

MINUTES OF REGULAR COUNCIL MEETING

CITY OF GULF SHORES, ALABAMA

JULY 27, 2009

Mayor Craft called the meeting to order at 5:00 p.m. at the City Hall. The invocation was delivered by The Reverend Glen Butler, First United Methodist Church. The Pledge of Allegiance to the flag was led by Mayor Craft.

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

Councilman Harris moved to approve the minutes of the regular meeting of July 13, 2009, as presented; seconded by Councilman Doughty; and the vote of those officials present was unanimously in favor of the motion.

Councilman Harris moved to approve the minutes of the work session of July 20, 2009, as presented; seconded by Councilman Doughty. Upon the question those officials present voted in favor of the motion, with the exception of Councilmen Garris and Dyken, who abstained; motion failed.

Councilman Dyken moved to approve the payroll and expense vouchers in the amount of \$1,192,869.83; seconded by Councilman Garris; 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.

Mayor Craft stated that this was the time and place for the public hearing, as advertised, on the proposed amendment to the Zoning Ordinance as it relates to the rezoning of the Beau Gregory property located at 4159 County Road 6.

The City Clerk stated that this public hearing had been advertised as required by law, as reflected by the following affidavits of publication:

Andy Bauer, Acting Planning Director, noted the recommendations of his Department and the Planning Commission in support of the zoning amendment, as reflected by the following communications:

The Mayor asked if there was anyone present who wished to comment on the proposed zoning amendment. There was no comment. The City Clerk stated no written communications had been received in this regard.

Councilman Garris 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. 1563

**AN ORDINANCE AMENDING ORDINANCE NO. 235
(ZONING ORDINANCE), ADOPTED MAY 10, 1982,
BY CHANGING THE ZONING CLASSIFICATION
OF A 1.04-ACRE PARCEL DESCRIBED HEREIN
IN REZONING CASE Z2009-01,
FROM R-1A TO BG-1**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 27, 2009, as follows:

Section 1. That, in respect to that certain property described as follows:

In the State of Alabama, County of Baldwin, and City of Gulf Shores, and being more particularly described as follows: Parcel I – Commencing at the southeast corner of Lot 6 in Lot 8, John Cook Estate Division; run thence north 42 degrees 51' west, 152.42 feet to a steel rod; thence run south 46 degrees 15'55" west, 1648.37 feet to a steel rod on the west line of an 80.0 foot wide county road right-of-way; thence run north 28 degrees 58' east, 65.0 feet along said right-of-way line to a steel rod for the point of beginning; thence run south 46 degrees 47'21" west, 418.98 feet to a steel rod on the east margin of the Bon Secour River; thence run northwestwardly along said east margin of Bon Secour River, 66.67 feet to a steel rod; thence run north 49 degrees 26'57" east, 392.83 feet to a steel rod on the west right-of-way line of said 80.0 foot wide county road right-of-way; thence run south 28 degrees 58' west, 38.98 feet to the point of beginning containing .40 acres, more or less.

Parcel II – Commencing at the southeast corner of Lot 6 in Lot 8, John Cook Estates Division; run thence north 42 degrees 51' west, 152.42 feet to a steel rod; thence run south 46 degrees 14'55" west, 1648.37 feet to a steel rod on the west right-of-way line of an 80.0 foot wide County Road for the point of beginning; thence continue south 46 degrees 14'55" west, 406.30 feet to a drain tile filled with concrete "mutually accepted marker"; thence continue south 46 degrees 14'55" west, 40.0 feet, more or less, to the east margin of Bon Secour River; thence run northwestwardly along said east bank of Bon Secour River, 80.0 feet, more or less, to a steel rod; thence run north 46 degrees 47'21" east, 418.98 feet to a steel rod on the west right-of-way line of said 80.0 foot wide county road right-of-way; thence run south 28 degrees 58' west, 65.0 feet to the point of beginning containing 0.64 acres, more or less.

Ordinance No. 235 (Zoning Ordinance), adopted May 10, 1982, along with the Zoning Map of the City of Gulf Shores, be and it is hereby amended and altered by rezoning those certain parcels of real property herein described from R-1A (Low Density Single Family Residential) to BG-1 (General Business/Mixed Use) CONDITIONED UPON:

1. The mobile home is a non-conforming use and must be removed prior to the issuance of a business license.

Section 2. That this Ordinance shall become effective upon its adoption and publication as required by law.

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

Councilman Garris then moved for the adoption of Ordinance No. 1563 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1563 was seconded by Councilman Doughty; 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 Doughty,

"aye," Councilman Harris, "aye," Councilman Dyken, "aye," and Mayor Craft, "aye." Councilman Jones was absent. Whereupon, the Mayor declared Ordinance No. 1563 duly and legally adopted.

