

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, 10 July 2023.

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

There being a quorum present, Council President Robinson called the meeting to order. The invocation was given by Reverend Amanda Doshier of St. James Episcopal Church and the Pledge of Allegiance was recited. Councilmember Burrell moved to approve minutes of the 26 June 2023, regular meeting; and minutes of the 26 June 2023, work session. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

The following individual spoke during Public Participation for Agenda Items:

- 1) Gary Gover, 300 Lincoln Street, addressed the City Council regarding Agenda Item Number 6: a resolution that the City of Fairhope accepts the Grant Award for Financial Assistance from the Alabama Department of Environmental Management (ADEM) for the Clean Water State Revolving Fund (CWSRF) Project in Grant Funds in the amount of \$1,154,696.00 from the American Rescue Plan Act (ARPA). He asked the City Council to explain what the funds would be used for when this agenda item is discussed.

Councilmember Burrell commented that the Fireworks Show was great; thanked the Veterans for their service; and said we needed the rain for our water consumption.

Councilmember Martin also commented the Fireworks Show was great; and thanked City staff for the event.

Councilmember Boone said “At a Girl” to Community Affairs Director Paige Crawford and thanked City staff for a great Fourth of July Celebration.

Council President Robinson also thanked Ms. Crawford and City staff for the Fireworks Show.

10 July 2023

Councilmember Martin moved for final adoption of Ordinance No. 1779, an ordinance amending Ordinance No. 522 and repealing and replacing Ordinance No. 1727 Parking Authority; Section 20-31: adding (c) The Parking Authority or Committee may remove any member who misses more than (2) consecutive meetings. (Introduced at the June 26, 2023 City Council Meeting.) Seconded by Councilmember Burrell, motion for final adoption passed by the following voice votes: AYE – Burrell, Martin, Conyers, Robinson, and Boone. NAY - None.

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope accepts the Grant Award for Financial Assistance from the Alabama Department of Environmental Management (ADEM) for the Clean Water State Revolving Fund (CWSRF) Project in Grant Funds in the amount of \$1,154,696.00 from the State of Alabama's American Rescue Plan Act (ARPA) Fund. The motion was seconded by Councilmember Conyers. Councilmember Burrell stated that the money was for the headworks at the Wastewater Treatment Plant. After further discussion, motion passed unanimously by voice vote.

RESOLUTION NO. 4785-23

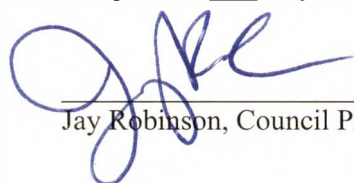
WHEREAS, the City of Fairhope was awarded a financial assistance offer from the Alabama Department of Environmental Management (ADEM) on Wednesday, June 21, 2023; and

WHEREAS, the City of Fairhope estimated 5.8 million to be applied for the Clean Water State Revolving Fund (CWSRF) Project; and

WHEREAS, ADEM offered the City of Fairhope \$1,154,696.00 in grant funds from the State of Alabama's American Rescue Plan Act (ARPA) fund; and

THEREFORE, BE IT RESOLVED BY THE City of Fairhope, IN REGULAR SESSION ASSEMBLED, that by this Resolution the City of Fairhope accepts the grant award and authorizes Mayor Sherry Sullivan to serve as the Authorized Official who will sign pay requests and other grant related documents on behalf of the City.

DONE, Under the Seal of the City of Fairhope, this 10th Day of July, 2023.



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

10 July 2023

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope authorizes the Mayor to submit a letter to Alabama Municipal Electric Authority (AMEA) requesting \$10,000.00 to be used for the murals for the Arts Alley Transit Hub Project. Seconded by Councilmember Boone, motion passed unanimously by voice vote. Councilmember Burrell explained that the AMEA gave an additional \$10,000.00 to its members through a Community Development Grant, so this did not take away from the Baldwin County Economic Development Alliance to operate an Entrepreneurial Development Center.

RESOLUTION NO. 4786-23

WHEREAS, the City of Fairhope is in the process of completing its “Arts Alley Transit Hub Project;” and

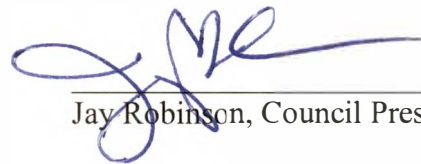
WHEREAS, the City of Fairhope is desirous to put murals in multiple spots in Arts Alley; and

WHEREAS, there is funding available for said project through a Community Development Grant from Alabama Municipal Electric Authority (AMEA) totaling \$10,000.00; and

WHEREAS, the AMEA grant does not require a match, but does require a letter requesting the grant with an outline of the purpose and intended community/economic development project, program and/or initiative.


NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope authorizes the Mayor to submit a letter to AMEA requesting \$10,000.00 to be used for the murals for the Arts Alley Transit Hub Project.

