

STATE OF ALABAMA)
 :
 COUNTY OF BALDWIN)

The City Council, City of Fairhope, met in regular session at 6:00 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 24 July 2023.

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

There being a quorum present, Council President Robinson called the meeting to order. The invocation was given by Councilmember Martin and the Pledge of Allegiance was recited.

Council President Robinson stated there was a need to add on an agenda item after Agenda Item Number 17: a resolution that the City Council authorizes Mayor Sullivan to select the citizen qualified to be appointed to the Baldwin County Board of Equalization; and to execute the appropriate documents for same.

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

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

Mayor Sullivan addressed the City Council regarding the following items:

- 1) Thanked the Police Department for the Back to School Bash; and said it was a great day;
- 2) Budget work sessions with City Council begin this week; and thanked Kim and her Staff for their hard work on same;
- 3) Fairhope Avenue Project from State Highway 181 down Fairhope Avenue; and said will move as quickly as we can;
- 4) Thanked the City Council on agreeing with the name for the Clock Corner.

Councilmember Boone introduced in writing an ordinance to amend Ordinance No. 1510 known as the Personnel Rules, Policies and Procedures Ordinance, Section 7 Time Off From Work, 7.01 Paid Holidays and 7.02 Birthday Paid Day Off. Due to lack of a motion for immediate consideration, this ordinance will layover until the August 14, 2023 City Council meeting.

24 July 2023

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope supports the Alabama Department of Transportation’s Mega Grant application to Assist in Funding I-10 Mobile River Bridge and Bayway Project and any other sources of federal funding that may become available. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4793-23

WHEREAS, Interstate 10 is a major East-West corridor for commercial and personal vehicles, and is the only interstate highway that connects the East Coast, West Coast, and Gulf Coast of the United States; and

WHEREAS, the portion of Interstate 10 connecting Mobile and Baldwin Counties was initially built for 30,000 vehicles per day, but now services more than 100,000 vehicles on peak days, with traffic volumes growing steadily and continuously; and

WHEREAS, Mobile and Baldwin Counties are home to significant industry, whose workforce and suppliers rely on Interstate 10 to safely move people and goods across Mobile Bay; and

WHEREAS, the Port of Mobile, the Mobile International Airport, and numerous multimodal hubs all are located on Mobile Bay and frequently utilize Interstate 10 helping to stimulate and drive the economy of Mobile and Baldwin Counties, the State of Alabama and the entire Gulf Coast region; and

WHEREAS, traffic and congestion on Interstate 10 will continue to increase, with negative effects on public safety, commerce, and mobility in the region, if no action is taken; and

WHEREAS, the City of Fairhope agrees on the need for a new bridge over the Mobile River and Mobile Bay and a framework to achieve this goal; and

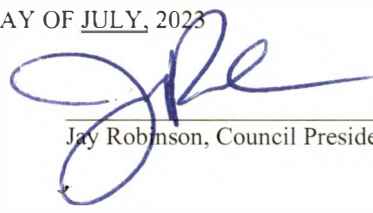
WHEREAS, the City of Fairhope recognizes that President Biden and Congress conceived and enacted the Infrastructure Investment and Jobs Act (IIJA), which includes a new discretionary grant program designed to address infrastructure challenges of this type and magnitude; and

WHEREAS, the U.S. Department of Transportation is committed to improving our nation’s infrastructure through the Mega Grant program; and

WHEREAS, this program can be a key funding component to address this crucial infrastructure need of local, regional, and national importance; now

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City of Fairhope supports the Alabama Department of Transportation’s application for the Mega Grant and any other sources of federal funding that may become available.

ADOPTED ON THIS 24TH DAY OF JULY, 2023


Jay Robinson, Council President

Attest:


Lisa A. Hanks, MMC
City Clerk

24 July 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes Mayor Sherry Sullivan to execute a contract with JADE Consulting, LLC to perform Professional Engineering Services for Pecan Avenue Watershed Management Plan (RFQ PS23-024) with a not-to-exceed amount of \$52,000.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4794-23


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

[1] That the City Council hereby authorizes Mayor Sherry Sullivan to execute a contract with JADE Consulting, LLC to perform Professional Engineering Services for Pecan Avenue Watershed Management Plan (RFQ PS23-024) with a negotiated not-to-exceed fee of \$52,000.00.

[2] On July 10, 2023 at the Regular City Council Meeting the City Council approved the Mayor's selection for JADE Consulting, LLC to perform Professional Engineering Services; and authorized the Mayor to negotiate a not-to-exceed fee per Resolution No. 4792-23.