Mayor Craft stated that this was the time and place for the public hearing, as advertised, on the application of Latte Da LLC, dba Dizzy Bean Coffee Shop for a restaurant retail liquor license.

The City Clerk reported the dates on which the required advertising was done; and she read the letters of reference. Chief of Police Bourne indicated he did not object to the issuance of the license. There were no written objections received and no citizens appeared at the hearing to object.

Whereupon, Councilman Harris moved to approve the application of Latte Da LLC, dba Dizzy Bean Coffee Shop, located at 2200 E. 2nd Street, Unit G, for a restaurant retail liquor license and to so notify the ABC Board; seconded by Councilman Dyken; and the vote of those officials present was unanimously in favor of the motion.

Mayor Craft stated that this was the time and place for the public hearing, as advertised, on the application of Southern Family Markets of Gulf Shores LLC, dba Brunos 306, for Retail Beer (On or Off Premises) and Retail Table Wine (On or Off Premises) liquor licenses.

The City Clerk reported the dates on which the required advertising was done; and she read the letters of reference. Chief of Police Bourne indicated he did not object to the issuance of the license. There were no written objections received and no citizens appeared at the hearing to object.

Whereupon, Councilman Dyken moved to approve the application of Southern Family Markets of Gulf Shores LLC, dba Brunos 306, located at 1545 Gulf Shores Parkway, for Retail Beer (On or Off Premises) and Retail Table Wine (On or Off Premises) liquor licenses and to so notify the ABC Board; seconded by Councilman Garris; and the vote of those officials present was unanimously in favor of the motion.

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

RESOLUTION NO. 4671-09

**A RESOLUTION
AUTHORIZING AMENDMENT TO
CERTIFICATE OF INCORPORATION
OF GULF COAST HEALTH CARE AUTHORITY**

WHEREAS, the City of Gulf Shores, by Resolution 4470-08, authorized the formation of the Gulf Coast Health Care Authority by the Cities of Gulf Shores and Orange Beach (the "Authority"); and

WHEREAS, the Authority has filed with the City Councils an Amendment to the Certificate of Incorporation of the Authority to effect the enlargement of the Board of the Authority from nine (9) to eleven (11) members.

WHEREAS, the City desires to approve the Amendment to the Certificate of Incorporation of the Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 27, 2009, as follows:

Section 1. That the City acknowledges the receipt of the Amendment of Certificate of Incorporation of the Gulf Coast Health Care Authority and finds that it is in appropriate form for consideration by the City.

Section 2. That the City finds it is wise, expedient and necessary that the proposed Amendment be adopted.

Section 3. That the City hereby approves the Amendment of Certificate of Incorporation of the Gulf Coast Health Care Authority.

Section 4. That this Resolution shall become effective immediately upon its adoption.

Section 5. That the Clerk of the City is hereby authorized and directed to spread this Resolution, together with copies of the proposed Amendment of Certificate of Incorporation, on the minutes of this meeting.

The motion for the adoption of Resolution No. 4671-09 was seconded by Councilman Doughty; 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," and Mayor Craft, "aye." Councilman Jones was absent. Whereupon, the Mayor declared Resolution No. 4671-09 duly and legally adopted.

Mark Acreman advised that he has sent the proposed contracts with Barter and Associates, Inc. and MACTEC Engineering and Consulting, Inc. for post hurricane structural inspections to AEMA for review.

The Mayor requested and received unanimous consent of those members present to table the Resolutions authorizing the two contracts to allow for comment from AEMA.

The Mayor requested and received unanimous consent of those members present to table the Resolution authorizing the contract with Van Scoyoc Associates, Inc. so it could be discussed at the next Council work session.

Councilman Doughty 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. 1564

**AN ORDINANCE ASSENTING TO THE ANNEXATION
OF CERTAIN PROPERTY DESCRIBED HEREIN TO
THE CITY OF GULF SHORES, ALABAMA, AND
EXTENDING THE CORPORATE LIMITS OF THE CITY
TO INCLUDE SUCH PROPERTY**

WHEREAS, on the 26th day of April, 2008, David and June Schwarz, owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 27, 2009, as follows:

Section 1. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

Section 2. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Gulf Shores, Alabama, and in addition thereto the following described territory, to-wit:

Situated in Baldwin County, Alabama, to-wit; 66-04-18-2-000-002.023 – 79' x 165' Irr Lot 24 Island Wood Sub Phase One Slide 2185-F & 2186-A. 1436 Fairway Drive West

Section 3. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in this ordinance shall become a part of the corporate limits of the City of Gulf Shores, Alabama, upon publication of this ordinance as set forth in Section 3, above.

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

Councilman Garris then moved for the adoption of Ordinance No. 1564 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1564 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," and Mayor Craft, "aye." Councilman Jones was absent. Whereupon, the Mayor declared Ordinance No. 1564 duly and legally adopted.