DULY ADOPTED THIS 10TH DAY OF JULY, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

10 July 2023

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope elects to come under the provisions of Act 2022-229; and the City agrees to provide all funds necessary to the Employees' Retirement System to cover the cost of the one-time lump sum payment as provided for by said Act for those eligible employees retired and beneficiaries of deceased retirees of the City of Fairhope with the aforementioned increase being paid in December 2023. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

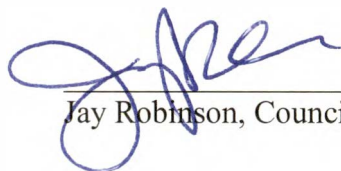
RESOLUTION NO. 4787-23

WHEREAS, The Legislature of Alabama enrolled Act 2023-107 which extended the provisions of Act 2022-229 by to allow local units participating in the Employees' Retirement System additional time to elect to pay eligible recipients who are entitled to receive a lump-sum payment under the Act and are receiving a benefit as of April 1, 2023; and

WHEREAS, the City of Fairhope elects to come under the provisions of Act 2022-229 to provide funds for the one-time lump-sum payment to eligible employees retired and beneficiaries of deceased retirees of the City of Fairhope.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, that the City of Fairhope elects to come under the provisions of Act 2022-229 of the Regular Session of the 2022 Alabama Legislature. The City of Fairhope agrees to provide all funds necessary to the Employees' Retirement System to cover the cost of the one-time lump sum payment as provided for by said Act for those eligible employees retired and beneficiaries of deceased retirees of the City of Fairhope with the aforementioned increase being paid in December 2023.

ADOPTED THIS 10TH DAY OF JULY, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

10 July 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution to award (Bid No. 23-027) New Lift Station Installation at Planter's Pointe to Hill Brothers, Inc. with a total not-to-exceed \$225,100.00; and authorize Mayor Sherry Sullivan to sign the forthcoming construction contract. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4788-23

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

[1] That the City of Fairhope did request, receive, and open bids to procure services for (Bid No. 23-027) for New Lift Station Installation at Planter's Pointe 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:

W. R. Mitchell, Contractor, Inc.	\$520,000.00
Hill Brothers, Inc.	\$225,100.00
James Bros. Excavating, Inc.	\$303,436.00

[3] After evaluating the bids with the required specifications, Hill Brothers, Inc. is now awarded (Bid No. 23-027) New Lift Station Installation at Planter's Pointe with a total not-to-exceed \$225,100.00; and authorize Mayor Sherry Sullivan to sign forthcoming construction contract.

[4] Previous Council action approved the procurement of necessary equipment for this project from J.H. Wright & Associates in the amount of \$163,786.00 (Resolution No. 4684-23) on February 13, 2023. This bid award is included as part of FY22 Capital Budget Carryover to FY23 Budget for Waste Water System Improvements in the amount of \$1,000,000.

ADOPTED ON THIS 10TH DAY OF JULY, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

10 July 2023

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution to award (Bid No. 23-029-2023-PWI-015) The Haven Animal Shelter Major Façade and Remodel to Thomas Construction with a total not-to-exceed \$164,200.00, which includes the project contingency and the electrical contingency; and authorize Mayor Sherry Sullivan to sign the forthcoming construction contract. Seconded by Councilmember Martin, motion passed unanimously by voice vote. Councilmember Burrell commented he was glad we are finally repairing the building.

RESOLUTION NO. 4789-23

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

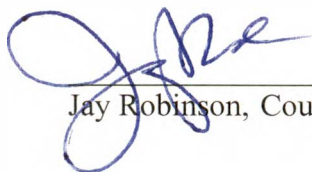
[1] That the City of Fairhope did request, receive, and open bids to procure services for (Bid No. 23-029-2023-PWI-015) for The Haven Animal Shelter Major Façade and Remodel at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

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

Please see attached Bid Tabulation for
The Haven Animal Shelter Major Façade and Remodel

[3] After evaluating the bids with the required specifications, Thomas Construction is now awarded (Bid No. 23-029-2023-PWI-015) for The Haven Animal Shelter Major Façade and Remodel with a total not-to-exceed \$164,200.00, which includes the project contingency and the electrical materials contingency, and authorize Mayor Sherry Sullivan to sign forthcoming construction contract.

ADOPTED ON THIS 10TH DAY OF JULY, 2023



Jay Robinson, Council President

Attest:



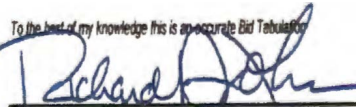
Lisa A. Hanks, MMC
City Clerk

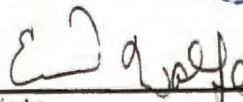
10 July 2023

City of Fairhope Bid Tabulation
 Bid No. 23-028-2022-PWI-015 The Haven Animal Shelter Major Façade and Remodel
 Opened June 29, 2023 at 2:00 P.M.