[3] The work to be performed by the engineering firm selected is to review watershed complaints and develop a potential remediation masterplan.

DULY ADOPTED THIS 24TH DAY OF JULY, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves a three (3) year Elevator Maintenance Agreement on four (4) City Elevators with TK Elevator Corporation; services are available for direct procurement through the Sourcewell Purchasing Cooperative on (Sourcewell Contract #080420) with a not-to-exceed amount of \$31,680.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

24 July 2023

RESOLUTION NO. 4795-23

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

[1] That the City of Fairhope approves a three (3) year Elevator Maintenance Agreement on four (4) City Elevators with TK Elevator Corporation; services are available for direct procurement through the Sourcewell Purchasing Cooperative on (Sourcewell Contract #080420) with a not-to-exceed amount of \$31,680.00.

[2] The locations of elevators are:

- Fairhope Museum – 24 N. Section Street
- Fairhope Recreation Center – 803 N. Greeno Road
- Fairhope Library – 601 Fairhope Avenue
- Fairhope Parking Garage – 23 N. Section Street

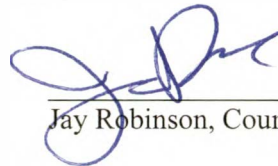
[3] Annual amount not-to-exceed \$10,560.00; and for three (3) years \$31,680.00.

[4] Service with TK Elevator is sole source; and therefore does not have to be let out for bid.

[5] General Maintenance funds are budgeted through the end of FY2023, new contract amounts, and allocations will be included in the FY2024 budget submission.

[6] City Council approved Resolution No. 3775-20 at the regularly scheduled Council Meeting on July 27, 2020 for three (3) year elevator maintenance agreement with TK Elevator that will expire on July 26, 2023.

ADOPTED ON THIS 24TH DAY OF JULY, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC

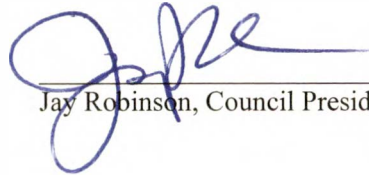
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection by Mayor Sherry Sullivan for (RFQ PS23-026) Southern Earth Sciences, Inc. to perform Professional Services for Sampling, Testing and Assessment of the Retired Church Street and Nichols Avenue Substation Properties; and hereby authorizes the Mayor to execute a Contract with a not-to-exceed amount of \$26,000.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

24 July 2023

RESOLUTION NO. 4796-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection by Mayor Sherry Sullivan for (RFQ PS23-026) Southern Earth Sciences, Inc. to perform Professional Services for Sampling, Testing and Assessment of the Retired Church Street and Nichols Avenue Substation Properties; and hereby authorizes the Mayor to execute a Contract with a not-to-exceed amount of \$26,000.00.

DULY ADOPTED THIS 24TH DAY OF JULY, 2023


Jay Robinson, Council President

Attest:



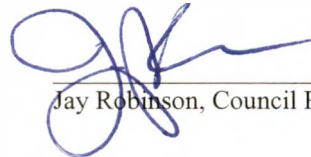
 Lisa A. Hanks, MMC
 City Clerk

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the Procurement of 7,300 Feet of 12-Inch Ductile Iron Pipe from Ferguson Waterworks for the Water Department with a not-to-exceed amount of \$349,670.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4797-23

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 7,300 Feet of 12-Inch Ductile Iron Pipe from Ferguson Waterworks for the Water Department with a not-to-exceed amount of \$349,670.00.
- [2] Four quotes were received. Ferguson Waterworks provided the lowest price of \$349,670.00. Pipe is exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7).
- [3] The 12" water main is required for the added pumping capacity to the south end of the system. This will increase capacity on and south of County Road 32.

ADOPTED ON THIS 24TH DAY OF JULY, 2023


Jay Robinson, Council President

Attest:



 Lisa A. Hanks, MMC
 City Clerk

24 July 2023

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the Annual Procurement of Tulip Bulbs for FY2024 for the Street Department to CJ Ruigrok & Sons with a not-to-exceed amount of \$34,634.00. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

RESOLUTION NO. 4798-23

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

[1] That the City Council approves the Annual Procurement of Tulip Bulbs for FY2024 for the Street Department to CJ Ruigrok & Sons with a not-to-exceed amount of \$34,634.00.

