

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 Tuesday, 29 August 2023.

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

There being a quorum present, Council President Robinson called the meeting to order at 6:09 p.m. The invocation was given by Pastor Rick Malugani of Fairhope Christian Church and the Pledge of Allegiance was recited.

Council President Robinson stated there was a need to add on an agenda item after Agenda Item Number 27: a resolution that the City of Fairhope approves the procurement for a qualified contractor for the Drainage Improvement Project at the West End of Fels Avenue from PL Russell LLC for a not-to-exceed amount of \$77,416.21.

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

Councilmember Martin moved to approve minutes of the 14 August 2023, regular meeting; minutes of the 14 August 2023, work session. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Mayor Sullivan addressed the City Council regarding the following items:

- 1) Announced Electric Crews going to Gainesville, Florida to be pre-staged to help with Hurricane recovery; and thanked the Community for bringing water and Gatorade to take with the Electric Crews; and
- 2) Excited to see rain which help drop water consumption to 7.2 million gallons per day; and
- 3) Presented a Certificate of Appreciation to Dr. Fred Diegmann who is retiring after 49 years. She said her mother worked for Dr. Diegmann over 30 years. Dr. Diegmann stated he opened the first OB/GYN practice in Baldwin County; and thanked the City Council and Mayor for this recognition. Council President Robinson said Dr. Diegmann delivered his fourth child and said he is wonderful.

Council President Robinson passed the gavel to Councilmember Martin.

29 August 2023

Council President Robinson left the dais at 6:15 p.m.

The following individuals spoke during Public Participation for Agenda Items:

- 1) Rene' Boutin, 10950 Driver Court, addressed the City Council regarding the Emergency Water Conservation Plan put into effect on August 7, 2023 and commented this is one rule fits all. He mentioned the exception for newly planted sod could be watered for 30 days was not easily found. Mr. Boutin said that there should be more information on Ordinance that could be easily found. Councilmember Martin commented that Ordinances are fluid and stated that language regarding sod was on the first ordinance too.

Council President Robinson returned to the dais at 6:26 p.m.

- 2) Art Dyas, 18261 Scenic Highway 98, addressed the City Council regarding the Emergency Water Conservation Plan and stated we need to start looking at other alternatives. He said everyone pulls from the same aquifer; and mentioned using treated effluent from the wastewater. Councilmember Martin commented he has been pushing for this; and said he and Mayor Sullivan called ADEM to ask if this was okay. He said ADEM commented it is okay; and we would be using the gray water from the wastewater treatment plant.
- 3) Rene' Boutin, 10950 Driver Court, addressed the City Council again and commented he had called a well company and spoke to one of the head honchos who lives in Fairhope. He said we could dig a well and use the untreated water.

Councilmember Martin commented he was excited that other people are looking into separating our water. He said this is a solution; and I like being first to do this. He said we would be an example to others.

Councilmember Martin introduced in writing an ordinance to require annexation for property outside the City Limits but contiguous to the City Limits for new connection to the City of Fairhope's Water System. Council President Robinson said this was discuss in detail in the Work Session and explained the ordinance as written. He said there are still some uncertainties. Councilmember Burrell said there are jurisdictional laws that need to be addressed. He said we own our water system and we are a water selling company. Attorney Chris Williams said we need to discuss these in Executive Session; and may take action to amend the ordinance and layover. Councilmember Conyers said short-term rain will help but long-term we need to sell our water. Council President Robinson said he agrees with annexation but have a lot of questions on implementation.

Due to lack of a motion for immediate consideration, this ordinance will layover until the September 11, 2023 City Council meeting.

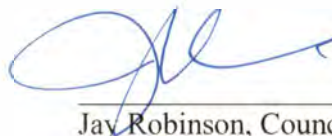
29 August 2023

Councilmember Martin introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes and extends the Park and Street Usage Fees Contract for the IAFL Semi-Pros' Fairhope Storm semi-professional football team on a year to year basis (Current contract expires on December 31, 2023). Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 4819-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council hereby authorizes and extends the Park and Street Usage Fees Contract for the IAFL Semi-Pros' Fairhope Storm semi-professional football team on a year to year basis that expires on December 31, 2023. The set rental fee for W. C. Majors Field also known as the Fairhope Municipal Stadium shall be \$500.00 per rental for five mutually agreed upon spring days (generally March to July). Additionally, the usage fees for the Barnwell football facilities shall be set at \$25.00 per day for regular spring season practice up to three mutually agreed days per week, weather permitting, during the same time frame. The fees in question are current established fees for rental of the facilities in question. The Fairhope Storm shall comply with all standard facility use agreement requirements including but not limited to suitable minimum insurance requirements. The Parks and Recreation Department shall retain all concession and parking rights to be assigned at its discretion. School activities, Special Olympics, and other events take precedent over the Fairhope Storm. This contract cannot be subleased nor transferred to any other entity.

