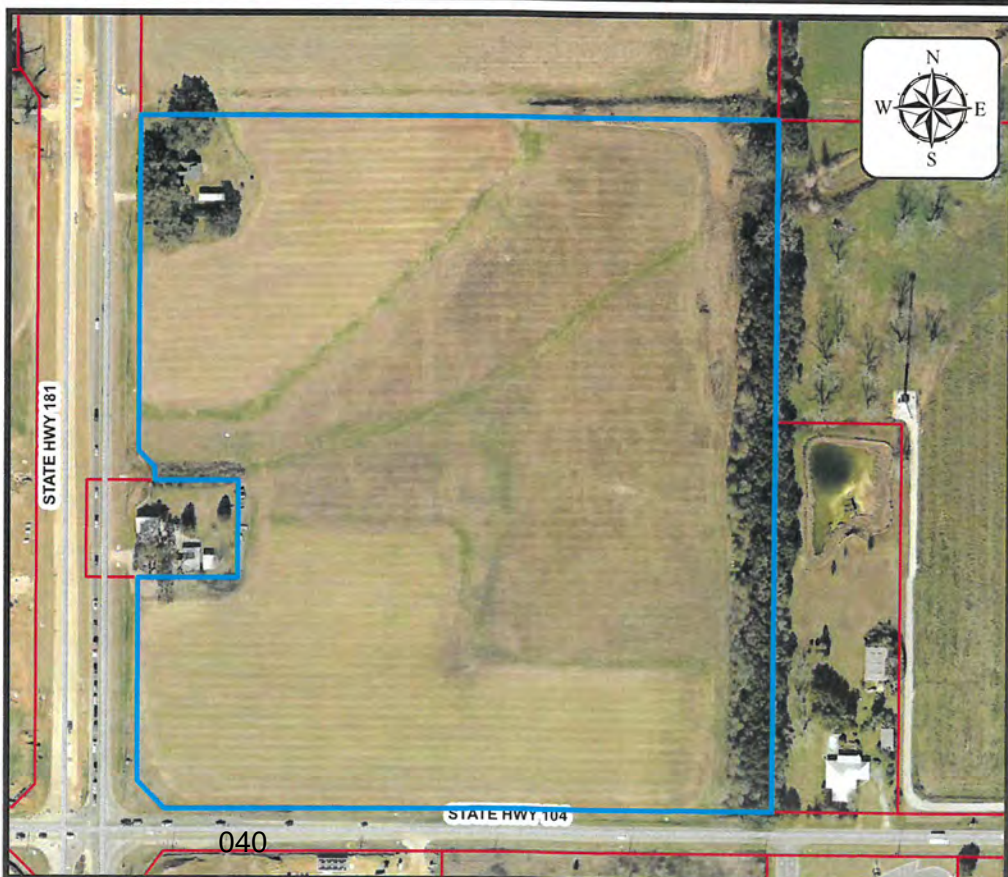


Planning Commission unanimously (6 Ayes, 0 Nays) voted to recommend approval of SR 23.04.

## SR 23.04 - Encounter Development, Wawa



<b>Project Name:</b>	Wawa
<b>Site Data:</b>	2.73 acres
<b>Project Type:</b>	Site Plan Approval
<b>Jurisdiction:</b>	Fairhope Planning Jurisdiction
<b>Zoning District:</b>	B-2
<b>PPIN Number:</b>	108453
<b>General Location:</b>	Northeast corner of the intersection of State Highway 181 & 104
<b>Surveyor of Record:</b>	Jade Consulting
<b>Engineer of Record:</b>	Jade Consulting
<b>Owner / Developer:</b>	Encounter Development LLC
<b>School District:</b>	Fairhope Elementary School Fairhope Middle and High Schools
<b>Recommendation:</b>	Approval
<b>Prepared by:</b>	Michelle Melton







**APPLICATION FOR SITE PLAN APPROVAL**

Application Type  Site Plan  
Attachments:  Articles of Incorporation or List all associated investors  
Date of Application: 2/28/23

**Property Owner / Leaseholder Information**  
Name of Property Owner: Encounter Development, LLC Phone Number: 203-955-1978  
Address of Property Owner: 1189 Post Road, Suite 3B  
City: Fairfield State: CT Zip: 06824

Proposed Site Plan Name: WAWA  
Site Acreage: ± 2.726 Sq. Footage: 6,119  
Parcel No: 05-46-01-02-0-000-001.510 Current Zoning: B-2 General Business

**Authorized Agent Information**  
Name of Authorized Agent: JADE Consulting, LLC Phone Number: 251-928-3443  
Address: 208 N. Greeno Rd., Ste. c  
City: Fairhope State: AL Zip: 36532  
Contact Person: Perry C. "Trey" Jinright, III, PE

**Engineer/Architect Information**  
Name of Firm: JADE Consulting, LLC Phone Number: 251-928-3443  
Address: 208 N. Greeno Rd., Ste. c  
City: Fairhope State: AL Zip: 36532  
Contact Person: Perry C. "Trey" Jinright, III, PE

I certify that I am the property owner/leaseholder of the above described property and hereby submit this site plan to the City for review. \*If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Kenneth M Kleban  
Property Owner/Leaseholder Printed Name  
2-16-23  
Date

[Signature]  
Signature  
Fairhope Single Tax Corp. (If Applicable)

Lee Turner,  
President, FSTC



## Site Plan Review Application Checklist\*

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\*This checklist is intended for convenience purposes only.  
Refer to the City of Fairhope Zoning Ordinance and other applicable City Ordinances for additional requirements.

- 2 copies of the Site Plan
- 2 sets of Construction Plans
- 1 copy of the Site Plan in PDF format on disk
- Site Plan Review Application with Articles of Incorporation attached
- Overall Site Plan
- Curb Cut Locations
- Dumpster Location and Screening
- Grading and Drainage Plans
- BMP Plan
- A Topographic and Boundary Survey
- Pedestrian Circulation Plan
- Building Elevations indicating exterior construction materials
- Legal Description and Property Map
- Landscape Plan, including tree preservation plan (Existing and Proposed Contours shall be on the Landscape Plan)
- All landscape plans shall be in compliance with Ordinance No. 1223 – Tree Ordinance.
- 20% of the total property (not including the right of way) shall be landscaped
- A 20' landscaped buffer is required where commercial/industrial abuts residential
- A Site Lighting Plan indicating light locations, mounting height, wattages and fixture types
- A Site Data Table including but not limited to:
  - Current Zoning
  - Lot Size
  - Proposed Building Height
  - Total Gross Floor Area
  - Proposed Building Coverage
  - Percentage of Impervious Area, excluding the Building
  - Percentage of Proposed Landscaping (60% of the required plant materials shall be located between the building walls and public streets)

- Proposed number of parking spaces/ required number of parking spaces
- Percentage of proposed Green-space

Aerial Photograph with Site Plan and topographic lines overlaid

Utility Plans

Loading/unloading space (if applicable)

Drive-up window locations (if applicable)

Total number of Proposed Buildings, Proposed Uses and the Square Footages of each Phasing Schedule for Projects being developed over an extended period of time

Location, materials, and elevations of any and all fences and/or walls.

Location of mechanical equipment (mechanical equipment shall be screened)

Flow Modeling

Plans submitted shall include but not be limited to:

- Name of Project
- Date of preparation, including all revision dates
- Appropriate Scale
- North Arrow
- Preparer's Name, Phone Number and Fax Number
- Name of Owner

Compliance with the City's Comprehensive Plan and the standards, goals and intent of the Fairhope Zoning Ordinance

All signage requires a sign permit

All Applicable Outside Agency Permits (e.g. ALDOT, ADEM, COE, etc.)

Please note that this document only applies to properties within the City of Fairhope.

**Summary of Request:**

Request of Applicant, JADE Consulting, LLC (“JADE”), on behalf of owner, Encounter Development, LLC, for Site Plan Approval of WAWA. Trey Jinright, III, PE, is the authorized agent and engineer for the project. The subject property is zoned B-2 General Business District and is approximately 2.73 acres. The property is located on the northeast corner of Alabama State Highways 104 and 181. Staff has already reviewed details of the major subdivision in which this site is located last month with Case SD 23.14. This is the only site within the development that has direct ingress/egress to Hwy 104 and Hwy 181.

SITE DATA TABLE		BUILDING SETBACKS:	
STATE OF ALABAMA COUNTY OF BALDWIN CITY OF FAIRHOPE (ADDRESS TBD) FAIRHOPE, AL 36532		FRONT (HWY 181):	125' HIGHWAY CONSTRUCTION SETBACK (AS SHOWN)
		FRONT (HWY 104):	100' HIGHWAY CONSTRUCTION SETBACK (AS SHOWN)
		SIDE/REAR:	20'
		LANDSCAPE BUFFERS:	
		FRONT:	20' GREENSPACE BUFFER
		SIDE:	N/A
		REAR:	N/A
WAWA STORE NUMBER:	5804		
WAWA BUILDING TYPE:	FBS F/B		
WAWA CANOPY TYPE:	STACKED 8 GAS CANOPY (SLOPED)		
# MPD:	8		
EX. TAX PARCEL ID:	05-46-01-02-0-000-001.510		
PROPOSED PARCEL SIZE:	APPROX. 2.854 ACRES		
ZONING:	B-2 - GENERAL BUSINESS DISTRICT		

**Setbacks:** B-2 does not have side setbacks and this being a corner lot the site faces both Alabama Highways 104 and 181, which requires highway construction setbacks. The highway construction setbacks are 125’ along Hwy 181 and 100’ along Hwy 104. The provided setbacks accomplish the required 20’ greenspace buffers along the highways. Applicant has ALDOT’s consent to provide greenspace within the highway construction setback along Hwy 181. The email from ALDOT is within the packet. There are 20’ setbacks facing the interior roads (Encounter Drive and Bushel Drive).

**Building(s):** The buildings meet the height restriction of B-2. Architectural elevations are provided as attachments. Front elevations are shown in Figure 1. Materials for the building are primarily brick, metal roof and overhangs, and cement.



Figure 1. Front Architectural Elevations

**Landscaping Plan:** This site did not have any existing trees. However, there is an extensive landscaping plan that has been reviewed. The planting strip facing Hwy 104 provides for required perimeter trees, but the

spacing do not meet the intentions of the Tree Ordinance. The screening vegetation around the dumpster needs to be re-visited because the proposed species does not grow tall enough to efficiently screen said dumpster, which is the intent of the ordinance. Revised plans shall be received prior to sending the Site Plan to City Council for final approval. (Ordinance #1444, Section 20.5-4(6)).

**Parking:** Parking meets the requirements of Zoning Ordinance, as well as the perimeter landscape screening requirements of the Tree Ordinance.

**Sidewalks:** This Site Plan includes interior sidewalks on the site in addition to the required 8’ sidewalk directly outside of the store and provides for full vehicular access off Encounter Drive and Bushel Drive. The sidewalks are situated at the perimeter along Bushel Drive and Encounter Drive.

A 12’ wide multi-use trail is proposed within the larger development. For this site, the multi-use trail appears within the highway construction setback along Hwy 104. The multi-use trail then extends across Bushel Drive to connect with the greater trail system for the development. The applicant has provided ADA approved crosswalks across ingress/egress points. There are no current plans within the ALDOT right-of-way for pedestrian connectivity across state highways.

**Locations, intensity, and heights of exterior lights:** The parking area was originally designed with over 50 parking spaces, which allowed 20’ light poles. The number of spaces were reduced to 49. Article IV, Section B.3, limits light poles in parking lots with 50 or fewer spaces to 10 feet overall height. A photometric plan was not provided, however, will be required at time of building permit application. Plans currently illustrate 20’ poles, which will need to be revised.

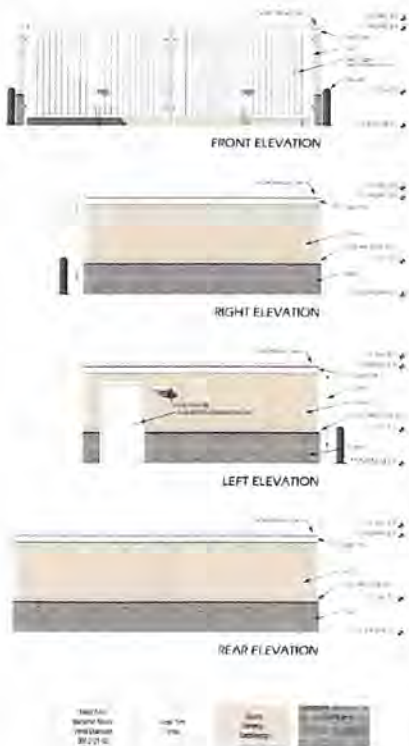


Figure 2: Dumpster Enclosure

**Mechanical equipment:** Mechanical equipment has been finalized, reviewed, and accepted, and all appear on the Site Plan.

**Fences:** There is not any proposed fencing.

**Dumpster location and screening:** Garbage is collected in a commercial dumpster located in the northeast corner of the site, outside the setbacks, and surrounded with a 9’ tall metal and stucco enclosure as shown in Figure 2.

**Storm water:** Storm water was thoroughly reviewed in Case SD 23.14. See below.

The Encounter Commercial Retail site drains in a single primary direction, west to east, into an upper tributary of Pensacola Branch. The project’s stormwater run-off is designed to be collected by a series of inlets and routed via a storm pipe network to a single wet detention pond located on Lot 13. If and when Lot 13 has a development plan the stormwater management system will need to be updated. LID methods are suggested to control the run off characteristics. The stormwater management system regulates post development run off release rates below its respective predevelopment rates as required by the City of Fairhope.

**Location and size of all signage:** A sign plan was provided and reviewed by Christina Lejuene. The sign plan exceeded the allotted amount and revisions are underway at WAWA corporate headquarters. A revised sign plan shall be in compliance with the Sign Ordinance.

**Erosion control:** An Erosion Control plan was submitted with the application and is acceptable.

**Utilities:** A utility plan was submitted and has been reviewed and approved by the appropriate providers.

**ADA Requirements:** ADA requirements have been met.

**Traffic:** An extensive traffic study was done in affiliation with the greater Encounter Commercial Retail Center and the Rockwell development to the north on Hwy 181. An existing traffic light is located at the intersection of Hwys 181 and 104. There is a right in/right out driveway onto northbound Hwy 181 from Encounter Drive. There is another right in/right out driveway from Bushel Drive to eastbound Hwy 104.

**Recommendation:**

Staff recommends conditional approval of case SR 23.04 with the following conditions:

- 1.) Landscape Plans shall be revised pursuant to this report and the Tree Ordinance prior to submission to the City Council.
- 2.) A photometric plan shall be submitted and approved prior to applying for a building permit.
- 3.) Revised signage plan shall conform to the Sign Ordinance.

Article II, Section C.2.d. (Site Plan Review Criteria)

*Criteria* – The application shall be reviewed based on the following criteria:

- (1) Compliance with the Comprehensive Plan;  
**The property is currently zoned B-2 and the uses currently proposed (restaurant, retail and office) are allowed in B-2.**
- (2) Compliance with any other approved planning documents; **Will be met prior to vertical construction/applying for building permit.**
- (3) Compliance with the standards, goals, and intent of this ordinance and applicable zoning districts;  
**The standards of the zoning ordinance have been, or shall be by condition of approval, met.**
- (4) Compliance with other laws and regulations of the City;  
**Meets**
- (5) Compliance with other applicable laws and regulations of other jurisdictions;  
**Meets**
- (6) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values; **Meets**
- (7) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values; **Property is zoned B-2, which allows for such things and the site does not abut conflicting uses.**
- (8) Overall benefit to the community;  
**No Conflicts.**
- (9) Compliance with sound planning principles; **Meets**
- (10) Compliance with the terms and conditions of any zoning approval;

**Meets**

(11) Any other matter relating to the health, safety, and welfare of the community;

**Nothing noted**

(12) Property boundaries with dimensions and setback lines;

**Meets**

(13) Location of proposed buildings and structures indicating sizes in square feet;

**Meets**

(14) Data to show percentage of lot covered with existing and proposed buildings;

**Meets**

(15) Elevations indicating exterior materials;

**Front, side, and rear elevations were provided.**

(16) The locations, intensity, and height of exterior lights; **A photometric will be submitted and will be reviewed at a later date.**

(17) The locations of mechanical equipment;

**All relevant requirements are met.**

(18) Outside storage and/or display; **Meets**

(19) Drive-up window locations (must be away from residential uses/districts and not in front of building);  
**n/a**

(20) Curb-cut detail and location(s);

**Provided. Permits from ALDOT required.**

(21) Parking, loading, and maneuvering areas;

**Meets**

(22) Landscaping plan in accordance with the City Landscape Ordinance;

**Needs to be revisited pursuant to this staff report.**

(23) Location, materials, and elevation of any and all fences and/or walls;

**Meets**

(24) Dumpster location and screening; and

**Meets**

(25) Location and size of all signage.