Councilman Doughty 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. 1565

**AN ORDINANCE ASSENTING TO THE ANNEXATION
OF CERTAIN PROPERTY DESCRIBED HEREIN TO
THE CITY OF GULF SHORES, ALABAMA, AND
EXTENDING THE CORPORATE LIMITS OF THE CITY
TO INCLUDE SUCH PROPERTY**

WHEREAS, on the 2nd day of April, 2009, Pennstar, LLC, owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON , 2009, as follows:

Section 1. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

Section 2. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Gulf Shores, Alabama, and in addition thereto the following described territory, to-wit:

Situated in Baldwin County, Alabama, to-wit; 66-04-18-2-000-002.022 – 26.9' X 150.2' Irr common area 9 Island Wood Phase One Sub Slide 2185-F & 2186-A.

Section 3. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in this ordinance shall become a part of the corporate limits of the City of Gulf Shores, Alabama, upon publication of this ordinance as set forth in Section 3, above.

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

Councilman Dyken then moved for the adoption of Ordinance No. 1565 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1565 was seconded by Councilman Harris; 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," and Mayor Craft, "aye." Councilman Jones was absent. Whereupon, the Mayor declared Ordinance No. 1565 duly and legally adopted.

Councilman Doughty 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. 1566

**AN ORDINANCE ASSENTING TO THE ANNEXATION
OF CERTAIN PROPERTY DESCRIBED HEREIN TO
THE CITY OF GULF SHORES, ALABAMA, AND
EXTENDING THE CORPORATE LIMITS OF THE CITY
TO INCLUDE SUCH PROPERTY**

WHEREAS, on the 26th day of April, 2008, Robert A. Kablik, Trustee, owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 27, 2009, as follows:

Section 1. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

Section 2. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Gulf Shores, Alabama, and in addition thereto the following described territory, to-wit:

Situated in Baldwin County, Alabama, to-wit; 66-04-18-2-000-002.021 – 85.6' X 145' Irr Lot 23 Island Wood Sub Phase One Slide 2185-F & 2186-A. 1432 Fairway Drive West

Section 3. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in this ordinance shall become a part of the corporate limits of the City of Gulf Shores, Alabama, upon publication of this ordinance as set forth in Section 3, above.

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

Councilman Garris then moved for the adoption of Ordinance No. 1566 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1566 was seconded by Councilman Doughty; 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," and Mayor Craft, "aye." Councilman Jones was absent. Whereupon, the Mayor declared Ordinance No. 1566 duly and legally adopted.

Councilman Doughty 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. 1567

**AN ORDINANCE ASSENTING TO THE ANNEXATION
OF CERTAIN PROPERTY DESCRIBED HEREIN TO
THE CITY OF GULF SHORES, ALABAMA, AND
EXTENDING THE CORPORATE LIMITS OF THE CITY
TO INCLUDE SUCH PROPERTY**

WHEREAS, on the 22nd day of May, 2008, Richard and Janice Simoncini, owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 27, 2009, as follows:

Section 1. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

Section 2. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Gulf Shores, Alabama, and in addition thereto the following described territory, to-wit:

Situated in Baldwin County, Alabama, to-wit; 66-04-18-2-000-002.020 – 84.2' X 155' Irr Lot 22 Island Wood Sub Phase One Slide 2185-F and 2186-A. 1428 Fairway Drive West

Section 3. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in this ordinance shall become a part of the corporate limits of the City of Gulf Shores, Alabama, upon publication of this ordinance as set forth in Section 3, above.

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

Councilman Dyken then moved for the adoption of Ordinance No. 1567 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1567 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," and Mayor Craft, "aye." Councilman Jones was absent. Whereupon, the Mayor declared Ordinance No. 1567 duly and legally adopted.

Councilman Doughty 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. 1568

**AN ORDINANCE ASSENTING TO THE ANNEXATION
OF CERTAIN PROPERTY DESCRIBED HEREIN TO
THE CITY OF GULF SHORES, ALABAMA, AND
EXTENDING THE CORPORATE LIMITS OF THE CITY
TO INCLUDE SUCH PROPERTY**

WHEREAS, on the 23rd day of April, 2008, Joseph and Betsy Savage, owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 27, 2009, as follows:

Section 1. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

Section 2. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Gulf Shores, Alabama, and in addition thereto the following described territory, to-wit:

Situated in Baldwin County, Alabama, to-wit; 66-04-18-2-000-002.018 – 75' X 155' Lot 20 Island Wood Sub Phase One Slide 2185-F & 2186-A. 1420 Fairway Drive West

Section 3. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in this ordinance shall become a part of the corporate limits of the City of Gulf Shores, Alabama, upon publication of this ordinance as set forth in Section 3, above.