Adopted on this 29th day of August, 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 Amendment No. 1 to the Subaward Agreement for ADCNR Grant #S1P17-FACP; and authorizes the Mayor to execute Amendment No. 1 between the City of Fairhope and ADCNR. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

29 August 2023

RESOLUTION NO. 4820-23

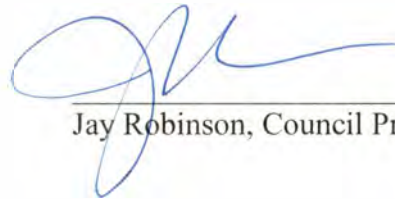
APPROVAL OF AMENDMENT NO. 1 FOR THE ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES GRANT #S1P17-FACP (RESTORE ACT- COMMUNITY-BASED COMPREHENSIVE LAND USE PLAN)

WHEREAS, the City of Fairhope was awarded a RESTORE Act Direct Component Subrecipient Grant (#S1P17-FACP) from the Alabama Department of Conservation and Natural Resources (ADCNR) in the amount of \$650,000.00 for the Fairhope Area Community-Based Comprehensive Land Use Plan; and

WHEREAS, the project is currently underway and the Alabama Department of Conservation and Natural Resources (ADCNR) issued Amendment No. 1 to the Subaward Agreement whereby the grant period of performance ending date has been extended by 12 months, from 3/31/2024 to 3/31/2025;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves Amendment No. 1 to the Subaward Agreement for ADCNR Grant #S1P17-FACP, extending the contract period of performance through 3/31/2025; and authorizes the Mayor to execute Amendment No. 1 between the City of Fairhope and ADCNR.

Adopted on this 29th day of August, 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 Amendment No. 1 to RFP 006-20 - Program Administrative Services for Community-Based Comprehensive Land Use Plan to Grant Management, LLC for ADCNR Grant #S1P17-FACP; and authorizes the Mayor to execute Amendment No. 1 between the City of Fairhope and Grant Management, LLC. Seconded by Councilmember Martin, motion passed unanimously by voice vote. Councilmember Burrell asked if the cost would increase; and staff said it would not.

29 August 2023

RESOLUTION NO. 4821-23

AMENDMENT NO. 1 TO RFP 006-20 PROGRAM ADMINISTRATION SERVICES CONTRACT FOR THE ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES GRANT #S1P17-FACP (RESTORE ACT- COMMUNITY-BASED COMPREHENSIVE LAND USE PLAN)

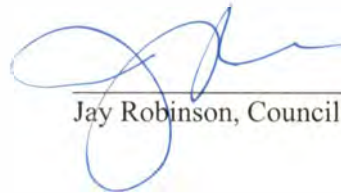
WHEREAS, the City of Fairhope did solicit Requests for Proposals (RFP 006-20 - Program Administrative Services for Community-Based Comprehensive Land Use Plan) in accordance with applicable federal, state and local laws, codes, regulations, ordinances, etc., including, but not limited to all executive orders (EO), Office of Management and Budget (OMB) requirements, and U.S. Treasury Regulations; and

WHEREAS, on September 14, 2020 the City Council awarded RFP 006-20 to Grant Management, LLC for ADCNR Grant #S1P17-FACP; and

WHEREAS, the Alabama Department of Conservation and Natural Resources (ADCNR) issued Amendment No. 1 to the Subaward Agreement whereby the grant period of performance ending date has been extended by 12 months, from 3/31/2024 to 3/31/2025;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves Amendment No. 1 to RFP 006-20 - Program Administrative Services for Community-Based Comprehensive land Use Plan to Grant Management, LLC for ADCNR Grant #S1P17-FACP, extending the contract period of performance through 3/31/2025; and authorizes the Mayor to execute Amendment No. 1 between the City of Fairhope and Grant Management, LLC.