**A revised signage plan is underway and the revised plan shall conform to the Sign Ordinance.**

RESOLUTION NO. \_\_\_\_\_

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That Mayor Sherry Sullivan is hereby authorized to execute Extension No. 1 for (Bid No. 028-22) Disaster Debris Removal and Disposal. The original contract was executed on August 1, 2022 and awarded to CrowderGulf, LLC. The request for Extension No. 1 will extend the referenced contract until July 31, 2024. CrowderGulf has agreed to Extension No. 1 with all terms and conditions of the bid award.

ADOPTED ON THIS 22ND DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk



City of Fairhope  
Project Funding Request

Issuing Date: 5/14/2023

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Extension #1 Bid 028-22 Disaster Debris Removal and Disposal

Project Location: City Wide

Presented to City Council: 5/22/2023

Funding Request Sponsor: Richard Johnson, Public Works Director  
George Ladd, Assistant Public Works Director

Resolution # :  
Approved \_\_\_\_\_  
Changed \_\_\_\_\_  
Rejected \_\_\_\_\_

Project Cash Requirement Requested:  
Cost: \$ \_\_\_\_\_ - To be determined at the time of disaster

Vendor: Crowder Gulf \$ \_\_\_\_\_

Project Engineer: n/a

Order Date: n/a Lead Time: n/a

MAY 15 '23 4:15:58 *RLW*

Department Funding This Project

General  Gas  Electric  Water  Wastewater  Sanitation  Cap Project  Impact  Gas Tax  Fed Grant

Department of General Fund Providing the Funding

Admin-10  Bldg-13  Police-15  Fire-20  ECD-24  Rec-25  Civic-26  **Street-35**  Meter-19  IT-16   
 Fleet-46  Golf-50  Golf Grounds-55  Museum-27  NonDeptFac-75  Debt Service-85  Marina-34  Plan/Zone-12  Adult Rec-30

Project will be:

Expensed XXX   
 Capitalized \_\_\_\_\_   
 Inventoried \_\_\_\_\_

Expense Code: To be determined  
 G/L Acct Name: Disaster Cost

Project Budgeted: \$ \_\_\_\_\_ -  
 Balance Sheet Item Included in projected cash flow

Over (Under) budget amount: \$ \_\_\_\_\_ -

Comments:

Funding Source:

Operating Expenses XXX   
 Budgeted Capital \_\_\_\_\_   
 Unfunded \_\_\_\_\_

Grant: \_\_\_\_\_ Federal - not to exceed amount  
 \_\_\_\_\_ State  
 \_\_\_\_\_ City  
 \_\_\_\_\_ Local

Bond: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_  
 Loan: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_

Capital Lease: \_\_\_\_\_ - Payment \_\_\_\_\_ Term \_\_\_\_\_

City Council Prior Approval/Date? \_\_\_\_\_

<u>Senior Accountant</u>	<u>City Treasurer</u>	<u>Mayor</u>
Purchasing Memo Date: <u>5/10/2023</u>	Purchasing Memo Date: <u>5/10/2023</u>	Delivered To Date: <u>5/15/2023</u>
Request Approved Date: <u>5/15/2023</u>	Request Approved Date: <u>5/15/2023</u>	Approved Date: <u>5/15/2023</u>
Signatures: _____	<i>Kim Creech</i> Kim Creech	<i>Sherry Sullivan</i> Mayor Sherry Sullivan



**MEMO**

To: Aislinn Stone, Senior Accountant  
Kimberly Creech, City Treasurer

From: \_\_\_\_\_  
Erin Wolfe, Purchasing Manager

Date: May 10, 2023

**Re: Requesting Green Sheet and Approval by City Council for Extension No. 1 for Bid No. 028-22 Disaster Debris Removal and Disposal**

The Director of Public Works, Richard Johnson, is requesting Extension No. 1 for Bid No. 028-22 Disaster Debris Removal and Disposal. The original contract was executed on August 1, 2022 and awarded to CrowderGulf, LLC. The request for Extension No. 1 will extend the referenced contract until July 31, 2024.

The Vendor has agreed to Extension No. 1, with all terms and conditions of the bid award.

**Please place on the next City Council Agenda this request to approve the Extension No. 1 for Bid No. 028-22 Disaster Debris Removal and Disposal to CrowderGulf, LLC for the same terms and conditions as the original bid award.**

Enclosure

Cc: Richard Johnson, Clint Steadham

Sherry Sullivan  
Mayor

*Council Members:*  
Kevin G. Boone  
Jack Burrell, ACOMO  
Jimmy Conyers  
Corey Martin  
Jay Robinson

Lisa A. Hanks, MMC  
City Clerk

Kimberly Creech  
City Treasurer

161 North Section St.  
PO Drawer 429  
Fairhope, AL 36533

251-928-2136 (p)  
251-928-6776 (f)  
www.fairhopeal.gov

**City of Fairhope**  
**Bid No. 028-22**  
**Disaster Debris Removal and Disposal Services**  
**Contract Extension No. 1**

This EXTENSION NO.1 of CONTRACT ("Extension") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2023, for the purpose of extending the agreement known as **Bid No. 028-22 Disaster Debris Removal and Disposal Services**, dated **August 1, 2022**, ("Original Contract") between the **City of Fairhope** and **CrowderGulf, LLC** (the "Parties").

1. Extension 1 of this agreement, which is attached hereto as a part of this Extension, is described below:

**Bid No. 028-22 Disaster Debris Removal and Disposal Services**

and will end on **July 31, 2023 at midnight**.

2. The Parties agree to extend Extension 1 agreement for an additional period, which will begin immediately upon the expiration of the original time period **August 1, 2023** and will end on **July 31, 2024**.

3. This Extension binds and benefits both Parties and any successors or assigns. This document, including the attached Original Contract, is the entire agreement between the Parties. All other terms and conditions of the Original Contract, including pricing, remain unchanged.

IN WITNESS WHEREOF, the parties hereto have executed this Contract Extension as of the day and year first above written.

**THE CITY OF FAIRHOPE, ALABAMA**

**ATTEST:**

\_\_\_\_\_  
BY: **Sherry Sullivan, Mayor**

\_\_\_\_\_  
BY: **Lisa A. Hanks, MMC, City Clerk**

**NOTARY FOR THE CITY**

STATE OF ALABAMA}  
COUNTY OF BALDWIN}

I, the undersigned authority in and for said State and County, hereby certify that **Sherry Sullivan** as Mayor of the City of Fairhope whose name is signed to the foregoing document and who is known to me, acknowledged before me on this day, being informed of the contents of the document she executed the same voluntarily on the date of the same bears date.

Given under my hand and Notary Seal on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Notary Public \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



# CrowderGulf

## Disaster Recovery and Debris Management

5629 Commerce Boulevard East  
Mobile, Alabama 36619

Office: (800) 992-6207  
Fax: (251) 459-7433

April 28, 2023

Ms. Erin Wolfe  
Purchasing Manager  
City of Fairhope  
555 South Section Street  
Fairhope, AL 36532

via email: [erin.wolfe@fairhopeal.gov](mailto:erin.wolfe@fairhopeal.gov)

**Re: Contract Renewal for Disaster Debris Removal and Disposal Services, Bid 028-22**

Dear Ms. Wolfe:

CrowderGulf has been providing the City of Fairhope Disaster Debris Removal and Disposal Services per the Contract originally executed on August 01, 2022. The term of the Contract shall be for one (1) year from the signing date of the Contract, with the option to extend for up to two (2) additional years if the terms and conditions, including pricing, remain the same and both parties are in agreement.

If the City of Fairhope is in agreement to renew the existing Contract, please sign the renewal acceptance below and return to CrowderGulf. Upon receipt of this acknowledgement the Contract will continue under the same terms and conditions until its new expiration date of July 31, 2025.

We appreciate the opportunity to renew this contract and stand ready to respond in the event our services are requested by the community of the City of Fairhope. If you have any questions or if we can be of any further assistance please do not hesitate to contact me at the Disaster Administration Office (DAO), 800-992-6207 or by email [jramsay@crowdergulf.com](mailto:jramsay@crowdergulf.com).

Best regards,

  
Ashley Ramsay-Naile  
President

**RENEWAL ACCEPTANCE – City of Fairhope, AL**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Name/Title*

\_\_\_\_\_  
*Date*

**RESOLUTION NO. \_\_\_\_\_**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** That Mayor Sherry Sullivan is hereby authorized to execute Amendment No. 1 to (Bid No. 23-015) Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course to Jerry Pate Company for an additional \$11,682.25. The total cost will not-to-exceed \$41,778.75.

ADOPTED ON THIS 22ND DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

City of Fairhope  
Project Funding Request

Issuing Date: 5/15/2023

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Approve Amendment #1 for Bid No. 23-015 Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course

Project Location: Quail Creek Golf Course

Presented to City Council: 5/22/2023

Funding Request Sponsor: Pat White, Recreation Director  
Tomm Johnson, Golf Grounds

Resolution # :  
Approved \_\_\_\_\_  
Changed \_\_\_\_\_  
Rejected \_\_\_\_\_

MAY 16 2023 JAW

Project Cash Requirement Requested:  
Cost: \$ 41,778.75 (Not-to-Exceed)

Vendor: Jerry Pate Company

Project Engineer: n/a

Order Date: n/a Lead Time: n/a

Department Funding This Project

General  Gas  Electric  Water  Wastewater  Sanitation  Cap Project  Impact  Gas Tax  Fed Grant

Department of General Fund Providing the Funding

Admin-10  Bldg-13  Police-15  Fire-20  ECD-24  Rec-25  Civic-26  Street-35  Meter-19  IT-16   
Fleet-46  Golf-50  **Golf Grounds-55**  Museum-27  NonDeptFac-75  Debt Service-85  Marina-34  Plan/Zone-12  Adult Rec-30

Project will be:

Expensed \_\_\_\_\_   
Capitalized XXX   
Inventoried \_\_\_\_\_

Funding Source:

Operating Expenses \_\_\_\_\_   
Budgeted Capital \_\_\_\_\_   
Unfunded XXX

Expense Code: 001550-50475  
G/L Acct Name: Capital Improvements

Grant: \_\_\_\_\_ Federal - not to exceed amount  
\_\_\_\_\_ State  
\_\_\_\_\_ City  
\_\_\_\_\_ Local

Project Budgeted: \$ \_\_\_\_\_  
Balance Sheet Item-  
Included in projected  
cash flow

Over (Under) budget amount: \$ 41,778.75

Bond: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_  
Loah: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_

Resolution No. 4698-23 approved and awarded Bid No. 23-015 not-to-exceed \$30,096.50.  
Vendor is requesting a price increase in the amount of \$11,682.25.

Capital Lease: \_\_\_\_\_ - Payment \_\_\_\_\_ Term \_\_\_\_\_

City Council Prior Approval/Date? \_\_\_\_\_

Senior Accountant

City Treasurer

Mayor

Purchasing Memo Date: 5/15/2023

Purchasing Memo Date: 5/15/2023

Delivered To Date: 5/15/2023

Request Approved Date: 5/15/2023

Request Approved Date: 5/15/2023

Approved Date: 5/15/2023

Signatures: \_\_\_\_\_

*Kim Green*  
Kim Green

*Sherry Sullivan*  
Mayor Sherry Sullivan

## Sherry Sullivan

---

**From:** Erin Wolfe  
**Sent:** Tuesday, May 16, 2023 11:01 AM  
**To:** Sherry Sullivan  
**Subject:** RE: QC pump system

*include in packet*

Good morning,  
I tried to call but got Gayle's voicemail.

There was not a specific time schedule for the original bid. The bid opened on 1/31/23. The contract was fully executed on 3/22/23. During the time period between the bid opening and the awarded vendor (Jerry Pate Company) placing the order for the control panel, their supplier increased the price so significantly, the awarded vendor was unable to absorb the increase.

Note: Their supplier was only willing to hold the new price for 15 days. I expressed concern that we would not be able to have approval for the increase before that price guarantee expired. They went back to the supplier. The supplier provided an even higher price to hold until the end of the month (May). Jerry Pate Company will absorb that additional increase.

Jerry Pate Company was the only bidder for this purchase. Our only other option would be to cancel the contract and rebid the purchase, which would probably result in an even higher price.

Please let me know if this answers your questions or if I can clarify anything else.

*Erin Wolfe*

Purchasing Manager  
City of Fairhope  
555 South Section Street  
Fairhope, AL 36532  
Phone: (251) 279-6231  
Email: [erin.wolfe@fairhopeal.gov](mailto:erin.wolfe@fairhopeal.gov)

**From:** Sherry Sullivan <[sherry.sullivan@fairhopeal.gov](mailto:sherry.sullivan@fairhopeal.gov)>  
**Sent:** Tuesday, May 16, 2023 9:29 AM  
**To:** Erin Wolfe <[erin.wolfe@fairhopeal.gov](mailto:erin.wolfe@fairhopeal.gov)>  
**Subject:** QC pump system

Please call me regarding the green sheet for the pump system at QC. Was there a time period on the original bid? Did we not do the work within the time period and now they are increasing the cost?

Sherry Sullivan  
Mayor  
City of Fairhope  
251-990-0100





**MEMO**

To: Kimberly Creech, City Treasurer

From: \_\_\_\_\_  
Erin Wolfe, Purchasing Manager

Sherry Sullivan  
Mayor

Council Members:  
Kevin G. Boone  
Jack Burrell, ACOMO  
Jimmy Conyers  
Corey Martin  
Jay Robinson

Lisa A. Hanks, MMC  
City Clerk

Kimberly Creech  
City Treasurer

Date: May 15, 2023

**Re: Requesting Green Sheet and Approval by City Council to increase the award price for Bid No. 23-015 Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course**

The Director of Parks and Recreation, Pat White, and the Golf Course Superintendent, Tomm Johnson, have requested to increase the price of the award for Bid No. 23-015 Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course.

The awarded vendor, Jerry Pate Company, has submitted a request for a price increase. Their supplier has increased the price for the following reason: *There is a shortage of components in our industry and prices are subject to change with very little or no notice. Many **Motor Controls, Inc.** manufacturing partners have advised that until further notice they reserve the right to amend the delivery date, the price, the scope or quantity of supply and/or other terms and conditions set out in their offer or quotation to **Motor Controls, Inc.** **Motor Controls, Inc.** considers any COVID-19 related changes imposed by manufacturers as outside its reasonable control and subject to Force Majeure provisions.*

The original award price was Thirty Thousand Ninety-Six Dollars and Fifty Cents (\$30,096.50). The Director of Parks and Recreation recommends the award be increased by \$11,682.25 to Forty-One Thousand Seven Hundred Seventy-Eight Dollars and Seventy-Five Cents (\$41,778.75).

**Please prepare a Green Sheet and place on the next City Council Agenda this request to increase the award amount for Bid No. 23-015 Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course for an additional \$11,682.25 to a sum total of \$41,778.75.**

161 North Section St.  
PO Drawer 429  
Fairhope, AL 36533

251-928-2136 (p)  
251-928-6776 (f)  
www.fairhopeal.gov

Enclosure

Cc: Pat White, Tomm Johnson, Clint Steadham



Quote # 53739  
 Location # 01  
 Date 05/08/23  
 Page Page 1 of 2

**SALES QUOTE**

209250  
 CITY OF FAIRHOPE  
 PO BOX 429  
 FAIRHOPE AL 36533-0429

Ship To :  
 QUAIL CREEK GOLF COURSE  
 Attn Tomm Johnson  
 19841 QUAIL CREEK DR  
 FAIRHOPE AL 36532-4840

Expiration Date : 06/08/23

Cust PO # :  
 Terms :  
 Reps :  
 Ship Via :

pump panel repairs  
 NET 60 DAYS  
 071 / 094  
 FedEx 15 - Ground

Product / Description	Quantity	U/M	Price	Extension
MCI101922QCSPACE MCI PACE Retrofit Kit Qual Creek	1		29,498.75	29,498.75
Irrigation System Install and Setup Irrigation System Install and Setup	2.5		1,850.00	4,625.00
Shop Supplies Shop Supplies	1		250.00	250.00
<b>Existing FTX Station # T016416</b>				
<b>Subtotal</b>				<b>34,373.75</b>
MCI CELL CONNECT Cell Connect for Single Pump Station Connection to Irrigation Central	1		3,500.00	3,500.00
Irrigation System Install and Setup Irrigation System Install and Setup	0.5		1,850.00	925.00
Shop Supplies Shop Supplies	1		100.00	100.00
<b>Subtotal</b>				<b>4,525.00</b>
MCI OPTIONAL WARRANTY Optional 6 Year Warranty on all components as furnished under this kit	1		2,880.00	2,880.00
<b>Subtotal</b>				<b>2,880.00</b>

Jerry Pate Company's vendor partners have advised that until further notice they reserve the right to amend the delivery date, the price, the scope or quantity of supply and/or other terms and conditions within their quotation to JPC. JPC considers any COVID-19 related changes imposed by vendor partners as outside its reasonable control and subject to force majeure provisions.