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

Councilman Doughty then moved for the adoption of Ordinance No. 1568 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1568 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," and Mayor Craft, "aye." Councilman Jones was absent. Whereupon, the Mayor declared Ordinance No. 1568 duly and legally adopted.

Councilman Doughty 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. 1569

**AN ORDINANCE ASSENTING TO THE ANNEXATION
OF CERTAIN PROPERTY DESCRIBED HEREIN TO
THE CITY OF GULF SHORES, ALABAMA, AND
EXTENDING THE CORPORATE LIMITS OF THE CITY
TO INCLUDE SUCH PROPERTY**

WHEREAS, on the 30th day of March, 2009, Tamara B. Olcott, owner of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 27, 2009, as follows:

Section 1. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

Section 2. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Gulf Shores, Alabama, and in addition thereto the following described territory, to-wit:

Situated in Baldwin County, Alabama, to-wit; 66-04-18-2-000-002.010 – 75' x 160' Irr Lot 12 Island Wood Sub Phase One Slide 2185-F & 2186-A. 1443 Fairway Drive West

Section 3. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in this ordinance shall become a part of the corporate limits of the City of Gulf Shores, Alabama, upon publication of this ordinance as set forth in Section 3, above.

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

Councilman Harris then moved for the adoption of Ordinance No. 1569 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1569 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," and Mayor Craft, "aye." Councilman Jones was absent. Whereupon, the Mayor declared Ordinance No. 1569 duly and legally adopted.

Councilman Doughty 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. 1570

**AN ORDINANCE ASSENTING TO THE ANNEXATION
OF CERTAIN PROPERTY DESCRIBED HEREIN TO**

**THE CITY OF GULF SHORES, ALABAMA, AND
EXTENDING THE CORPORATE LIMITS OF THE CITY
TO INCLUDE SUCH PROPERTY**

WHEREAS, on the 1st day of April 2009, Michael and Shoral Horton, owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 27, 2009, as follows:

Section 1. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

Section 2. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Gulf Shores, Alabama, and in addition thereto the following described territory, to-wit:

Situated in Baldwin County, Alabama, to-wit; 66-04-18-2-000-002.013 – 75' X 150' Lot 15 Island Wood Sub Phase One Slide 2185-F & 2186-A. 1419 Fairway Drive West

Section 3. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in this ordinance shall become a part of the corporate limits of the City of Gulf Shores, Alabama, upon publication of this ordinance as set forth in Section 3, above.

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

Councilman Harris then moved for the adoption of Ordinance No. 1570 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1570 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," and Mayor Craft, "aye." Councilman Jones was absent. Whereupon, the Mayor declared Ordinance No. 1570 duly and legally adopted.

Councilman Doughty 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. 1571

**AN ORDINANCE ASSENTING TO THE ANNEXATION
OF CERTAIN PROPERTY DESCRIBED HEREIN TO
THE CITY OF GULF SHORES, ALABAMA, AND
EXTENDING THE CORPORATE LIMITS OF THE CITY
TO INCLUDE SUCH PROPERTY**

WHEREAS, on the 23rd day of June, 2008, Laurel M. Hartman, managing partner of Gracar-Hartman, LLC, owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 27, 2009, as follows:

Section 1. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

Section 2. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Gulf Shores, Alabama, and in addition thereto the following described territory, to-wit:

Situated in Baldwin County, Alabama, to-wit; 66-04-18-2-000-002.014 – 85' x 150' Irr Lot 16 Island Wood Sub Phase One Slide 2185-F & 2186-A. 1415 Fairway Drive West

66-04-18-2-000-002.011 – 75' X 160.4' Irr Lot 13 Island Wood Sub Phase One Slide 2185-F & 2186-A. 1439 Fairway Drive West

Section 3. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in this ordinance shall become a part of the corporate limits of the City of Gulf Shores, Alabama, upon publication of this ordinance as set forth in Section 3, above.

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

Councilman Dyken then moved for the adoption of Ordinance No. 1571 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1571 was seconded by Councilman Doughty; 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," and Mayor Craft, "aye." Councilman Jones was absent. Whereupon, the Mayor declared Ordinance No. 1571 duly and legally adopted.

STAFF REPORTS:

Keith Martin, Deputy Fire Chief, introduced Wayne Redditt, Joshua Smith, Micheal Lucas, and George Surry advising that this group of Fire/EMTs had been commended twice in recent weeks for their performance while on duty.

Deputy Chief Martin advised the Council that the EMS Department recently received the Alabama Culture of Excellence Award for their job performance.

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

Christopher Ward stated that he felt more amenities were needed in Meyer Park, and he was working with Mark Acreman in this regard. Mr. Ward stated that he was attempting to raise funds to cover some of the costs.

There being no further business to come before the Council, Councilman Doughty moved to adjourn; seconded by Councilman Harris; 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