Adopted on this 29th day of August, 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 Amendment No. 1 to RFP PS001-21 – Professional Planning Services for Community-Based Comprehensive Land Use Plan to Neel-Schaffer, Inc. for ADCNR Grant #S1P17-FACP; and authorizes the Mayor to execute Amendment No. 1 between the City of Fairhope and Neel-Schaffer. Seconded by Councilmember Conyers, motion passed unanimously by voice vote. Councilmember Burrell asked if the cost would increase; and staff said it would not.

29 August 2023

RESOLUTION NO. 4822-23

**AMENDMENT NO. 1 TO RFP PS001-21 PLANNING SERVICES
CONTRACT FOR THE ALABAMA DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES GRANT #S1P17-FACP
(RESTORE ACT- COMMUNITY-BASED COMPREHENSIVE LAND USE PLAN)**

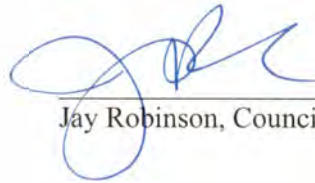
WHEREAS, the City of Fairhope did solicit Requests for Proposals (RFP PS001-21 – Professional Planning Services for Community-Based Comprehensive Land Use Plan in accordance with applicable federal, state and local laws, codes, regulations, ordinances, etc., including, but not limited to all executive orders (EO), Office of Management and Budget (OMB) requirements, and U.S. Treasury Regulations; and

WHEREAS, on May 24, 2021 the City Council awarded RFP PS001-21 to Neel-Schaffer for ADCNR Grant #S1P17-FACP; and

WHEREAS, the Alabama Department of Conservation and Natural Resources (ADCNR) issued Amendment No. 1 to the Subaward Agreement whereby the grant period of performance ending date has been extended by 12 months, from 3/31/2024 to 3/31/2025;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves Amendment No. 1 to RFP PS001-21 – Professional Planning Services for Community-Based Comprehensive land Use Plan to Neel-Schaffer, Inc. for ADCNR Grant #S1P17-FACP, extending the contract period of performance through 3/31/2025; and authorizes the Mayor to execute Amendment No. 1 between the City of Fairhope and Neel-Schaffer.

Adopted on this 29th day of August, 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 Amendment No. 1 to RFQ PS007-20 – Geographic Information System (GIS) Services for Community-Based Comprehensive Land Use Plan to Goodwyn, Mills and Cawood, Inc. for ADCNR Grant #S1P17-FACP; and authorizes the Mayor to execute Amendment No. 1 between the City of Fairhope and Goodwyn, Mills and Cawood, Inc. Seconded by Councilmember Martin, motion passed unanimously by voice vote. Councilmember Burrell asked if the cost would increase; and staff said it would not.

29 August 2023

RESOLUTION NO. 4823-23

AMENDMENT NO. 1 TO RFQ PS007-20 GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES CONTRACT FOR THE ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES GRANT #S1P17-FACP (RESTORE ACT- COMMUNITY-BASED COMPREHENSIVE LAND USE PLAN)

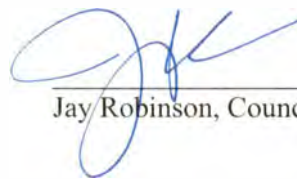
WHEREAS, the City of Fairhope did solicit Requests for Qualifications (RFQ PS007-20 – Geographic Information System (GIS) Services for Community-Based Comprehensive Land Use Plan in accordance with applicable federal, state and local laws, codes, regulations, ordinances, etc., including, but not limited to all executive orders (EO), Office of Management and Budget (OMB) requirements, and U.S. Treasury Regulations; and

WHEREAS, on April 26, 2021 the City Council awarded RFP PS007-20 to Goodwyn, Mills and Cawood, Inc. for ADCNR Grant #S1P17-FACP; and

WHEREAS, the Alabama Department of Conservation and Natural Resources (ADCNR) issued Amendment No. 1 to the Subaward Agreement whereby the grant period of performance ending date has been extended by 12 months, from 3/31/2024 to 3/31/2025;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves Amendment No. 1 to RFQ PS007-20 – Geographic Information System (GIS) Services for Community-Based Comprehensive land Use Plan to Goodwyn, Mills and Cawood, Inc. for ADCNR Grant #S1P17-FACP, extending the contract period of performance through 3/31/2025; and authorizes the Mayor to execute Amendment No. 1 between the City of Fairhope and Goodwyn, Mills and Cawood, Inc.

