

MINUTES OF REGULAR COUNCIL MEETING

CITY OF GULF SHORES, ALABAMA

DECEMBER 8, 2008

Mayor Craft called the meeting to order at 5:00 p.m. at the City Hall. The invocation was delivered by The Reverend Ray Reynolds, Gulf Shores Church of Christ. The Pledge of Allegiance to the flag was led by Mayor Craft.

Upon roll call, the following officials answered "present": Councilmen Garris, Harris, Dyken, Jones, and Mayor Craft. Councilman Doughty was absent. The Mayor declared a quorum present.

Councilman Harris moved to approve the minutes of the regular meeting of November 24, 2008, as presented; seconded by Councilman Garris; and the vote of those officials present was unanimously in favor of the motion.

Councilman Jones moved to approve the payroll and expense vouchers in the amount of \$3,029,166.64; seconded by Councilman Dyken; and the vote of those officials present was unanimously in favor of the motion.

The City Clerk noted that the complete list of vouchers to be paid, as reflected on a computer printout, had been made a permanent record in the Clerk's office.

Commander David Spivey of the Civil Air Patrol presented to the City a Certificate of Appreciation for outstanding assistance to the Patrol.

Mayor Craft asked if there was anyone present who wished to address the Council but had been unable to get on the formal agenda.

A permanent resident who lives on Pine Ridge asked when the street lighting project would be complete in her neighborhood.

Public Works Director Mark Acreman was directed to communicate with the individual relative to the project.

Al Changs stated he had been reviewing the City's Fiscal Year 2008 budget and didn't know what constituted supplies and miscellaneous items in the budget.

The Mayor stated that the Council has been working on the budget for the coming year but has decided to not adopt a budget at this time due to the presumed decrease in revenues. The City will pass an interim spending plan to allow Departments to conduct their operations with a preliminary spending budget.

The Mayor added that as a result of the decreased revenues he is asking for Council approval to implement a reduction in force of forty positions - full-time, part time, and temporary - in the City and further approval of a severance package.

Councilman Jones introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 4599-08

**A RESOLUTION AUTHORIZING THE MAYOR TO
IMPLEMENT A REDUCTION IN FORCE; AND
APPROVING SEVERANCE PACKAGE**

WHEREAS, with a projected revenue shortfall, the City Council desires to implement a reduction in force as part of a budget savings for 2009;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON DECEMBER 8, 2008, as follows:

Section 1. That the Mayor be and he is hereby directed to implement an appropriate reduction in force of City personnel effective January 1, 2009.

Section 2. That a severance package be provided to the affected city personnel consisting of:

1. Payment of all accumulated and unused vacation leave.
2. Payment of all accumulated and unused sick leave.
3. Payment of wages for the month of January 2009 less appropriate taxes.

Severance package to be appropriately prorated for part-time and probationary employees.

Section 3. That this Resolution shall become effective immediately upon its adoption.

The motion for the adoption of Resolution No. 4599-08 was seconded by Councilman Dyken; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Garris, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Craft, "aye." Councilman Doughty was absent. Whereupon, the Mayor declared Resolution No. 4599-08 duly and legally adopted.

Councilman Jones moved for unanimous consent of the Council to suspend the rules of procedure to allow for the immediate consideration of the following Ordinance:

ORDINANCE NO. 1534

**AN ORDINANCE GRANTING A NONEXCLUSIVE FRANCHISE
TO BIG RED CONTAINER, INC.
TO PROVIDE COLLECTION AND DISPOSAL
OF CONSTRUCTION AND DEMOLITION DEBRIS ONLY
IN THE CITY OF GULF SHORES; AND
AUTHORIZING THE EXECUTION OF A FRANCHISE AGREEMENT
BETWEEN THE CITY OF GULF SHORES AND THE COMPANY**

WHEREAS, Bid Red Container, Inc. of Daphne, Alabama, has requested a franchise to empower the Company to collect and dispose of construction and demolition debris only; and

WHEREAS, The City is desirous of granting a nonexclusive franchise to Big Red Container, Inc. to accomplish such; and

WHEREAS, The residents of the City will be benefited by the granting of such a franchise;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON DECEMBER 8, 2008, as follows:

Section 1. That a nonexclusive franchise be and it is hereby granted to Big Red Container, Inc. for the collection and disposal of construction and demolition debris only within the corporate limits of the City.

Section 2. That the Mayor and City Clerk are hereby directed and authorized to execute and attest, respectively, a Franchise Agreement between the City of Gulf Shores and Big Red Container, Inc. which sets forth the requirements, covenants and agreements of a franchise to the Company for collection and disposal of construction and demolition debris only.

Section 3. That a copy of the subject Franchise Agreement, marked Exhibit A, is attached hereto and made a part hereof.

Section 4. That this Ordinance shall become effective upon its adoption and publication as required by law.

The motion for unanimous consent was seconded by Councilman Harris; and upon the question, the vote thereon was as follows: Councilman Garris, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Craft, "aye." Councilman Doughty was absent. Mayor Craft then declared the rules suspended.

Councilman Harris then moved for the adoption of Ordinance No. 1534 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1534 was seconded by Councilman Garris; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Garris, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Craft, "aye." Councilman Doughty was absent. Whereupon, the Mayor declared Ordinance No. 1534 duly and legally adopted.

STAFF REPORTS:

Public Works Director Mark Acreman announced that the Lagoon Park boat launch was open.

Police Chief Arthur Bourne reported that an arrest was made last week that cleared up a string of burglaries in the City.

Building Inspector Brandan Franklin stated that the "Keep Off the Dunes" signs have been received and are available for citizens to pick up.

There being no further business to come before the Council, Councilman Jones moved to adjourn; seconded by Councilman Garris; and the vote of those officials present was unanimously in favor of the motion.

Mayor Craft declared the meeting adjourned.

Robert Craft, Mayor

(SEAL)

ATTEST:

Renee F. Moore, MMC, City Clerk