**SALES QUOTE**

Quote # 53739  
Location #  
Date 05/08/23  
Page Page 2 of 2

Product / Description	Quantity	U/M	Price	Extension
-----------------------	----------	-----	-------	-----------

**A Message from Jerry Pate**

Dear Valued Customer:

As Chairman and Founder of Jerry Pate Company, I pledge to provide you with the best quality products and parts, and exceptional customer service. We are committed to building valued relationships through integrity and professionalism, while enhancing the quality of life and well-being of people and communities. Our Core Values are Faith, Family, and Career Opportunities. We value your loyalty and continued business, and thank you for trusting us as your provider of the finest products and services in the industry.



Subtotal :	41,778.75
Tax :	0.00
Total :	41,778.75

\_\_\_\_\_  
Accepted By Date

**Return Guidelines**

We stand behind what we sell. If for some reason you are not satisfied with your purchase, we will gladly accept your timely return of eligible items. To view our return policy, please visit <https://jerry pate.com/parts-service/>. All errors in shipment must be claimed within 10 days of receipt of shipment. All returns must have a Return Merchandise Authorization (RMA), and may be subject to a 15% restocking fee. To make a return or inquire about eligible returns, please contact one of our Customer Care Team Members .

1800-700-7004 [customer care@jerry pate.com](mailto:customer care@jerry pate.com)

1-800-700-7001 • 301 Schubert Drive, Pensacola, Florida, 32504 • [www.JerryPate.com](http://www.JerryPate.com)



RESOLUTION NO. \_\_\_\_\_

**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. 23-015) Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, a bid was received and tabulated as follows:

Please see attached Bid Tabulation for  
Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course

[3] After evaluating the bid with the required specifications, Jerry Pate Company is now awarded (Bid No. 23-015) Irrigation Pump System Control Panel for Quail Creek Golf Course with a total bid proposal not-to-exceed \$30,096.50.

ADOPTED ON THIS 27TH DAY OF FEBRUARY, 2023

\_\_\_\_\_  
Jay Robinson  
Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

City of Fairhope  
Project Funding Request

Issuing Date 2/17/2022

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Award Bld No. 23-015 Irrigation Pump System Control Panel Replacement

Project Location: Quail Creek Golf Course

Presented to City Council 2/27/2022

Funding Request Sponsor: Pet White, Recreation Director  
Tomm Johnson, Golf Grounds

Resolution #  
Approved \_\_\_\_\_  
Changed \_\_\_\_\_  
Rejected \_\_\_\_\_

Project Cash Requirement Requested:  
Cost: \$ 30,096.50

Vendor: Jerry Pate Company

Project Engineer: n/a

Order Date: n/a Lead Time: n/a

Department Funding This Project

General  Gas  Electric  Water  Wastewater  Sanitation  Cap Project  Impact  Gas Tax  Fed Grant

Department of General Fund Providing the Funding

Admin-10  Bidg-13  Police-15  Fire-20  ECD-24  Rec-25  Civic-26  Street-35  Meter-19  IT-16   
Fleet-46  Golf-50  Golf Grounds-55  Museum-27  NonDept/Fac-75  Debt Service-85  Manne-34  Plan/Zone-12  Adult Rec-30

Project will be

Expensed \_\_\_\_\_   
Capitalized XXX   
Inventoried \_\_\_\_\_

Funding Source:

Operating Expenses \_\_\_\_\_   
Budgeted Capital \_\_\_\_\_   
Unfunded XXX

Expense Code: 001560-50475  
G/L Acct Name: Capital Improvements

Grant: \_\_\_\_\_ Federal - not to exceed amount  
\_\_\_\_\_ State  
\_\_\_\_\_ City  
\_\_\_\_\_ Local

Project Budgeted: \$ \_\_\_\_\_  
Balance Sheet Item Included in projected cash flow

Over (Under) budget amount: \$ 30,096.50

Bond: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_  
Loan: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_

Capital Lease: \_\_\_\_\_ Payment \_\_\_\_\_ Term \_\_\_\_\_

City Council Prior Approval/Date? \_\_\_\_\_

Senior Accountant \_\_\_\_\_ City Treasurer \_\_\_\_\_ Mayor \_\_\_\_\_

Purchasing Memo Date: 2/6/2023 Purchasing Memo Date: 2/6/2023 Delivered To Date: 2/17/2023

Request Approved Date: 2/17/2023 Request Approved Date: 2/17/2023 Approved Date: 2/17/2023


Signatures: Aislinn Stone Kim Creech Mayor Sherry Sullivan



## MEMO

To: Aislinn Stone, Senior Accountant  
Kimberly Creech, City Treasurer

Sherry Sullivan  
Mayor

From:   
Erin Wolfe, Purchasing Manager

*Council Members:*  
Kevin G. Boone  
Robert A. Brown  
Jack Burrell, ACOMO  
Jimmy Conyers  
Jay Robinson

Date: February 6, 2023

Re: **Requesting Green Sheet and Approval by City Council to award Bid No. 23-015 Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course**

Lisa A. Hanks, MMC  
City Clerk

The Director of Parks and Recreation, Pat White, and the Golf Course Superintendent, Tomm Johnson, have requested to procure and install an upgrade to the existing irrigation pump system control panel for Quail Creek Municipal Golf Course located at 19841 Quail Creek Drive, Fairhope, AL 36532.

Kimberly Creech  
City Treasurer

Bid No. 23-015 Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course was issued on January 15, 2023, posted to the City website, and viewed by 143 of 376 vendors who select to receive e-notifications. One (1) responsive bid was received at the bid opening on January 31, 2023 at 10:00 a.m.

The Director of Parks and Recreation recommends the award be made to the only bidder, Jerry Pate Company. The bid response was a lump sum cost of Thirty Thousand Ninety-Six Dollars and Fifty Cents (\$30,096.50).

**Please prepare a Green Sheet and place on the next City Council Agenda this request to award Bid No. 23-015 Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course for \$30,096.50.**

Enclosure

161 North Section St.  
PO Drawer 429  
Fairhope, AL 36533

Cc: Pat White, Tomm Johnson, Clint Steadham

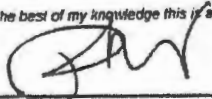
251-928-2136 (p)  
251-928-6776 (f)  
www.fairhopeal.gov

City of Fairhope Bid Tabulation  
 Bid No. 23-015 QC Golf Course Pump System  
 Opened January 31, 2023 at 10:00 A.M.

Vendor	Bid Documents Signed / Notarized (Y/N)	Vendor Compliance (Y/N)	Total Bid Price
Jerry Pate Company	Y		\$12,125.00

**Recommendation:**

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

  
 \_\_\_\_\_  
 Signature  
 Pat White, Director of Parks and Recreation

  
 \_\_\_\_\_  
 Signature  
 Erin Wolfe, Purchasing Manager

**ITEM III  
BID RESPONSE FORM**

Date: 1 / 19 / 2023

Bid No: 23-015 Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course

Bids Due: Tuesday, January 31, 2023 at 10:00 A.M.

Item Number	Description	Cost
MCI101922QCPACE	MCI PACE Retrofit Kit	\$ 17,536.50
MCI CELL CONNECT	Cell Connect for Single Pump Station Connection to Irrigation Central	\$ 3,780.00
MCI OPTIONAL WARRANTY	Optional Six (6) Year Warranty On All Components As furnished Under the Retrofit Kit	\$ 2,880.00
Installation Supplies	Installation Supplies as needed to complete project	\$ 360.00
Installation Labor	Installation Labor as needed to complete project	\$ 5,550.00
<b>TOTAL BID PRICE</b>		\$ 30,046.50

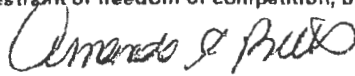
Bid will include all labor, materials, equipment, shipping and postage, overhead, profit, bonds, insurance and all other costs necessary to provide the complete services outlined within this CONTRACT and scope of work.

Receipt of the following Addenda to these documents is hereby acknowledged by the undersigned (CONTRACTOR to complete below):

ADDENDUM NO.	DATE ISSUED	ADDENDUM NO.	DATE ISSUED
_____	_____	_____	_____
_____	_____	_____	_____

Each bid must give the full business address of the CONTRACTOR and must be signed by him with his usual signature. Bids by partnerships must furnish the full names of all partners and must be signed with the partnership name by one of the members of the partnership, or by an authorized representative, followed by the signature and designation of the person signing. Bids by corporations must be signed with the legal name of the corporation followed by the name of the State of Incorporation and by the signature and designation of the president, secretary, or other person authorized to bind it in the matter. The name of each person shall also be typed or printed below the signature. A bid by a person who affixes to this signature the word "president," "secretary," "agent," or other designation without disclosing his principal, may be held to be the bid of the individual signing. When requested by the City of Fairhope, Baldwin County, Alabama, satisfactory evidence of the authority of the officer signing in behalf of the corporation shall be furnished.

The undersigned agrees to furnish the goods/services as requested by you for the City of Fairhope, Baldwin County, Alabama in your invitation to bid, and certifies that they will meet or exceed the specifications called for. The undersigned has read all information pertaining to this bid and has resolved all questions. It is also understood and agreed that all prices quoted are F.O.B. described in the bid documents and specifications. The undersigned also affirms he/she has not been in any CONTRACT or collusion among BIDDERS or prospective BIDDERS in restraint of freedom of competition, by CONTRACT to bid at a fixed price or to refrain from bidding or otherwise.

  
 Witness our hands and seals this 19 day of January, 2023.



If Individual or Partnership

\_\_\_\_\_  
(Name of Individual or Partnership) (Name of Partner Print)

\_\_\_\_\_  
(Name of Representative Authorized to sign Bids and CONTRACTs for the firm Print) (Name of Partner Print)

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number ( ) \_\_\_\_\_ Fax Number ( ) \_\_\_\_\_

E-mail address \_\_\_\_\_ Alabama Contractor's License No. \_\_\_\_\_

Foreign Entity ID (if outside of Alabama) \_\_\_\_\_

If Corporation or LLC

Company Jerry Pate Turf - Irrigation, Inc.

State of Incorporation FL

Company Representative Scott Pate  
(Representative Authorized to sign Bids and CONTRACTs for the firm Print)

Company Representative Mandy Bills  
(Representative Authorized to sign Bids and CONTRACTs for the firm Signature)

Address 301 Schubert Drive  
Pensacola, FL 32504  
\_\_\_\_\_

Phone Number (850) 479-4653 Fax Number ( ) \_\_\_\_\_

E-mail address irrigation@jerry-pate.com AL Contractor's License No. \_\_\_\_\_

Foreign Vendor Id \_\_\_\_\_

**BID PROPOSAL NOTARIZATION:**

STATE OF Florida )

COUNTY OF Escambia )

I, the undersigned authority in and for said State and County, hereby certify that Amanda Bills  
as CFO respectively, of Jerry Pate Turf & Irrigation, Inc. whose name is signed to  
the foregoing document and who is known to me, acknowledged before me on this day, that, being informed of the contents  
of the document they executed the same voluntarily on the day the same bears date.

Given under my hand and Notary Seal on this 19<sup>th</sup> day of January, 2023.

NOTARY PUBLIC Austin Malone

MY COMMISSION EXPIRES 6/16/2026



AUSTIN MALONE  
Notary Public  
State of Florida  
Comm# HH277664  
Expires 6/16/2026

ITEM IV  
CONTRACTOR INFORMATION

This Section must be printed, completed, and turned in with your bid response to

Bid No. 23-015  
Irrigation Pump System Control Panel Replacement for Quail Creek Golf Course

**Business Organization**

Name of CONTRACTOR (exactly as it appears on W-9):

Jerry Pate Turf Irrigation, Inc.  
Doing-Business-As Name of CONTRACTOR: \_\_\_\_\_

301 Schubert Drive  
Principal Office Address: \_\_\_\_\_  
Pensacola, FL 32504

LOCAL Telephone Number: 850-479-4653 Toll-Free \_\_\_\_\_

LOCAL Fax Number: \_\_\_\_\_

Email address: \_\_\_\_\_

Website: jerry pate.com

**Form of Business Entity** (check one (X))

Corporation

Partnership

Individual

Joint Venture

Other (describe): \_\_\_\_\_

**Corporation Statement**

If a corporation, answer the following:

Date of incorporation: 10/3/1997

Location of incorporation: FL

The corporation is held: Publicly   
Privately

**Partnership Statement**

If a partnership, answer the following:

Date of organization: \_\_\_\_\_

Location of organization: \_\_\_\_\_

The partnership is: General   
Limited

**Joint Venture Statement**

If a Joint Venture, answer the following:

Date of organization: \_\_\_\_\_

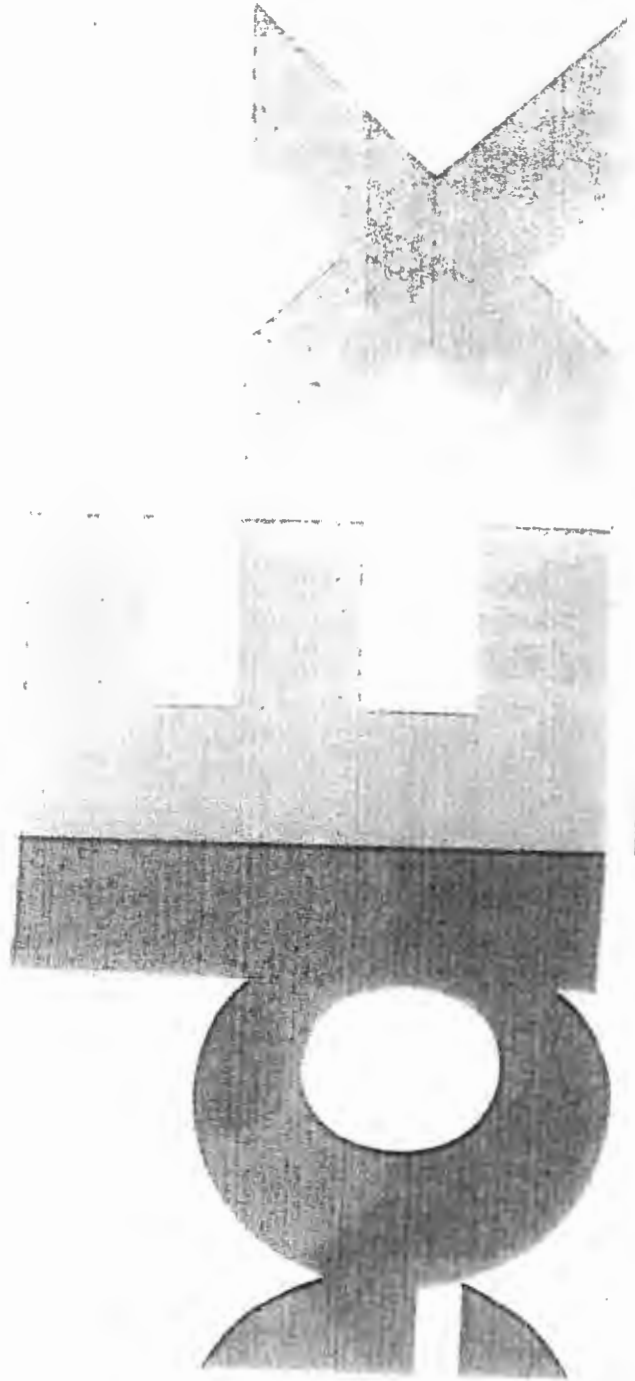
Location of organization: \_\_\_\_\_

JV CONTRACT recorded? Yes  No

Contact: Max Wallace Email: IRRIGATION.SERVICE@JERRY.PATE.COM

Phone \_\_\_\_\_ Fax \_\_\_\_\_

END OF CONTRACTOR INFORMATION SECTION



Express

FROM: (404) 346-5340  
JERRY PATE COMPANY  
5350 TULANE DRIVE  
ATLANTA GA 30336  
US

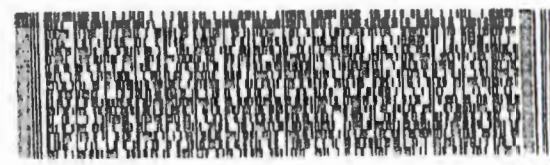
SHIP DATE: 25 JAN 23  
ACT WT: 0.10 LB  
CAD: 0424444/CAFE3616  
BILL SENDER