Adopted on this 29th day of August, 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 a Contract with Kimley-Horn and Associates for Professional Engineering Services for Dog House Pump Station Rehabilitation (RFQ PS23-023) with a not-to-exceed amount of \$193,000.00. The motion was seconded by Councilmember Boone.

29 August 2023

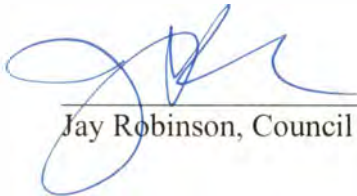
Councilmember Burrell stated that he would be voting against this motion; and commented it is 1 percent over the maximum of industry standards. Councilmember Conyers said he would lean on Mr. Morefield's recommendation since he has previously used company. But hears Councilmember Burrell and agrees companies cannot take advantage of the City. Council President Robinson agreed that if we are charged outside of industry standards by any company, we need to take a look this. Councilmember Martin asked if we vote down would it put the City in a bind; and also agreed about companies taking advantage of the City. Councilmember Burrell commented this should have been negotiated better.

After further discussion, motion passed by the following voice votes: AYE – Conyers, Robinson, and Boone. NAY – Burrell and Martin.

RESOLUTION NO. 4824-23

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 Kimley-Horn and Associates for Professional Engineering Services for Dog House Pump Station Rehabilitation (RFQ PS23-023) with a not-to-exceed amount of \$193,000.00.

DULY ADOPTED THIS 29TH DAY OF AUGUST, 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 of Fairhope approves the procurement of Weathering Steel Power Poles for the Dyer Road Project from Myer Utility Structures, LLC in the amount of \$88,683.00 with an added contingency amount of \$8,868.30 for a not-to-exceed amount of \$97,551.30. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

29 August 2023

RESOLUTION NO. 4825-23

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 Weathering Steel Power Poles for the Dyer Road Project from Myer Utility Structures, LLC in the amount of \$88,683.00 with an added contingency amount of \$8,868.30 for a not-to-exceed amount of \$97,551.30.

[2] Contingency is due to a lead time of 34 weeks on the poles with a 6-month price confirmation.

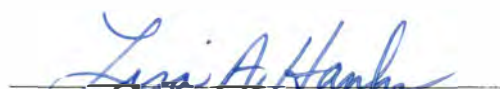
[2] The Weathering Steel Power Poles are exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7).

ADOPTED ON THIS 29TH DAY OF AUGUST, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

Councilmember Burrell moved to table Agenda Item Number 13. Seconded by Councilmember Martin, 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 of Fairhope approves the procurement of an Aruba Replacement Core Switch to replace failed hardware with a total not-to-exceed amount of \$23,711.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

29 August 2023

RESOLUTION NO. 4826-23

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 Aruba Replacement Core Switch to replace failed hardware with a not-to-exceed amount of \$23,711.00.

[2] Failed switch located in Dispatch and all traffic from the City goes through this switch.

[3] Purchase is through National Cooperative Purchasing Alliance (NCPA) Contract #01-145 and does not have to be let out for bid.

ADOPTED ON THIS 29TH DAY OF AUGUST, 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 21,000 feet of 2” Drisplex Gas Pipe from General Utility Pipe & Supply with a not-to-exceed amount of \$23,100.00. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

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29 August 2023

RESOLUTION NO. 4827-23

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 21,000 feet of 2” Drisplex SDR11 PE2708 6500 Gas Pipe from General Utility Pipe & Supply with a not-to-exceed amount of \$23,100.00.

[2] Three (3) quotes received and lowest quote from General Utility Pipe & Supply.

[3] Pipe is exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7).

ADOPTED ON THIS 29TH DAY OF AUGUST, 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 of Fairhope approves the procurement of Professional Services from Artist, Hannah Legg, for the Mural Display at Arts Alley for a not-to-exceed amount of \$21,000.00; and authorizes Mayor Sherry Sullivan to execute Mural Project Agreement. Seconded by Councilmember Burrell, motion passed unanimously by voice vote.

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29 August 2023

RESOLUTION NO. 4828-23

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 Professional Services from Artist, Hannah Legg, for the Mural Display at Arts Alley for a not-to-exceed amount of \$21,000.00; and authorizes Mayor Sherry Sullivan to execute Mural Project Agreement.

[2] AMEA funds of \$10,000.00 will be used towards this project.

