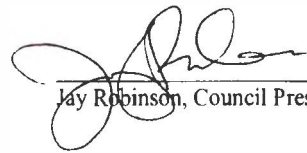


7 August 2023

NOTICE AND CALL OF SPECIAL MEETING

Notice is hereby given of a special emergency meeting of the City Council of the City of Fairhope, Alabama, to be held at the Fairhope Municipal Complex on Monday, August 7, 2023, at 11:45 a.m., for the purpose of:

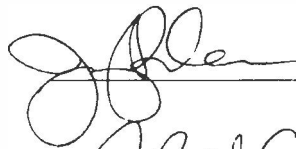
- ❖ Resolution to declare a State of Emergency for the City of Fairhope: That the City Council of the City of Fairhope hereby officially declares a "Water Emergency" pursuant to Ordinance No. 1682; and authorizes Mayor Sherry Sullivan to implement any or all of the Phases: Phase I - Water Alert, Phase II - Water Warning, and Phase III - Water Emergency to avoid further strain on our infrastructure and to protect health, safety, and welfare of the City of Fairhope Water System users.

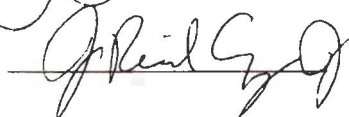
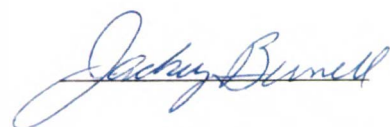


Jay Robinson, Council President


CONSENT TO HOLDING OF MEETING

The undersigned members of the City Council of the City of Fairhope, Alabama, do hereby acknowledge service of the Notice and Call of Special Emergency Meeting hereinabout set forth and do hereby consent to the holding of such meeting as such time in such place for the purpose set forth therein



Attest:



Lisa A. Hanks, MMC
City Clerk

7 August 2023

STATE OF ALABAMA)
 :
 COUNTY OF BALDWIN)

The City Council, City of Fairhope, met in special session at 11:45 a.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 7 August 2023.

Present were Council President Jay Robinson, Councilmembers: Jack Burrell, Jimmy Conyers, and Kevin Boone, Mayor Sherry Sullivan, City Attorney Marcus 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 at 11:45 a.m.

Council President Robinson announced that the Special Meeting was called to due to the emergency circumstances with the water consumption by users of the City of Fairhope Water System requiring immediate action to avoid further strain on our infrastructure and to protect health, safety, and welfare of the these users, is desirous on declaring a “Water Emergency” pursuant to Ordinance No. 1682; and to authorize the Mayor to implement any or all of the Phases: Phase I Water Alert, Phase II Water Warning, and Phase III Water Emergency.

Mayor Sullivan addressed the City Council and requested they declare an emergency and allow her to implement Phase III due to low water pressure and the need to let our water tanks to recover. She said the tanks are not filling to capacity and the main issue is irrigation systems and lack of rainfall. Mayor Sullivan stated some citizens have complained of brown water. Council President questioned the reason for Phase III is not lack of water but retention and low pressure. Mayor Sullivan explained the need for another water tank in the future and other aquifers.

Council President Robinson read the entire resolution before the City Council voted. Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council of the City of Fairhope hereby officially declares a “Water Emergency” pursuant to Ordinance No. 1682; and authorizes the Mayor to implement any or all of the Phases: Phase I - Water Alert, Phase II - Water Warning, and Phase III - Water Emergency to avoid further strain on our infrastructure and to protect health, safety, and welfare of the City of Fairhope Water System users. The motion was seconded by Councilmember Conyers.

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Mayor Sullivan reiterated that irrigation is an issue. She said we implemented Phase I but it did not work. It states “Fairhope Utilities water customers are requested to voluntarily limit water usage to only what is absolutely necessary for health, business and outdoor use. Customers are asked to irrigate between midnight and 4:00 a.m.” Mayor Sullivan stated we asked customers to water at night but we see them watering during the day. She said these are extreme weather patterns.

Councilmember Burrell questioned what triggers the Phases. Mayor Sullivan replied by reading the following from the ordinance:

- Phase I: When water demand reaches an average of 80% capacity over 7 consecutive days
- Phase II: When water demand reaches an average of 90% capacity over 7 consecutive days
- Phase III: When water demand reaches an average of 100% capacity over 3 consecutive days

Councilmember Burrell suggested amending the ordinance to 7 out of 10 days or 5 out of 10 days. Councilmember Conyers stated he liked 7 out of 10 days or 5 out of 7 days. After further discussion, motion passed unanimously by voice vote.

RESOLUTION NO. 4801-23

WHEREAS, the City of Fairhope adopted Ordinance No. 1682: an ordinance to establish an Emergency Water Conservation Plan for the City of Fairhope for Customers or Persons who use the City of Fairhope Water System; and

WHEREAS, the City Council, due to the emergency circumstances with the water consumption by users of the City of Fairhope Water System requiring immediate action to avoid further strain on our infrastructure and to protect health, safety, and welfare of the these users, is desirous on declaring a “Water Emergency” pursuant to Ordinance No. 1682; and to authorize the Mayor to implement any or all of the Phases: Phase I Water Alert, Phase II Water Warning, and Phase III Water Emergency; and

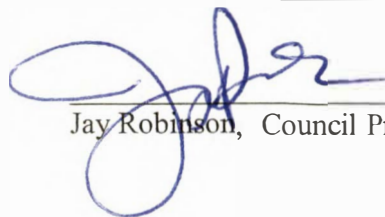
WHEREAS, Phase I, the Water Alert Phase, has been in effect which is a voluntary phase to limit the amount of water to the amount that is absolutely necessary for health, business, and outdoor use. However the water demand is still rising daily; and

WHEREAS, Phase II and Phase III require the City Council to declare an emergency before the Mayor can implement these two mandatory phases.

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NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, WHILE IN REGULAR SESSION ON AUGUST 7, 2023, as follows: the City Council of the City of Fairhope hereby officially declares a "Water Emergency" pursuant to Ordinance No. 1682; and authorizes the Mayor to implement any or all of the Phases: Phase I - Water Alert, Phase II - Water Warning, and Phase III - Water Emergency to avoid further strain on our infrastructure and to protect health, safety, and welfare of the City of Fairhope Water System users.

ADOPTED AND APPROVED THIS 14TH DAY OF AUGUST, 2023



Jay Robinson, Council President

Attest

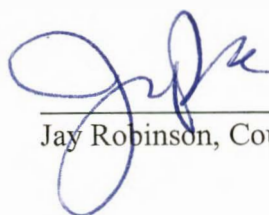


Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell commented he came down County Road 33 and saw a lot of work being done on the treatment plant and water line. He said we are slowing progressing but it takes time. Mayor said we are preparing for the future with possible new well within 18 months. The consensus of the City Council was to amend the Water Conservation Plan Ordinance; and bring back for discussion. Councilmember Burrell suggested a sunset clause for ending Phases. Councilmember Conyers suggested Phases at 75%, 85%, and 95% respectively because it is too late to enact at 100%.

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

There being no further business to come before the City Council, the meeting was duly adjourned at 12:06 p.m.



Jay Robinson, Council President



Lisa A. Hanks, MMC
City Clerk