57762/927/4328

TO CITY OF FAIRHOPE  
CITY SERVICES AND PUBLIC UTILITIES  
555 SOUTH SECTION ST  
\*SEALED BID\*  
FAIRHOPE AL 36532

(US)

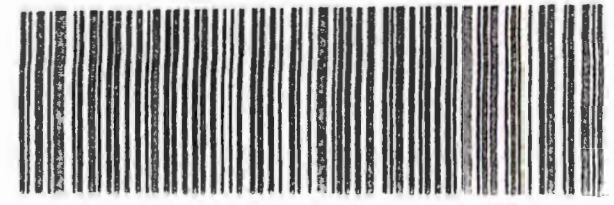
DEPT: IRRIGATION



TRK# 5929 0285 5239

36531

9622 0019 0 (000 000 0000) 0 00 5929 0285 5239



Received  
01/27/23

12 PM

067

JERRY RIFE TURE ANN REGISTRATION  
301 SCHUBERT DR  
PENSACOLA, FL 32504

CITY SERVICES AND PUBLIC UTILITIES  
555 SOUTH SECTION ST  
FAIRHOPE, AL 36532

SEALED BID  
BID NUMBER Z3-015  
REGISTRATION RAMP SYSTEM CONTROL TRAIL REPLACEMENT  
FOR  
QUAL CREEK GOLF COURSE

RECEIVED  
MAY 27 2015  
MORNING

**RESOLUTION NO. \_\_\_\_\_**

**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 (Bid No. 23-022-2023-PWI-010) Repair and Replacement of Modified Bituminous and Gravel Roof 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:

Alabama Roofing & Sheet Metal Co., Inc.	\$631,959.00
E. Cornell Malone Corporation	\$1,165,680.00
Finishing Solutions	\$554,654.00
Mid-Western Commercial Roofers, Inc.	\$772,950.00
Roof Doctors of Alabama	\$700,840.00

[3] After evaluating the bids with the required specifications, Finishing Solutions is now awarded (Bid No. 23-022-2023-PWI-010) for Repair and Replacement of Modified Bituminous and Gravel Roof with a total bid proposal not-to-exceed \$554,654.00.

ADOPTED ON THIS 22ND DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

City of Fairhope  
Project Funding Request

Issuing Date: 5/16/2023

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Award Bid No. 23-022-2023-PWI-010 Repair and Replacement of Modified Bituminous and Gravel Roof

Project Location: City Hall/Civic Center

Presented to City Council: 5/22/2023

Funding Request Sponsor: Richard Johnson, Public Works Director

Resolution # :  
Approved \_\_\_\_\_

Changed \_\_\_\_\_

Rejected \_\_\_\_\_

Project Cash Requirement Requested:  
Cost: \$ 554,654.00 (Not-to-Exceed)

MAY 15 2023 4:53 PM *rw*

Vendor: Finishing Solutions, LLC

Project Engineer: n/a

Order Date: n/a Lead Time: n/a

Department Funding This Project

General  Gas  Electric  Water  Wastewater  Sanitation  Cap Project  Impact  Gas Tax  Fed Grant

Department of General Fund Providing the Funding

Admin-10  Bldg-13  Police-15  Fire-20  ECD-24  Rec-25  Civic-26  Street-35  Meter-19  IT-16   
Fleet-46  Golf-50  Golf Grounds-55  Museum-27  NonDeptFac-75  Debt Service-85  Marine-34  Plan/Zone-12  Adult Rec-30

Project will be:

Expensed \_\_\_\_\_   
Capitalized XXX   
Inventoried \_\_\_\_\_

Funding Source:

Operating Expenses \_\_\_\_\_   
Budgeted Capital XXX   
Unfunded \_\_\_\_\_

Expense Code: 001260-50475  
G/L Acct Name: Capital Improvements

Grant: \_\_\_\_\_ Federal - not to exceed amount  
\_\_\_\_\_ State  
\_\_\_\_\_ City  
\_\_\_\_\_ Local

Project Budgeted: \$ 300,000.00  
Balance Sheet Item-  
Included in projected  
cash flow

Over (Under) budget amount: \$ 254,654.00

Bond: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_  
Loan: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_

Capital Lease: \_\_\_\_\_ - Payment \_\_\_\_\_ Term \_\_\_\_\_

City Council Prior Approval/Date? \_\_\_\_\_

Senior Accountant

City Treasurer

Mayor

Purchasing Memo Date: 4/28/2023

Purchasing Memo Date: 4/26/2023

Delivered To Date: 5/15/2023

Request Approved Date: 5/15/2023

Request Approved Date: 5/15/2023

Approved Date: 5/15/2023

Signatures: \_\_\_\_\_

*Him Creech*  
Him Creech

*Sherry Sullivan*  
Mayor Sherry Sullivan



**MEMO**

To: Aislinn Stone, Senior Accountant  
Kimberly Creech, City Treasurer

From: \_\_\_\_\_  
Erin Wolfe, Purchasing Manager

Date: April 26, 2023

Re: **Requesting Green Sheet and Approval by City Council to award Bid No. 23-022-2023-PWI-010 Repair and Replacement of Modified Bituminous and Gravel Roof**

The Director of Public Works, Richard Johnson, has requested to repair and replace the existing modified bituminous and gravel roof system with a new Thermoplastic Polyolefin (TPO) roof or approved equal on the City Hall/Civic Center Complex located at 161 North Section Street, Fairhope, Alabama. The aging roof system is at the end of its service life and water intrusion has become a persistent maintenance issue.

A service bid was issued on March 27, 2023, posted to the City of Fairhope's website, and viewed by 133 of 389 vendors who select to receive e-notifications. Five (5) responsive bids were received at the bid opening on April 25, 2023 at 10:00 a.m.

The Director of Public Works recommends the award be made **Finishing Solutions, LLC**. Their low bid response price was Five Hundred Twenty-Two Thousand One Hundred Ten Dollars (\$522,110.00) for the Lump Sum Cost for the repair and replacement of the roof per the specifications. In addition, they bid a cost of Sixteen Dollars (\$16.00) per square foot for additional work repair and replacement that may be found during the course of the project. The total recommended bid award price is in the amount of **Five Hundred Fifty-Four Thousand Six Hundred Fifty-Four Dollars (\$554,654.00)**, which is the lump sum cost plus 15% overage contingency.

**Please prepare a Green Sheet and place on the next City Council Agenda this request to award Bid No. 23-022-2023-PWI-010 Repair and Replacement of Modified Bituminous and Gravel Roof for the not to exceed cost of \$554,654.00.**

Sherry Sullivan  
Mayor

Council Members:  
Kevin G. Boone  
Jack Burrell, ACMO  
Jimmy Conyers  
Corey Martin  
Jay Robinson

Lisa A. Hanks, MMC  
City Clerk

Kimberly Creech  
City Treasurer

161 North Section St.  
PO Drawer 429  
Fairhope, AL 36533

251-928-2136 (p)  
251-928-6776 (f)  
www.fairhopeal.gov

Enclosure

Cc: Richard Johnson, Clint Steadham

City of Fairhope Bid Tabulation  
 Bid No. 23-022-2023-PW-010 Repair and Replacement of Modified Bituminous and Gravel Roof  
 Opened April 25, 2023 at 10:00 A.M.

Vendor	Bid Documents Signed / Notarized (Y/N)	Addendum I / II / III Acknowledged (Y/N)	Bid Bond / Certificate (Y/N)	Reviewed and Approved as Equivalent Roof System			Gypsum Decking Repair Cost Per Square Foot	16% of 13,660 SF Overage Contingency	Total Bid Not to Exceed	TPO Membrane Installation System Proposed
				TPO Lump Sum Price	PVC Lump Sum Price	TPO (Vershield) Lump Sum Price				
Alabama Roofing & Sheet Metal Co., Inc. GC License #13953U	Y	Y	Y	No Bid on System	No Bid on System	\$604,500.00	\$13.50	\$27,459.00	\$631,959.00	Mechanically Attached Adhered (Glued)
E. Cornell Melone Corporation GC License #41604	Y	Y	Y	\$1,125,000.00	No Bid on System	No Bid on System	\$20.00	\$40,680.00	\$1,165,680.00	RhinoBond Adhered (Glued)
Finishing Solutions GC License #48603	Y	Y	Y	No Bid on System	\$622,110.00	No Bid on System	\$16.00	\$32,544.00	\$554,654.00	Adhered (Glued) Durolast - Fleecback
Mid-Western Commercial Roofers Inc GC License #25723-Unlimited	Y	Y	Y	\$757,720.00	\$732,270.00	No Bid on System	\$20.00	\$40,680.00	\$772,950.00	Adhered (Glued)
Roof Doctors of Alabama GC License #24205	Y	N	Y	\$578,800.00	No Bid on System	No Bid on System	\$60.00	\$122,040.00	\$700,840.00	Mechanically Attached

Recommendation:

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

*Richard Johnson* 4/26/23  
 Signature  
 Richard Johnson, Public Works Director

*Erin Wolfe* 4/26/2023  
 Signature  
 Erin Wolfe, Purchasing Manager



**SEALED BID**

**BID NUMBER: 23-022-2023-PWI-010**

**BID TITLE: REPAIR AND REPLACEMENT OF MODIFIED  
BITUMINOUS AND GRAVEL ROOF  
PUBLIC WORKS PROJECT NO. 202223  
PWI-010**

**BID OPENING/DEADLINE: 10 AM, APRIL 25, 2023**

**PLACE OF BID OPENING: THE CITY OF FAIRHOPE OF  
BALDWIN COUNTY, ALABAMA  
CITY OF FAIRHOPE'S CITY SERVICES &  
PUBLIC UTILITIES BUILDING  
555 SOUTH SECTION STREET  
FAIRHOPE, AL**

**BIDDER'S NAME AND ADDRESS: FINISHING SOLUTIONS  
JASON FORRESTER  
1001 MORGAN PARK DRIVE  
PELHAM, AL 35124  
PHONE: 205-540-0654**

**GENERAL CONTRACTOR'S LICENSE: 48603 ALABAMA**

ITEM III  
REVISED BID RESPONSE FORM #2

Date 4 25 2023

Bid No IS-022-2023-PW-010 Repair and Replacement of Modified Bituminous and Gravel Roof

Bids Due Tuesday, April 25, 2023, 10:00 A.M.

Description	Lump Sum Bid
TPO - Repair and Replacement of Modified Bituminous and Gravel Roof Lump Sum Bid:	Ø
Description	Lump Sum Bid
PVC - Repair and Replacement of Modified Bituminous and Gravel Roof Lump Sum Bid:	\$ 522,110. <sup>00</sup>
Description	Lump Sum Bid
TPO (Versiweid) - Repair and Replacement of Modified Bituminous and Gravel Roof Lump Sum Bid:	Ø
Description	Cost Per Square Foot
Schedule of Values Gypsum Decking Repair (Bid Cost Per Square Foot)	\$ 16. <sup>00</sup>

TPO Membrane Installation System Proposed:

- Mechanically Attached
- RhinoBond®
- Adhered (Glued)  
*Durolast - Fleeceback*

Bid will include all labor, materials, equipment, shipping and postage, overhead, profit, bonds, insurance and all other costs necessary to provide the complete services outlined within this CONTRACT and scope of work.

Receipt of the following Addenda to these documents is hereby acknowledged by the undersigned (CONTRACTOR to complete below):

ADDENDUM NO	DATE ISSUED	ADDENDUM NO	DATE ISSUED
<u>#1</u>	<u>April 14, 2023</u>	<u>#3</u>	<u>April 20<sup>th</sup>, 2023</u>
<u>#2</u>	<u>April 19, 2023</u>		

Each bid must give the full business address of the CONTRACTOR and must be signed by him with his usual signature. Bids by partnerships must furnish the full names of all partners and must be signed with the partnership name by one of the members of the partnership, or by an authorized representative, followed by the signature and designation of the person signing. Bids by corporations must be signed with the legal name of the corporation followed by the name of the State of incorporation and by the signature and designation of the president, secretary, or other person authorized to bind it in the matter. The name of each person shall also be typed or printed below the signature. A bid by a person who affixes to this signature the word "president," "secretary," "agent," or other designation without disclosing his principal, may be held to be the bid of the individual signing. When requested by the City of Fairhope, Baldwin County, Alabama, satisfactory evidence of the authority of the officer signing in behalf of the corporation shall be furnished.

**If Individual or Partnership**

(Name of Individual or Partnership)

(Name of Partner Print)

(Name of Representative Authorized to sign Bids and CONTRACTs for the firm Print)

(Name of Partner Print)

Address

Phone Number ( )

Fax Number ( )

E-mail address

Alabama Contractor's License No.

Foreign Entity ID (if outside of Alabama)

**If Corporation or LLC**

Company Finishing Solutions LLC

State of Incorporation Alabama

Company Representative Christa Forrester (co-owner)  
(Representative Authorized to sign Bids and CONTRACTs for the firm Print)

Company Representative C Forrester  
(Representative Authorized to sign Bids and CONTRACTs for the firm Signature)

Address 1001 Morgan Park Drive  
Pelham, Alabama

35124

Phone Number (205) 540-0654

Fax Number (205) 733-1702

E-mail address alabamaroot@yance AL Contractor's License No. 48603

Foreign Vendor Id

**BID PROPOSAL NOTARIZATION:**

STATE OF Alabama

COUNTY OF Baldwin

I, the undersigned authority in and for said State and County, hereby certify that Christa Forrester as owner respectively, of Finishing Solutions whose name is signed to the foregoing document and who is known to me, acknowledged before me on this day, that, being informed of the contents of the document they executed the same voluntarily on the day the same bears date.

Given under my hand and Notary Seal on this 24th day of April, 2023

NOTARY PUBLIC Misty Dawn Reach

MY COMMISSION EXPIRES 09/16/2026



ITEM IV  
CONTRACTOR INFORMATION

This Section must be printed, completed, and turned in with your bid response to

Bid No. 23-022-2023-PWI-010

Project No. 2023 PWI-010

Repair and Replacement of Modified Bituminous and Gravel Roof

**Business Organization**

Name of CONTRACTOR (exactly as it appears on W-9):

Jason Forrester - Finishing Solutions LLC  
Doing-Business-As Name of CONTRACTOR:

1001 Morgan Park Drive  
Principal Office Address:

Pelham, Alabama 35124

LOCAL Telephone Number: 205-540-0654 Toll-Free 205-733-1702

LOCAL Fax Number: N/A

Email address: alabamarcof@yahoo.com

Website: finishing solutions.usa

**Form of Business Entity** [check one ("X")]

Corporation

Partnership

Individual

Joint Venture

Other (describe): \_\_\_\_\_

**Corporation Statement**

If a corporation, answer the following:

Date of incorporation: 2006

Location of incorporation: St. Clair County, Alabama

The corporation is held: Publicly   
Privately

**Partnership Statement**

If a partnership, answer the following:

Date of organization: \_\_\_\_\_

Location of organization: \_\_\_\_\_

The partnership is: General   
Limited

**Joint Venture Statement**

If a Joint Venture, answer the following:

Date of organization: \_\_\_\_\_

Location of organization: \_\_\_\_\_

JV CONTRACT recorded? Yes  No

Contact: Jason Forrester Email alabamarcof@yahoo.com

Phone 205-540-0654 Fax office phone 205-733-1702

END OF CONTRACTOR INFORMATION SECTION

**ITEM X  
BID BOND INFORMATION**

Bids shall be accompanied by a Bid Security equal to 5% (percent) of the bid price, but in no event more than \$10,000.00. Bid Security shall be in the form of a Bid Bond or a cashier's check payable to The City of Fairhope. All bonds and/or cashier's check will be made payable to the City of Fairhope for an amount not less than five (5) percent of the City's or its engineers or architects estimated cost of the Project or of the total bid in the proposal, but in no event more than \$10,000.00.