ADOPTED ON THIS 29TH DAY OF AUGUST, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

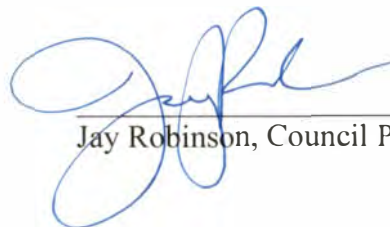
Councilmember Burrell moved to table Agenda Item Number 17. Seconded by Councilmember Boone, motion passed by the following voice votes: AYE – Burrell, Martin, Robinson, and Boone. NAY – Conyers. Councilmember Burrell said this is a City Council task.

Councilmember Burrell introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby approves and authorizes Mayor Sherry Sullivan to execute a Memorandum of Understanding between the Baldwin County Commission, Baldwin County Sheriff's Office, and the City of Fairhope for the administration of the School Resource Officer Program at Baldwin County Public Schools. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

29 August 2023

RESOLUTION NO. 4829-23

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 Understanding (“MOU”) between the Baldwin County Commission, Baldwin County Sheriff’s Office, and the City of Fairhope, which outlines the purpose, goals, objectives, and procedures for the administration of the School Resource Officer (“SRO”) Program at Baldwin County Public Schools.

ADOPTED ON THIS 29TH DAY OF AUGUST, 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 proposed City of Fairhope Purchasing Policy Guidelines procedure is hereby approved for expenditures which will streamline the process which will save time and money; and the City Treasury Department shall provide to the City Council a bi-monthly report of capital items budgeted and non-budgeted. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

RESOLUTION NO. 4830-23

WHEREAS, the Governing Body of the City of Fairhope adopts an annual budget that approves line item expenses for the City of Fairhope General Fund and Utilities; and

WHEREAS, the City Council is desirous to make the expenditure process more efficient for City Staff, for the City Council, and for the City; and

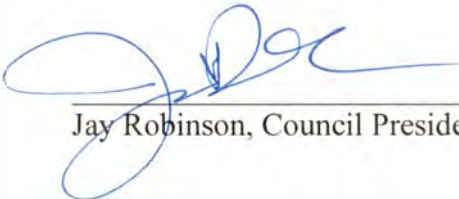
29 August 2023

WHEREAS, the City Treasury Department shall provide to the City Council a bi-monthly report of capital items budgeted and non-budgeted; and

WHEREAS, the City Council by adopting the attached proposed City of Fairhope Purchasing Policy Guidelines will streamline the process which will save time and money.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the attached proposed City of Fairhope Purchasing Policy Guidelines procedure is hereby approved for expenditures which will streamline the process which will save time and money; and the City Treasury Department shall provide to the City Council a bi-monthly report of capital items budgeted and non-budgeted.

ADOPTED ON THIS 29TH DAY OF AUGUST, 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 write a letter on behalf of the City of Fairhope to support South Alabama Regional Planning Commission's (SARPC) Grant Application to the NOAA Climate Resilience Regional Challenge on behalf of the communities across Southwest, mostly coastal, Alabama. Seconded by Councilmember Martin, motion passed unanimously by voice vote.

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29 August 2023

RESOLUTION NO. 4831-23

WHEREAS, the South Alabama Regional Planning Commission (SARPC) plans to participate in the potential development of a Regional Resilience Plan for Mobile, Baldwin, and Escambia counties of Alabama;

WHEREAS, the National Oceanic and Atmospheric Administration (NOAA) announced a funding opportunity made possible by the Inflation Reduction Act titled, NOAA Climate Resilience Regional Challenge;

WHEREAS, this Grant Program focuses on collaborative approaches to achieving resilience in coastal regions and advancing NOAA's efforts to build Climate-Ready Coasts;

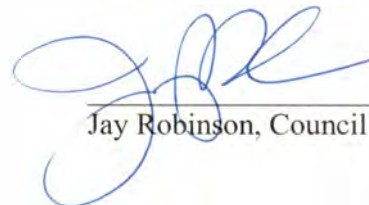
WHEREAS, SARPC plans to apply for these grant funds as the lead applicant on behalf of the counties and communities we serve throughout our Region with the support of our Region's primary coastal organizations and resource managers;

WHEREAS, the Vision of this group effort is to engage Mobile, Baldwin, and Escambia counties and their municipalities in the development of a Regional Resilience Plan;

WHEREAS, the Resilience Plan will address six themes which will be led by area experts: (1) Emergency Preparation; (2) Natural Environment Protection; (3) Renewable Energy and Energy Efficiency Changes; (4) Improved Health Outcomes; (5) Strengthening the Built Environment; and (6) Economic and Workforce Development;

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Sherry Sullivan is hereby authorized to write a letter on behalf of the City of Fairhope to support the South Alabama Regional Planning Commission's (SARPC) Grant Application to the NOAA Climate Resilience Regional Challenge on behalf of the communities across Southwest, mostly coastal, Alabama.