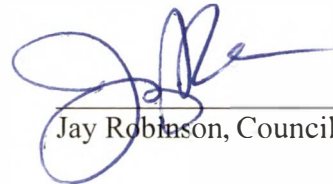
[2] FY2023 Budget for Flowers Expense was \$131,250.00, which has been exceeded by \$20,256.58 thus far and prior to the purchase requested here.

[3] Bulbs must be ordered in advance for delivery by Fall of 2023.

[4] Cost will be included in FY2024 Budget.

[5] Procurement is in agreement as allowed pursuant to Resolution No. 1650-10 adopted May 24, 2010, which designated "Like Item" Flora exceeds the \$15,000.00 state bid limit.

ADOPTED ON THIS 24TH DAY OF JULY, 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 the City Council approves the Procurement of an Annual Contract for Dumpster Service for Screenings at the Wastewater Treatment Plant to Republic Services for a not-to-exceed amount of \$11,331.16; and hereby authorizes Mayor Sherry Sullivan to execute the contract. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

24 July 2023

RESOLUTION NO. 4799-23

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

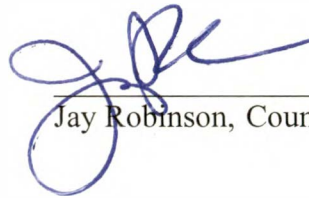
[1] That the City Council approves the Procurement of an Annual Contract for Dumpster Service for Screenings at the Wastewater Treatment Plant to Republic Services for a not-to-exceed amount of \$11,331.16; and hereby authorizes Mayor Sherry Sullivan to execute the contract.

[2] The previous provider of this service, BCC Waste Solutions sent correspondence stating our contract with them has expired and they have no intention of providing future service past July 7, 2023.

[3] An additional quote was requested from another provider, Easy Haul Inc., and they were not equipped to handle the services needed.

[4] Funds are budgeted through the end of FY2023 and the new contract amount will be included in the FY2024 budget submission.

ADOPTED ON THIS 24TH DAY OF JULY, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

City Council reviewed an application for Special Retail License – More than 30 Days by Restaurant 85 North Bancroft LLC d/b/a The Mill at 85 North Bancroft Street, Fairhope, AL 36532. Councilmember Martin moved to approve the issuance of the license. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

City Council reviewed an application Special Retail License – More than 30 Days by Jenna Rachal, The Venue Fairhope, LLC d/b/a The Venue Fairhope at 105 South Section Street, Fairhope, AL 36532. Councilmember Martin moved to approve the issuance of the license. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

24 July 2023

City Council reviewed an application for a Restaurant Liquor License by Dana Jewett, Sebastians Fairhope LLC d/b/a Sebastians at 901 Fairhope Avenue, Fairhope, AL 36532. Councilmember Martin moved to approve the issuance of the license. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

City Council reviewed an application for a Restaurant Liquor License by Noel Hurtado, Cozumel Mexican Grill of Fairhope LLC d/b/a Cozumel Bar and Grill at 18177 Wright Blvd. Ste. 12, 13, 14, Fairhope, AL 36532. Councilmember Conyers moved to approve the issuance of the license. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

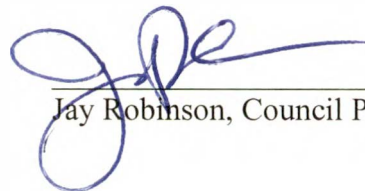
Councilmember Martin moved to appoint Carol Sullivan and Audra Warren to the Tree Committee for a three-year term which will expire in July 2026. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Conyers introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes Mayor Sullivan to select the citizen qualified to be appointed to the Baldwin County Board of Equalization; and to execute the appropriate documents for same. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4800-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council authorizes Mayor Sullivan to select the citizen qualified to be appointed to the Baldwin County Board of Equalization; and to execute the appropriate documents for same.

Adopted on this 24th day of July, 2023



Jay Robinson, Council President

Attest:

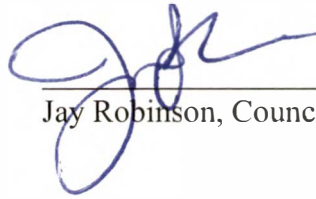


Lisa A. Hanks, MMC
City Clerk

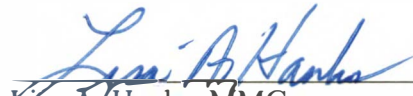
24 July 2023

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

There being no further business to come before the City Council, the meeting was duly adjourned at 6:16 p.m.



Jay Robinson, Council President



Lisa A. Hanks, MMC
City Clerk