	Bid Documents Signed /	Additions I / II / III / IV Acknowledged (Y/N)	Bid Bond / Certificate	Lump Sum Price	Contingency for Unforeseen Conditions	Electrical Material Contingency	BID TOTAL (LUMP SUM)
Ala-Season, LLC	Y	Y	Y	\$153,334.99	\$15,333.49	\$30,000.00	\$198,668.48
Dyes Construction Management, LLC	Y	Y	Check	\$277,700.00	27770	\$30,000.00	\$335,470.00
JMB Services, LLC	Y	Y	Y	\$162,409.00	\$16,240.90	\$30,000.00	\$208,649.90
Thomas Construction	Y	Y	Y	\$122,000.00	\$12,200.00	\$30,000.00	\$164,200.00

Recommendation:

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

 Signature
 Richard Johnson, Public Works Director


 Signature
 Erin Wolfe, Purchasing Manager

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution to award (Bid No. 23-028-2022-PWI-075) Intersection and Signal Improvements (Clock Corner) to Bagby & Russell Electric Company with a total not-to-exceed \$116,789.00; and authorize Mayor Sherry Sullivan to sign the forthcoming construction contract. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

10 July 2023

RESOLUTION NO. 4790-23

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

[1] That the City of Fairhope did request, receive, and open bids to procure services for (Bid No. 23-028-2022-PWI-0075) Intersection and Signal Improvements (Clock Corner) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

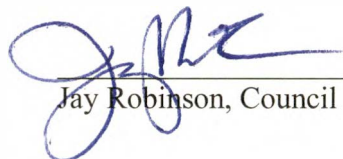
[2] At the appointed time and place, bids were received and tabulated as follows:

Bagby & Russell	\$116,789.00
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[3] After evaluating the bids with the required specifications, Bagby & Russell Electric Company is now awarded (Bid No. 23-028-2022-PWI-0075) Intersection and Signal Improvements (Clock Corner) with a total not-to-exceed \$116,789.00, and authorize Mayor Sherry Sullivan to sign forthcoming contract.

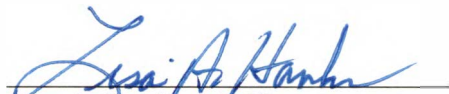
[4] Initial base bid amount was \$65,602.00 with an additive alternate amount of \$51,187.00 for a total bid of \$116,789.00. The bid award is partly funded by Capital Project – Clock Corner Improvements budget in the amount of \$56,000.00. After review of the site by City Personnel and Contractor it was determined that additional work would be necessary to ensure project work could be warrantied by contractor.

ADOPTED ON THIS 10TH DAY OF JULY, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the procurement of an Office Trailer Rental or (Equivalent) for The Haven Construction Project for the Public Works Department from United Rentals; and the Rental is on Sourcewell Contract #062320-URI and therefore does not have to be let out for bid. Total amount not-to-exceed \$20,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

10 July 2023

RESOLUTION NO. 4791-23

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

[1] That the City of Fairhope approves the procurement of an Office Trailer Rental or (Equivalent) for The Haven Construction Project for the Public Works Department from United Rentals; and the Rental is on Sourcewell Contract #062320-URI and therefore does not have to be let out for bid. Total amount not-to-exceed \$20,000.00.

[2] Estimated cost for fifteen (15) weeks rental is \$15,350.00; requested \$20,000.00 in case of construction delays.

ADOPTED ON THIS 10TH DAY OF JULY, 2023


Jay Robinson, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope approves the selection by Mayor Sherry Sullivan for (RFQ PS23-024) Professional Engineering Services for Pecan Avenue Watershed Management Plan to JADE Consulting, LLC; and hereby authorizes the Mayor to negotiate the not-to-exceed fee to be approved by Council. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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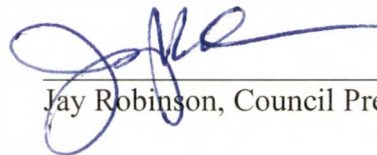
10 July 2023

RESOLUTION NO. 4792-23

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

[1] That the City of Fairhope approves the selection by Mayor Sherry Sullivan for (RFQ PS23-024) Professional Engineering Services for Pecan Avenue Watershed Management Plan to JADE Consulting, LLC; and hereby authorizes the Mayor to negotiate the not-to-exceed fee to be approved by Council.

DULY ADOPTED THIS 10TH DAY OF JULY, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Martin moved to grant the request of Lisa Dahle, on behalf of Trinity Presbyterian Church, requesting permission to use site location between Fairhope Pier and Duck Pond (North Beach – Loop) for Drive Thru Nativity Scene on December 3, 2023 from 5:00 p.m. – 7:00 p.m. Set-up will begin at noon and taken down after last car drives through. Also requesting use of public restrooms. Seconded by Councilmember Boone, 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 Alabama Code Section 36-25A-7(a)(3) to discuss imminent or potential litigation. The approximate time to be in Executive Session is 45 minutes. Councilmember Burrell moved to go into Executive Session. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Exited the dais at 6:17 p.m. Returned at 7:07 p.m.

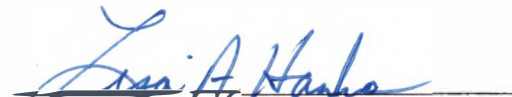
10 July 2023

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

There being no further business to come before the City Council, the meeting was duly adjourned at 7:08 p.m.



Jay Robinson, Council President



Lisa A. Hanks, MMC
City Clerk