ADOPTED ON THIS 29TH DAY OF AUGUST, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hawks, MMC
City Clerk

29 August 2023

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves and adopts the recommendations of the Personnel Board and Department Heads to retitle positions; change pay grades; reclassify positions; and delete positions as presented in said resolution. The motion was seconded by Councilmember Burrell. After Mayor Sullivan explained the resolution, motion passed unanimously by voice vote.

RESOLUTION NO. 4832-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council approves and adopts the recommendations of the Personnel Board and Department Heads to retitle positions, change pay grades; reclassify positions; and delete positions as follows:

Positions: Title Changes, Pay Grade Changes, Reclassify	Department	Current Pay Grade	Change Pay Grade
Lead Electrician	Electric	8	10
Electrician	Electric	7	8
Chief Building Inspector	Building		10
Chief Electrical Inspector	Building	9	10
Fire/Safety Inspector	Building	7	9
Permit Technician/CRS Coordinator	Building	6	7
Station Control Technician	Police	9	8
Support Service Technician	Police		6
Parks Maintenance Worker	Recreation		7
Deleted Positions and Title Changed Above			
CFM Electrician	Electric	10	
Assistant Building Official	Building	13	
Beach Patrol Officer	Police	6	
Station Control Technician/Digital Forensic	Police	9	
Equipment Operator 1 - Recreation	Recreation	4	

ADOPTED THIS 29TH DAY OF AUGUST, 2023


Jay Robinson, Council President

ATTEST:


Lisa A. Hanks, MMC
City Clerk

29 August 2023

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council authorizes Mayor Sherry Sullivan to enter into a contract with Daphne Utilities for a Water Connection Project with an estimated cost of \$35,873.20 to enhance water distribution reliability and increase community resilience. The motion was seconded by Councilmember Conyers. After Mayor Sullivan explained the resolution, motion passed unanimously by voice vote. She said it would take 10 to 14 days to connect.

RESOLUTION NO. 4833-23

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council finds that improved water distribution systems in and around the City of Fairhope serve a valuable public purpose; and the City Council desires a water connection project between Daphne Utilities and Fairhope Utilities.

The water connection project aims to establish a seamless linkage between Daphne Utilities and Fairhope Utilities, enhancing the overall water distribution network and ensuring a reliable supply for both communities.

BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City Council authorizes Mayor Sherry Sullivan to enter into a contract with Daphne Utilities for a Water Connection Project with an estimated cost of \$35,873.20 to enhance water distribution reliability and increase community resilience.

Adopted on this 29th day of August, 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 estimates that its anticipated allocation from the Rebuild Alabama Act fund for the Fiscal Year 2024 will be approximately \$160,000.00 to be used for street maintenance, improvement, replacement and construction of roads within the City of Fairhope, with the increasing allocations for each fiscal year thereafter. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

29 August 2023

RESOLUTION NO. 4834-23

**RESOLUTION ADOPTING TRANSPORTATION PLAN
PURSUANT TO THE REBUILD ALABAMA ACT**

WHEREAS, the 2019 Alabama legislature in Act. No. 2019-2 adopted the Rebuild Alabama Act; and

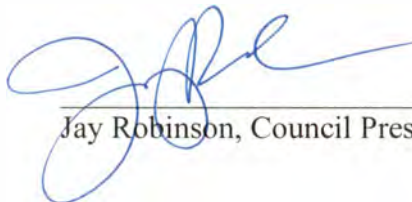
WHEREAS, the Rebuild Alabama Act provides for an allocation among the municipalities of the state on the basis of the ratio of population of each municipality to the total population of all municipalities of the state a portion of the additional taxes levied under the Act to be used for transportation infrastructure, improvement, preservation, and maintenance; and