**Return of Bid Bonds:** All bid bonds, except those of the three lowest bona fide bidders, will be returned immediately after bids have been checked, tabulated and the relation of the bids established. The bid bonds of the three lowest bidders may be retained and if so, will be returned as soon as the contract bonds and the contract documents of the successful bidder have been approved and properly executed.

In the event it is necessary to defer a contract award for longer than fifteen (15) days, after opening of bids, then all bid bonds, except that of the potential successful bidders will be returned.

Award of the contract will be made within the time specified after the opening of bids. In the event no award is made within such time, all bids may be rejected, and all bonds returned.

Provided; however, the potentially successful bidder may enter into a written agreement with the City for an extension of time for consideration of its bid, in which case, the bidder's bond shall remain in full force and effect, or the City may permit said bidder to substitute a satisfactory surety for the cashier's check if submitted as a guaranty to the bid bond.

**Forfeiture of Bid Bonds:** Should the successful bidder or bidders to whom a contract is awarded fail to execute a contract(s) and furnish acceptable contract securities and evidence of insurance, as required, within thirty (30) days after the prescribed forms have been presented to him/her, the City may retain from the proposal guaranty, if it is a cashier's check or recovered from the principal or the sureties, if the guaranty is a bid bond, the difference between the amount of the contract as awarded, and the amount of the proposals of the new lowest bidder. If no other bids are received, the full amount of the proposal guaranty may be so retained and recovered as liquidated damages for such default. Any sum so retained or recovered shall be the property of the awarding authority.

**END OF BID BOND INFORMATION**

**PENNSYLVANIA NATIONAL**  
**MUTUAL CASUALTY INSURANCE COMPANY**  
HARRISBURG, PA

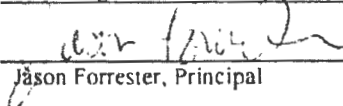
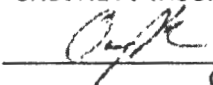
**BID BOND**

**KNOW ALL MEN BY THESE PRESENTS:** That **Finishing Solutions, LLC**  
1001 Morgan Park  
Pelham, AL 35124, Principal,  
and **PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY**, Surety, are held and  
firmly bound unto **City of Fairhope**  
555 South Section Street, Fairhope, AL 36532, Obligee,  
in the sum of **Five Percent of Amount Bid, Not to Exceed Ten Thousand Dollars**  
Dollars (\$5% of Amt Bid - Not to Exceed  
**\$10,000**)  
for the payment of which we bind ourselves, our legal representatives, successors and assigns, jointly and severally,  
firmly by these presents.

**WHEREAS**, Principal has submitted or is about to submit a proposal to Obligee on a contract for  
**Bid 23-022-2023-PWI-010, Replace Mod Bit Roof with TPO or PVC**

**NOW, THEREFORE**, if the said contract be awarded to Principal and Principal shall, within such time as may be  
specified, enter into the contract in writing and give such bond or bonds as may be specified in the bidding or  
contract documents with surety acceptable to Obligee: or if Principal shall fail to do so, pay to Obligee the damages  
which Obligee may suffer by reason of such failure not exceeding the penalty of this bond, then this obligation shall  
be null and void; otherwise to remain in full force and effect.

**SIGNED, SEALED AND DATED** this 04/21/2023.

Finishing Solutions, LLC  
By:  (Seal)  
Jason Forrester, Principal  
**PENNSYLVANIA NATIONAL MUTUAL  
CASUALTY INSURANCE COMPANY**  
By:   
Owen C. Peak, Attorney-In-Fact

PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY  
Harrisburg, Pennsylvania

7522

POWER OF ATTORNEY

Know All Men By these Presents, That PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY, a corporation of the Commonwealth of Pennsylvania, does hereby make, constitute and appoint JERE D. PEAK, DONNA Q. KEE, LAUREN ADAMS, ASHLEY MASON, AND OWEN PEAK, ALL OF SELMA, ALABAMA (EACH) its true and lawful Attorney(s)-in-Fact to make, execute, seal and deliver for and on its behalf, as surety, as its act and deed:

ANY AND ALL BONDS AND UNDERTAKINGS PROVIDED THE AMOUNT OF NO ONE BOND OR UNDERTAKING EXCEEDS THE SUM OF THREE MILLION DOLLARS . . . . . (\$3,000,000.00) ALL POWER AND AUTHORITY HEREBY CONFERRED SHALL HEREBY EXPIRE AND TERMINATE WITHOUT NOTICE AT MIDNIGHT ON APRIL 30, 2027, AS RESPECTS EXECUTION SUBSEQUENT THERETO.

And the execution of such bonds in pursuance of these presents shall be as binding upon said Company as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Harrisburg, Pennsylvania, in their own proper persons.

This appointment is made by and under the authorization of a resolution adopted by the Board of Directors of the Company on October 24, 1973 at Harrisburg, Pennsylvania which is shown below and is now in full force and effect.

RESOLVED, that (1) the President, any Vice President, the Secretary, or any Department Secretary shall have power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Company, and affix the Company's seal thereto, bonds, undertakings, recognizance's, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any of such Officers of the Company may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-Fact with authority to execute waivers and consents on behalf of the Company; and (3) the signature of any such Officer or of any Assistant Secretary or Department Assistant Secretary and the Company seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seal when so used whether heretofore or hereafter, being hereby adopted by the Company as the original signature of such Officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

In Witness Whereof: PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY has caused these presents to be signed and its corporate seal to be hereto affixed on April 17, 2017

PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY



*Mark Fitzgerald*  
Mark Fitzgerald, Vice President - Surety

Commonwealth of Pennsylvania, County of Dauphin - ss:

On April 17, 2017, before me appeared Mark Fitzgerald to me personally known, who being by me duly sworn, did say that he resides in the New Jersey, that he is the Vice President - Surety of PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY, that he is the individual described in and who executed the preceding instrument, and that the seal affixed to said instrument is the corporate seal of said Company, and that said instrument was signed and sealed on behalf of said Company by authority and direction of said Company, and the said office acknowledged said instrument to be the free act and deed of said Company.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Traci A Kimmich, Notary Public  
City Of Harrisburg, Dauphin County  
My Commission Expires Oct 31, 2020  
Member, Pennsylvania Association of Notaries

*Traci A. Kimmich*  
Notary Public

I, Mark Fitzgerald, Vice President - Surety of the PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY, a corporation of the Commonwealth of Pennsylvania, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by the said Company, which is still in full force and effect

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said Company on 4/21/2023

*Mark Fitzgerald*  
Vice President - Surety



# Request for Taxpayer Identification Number and Certification

**Give Form to the  
 requester. Do not  
 send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

**Finishing Solutions LLC**

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

- Individual/sole proprietor or single-member LLC
- C Corporation
- S Corporation
- Partnership
- Trust/estate
- Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ S
- Note:** Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.
- Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) \_\_\_\_\_

Exemption from FATCA reporting code (if any) \_\_\_\_\_

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

**1001 Morgan Park Drive**

Requester's name and address (optional)

6 City, state, and ZIP code

**Pelham, AL 35124**

7 List account number(s) here (optional)

Print or type.  
See Specific Instructions on page 3.

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									

or

Employer identification number									
1	4	-	1	9	2	3	6	8	2

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification Instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign Here**

Signature of U.S. person ▶

Date ▶ 10/10/13

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*





3.07 **Automobile Liability**

Covering all Owned, Non-Owned, and Hired vehicles with a limit of no less than \$1,000,000 combined single limit of Bodily Injury and property damage per occurrence.

3.08 **Certificate of Insurance**

**A Certificate of Insurance evidencing the above minimum requirements must be provided to and accepted by the City PRIOR to commencement of any work on the CONTRACT. Each policy shall be endorsed to provide ten (10) days written notice of cancellation to the CITY**

Such insurance as is afforded by the above policies covers the operations undertaken by the insured with respect to the construction of the project above designated. The insurance afforded by the above designated policies, specimen copies of which have been filed with the CITY, and to each of which is attached for following endorsement.

The insurer agrees with the insured as follows:

1. That it will furnish to said City of Fairhope a certificate of insurance in triplicate on a form approved for such purpose by said CITY, setting forth the pertinent information regarding the policy to which this endorsement is attached, for each project of said CITY to which the policy applies.
2. That it will attach to each said certificate of insurance executed copies of any endorsement other than this endorsement which are attached to said policy at the time said policy is issued, provided only that said endorsements affect the coverage of said policy in respect of operations involved in the construction of the projects of said CITY to which the policy applies.
3. That it will mail to the City Council of the City of Fairhope three executed copies of each endorsement subsequently issued to become a part of said policy provided only that endorsement affects the coverages of said policy in respect of operations involved in the construction of the project of said CITY which the policy applies, and provided further that such endorsement shall not be effective unless such notice is given to the CITY at the same time that notice thereof is given to the insured.
4. That it will mail to the City Council of the CITY of Fairhope at least ten days before the effective date thereof notice of cancellation of said policy, provided no cancellation shall be effective unless such notice is given to the CITY.

**END OF INSURANCE REQUIREMENTS**





Company ID Number: 1886097

Approved by:

<b>Employer</b> Finishing Solutions LLC	
<b>Name (Please Type or Print)</b> jason h forrester	<b>Title</b> OWNER
<b>Signature</b> Electronically Signed	<b>Date</b> 04/14/2023
<b>Department of Homeland Security – Verification Division</b>	
<b>Name (Please Type or Print)</b> USCIS Verification Division	<b>Title</b>
<b>Signature</b> Electronically Signed	<b>Date</b> 04/17/2023



Company ID Number: 1886097

<b>Information Required for the E-Verify Program</b>	
<b>Information relating to your Company:</b>	
<b>Company Name</b>	Finishing Solutions LLC
<b>Company Facility Address</b>	1001 Morgan Park Drive Pelham, AL 35124
<b>Company Alternate Address</b>	
<b>County or Parish</b>	SHELBY
<b>Employer Identification Number</b>	141923682
<b>North American Industry Classification Systems Code</b>	236
<b>Parent Company</b>	
<b>Number of Employees</b>	5 to 9
<b>Number of Sites Verified for</b>	1 site(s)



Company ID Number: 1886097

Are you verifying for more than 1 site? If yes, please provide the number of sites verified for in each State:

AL 1



**Company ID Number:** 1886097

**Information relating to the Program Administrator(s) for your Company on policy questions or operational problems:**

**Name**            iason h forrester  
**Phone Number**    2057331702  
**Fax**  
**Email**            alabamaroof@yahoo.com

STATE OF ALABAMA



45603  
RENEWAL

# State Licensing Board for General Contractors

THIS IS TO CERTIFY THAT

**FINISHING SOLUTIONS LLC**

**PELHAM, AL 35124**

is a Licensed General Contractor of the State of Alabama and is authorized to perform the following types of work:

**BC S ROOFING**

until **September 30, 2023** when this Certificate expires

9th **September, 2022**

187913

*Richard B. ...*



CHIP GRIZZUI  
BIRMINGHAM

MARC DEMPSEY  
FLORENCE

MIKE TEW  
MOBILE

KATH ANDREWS  
TUSCALOOSA

MI STANLEY  
HUNTSVILLE



**ALABAMA LICENSING BOARD FOR GENERAL CONTRACTORS**

(www.pencmbd.alabam.gov)

TITANY LOVELESS  
EXECUTIVE DIRECTOR

445 DEXTER AVENUE, SUITE 3060  
MONTGOMERY, ALABAMA 36104

TELEPHONE NO. 334-272-5930  
FAX NO. 334-395-5436

November 18, 2022

Finishing Solutions LLC  
1001 Morgan Park Drive  
Pelham, AL 35124

**RE: LICENSE # 48603**

Dear Sir

The Board approved your classification amendment request. Your classifications now read as follows:

BC-S: Roofing  
BC-S: Siding Installation

This amendment became effective November 18, 2022, and is not retroactive. Please attach this letter to your 2022 license certificate.

Sincerely,

Tiffany Loveless  
Executive Director



**CITY OF FAIRHOPE  
PURCHASING DEPARTMENT  
PROJECT REQUEST FORM**

Requestor: Richard D. Johnson, PE Department: Public Works  
 Project Name: Fairhope City Hall/Civic Center - Repair and Replacement of Roof System  
 Project Description: Repair and Replacement of Modified Bituminous and Gravel Roof w/TPO System  
 Project Category:  Bid  Professional Service  Other: \_\_\_\_\_  
 Budget Amount: \$300,000.00 Budget Code: 001260-50475 Line 10  
 Budgeted for Current FY:  Yes  No

**BID INFORMATION**

Bid Duration: As required by Bid Law Project Duration: 60 Calendar Days  
 Engineer of Record: Richard D. Johnson, PE  
 Pre-Bid Meeting:  No  Yes  Mandatory  Non-Mandatory  
 Scope of Work Provided By: Richard D. Johnson Contract Extensions:  No  Yes  
 Project Manager: Richard D. Johnson/George Ladd  
 Insurance Requirements:  Minimum  Maximum  
 Bonds:  Bid  Performance  Labor & Materials  
 Related Bids/RF's \_\_\_\_\_

**FORCE ACCOUNT INFORMATION**

Force Account Project:  No  Yes Estimated Amount: \_\_\_\_\_ Budget Code: \_\_\_\_\_  
 Notes: \_\_\_\_\_

**SIGNATURES**

Requestor: Richard D. Johnson, PE Digitally signed by Richard D. Johnson, PE Date: 2023.03.08 11:01:17-0600 Senior Accountant: *William Stone*  
 City Treasurer: *Kimberly Crooks* Mayor: *Steve*

**RESOLUTION NO. \_\_\_\_\_**

**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 (Bid No. 23-025-2022-PWI-007) Fairhope Clock Plaza 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	\$282,211.00
The Green-Simmons Co., Inc.	\$390,600.00
Impact Divisions, LLC	\$316,000.00

[3] After evaluating the bids with the required specifications, RH Deas Building Co., LLC is now awarded (Bid No. 23-025-2022-PWI-007) for Fairhope Clock Plaza with a total bid proposal not-to-exceed \$282,211.00, which includes a 10% contingency and Alternate 01.

ADOPTED ON THIS 22ND DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

City of Fairhope  
Project Funding Request

Issuing Date: 5/14/2023

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Award Bid No. 23-025-2022-PWI-007 Fairhope Clock Plaza to RH Deas Building Co. LLC

Project Location: Fairhope Ave and Section Street

Presented to City Council: 5/22/2023

Resolution # :  
Approved \_\_\_\_\_

Funding Request Sponsor: Richard Johnson, Public Works Director  
George Ladd, Assistant Public Works Director

Changed \_\_\_\_\_

Rejected \_\_\_\_\_

Project Cash Requirement Requested:  
Cost: \$ 282,211.00 (Not-to-Exceed)

MAY 15 '23 4:15 PM JW

Vendor: RH Deas Building Co., LLC

Project Engineer: n/a

Order Date: n/a

Lead Time: n/a

Department Funding This Project

General  Gas  Electric  Water  Wastewater  Sanitation  **Cap Project**  Impact  Gas Tax  Fed Grant

Department of General Fund Providing the Funding

Admin-10  Bldg-13  Police-15  Fire-20  ECD-24  Rec-25  Civic-26  Street-35  Meter-19  IT-16   
Fleet-46  Golf-50  Golf Grounds-55  Museum-27  NonDeptFac-75  Debt Service-85  Marine-34  Plan/Zone-12  Adult Rec-30

Project will be:

Expensed \_\_\_\_\_   
Capitalized XXX   
Inventoried \_\_\_\_\_

Funding Source:

Operating Expenses \_\_\_\_\_   
Budgeted Capital XXX   
Unfunded \_\_\_\_\_

Expense Code: 103-55859  
G/L Acct Name: Clock Corner Improvements

Grant: \_\_\_\_\_ Federal - not to exceed amount  
\_\_\_\_\_ State  
\_\_\_\_\_ City  
\_\_\_\_\_ Local

Project Budgeted: \$ 37,200.00  
Balance Sheet Item-  
Included in projected  
cash flow

Over (Under) budget amount: \$ 245,011.00

Bond: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_  
Loan: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_

General Fund will need to fund/transfer to cover the shortage. Authorize transfer.

Capital Lease: \_\_\_\_\_ - Payment \_\_\_\_\_ Term \_\_\_\_\_

City Council Prior Approval/Date? \_\_\_\_\_

Senior Accountant

City Treasurer

Mayor

Purchasing Memo Date: 5/10/2023

Purchasing Memo Date: 5/10/2023

Delivered To Date: 5/15/2023

Request Approved Date: 5/15/2023

Request Approved Date: 5/15/2023

Approved Date: 5/15/2023

Signatures: \_\_\_\_\_

*Kim Creech*  
Kim Creech

*Sherry Sullivan*  
Mayor Sherry Sullivan



## MEMO

To: Aislinn Stone, Senior Accountant  
Kimberly Creech, City Treasurer

A handwritten signature in black ink that reads "Erin Wolfe".