WHEREAS, the Act provides that the municipal governing body of the City of Fairhope shall adopt an annual Transportation Plan no later than August 31st which shall provide a detailed list of projects for which expenditures are intended to be made in the next fiscal year and shall be based upon an estimate of the revenues anticipated from the fund in which the additional revenue is deposited during the next fiscal year; and

WHEREAS, the Act further provides that any such funds shall be used only for the maintenance, improvement, replacement, and construction of roads maintained by the City of Fairhope and such other uses as are defined in the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That the City of Fairhope estimates that its anticipated allocation from the Rebuild Alabama Act fund for the Fiscal Year 2024 will be approximately \$160,000.00 to be used for street maintenance, improvement, replacement and construction of roads within the City of Fairhope, with the increasing allocations for each discal year thereafter.

DULY ADOPTED THIS 29TH DAY OF AUGUST, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

29 August 2023

Councilmember Martin moved to grant the request of Jon Cardwell (Principal of Fairhope High School), requesting permission to close streets to hold the Fairhope High School Homecoming Parade to be held at 5:30 p.m. on September 21, 2023, and the use of the Beach Pavilion immediately following the parade for the bonfire pep rally. Both events would be from 5:00 p.m. to 8:30 p.m. to include the set up and actual event. Also, requesting that the rental fee be waived for this school function. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

Councilmember Conyers moved to grant the request of Leslie Edgemon (Baldwin County Humane Society), requesting permission to close streets in downtown Fairhope on Thursday, October 26, 2023, from 5:00 p.m. to 7:00 p.m. for the Fairhope Witches Ride 2023. The ride will begin and end at Coastal Alabama Community College Amphitheater. This whimsical bike ride benefits local animal rescue and helps animals throughout our area. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Conyers moved to approve charge off Uncollectible Utility Accounts for the fiscal year 2016-2017 in the amount of \$226,888.90. Seconded by Councilmember Martin, motion passed unanimously by voice vote. Councilmember Conyers stated that it is a large amount but the number is going down due to more data being collected.

Councilmember Martin moved to approve charge off Insufficient Checks (“NSF”) for fiscal years 2017 through 2019 in the amount of \$3,133.95. Seconded by Councilmember Burrell, 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 of Fairhope approves the procurement for a qualified contractor for the Drainage Improvement Project at the West End of Fels Avenue from PL Russell LLC for a not-to-exceed amount of \$77,416.21. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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29 August 2023

RESOLUTION NO. 4835-23

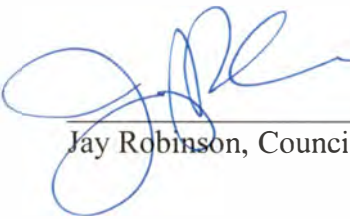
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope approves the procurement for a qualified contractor for the Drainage Improvement Project at the West End of Fels Avenue from PL Russell LLC for a not-to-exceed amount of \$77,416.21.

[2] A Request for Quote was sent to three (3) potential vendors for this Public Works purchase and PL Russell LLC was the lowest.

[2] This purchase is under the new State of Alabama Purchasing Threshold for Public Works and does not require formal bids.

ADOPTED ON THIS 29TH DAY OF AUGUST, 2023



Jay Robinson, Council President

Attest:



Lisa A. Hanks, MMC
City Clerk

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, potential, and pending litigation; and Code Section 36-25-7(a)(7) to discuss preliminary negotiations involving matters of trade or commerce in which the entity is in competition with private individuals or entities or other governmental bodies in Alabama or other states or foreign nations. The approximate time to be in Executive Session is 60 minutes. Councilmember Boone moved to go into Executive Session. Seconded by Councilmember Conyers, motion passed unanimously by voice vote.

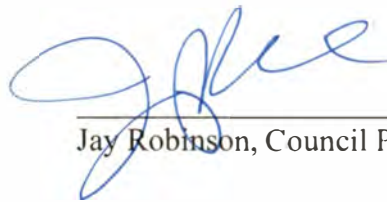
29 August 2023

Attorney Chris Williams stated we need to add Code Section 36-25-7(a)(7) for Trade of Commerce as listed above in the request. He said they may take action after Executive Session. Council President Robinson told the audience it is unlikely we will take any action.

Exited the dais at 7:15 p.m. Returned at 8:26 p.m.

Councilmember Conyers 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 8:26 p.m.



Jay Robinson, Council President



Lisa A. Hanks, MMC
City Clerk