From: \_\_\_\_\_  
Erin Wolfe, Purchasing Manager

Sherry Sullivan  
Mayor

*Council Members:*  
Kevin G. Boone  
Jack Burrell, ACOMO  
Jimmy Conyers  
Corey Martin  
Jay Robinson

Lisa A. Hanks, MMC  
City Clerk

Kimberly Creech  
City Treasurer

Date: May 10, 2023

**Re: Requesting Green Sheet and Approval by City Council to award Bid No. 23-025-2022-PWI-007 Fairhope Clock Plaza**

The Director of Public Works, Richard Johnson, has requested to procure the construction of improvements to the City of Fairhope Clock Plaza, located at the northeast corner of Fairhope Avenue and Section Street.

A service bid was issued on March 31, 2023, posted to the City of Fairhope's website, and viewed by 131 of 390 vendors who select to receive e-notifications. Three (3) responsive bids were received at the bid opening on April 27, 2023 at 2:00 p.m.

Our recommendation is to award this bid to RH Deas Building Co., LLC for the base bid amount of Two Hundred Seventy-Seven Thousand Seven Hundred Eleven Dollars (\$277,711.00) and an additive alternate amount of Four Thousand Five Hundred Dollars (\$4,500.00). The total recommended bid award price is in the amount of **Two Hundred Eighty-Two Thousand Two Hundred Eleven Dollars (\$282,211.00)**.

**Please prepare a Green Sheet and place on the next City Council Agenda this request to award Bid No. 23-025-2022-PWI-007 Fairhope Clock Plaza for \$282,211.00.**

Enclosure

161 North Section St.  
PO Drawer 429  
Fairhope, AL 36533

Cc: Richard Johnson, Clint Steadham

251-928-2136 (p)  
251-928-6776 (f)  
www.fairhopeal.gov

Mailing:  
307 De La Mare Avenue  
Fairhope, AL 36532

1011 Desoto Street  
Ocean Springs, MS 39564

T : 855.539.5086

cpladesignplanning.com

April 27, 2023

City of Fairhope  
Richard Johnson, Public Works Director  
Erin Wolfe, Purchasing Manager  
161 North Section Street  
Fairhope, AL 36532

**REFERENCE: FAIRHOPE CLOCK PLAZA**  
**Bid Number: 23-025-2022-PWI-007**

Dear Mr. Johnson and Ms. Wolfe:

We received three bids for the above referenced project at 2:00 PM on Thursday, April 27, 2023. Please find attached a certified bid tab which details all bids received.

We have reviewed the bid proposals, and the low bidder is RH Deas Building Co., LLC, with a total bid of \$282,211.00, which includes a 10% contingency and Alternate 01, and all documentation appears adequate for award should the City of Fairhope choose to move forward with this project.

If you have any questions or need additional information concerning this bid, please do not hesitate to contact my office.

Sincerely,



Christian Preus, PLA  
CPLA Principal

Attachment: Certified Bid Tab

BID TABULATION  
 PROJECT NAME: **City of Fairhope  
 Fairhope Clock Plaza**  
 BID NUMBER: **23-025-2022-PWI-007**  
 PROJECT NUMBER: **2022-PWI-007**  
 BID OPENING DATE: **April 27, 2023**  
 TIME: **2:00 PM**  
 LOCATION: **Fairhope City Services & Public Utilities  
 Fairhope, AL**


PROFESSIONAL:  
**CHRISTIAN PREUS LANDSCAPE ARCHITECTURE**

NUMBER OF BIDS RECEIVED:  
 NUMBER OF ADDENDA: 2

PROPOSED BIDDERS	General Contractor License Number	5% Bid Security	Ack. Addenda's	BASE BID	10% CONTINGENCY*	ALTERNATE 01 TOTAL	TOTAL BID
RH Deas Building Co., LLC	57048	\$ 10,000	done	\$277,711.00	n/a	\$4,500.00	\$282,211.00
The Green-Simmons Co., Inc.	38125	\$ 19,420	done	\$384,800.00	n/a	\$5,800.00	\$390,600.00
Impact Divisions, LLC	26038**	\$ 310,000	done	\$310,000.00	n/a	\$6,000.00	\$316,000.00

\*10% Contingency in included in Base Bid amount

I certify that this is a correct tabulation of all bids received for this Project on the date stated above. (After having checked the Contractor's Name and General Contractor License # at the Contractor's Board and the Contractor's Name at the Secretary of State's



04/27/2023

Christian Preus, PLA Date  
**Christian Preus Landscape Architecture, PLLC**

\*\* no records found on Alabama State Board of Contractors, by license number, name of company, or name of principal

**RESOLUTION NO. \_\_\_\_\_**

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

[1] That the City of Fairhope did solicit quotes for the Procurement and Installation of a Ten (10) Foot Dump Body.

[2] After evaluating the quotes with the required specifications, Truck Equipment Sales, Inc. is now awarded the Procurement and Installation of a Ten (10) Foot Dump Body on an International 4300 Truck with a not-to-exceed total amount of \$21,882.00.

ADOPTED ON THIS 22ND DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk



City of Fairhope  
Project Funding Request

Issuing Date: 5/14/2023

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Approval of Procurement and Installation of a Dump Body for 2013 International 4300 truck VIN#3HAMMAARDL197363

Project Location: Streets

Presented to City Council: 5/22/2023

Resolution # :  
Approved \_\_\_\_\_

Funding Request Sponsor: Richard Johnson, Public Works Director  
George Ladd, Assistant Public Works Director

Changed \_\_\_\_\_

Rejected \_\_\_\_\_

Project Cash Requirement Requested:  
Cost: \$ 21,882.00 (Not-to-Exceed)

MAY 15 '23 PM 1:52 *tlw*

Vendor: Truck Equipment Sales, Inc.

Project Engineer: n/a

Order Date: n/a Lead Time: n/a

Department Funding This Project

General  Gas  Electric  Water  Wastewater  Sanitation  Cap Project  Impact  Gas Tax  Fed Grant

Department of General Fund Providing the Funding

Admin-10  Bldg-13  Police-15  Fire-20  ECD-24  Rec-25  Civic-26  **Street-36**  Meter-19  IT-16   
Fleet-46  Golf-50  Golf Grounds-55  Museum-27  NonDeptFac-75  Debt Service-85  Marina-34  Plan/Zone-12  Adult Rec-30

Project will be:

Expensed \_\_\_\_\_   
Capitalized XXX   
Inventoried \_\_\_\_\_

Funding Source:

Operating Expenses \_\_\_\_\_   
Budgeted Capital XXX   
Unfunded \_\_\_\_\_

Expense Code: 001350-50470  
G/L Acct Name: Vehicles and Equipment

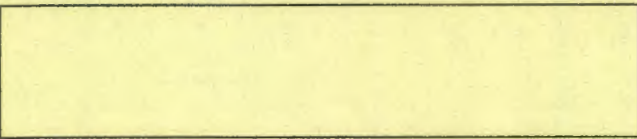
Grant: \_\_\_\_\_ Federal - not to exceed amount  
\_\_\_\_\_ State  
\_\_\_\_\_ City  
\_\_\_\_\_ Local

Project Budgeted: \$ 22,500.00  
Balance Sheet Item-  
Included in projected  
cash flow

Over (Under) budget amount: \$ (618.00)

Bond: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_  
Loan: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_

Capital Lease: \_\_\_\_\_ - Payment \_\_\_\_\_ Term \_\_\_\_\_



City Council Prior Approval/Date? \_\_\_\_\_

Senior Accountant

City Treasurer

Mayor

Purchasing Memo Date: 5/10/2023

Purchasing Memo Date: 5/10/2023

Delivered To Date: 5/15/2023

Request Approved Date: 5/15/2023

Request Approved Date: 5/15/2023

Approved Date: 5/15/2023

Signatures: Aislinn Stone

*Kim Creech*  
Kim Creech

*Sherry Sullivan*  
Mayor Sherry Sullivan



MEMO

To: Kimberly Creech, Treasurer

*Erin Wolfe*

From: Erin Wolfe, Purchasing Manager

Sherry Sullivan  
Mayor

Date: May 10, 2023

Council Members:  
Kevin G. Boone  
Jack Burrell, ACMO  
Jimmy Conyers  
Corey Martin  
Jay Robinson

Re: Green Sheet and City Council Approval of Procurement and Installation of a Ten Foot Dump Body on an International 4300 Truck

Lisa A. Hanks, MMC  
City Clerk

The Assistant Director of Public Works, George Ladd, is requesting procurement and installation of a ten (10) foot dump body on an International 4300 Truck Model Year 2012, VIN 3HAMMAAR2DL197363.

Kimberly Creech  
Treasurer

A request for quote was sent to three (3) potential vendors for this purchase. Two (2) quotes were received, and one (1) No Bid was received. The quote from Truck Equipment Sales, Inc. was the lowest at Twenty-One Thousand Eight Hundred Eighty-Two Dollars (\$21,882.00). The quoted installed price includes:

- Dump Body F-10-3238; 10 FT with 38" Dump Thru Tailgate Air Operated, includes PTO and Pump, Telescopic Dump Cylinder. Installed Price \$18,992.00
- Body Removal of old Dump Body \$2,040.00
- Driveaway and Delivery \$850.00

This cost is under the budgeted amount of \$22,500.00.

This purchase is exempt from formal bidding per Code of Alabama 1975, Section 14-16-52, which states: "All expenditures of funds of whatever nature for repair parts and the repair of heavy duty off-highway construction equipment or of any vehicles with a gross vehicle weight rating of 25,000 pounds or greater, including machinery used for grading, drainage, road construction, and compaction for the exclusive use of county and municipal highway, street, and sanitation departments, involving not more than twenty-two thousand five hundred dollars (\$22,500) made by or on behalf of any county commissions and the governing bodies of the municipalities of the state, and the governing bodies of instrumentalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions, shall be made, at the option of the governing boards, bodies, instrumentalities, and commissions, without regard to this article. The foregoing exemption from this article shall apply to each incident of repair as to any repair parts, equipment, vehicles, or machinery. The amount of the exempted expenditure shall not be construed to be an aggregate of all the expenditures per fiscal year as to any individual vehicle or piece of equipment or machinery."

161 North Section St.  
PO Drawer 429  
Fairhope, AL 36533

NOTES: See Attached Vendor Proposal for Details.

251-928-2136 (p)  
251-928-6776 (f)

**Please compose a Green Sheet and place on the next available City Council Agenda this request to approve this procurement and installation of a ten (10) foot dump body on an International 4300 Truck for \$21,882.00.**

www.fairhopeal.gov

CC file, George Ladd, Richard Johnson, Tim Bung, Clint Steadham





## CITY OF FAIRHOPE PURCHASING DEPARTMENT PURCHASING REQUEST FORM

Name: George Ladd

Date: 5/1/2023

Department: Public Works

Expenditure Threshold**	Distinctions	Quotes Required	Approval	Green Sheet	Resolution
Under \$5,000	No restrictions	Not Required	N/A	N/A	N/A
Utilities \$5,001-\$10,000	Operational <b>NON</b> -Budgeted	Three	Treasurer/Mayor	<b>N/A</b>	<b>N/A</b>
Greater than: Gen Govt - \$5,001 Utilities - \$10,001	Operational <b>NON</b> -Budgeted	Three	Council	<b>Required</b>	<b>Required</b>
Gen Govt - \$5,001-\$15,000 Utilities - \$10,001 - \$15,000	Operational Budgeted	Three	Treasurer	<b>N/A</b>	<b>N/A</b>
Over \$15,000/\$50,000	Operational Budget*	State Bid List or Buying Group	Treasurer/Mayor	<b>N/A</b>	<b>N/A</b>
Over \$15,000/\$50,000	Operational Budgeted	Bids	Council	<b>Required</b>	<b>Required</b>
Professional Service Over \$5,000	Budgeted or Non-Budgeted	Mayor Select	Council	<b>Required</b>	<b>Required</b>

\*Budgeted items that meet or are under budget may be purchased with the Mayor and/or Treasurer's approval if they are on the State Bid list or from an approved buying group. Items that are over budget must go to Council for approval and will require a green sheet and resolution.

~~Professional services include a limited amount of labor and materials, including materials provided by the City. If the total amount is within \$10,000 of the listed threshold, Purchasing Department may require a formal bid due to potential materials cost increases.~~

### QUOTES

Vendor Name	Vendor Quote
1. <u>Truck Equipment Sales INC</u>	\$ <u>21,882.00</u>
2. <u>Gulf City Body &amp; Trailer Works INC</u>	\$ <u>23,812.00</u>
3. <u>Commercial Van Specialist INC</u>	\$ <u>Not Quote At This Time</u>

Check any applicable boxes:  State Contract    ALDOT    Purchasing Group  
 Sole Source (Attach Sole Source Justification)

### ITEM OR SERVICE INFORMATION

1. What item or service do you need to purch    Removal of Old Body Install new Dump Body F-10-3238 10FT with 38" Dump Thru Tailgate Air Operated, Includes PTO & Pump, Telescopic Dump Cylinder
2. What is the total cost of the item or service? \$21882.00
3. How many do you need? One
4. Item or Service Is:  New    Used    Replacement    Annual Request
5. Vendor Name (Lowest Quote): Truck Equipment Sales INC
6. Vendor Numer # 254

If you do not have a Vendor Number, please go to the City of Fairhope page: [www.FairhopeAL.gov](http://www.FairhopeAL.gov), Departments, Purchasing, Vendor Registration, and complete the required information.

### BUDGET INFORMATION

1. Is it budgeted?  Yes    No    Emergency Request
2. If budgeted, what is the budgeted amount? \$22,500.00
3. Budget code: 001350-50470

*Email completed form with quotes and other supporting documentation to*



QUOTATION

QUOTE # 25334

Gulf City Body and Trailer Works, Inc.
601 S. Conception Street, P.O. Box 144
Mobile, Alabama 36601
(251) 438-5521
FAX: 251-433-7910 1-800-388-7950

CUSTOMER CITY OF FAIRHOPE (C0580)
P.O. DRAWER 429
FAIRHOPE AL 36533
ATTN MR. TIM BUNG

DATE 4/26/2023
UNIT NO. 01022
MAKE OR TYPE NAVISTAR
MODEL TRUCK
SERIAL DFL197363
CUSTOMER TEL

Table with 5 columns: QTY, PART NO, DESCRIPTION OF REPAIRS AND REPLACEMENTS, LBR HRS, NET EACH, TOTAL NET. Description includes: REMOVE SERVICE BODY FROM TRUCK FRAME. FURNISH AND INSTALL ONE NEW 10YRD MAVRICK DUMP BODY WITH 10GA PLAIN SIDES, 36IN HEIGH SIDES AND 3/16" FLOOR ON 12" CROSS MEMBERS. TAILGATE MEASURES 44" HIGH AND IS AIR OPERATED. CAB SHIELD LENGTH IS 24". DUMP APRON LENGTH IS 8" BODY COMES WITH ONE FRONT TO BACK ELECTRIC TARP SYSTEM WITH VIYNL TARP. BODY IS PAINTED BLACK\* SIDES COME WITH 8" BOARDS\*\*

Premier Provider of Full-Service Repairs, Quality Parts, and all types of New and Used Trailers, Tanks, Bobtails, and Truck Equipment.

We appreciate the opportunity to submit this quotation.

Gulf City Body and Trailer Works, Inc.

Approved By: \_\_\_\_\_

PO #: \_\_\_\_\_

THIS QUOTE MUST BE SIGNED OR A PO# ISSUED BEFORE WORK CAN START

Summary table with 2 columns: Description, Amount. Rows include: LABOR TOTAL \$2,880.00, PARTS TOTAL \$18,957.00, F.E.T \$0.00, SALES TAX \$0.00, FREIGHT \$1,800.00, SHOP SUPPLIES \$175.00, QUOTATION TOTAL \$23,812.00

IF PAYING WITH A CREDIT CARD THERE WILL BE A 3% TRANSACTION FEE ADDED.

QUALITY EQUIPMENT AND SERVICE FOR THE TRANSPORTATION INDUSTRY SINCE 1945.

Commercial Van Specialist Inc.  
 26320 Highway 59  
 Loxley, AL 36551  
 251-964-2032  
 truckupfit@gmail.com

# Estimate



**ADDRESS**  
 CITY OF FAIRHOPE  
 PO Drawer 429  
 FAIRHOPE, AL 36533

**SHIP TO**  
 CITY OF FAIRHOPE  
 CITY OF FAIRHOPE  
 555 SOUTH SECTION  
 FAIRHOPE, AL 36532

**ESTIMATE #** 9300      **DATE** 04/28/2023

DATE	DESCRIPTION	QTY	RATE	AMOUNT
			0.00	0.00
	DUMP BED NO BID			
				SUBTOTAL 0.00
				TAX 0.00
				<b>TOTAL \$0.00</b>

Accepted By

Accepted Date

A product of **NAVISTAR, INC.**  
Incomplete Vehicle Manufactured by (Vehicule incomplet fabrique par)  
**BLUE DIAMOND TRUCK, S. de R.L. de C.V.**

G / P  
V / N 15875 KG  
W / B ( 35000 LB )  
R / V

FRONT

FR-REAR-RR

G / P  
A / N 5443 KG  
W / B ( 12000 LB )  
R / E

10432  
( 23000

KG  
LB )

VIN 3HANMAAR2DL197363

DATE 03-2012

NAVISTAR, INC.  
WARRENVILLE, ILLINOIS

VIN  
3HAMMAAR2DL197363

MODEL  
4300 SBA 4X2

DATE MFG.  
03-2012

W.B.  
385

PD LOC - DATE

LOCATION 00062 PPE 03-22-2012



MADE IN MEXICO



**RESOLUTION NO. \_\_\_\_\_**

**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 the procurement for Intelligence-led Policing Sensor Kits for the Police Department from ProTecVideo, LLC as sole source provider of the tag.NET program; 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 \$20,000.00.

[2] Budget needs to be moved from 001150-50340 General Supplies to 001150-50470 Vehicle and Equipment.

ADOPTED ON THIS 22ND DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

City of Fairhope  
Project Funding Request

Issuing Date: 5/14/2023

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Approval of the procurement of intelligence-LED Policing Sensor Kits from ProtecVideo

Project Location: Fairhope Ave and Section Street

Presented to City Council: 5/22/2023

Resolution #: Approved \_\_\_\_\_

Funding Request Sponsor: Stephanie Hollinghead, Chief of Police  
Tyron Hoskins, Administrative Assistant

Changed \_\_\_\_\_

Rejected \_\_\_\_\_

Project Cash Requirement Requested:  
Cost: \$ 20,000.00 (Not-to-Exceed)

\$ \_\_\_\_\_

Vendor: ProTecVideo

Project Engineer: n/a

Order Date: n/a

Lead Time: n/a

Department Funding This Project

General  Gas  Electric  Water  Wastewater  Sanitation  Cap Project  Impact  Gas Tax  Fed Grant

Department of General Fund Providing the Funding

Admin-10  Bldg-13  **Police-15**  Fire-20  ECD-24  Rec-25  Civic-26  Street-35  Meter-19  IT-16   
Fleet-46  Golf-50  Golf Grounds-55  Museum-27  NonDeptFac-75  Debt Service-85  Marina-34  Plan/Zone-12  Adult Rec-30

Project will be:

Expensed \_\_\_\_\_   
Capitalized XXX   
Inventoried \_\_\_\_\_

Funding Source:

Operating Expenses \_\_\_\_\_   
Budgeted Capital XXX   
Unfunded \_\_\_\_\_

Expense Code: 001150-50470  
G/L Acct Name: Vehicles and Equipment

Grant: \_\_\_\_\_ Federal - not to exceed amount  
\_\_\_\_\_ State  
\_\_\_\_\_ City  
\_\_\_\_\_ Local

Project Budgeted: \$ 22,500.00 001150-50340 General Supplies  
Balance Sheet Item- Included in projected cash flow

Over (Under) budget amount: \$ (2,500.00)

Bond: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_  
Loan: \_\_\_\_\_ Title \_\_\_\_\_ Year \_\_\_\_\_

ProTecVideo is the sole source provider to tag.Net Program. Budget needs to be moved from 001150-50340 General Supplies to 001150-50470 Vehicle and Equipment.

Capital Lease: \_\_\_\_\_ - Payment \_\_\_\_\_ Term \_\_\_\_\_

City Council Prior Approval/Date? \_\_\_\_\_

Senior Accountant

City Treasurer

Mayor

Purchasing Memo Date: 5/12/2023

Purchasing Memo Date: 5/12/2023

Delivered To Date: 5/15/2023

Request Approved Date: 5/15/2023

Request Approved Date: 5/15/2023

Approved Date: 5/15/2023

Signatures: \_\_\_\_\_

Kim Creech  
Kim Creech

Sherry Sullivan  
Mayor Sherry Sullivan




MEMO

Sherry Sullivan  
Mayor

To: **Kimberly Creech, Treasurer**

Council Members:  
Kevin G. Boone  
Jack Burrell, ACMO  
Jimmy Conyers  
Corey Martin  
Jay Robinson

From:   
Erin Wolfe, Purchasing Manager

Date: May 12, 2023

Lisa A. Hanks, MMC  
City Clerk

Re: **Green Sheet and City Council Approval for the Procurement of Intelligence-led Policing Sensor Kits**

Kimberly Creech  
Treasurer

The Chief of Police, Stephanie Hollinghead, is requesting approval of the procurement of Intelligence-Led Policing Sensor Kits.

There is a regional multi-agency collaboration that networks license plate recognition (LPR) cameras from across the region. This collaboration uses the proprietary security camera platform tag.NET. ProTecVideo is the sole source provider of tag.NET program.

The purchase will include:

- Cloud based camera system for Site 1 (South of Fairhope on Hwy 98) Two (2) tag.NET cameras with 1 OV Comm Box with electronics for cloud and AI, plus labor for configuration/installation. \$9,000.00
- Cloud based camera system for Site 2 (North of Fairhope on Hwy 98) Two (2) tag.NET cameras with 1 OV Comm Box with electronics for cloud and AI, plus labor for configuration/installation. \$9,000.00
- Modify existing traffic trailer to add one (1) Rekor camera with network switch and electrical configuration. \$2,000.00

The total budgeted cost for this procurement is Twenty Thousand Dollars (\$20,000.00).

NOTES:

See Attached Vendor Estimate, Sole Source Letter, and Memo from the Chief of Police for details.

161 North Section St.  
PO Drawer 429  
Fairhope, AL 36533

**Please compose a Green Sheet and place on the next available City Council Agenda this request to approve this procurement for the Intelligence-led Policing Sensor Kits from ProTecVideo for the Police Department for \$20,000.00.**

251-928-2136 (p)  
251-928-6776 (f)  
www.FairhopeAL.gov

CC file, Stephanie Hollinghead, Clint Steadham

Req. # 4473

Protecvideo LLC  
P.O. Box 25  
Stockton, AL 36579 US  
251-610-6802  
jmurphy@protecvideo.com  
Protecvideo.com

# Estimate



**ADDRESS**  
David Hall  
City of Fairhope

**ESTIMATE #** 1588  
**DATE** 04/18/2023

**DESCRIPTION**  
Security Cameras

DATE	ACTIVITY	QTY	RATE	AMOUNT
	<b>Cam System</b> Cloud based camera system Site 1 (South of Fairhope on Hwy 98) 2 tag.NET cameras with 1 OV Comm Box with electronics for cloud and AI Labor for configuration / installation Power and Electrical provided by customer	1	9,000.00	9,000.00
	<b>Cam System</b> Cloud based camera system Site 2 (North of Fairhope on Hwy 98) 2 tag.NET cameras with 1 OV Comm Box with electronics for cloud and AI Labor for configuration / installation Power and Electrical provided by customer	1	9,000.00	9,000.00
	<b>Equipment:Eqp040</b> Modify existing traffic trailer adding 1 Rekor camera with network switch and electrical configuration.	1	2,000.00	2,000.00

Thanks for your business and trusting us to help with your security. If you have any questions, please don't hesitate to call so we can do our best to help.

**TOTAL**

**\$20,000.00**

Thanks Again  
John Murphy  
ProTecVideo LLC  
251-610-6802



John Murphy

[jmurphy@protecvideo.com](mailto:jmurphy@protecvideo.com)

251 610-6802

April 21, 2023

ProTecVideo, LLC is the only provider of the proprietary security camera platform “tag.NET”. tag.NET is used to support a multi-agency collaboration that networks license plate recognition (LPR) cameras from across the region. The data from these systems is combined to form a searchable data-base and proactive alert system for vehicles suspected of being used in criminal activity.

ProTecVideo, LLC also provides the sale of system hardware as well as consultation, training, installation, configuration, and maintenance solutions for tag.NET, LPR, and general surveillance cameras.

1. ProTecVideo, LLC is the only provider of the tag.NET program.
2. The tag.NET program provides participating regional agencies historical and real time search data for suspect vehicle information.
3. ProTecVideo does not share tag.NET data to outside agency’s or civilian business’s unless legally ordered to by a court of competent jurisdiction, not withstanding exceptions made to protect intelligence data and investigative techniques under state or federal authority.
4. Participating tag.Net agencies are required to be trained and practice the guidelines uniquely developed for tag.NET to ensure the system is used as designed. As with any intelligence-based system, the guidelines have been developed to protect the system and its methodology without jeopardizing its intent or capabilities.
5. tag.NET integration is controlled by ProTecVideo, LLC to ensure that system standards are maintained. The standards were developed and will be updated as necessary by a collaboration of ProTecVideo, LLC and participating law enforcement agencies. If it is determined that an agency will not or does not adhere to the program’s standards, that agency will not be allowed access to the program until the necessary corrections are in place. Prior to an agency’s access being denied or removed, a review will be completed by representatives of ProTecVideo, LLC and members of the tag.NET advisory committee.



# CITY OF FAIRHOPE PURCHASING DEPARTMENT PURCHASING REQUEST FORM

Name: Stephanie H. Hollinghead

Date: May 2, 2023

Department: Police

Expenditure Threshold**	Distinctions	Quotes Required	Approval	Green Sheet	Resolution
Under \$5,000	No restrictions	Not Required	N/A	N/A	N/A
Utilities \$5,001-\$10,000	Operational <b>NON</b> -Budgeted	Three	Treasurer/Mayor	<b>N/A</b>	<b>N/A</b>
Greater than: Gen Govt - \$5,001 Utilities - \$10,001	Operational <b>NON</b> -Budgeted	Three	Council	<b>Required</b>	<b>Required</b>
Gen Govt - \$5,001-\$15,000 Utilities - \$10,001 - \$15,000	Operational Budgeted	Three	Treasurer	<b>N/A</b>	<b>N/A</b>
Over \$15,000/\$50,000	Operational Budget*	State Bid List or Buying Group	Treasurer/Mayor	<b>N/A</b>	<b>N/A</b>
Over \$15,000/\$50,000	Operational Budgeted	Bids	Council	<b>Required</b>	<b>Required</b>
Professional Service Over \$5,000	Budgeted or Non-Budgeted	Mayor Select	Council	<b>Required</b>	<b>Required</b>

*\*Budgeted items that meet or are under budget may be purchased with the Mayor and/or Treasurer's approval if they are on the State Bid list or from an approved buying group. Items that are over budget must go to Council for approval and will require a green sheet and resolution.*

*\*\*Expenditure Threshold is a combined total of labor and materials, including materials provided by the City. If the total amount is within \$10,000 of the listed threshold, Purchasing/Treasurer may require a formal bid due to potential materials cost increases.*

### QUOTES

Vendor Name	Vendor Quote
1. <u>ProTecVideo</u>	\$ <u>20,000.00</u>
2. <u>Click or tap here to enter text.</u>	\$ _____
3. <u>Click or tap here to enter text.</u>	\$ _____

Check any applicable boxes:  State Contract     ALDOT     Purchasing Group  
 Sole Source (Attach Sole Source Justification)

### ITEM OR SERVICE INFORMATION

1. What item or service do you need to purchase? Intelligence-LED Sensor Kits
2. What is the total cost of the item or service? \$20,000.00
3. How many do you need? 5
4. Item or Service Is:  New     Used     Replacement     Annual Request
5. Vendor Name (Lowest Quote): ProTecVideo
6. Vendor Number: Click or tap here to enter text.

*If you do not have a Vendor Number, please go to the City of Fairhope page: [www.FairhopeAL.gov](http://www.FairhopeAL.gov), Departments, Purchasing, Vendor Registration, and complete the required information.*

### BUDGET INFORMATION

1. Is it budgeted?  Yes     No     Emergency Request
2. If budgeted, what is the budgeted amount? \$22,500.00
3. Budget code: 50340 – General Supplies

*Email completed form with quotes and other supporting documentation to  
[Erin.Wolfe@FairhopeAL.gov](mailto:Erin.Wolfe@FairhopeAL.gov) and [Rhonda.Cunningham@FairhopeAL.gov](mailto:Rhonda.Cunningham@FairhopeAL.gov).*



# Fairhope Police Department

*"On Beautiful Mobile Bay"*

**Stephanie H. Hollinghead**  
Chief of Police

107 N. Section St.  
Fairhope, AL 36532  
(251) 928-2385  
Fax (251) 990-0158

DATE: May 2, 2023

TO: Erin Wolfe, Purchasing Agent  
City of Fairhope

FROM:   
Stephanie H. Hollinghead, Chief  
Fairhope Police Department

SUBJECT: Intelligence-LED Policing Sensor Kits

Please find attached pricing information from ProTecVideo for the purchase of Intelligence-Led Policing Sensor Kits. These sensor kits greatly assist in solving a variety of crimes and assists police with identifying vehicles that may be associated with criminal activity. We currently have a few of these sensor kits and they have been extremely helpful in assisting us with solving cases.

ProTecVideo is the only provider of the proprietary security camera platform "tag.Net," which is a program that supports multi-agency collaboration that networks these sensor kits from across the region. This is the only system that will connect with the sensor kits that we currently have. Please see attached sole source letter from ProTecVideo.

This purchase was approved in the 2023 budget in the amount of \$22,500.00. The total cost is \$20,000.00; thereby, coming in under budget in the amount of \$2,500.00.

Please prepare the necessary paperwork for this item to be placed on the next City Council agenda. Let me know if you need additional paperwork or have any questions.

SHH/tdh

**RESOLUTION NO. \_\_\_\_\_**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,** that the City Council hereby approves and authorizes Mayor Sherry Sullivan to execute a Memorandum of Agreement between the Alabama Law Enforcement Agency, and the City of Fairhope Police Department to establish a joint multi-agency working group known as the Alabama Internet Crimes Against Children Task Force to combat exploitation of children through the use of the internet or other electronic means.

ADOPTED ON THIS 22ND DAY OF MAY, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk



**Memorandum of Agreement**  
**Between**  
**The Alabama Law Enforcement Agency,**  
**Internet Crimes Against Children Unit**  
**And**  
**City of Fairhope Police Department**

This Agreement is entered into by the Alabama Law Enforcement Agency ("ALEA") and the City of Fairhope Police Department ("affiliate" or "affiliate agency") pursuant to § 41-19-10(e), Ala. Code 1975.

**I. Purpose:**

The purpose of this Agreement is to establish a joint multi-agency working group between ALEA and City of Fairhope Police Department intended to combat the exploitation of children by using the Internet or other electronic means. This working group will be known as the Alabama Internet Crimes Against Children ("ICAC") Task Force.

**II. Period of Performance:**

This Agreement shall be effective upon signature of all parties and will continue in effect until terminated. Either party may terminate this agreement for any reason by providing 30 days' written notice to the other party.

**III. Standard Terms and Conditions:**

Any amendment to this Agreement shall be made in writing and will become effective upon the signature of all parties.

Failure of either party to abide by and comply with the terms and conditions of this Agreement shall provide grounds for immediately terminating this Agreement. At any time should a party default on its obligations under this Agreement, the other party may give written notice to the defaulting party of the nature of the default and the expected remedy. The defaulting party shall respond in writing within 10 days of receiving the written notice of default; however, this provision shall in no way limit a party from seeking immediate termination for default.

The parties hereto are separate and distinct entities. The relationship established herein is purely contractual. Employees of the parties are not

considered to be officers, agents, volunteers, or employees of the other party, and each party takes responsibility only for the acts and omissions of its employees.

In the event of any dispute between the parties, senior officials of both parties shall meet and engage in a good-faith attempt to resolve the dispute. Should that effort fail and the dispute involves the payment of money, a party's sole remedy is to file a claim with the Alabama Board of Adjustment. For any and all other disputes arising under the terms of this Agreement which negotiation does not resolve, the parties agree to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation. Such dispute resolution shall occur in Montgomery, Alabama, utilizing where appropriate, mediators selected from the roster of mediators maintained by the Center for Dispute Resolution of the Alabama State Bar.

If any provision of this Agreement is declared void, unenforceable, or against public policy, or if any provision shall contravene any state or federal statute or constitutional provision or amendment, either now in effect or which may be enacted during the course of the Agreement, the provision shall be modified to reflect the parties' intention(s) and all remaining provisions shall remain in full force and effect. Invalidity or unenforceability of any part or portion of the Agreement will not invalidate the remainder of the Agreement, and the remaining portions shall remain in full force and effect, deemed to be written, construed, and enforced as so limited. In any event, this Agreement will be interpreted as far as possible to give effect to the parties' intent.

It is agreed the terms, conditions, and commitments contained herein shall not be constituted a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment XXVI.

This Agreement is subject to the appropriation of funds to ALEA to fulfill obligations laid out herein and will be subject to termination if such funds cease to be available. Should funding or service requirements relative to any executed agreements be altered, those agreements may be amended accordingly. In the event of the proration of the fund from which payment under any agreement is to be made, that agreement will be subject to termination. Each party agrees to use its best efforts to secure sufficient appropriations to fund any executed agreement. However, ALEA's obligations under any executed agreement will cease immediately without penalty or further payment being required if the Alabama Legislature fails to make a sufficient appropriation or if grant money is not received. ALEA will determine whether amounts appropriated are sufficient. ALEA will give the other party written notice of insufficient funding as soon as practicable after becoming aware of the insufficiency, and ALEA's obligation to perform will immediately cease.

This Agreement shall be governed by the laws of Alabama as to interpretation, construction, and performance. Compliance hereunder will be performed in accordance with applicable state and federal law, statutes, provisions, and regulations, as well as any federal court orders that pertain to ALEA and/or the State of Alabama to which ALEA is required to adhere.

The parties hereto understand and agree this Agreement shall not be assigned to any other person, group, organization, department, agency, entity, etc., without ALEA's express written approval. Any such approval shall not be considered a waiver by either party.

The terms and provisions of this Agreement shall apply to and be binding upon and inure to the benefit of the parties hereto. Failure of either party to insist upon strict compliance with the Agreement's terms and conditions or strict performance hereunder shall not constitute or be construed as a waiver or relinquishment of either party's right to enforce the same in accordance with the Agreement. Any waiver of the terms of this Agreement shall be invalid unless such waiver is in writing and signed by the waiving party. A waiver in one instance shall not be deemed a continuing waiver unless expressly stated in writing and signed by the waiving party. The parties are responsible for total performance.

Notwithstanding any provision of this Agreement and any incorporations or amendments hereto, the parties do not release or waive, expressly or impliedly, their right to assert sovereign immunity or any other affirmative defense/right they may have under law.

The parties agree and hereby acknowledge that all terms, covenants, and conditions, or actions taken under this Agreement shall comply with all applicable state, federal, or local laws, including the Alabama Beason-Hammon Alabama Taxpayer and Citizen Protection Act, as amended. By signing this Agreement, the contracting parties affirm, for the duration of this Agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within Alabama. Furthermore, a contracting party found to have violated this provision shall be deemed in breach of the Agreement and responsible for all resulting damages.

In compliance with Act 2016-312, the affiliate agency hereby certifies that it is not currently engaged in, and will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which this state can enjoy open trade.

The parties acknowledge and understand this Agreement is not effective until it receives all requisite approvals and that service/performance shall not begin until this Agreement is fully executed.

This Agreement shall constitute the entire agreement of the parties, and there are no other promises or conditions, oral or written, unless the parties otherwise mutually agreed upon those promises or conditions in writing.

#### **IV. Jurisdiction:**

The ICAC Task Force is a statewide Task Force; however, the principal sites of task force activity by the affiliate agency will be within the jurisdictional areas of the respective members' law enforcement agency, consistent with the level of membership of that law enforcement agency and statutes governing mutual aid. Nothing in this Agreement shall otherwise limit or enhance the jurisdiction and powers normally possessed by an employee as a member of the employee's agency.

#### **V. Records, Reports and Presentations:**

- The parties will coordinate and forward information through the ICAC Task Force, or as directed, to the Office of Juvenile Justice Delinquency Prevention ("OJJDP").
- The U.S. Department of Justice Internet Crimes Against Children Task Force Review Board reviews proposed undercover operations for compliance with federal guidelines. If applicable, each party to this Agreement must submit a brief report to the Board listing all current undercover online operations. Any additional online undercover operations to be developed must be approved as outlined in the ICAC Task Force Program Guidelines.
- No later than the 10<sup>th</sup> day of each month, the affiliate agency will submit a monthly activity report pertaining to ICAC cases to ALEA for consolidation and reporting to OJJDP.
- As directed by ALEA, the affiliate agency shall maintain information necessary to enable compliance with this Agreement and any other federal grant guideline subject to this operation, as well as any ICAC Review Board recommendations.
- All records, reports, and presentations shall be consistent with grant guidelines and approved ALEA/ICAC protocols and procedures.

#### **VI. OJJDP Internet Crimes Against Children Task Force Program Guidelines:**

Parties to this Agreement acknowledge that they received and reviewed the attached OJJDP ICAC Task Force Program (Operational and Investigative Standards) Guidelines which are hereby incorporated by reference. These guidelines specify how the parties may conduct ICAC Task Force investigations, and by entering into this Agreement, the parties agree to abide

by all covenants, restrictions, limitations, and guidelines contained therein and conduct all investigations in accordance thereto.

**VII. Equipment and Training:**

When funding is available, ALEA may provide limited training and equipment. Any equipment provided pursuant to this Agreement shall only be used for ICAC investigations. All Task Force affiliates will have access to ICAC training through Fox Valley Technical College ("FVTC"), which currently provides free tuition and lodging to investigators chosen for a class. However, due to budget constraints, FVTC reserves the right to terminate free tuition and lodging without notice. The affiliate agency must cover all other expenses. Any other expenses must be coordinated and receive prior approval from the ALEA ICAC Task Force Commander.

Any and all equipment provided to the affiliate agency remains property of ALEA. The affiliate agency shall maintain any and all equipment in good repair and will also maintain an inventory of all said equipment.

**VIII. Failure to Follow Agreement Guidelines:**

Any affiliate agency who fails to follow any of the above-stated guidelines and/or ICAC Operational and Investigative Standards as determined by ALEA will be deemed to have violated the Agreement and shall be subject to termination pursuant to the terms outlined therein. Any equipment issued by ALEA, including a copy of the equipment inventory, shall be immediately returned to ALEA.

(Intentionally Left Blank)

**IN WITNESS HEREOF**, and as evidenced by their authorized signatures, the Alabama Law Enforcement Agency and City of Fairhope Police Department agree to the conditions of this Agreement as set forth above.

\_\_\_\_\_  
Hal Taylor, Secretary  
Alabama Law Enforcement Agency

\_\_\_\_\_  
Sherry Sullivan, Mayor  
City of Fairhope Police Department

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Approved as to form:

\_\_\_\_\_  
Legal Counsel  
Alabama Law Enforcement Agency

**RESOLUTION NO, \_\_\_\_\_.**

**A RESOLUTION OF BINDING AGREEMENT  
FOR SEEKING ADEM GRANT FUNDING FOR THE  
BALDWIN COUNTY MATERIAL RECOVERY FACILITY**

---

**WHEREAS**, the City of Fairhope through a dynamic Recycling Program, recognizes the importance of protecting and preserving our natural resources, and works to make the world a better place by adopting conscientious living habits that will improve our daily lives and bring about a cleaner, safer and healthier environment; and

**WHEREAS**, the City of Fairhope has undertaken many positive and successful waste reduction programs that have helped make the City of Fairhope a recycling leader, however, we can further reduce waste and recycle even more; and

**WHEREAS**, local community and county recycling leaders have come together to join in a discussion of a concentrated cooperative effort to share resources to maximize the environmental and economic value of county-wide recycling; and

**WHEREAS**, local community and county recycling leaders, working together, are building a Baldwin County Material Recovery Facility; and

**WHEREAS**, the City of Fairhope has adopted Resolution No. 4155-21, supporting a Baldwin County Recycling Cooperative; and

**WHEREAS**, the City of Fairhope, along with other municipalities in Baldwin County, are working with Baldwin County Solid Waste as the lead local agency to expedite the critical need to maximize our recycling efficiency and commodity value through a cooperative effort; and

**WHEREAS**, Baldwin County Solid Waste has begun the process of the engineering design of a state-of-the-art Materials Recovery Facility (“MRF”) to be located adjacent to the Magnolia Landfill and to serve the recycling needs of all of Baldwin County; and

**WHEREAS**, this new regional MRF is critical to the future viability and growth of recycling in Baldwin County and the ability of the State of Alabama to achieve its recycling goals, as established by the Alabama Department of Environmental Management (“ADEM”); and

**WHEREAS**, the Alabama Recycling Fund was created by the Alabama Legislature and administered by ADEM to provide grant funding to local governments to develop, implement, and enhance local recycling projects and programs pursuant to § 22-27-17, *Code of Alabama*, (1975).

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, WHILE IN REGULAR SESSION ON MAY 22, 2023, as follows:**

**Section 1.** That the City of Fairhope has applied for grant funding under the Alabama Recycling Fund in support of the Baldwin County Material Recovery Facility.

**Section 2.** That any and all grant funds awarded by said application will be given to the Baldwin County Commission or Baldwin County Solid Waste for the exclusive purpose of supporting the Baldwin County Material Recovery Facility.

**Section 3.** That this Resolution shall become effective upon its adoption. Adopted this 22nd day of May 2023.

---

Jay Robinson, Council President

ATTEST:

---

Lisa A. Hanks, MMC  
City Clerk



**RESOLUTION NO. 4155-21**

**Support and Commitment for a Baldwin County  
Recycling Cooperative**

**WHEREAS**, the City of Fairhope, through a dynamic Recycling Program, recognizes the importance of protecting and preserving our natural resources, and works to make the world a better place by adopting conscientious living habits that will improve our daily lives and bring about a cleaner, safer, and healthier environment; and

**WHEREAS**, the City of Fairhope has undertaken many positive and successful waste reduction programs that have helped make Fairhope a recycling leader, however, we can further reduce waste and recycle even more; and

**WHEREAS**, although there has been a significant increase in the amount of recycling in Fairhope, we must continue to focus on other initiatives such as waste reduction, composting, the reuse of products and materials, and purchasing recycled products and packaging; and

**WHEREAS**, by encouraging businesses, County and State agencies, nonprofit organizations, schools, citizens, and visitors to actively recycle we can further promote recycling as an environmentally efficient and economically smart way of life; and

**WHEREAS**, local community and county recycling leaders have come to the realization that we have advanced our individual recycling programs in our respective communities as far as possible as separate stand-alone franchises; and

**WHEREAS**, being reliant on third-party, out-of-state recycle processors/brokers/buyers has become costly, inefficient, and unsustainable for the long-term success of each municipality and the County's respective Recycling Program; and

**WHEREAS**, local community and county recycling leaders have come together to join in a discussion of a concentrated cooperative effort to share resources to maximize the environmental and economic value of county-wide recycling; and

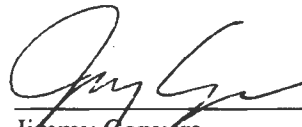
**WHEREAS**, local community and county recycling leaders, working together, will need to conduct a feasibility study and develop a draft business plan for the possibility of forming a Baldwin County Recycling Cooperative; and

**WHEREAS**, the City of Fairhope desires to work with Baldwin County Solid Waste as the lead agency along with the cities and towns of Daphne, Fairhope, Foley, Bay Minette, Orange Beach, Gulf Shores, Robertsdale, Loxley, Summerdale, Silverhill, Elberta, Magnolia Springs, Perdido Beach and Spanish Fort to expedite the critical need to maximize our recycling efficiency and commodity value through a cooperative effort.

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

1. It supports the concept of a Baldwin County Recycling Cooperative.
2. Authorizes City Staff to work with Baldwin County and our sister communities to conduct a feasibility study, develop a business plan for an effective and productive county-wide recycling cooperative.
3. Commits and acknowledges that the service to be provided by the Baldwin County Solid Waste Department will be an operating expense to be funded by a published tipping fee not to exceed the disposal rate of household garbage. However, market fluctuations and conditions will need to be evaluated and recognized on an ongoing basis to determine the level of service the MRF can support.
4. Report back its findings for possible future legislative action.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, THIS 26TH DAY OF JULY, 2021.



Jimmy Conyers,  
Council President Pro Tempore

ATTEST:



Lisa A. Hanks, MMC  
City Clerk

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, this First Amendment is effective as of the date of execution by the last party to sign is entered into by and between City of Fairhope, Alabama, hereinafter referred to as “Landlord”, and New Cingular Wireless PCS, LLC, hereinafter referred to as “Tenant” and,

**WHEREAS**, the Landlord and Tenant entered into a “Structure Lease Agreement” dated February 6, 2017 pursuant to which Landlord leased a portion of the tower site located at 590 Nichols Avenue, Fairhope, Alabama 36532; and,

**WHEREAS**, the Landlord and Tenant desire to modify the Agreement with the terms and conditions in the First Amendment.

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE**, that Mayor Sherry Sullivan is hereby authorized to execute the First Amendment to the Structure Lease Agreement as presented between the between the City of Fairhope and New Cingular Wireless PCS, LLC for the leased area located at 590 Nichols Avenue, Fairhope, Alabama 36532.

Adopted this 22nd Day of May, 2023

\_\_\_\_\_  
Jay Robinson, Council President

Attest:

\_\_\_\_\_  
Lisa A. Hanks, MMC  
City Clerk

**Market: Gulf Coast (AL)**  
**Cell Site Number:**  
**Cell Site Name: South Section (3C)**  
**Fixed Asset Number: 10024145**

### **FIRST AMENDMENT TO STRUCTURE LEASE AGREEMENT**

**THIS FIRST AMENDMENT TO STRUCTURE LEASE AGREEMENT** (hereinafter “First Amendment”) is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between **City of Fairhope, Alabama**, by and through its Mayor and Council, having a mailing address at P.O. Box 429, Fairhope, AL 36532 (“Landlord”), and **New Cingular Wireless PCS, LLC** having a mailing address at 1025 Lenox Park Blvd. NE, 3<sup>rd</sup> Floor, Atlanta, Georgia 30319 (“Tenant”); and

**WHEREAS**, Landlord and Tenant entered into a Structure Lease Agreement dated February 6, 2017 (the “Agreement”), pursuant to which Landlord leased to Tenant a portion of the tower site located on 590 Nichols Avenue, Fairhope, Alabama 36532 described in Exhibit 1 of the Agreement; and

**WHEREAS**, Landlord and Tenant desire to amend the Agreement to adjust the Rent (as defined below) in conjunction with the modifications to the Landlord’s tower contained herein; and

**WHEREAS**, Landlord and Tenant now desire to further amend the Agreement as provided in this First Amendment.

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants and agreements contained herein the sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Exhibit 1 of the Agreement shall be deleted in its entirety and replaced with a new Exhibit 1 which shall be identical to Attachment 1, DESCRIPTION OF PREMISES, attached hereto.
2. Commencing on the first day of the month following the date that Tenant commences construction of the modifications set forth in this First Amendment, Rent shall be increased by One Thousand and No/100 Dollars (\$1,000.00) per month above the amounts otherwise provided for in the Agreement.
3. Except as specifically set forth in this First Amendment, the Agreement is otherwise unmodified and remains in full force and effect. In the event of any inconsistencies between the Agreement and this First Amendment, the terms of this First Amendment shall take precedence.

**IN WITNESS WHEREOF**, the parties hereto have executed this First Amendment effective as of the last date of execution shown below.

**LANDLORD:**

**CITY OF FAIRHOPE, ALABAMA**

ATTEST:

\_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)

Name: \_\_\_\_\_

Its: \_\_\_\_\_

[SEAL]

**TENANT:**

**NEW CINGULAR WIRELESS PCS, LLC,**

By: AT&T Mobility Corporation

Its: Manager

DocuSigned by:  
By: Amanda Alvarez  
Name: Amanda Alvarez  
Its: Area Manager, C & E  
Date: 5/12/2023

EXHIBIT 1  
DESCRIPTION OF PREMISES