

MINUTES OF REGULAR COUNCIL MEETING

CITY OF GULF SHORES, ALABAMA

SEPTEMBER 14, 2009

Mayor Pro Tem Doughty called the meeting to order at 5:00 p.m. at the City Hall. The invocation was delivered by The Reverend Steven Kurtz, 1st Presbyterian Church of Gulf Shores. The Pledge of Allegiance to the flag was led by Mayor Pro Tem Doughty.

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

Councilman Dyken moved to approve the minutes of the regular meeting of August 24, 2009, as presented; seconded by Councilman Garris; 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 August 31, 2009, 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 \$992,430.53; 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.

City Administrator Steve Garman introduced the City's new Administrative Services and Finance Director, Cindy King.

Dr. Ernie Rosado, Gulf Shores High School Principal, updated the Council on the programs, staffing and building projects at the school. Dr. Rosado thanked the City for all the assistance given to the high school.

Acting Planning Director Andy Bauer presented the request of Hampton Village for a one-year extension to their Final Planned Unit Development/Site Plan.

Councilman Jones moved to approve the request of Hampton Village for a one-year extension to their Final Planned Unit Development/Site Plan to expire on September 10, 2010. If construction has not been completed within one year, the Planned Unit Development zoning shall expire and the property shall revert to the base RML (Limited Density Multi-Family) Zoning District. The motion was seconded by Councilman Garris; and the vote of those officials present was unanimously in favor of the motion.

The City Clerk presented the Application for Public Assembly Permit of the Bon Secour National Wildlife Refuge for open house and boat tours on October 24, 2009.

Councilman Dyken moved to approve the Application for Public Assembly Permit of the Bon Secour National Wildlife Refuge for their open house and boat tours on October 24, 2009, and to waive the application fee; seconded by Councilman Jones; and the vote of those officials present was unanimously in favor of the motion.

The City Clerk presented the Application for Special Events Retail Liquor License of the Alabama Gulf Coast Area Chamber of Commerce.

Councilman Harris moved to approve the Application for Special Events Retail Liquor License of the Alabama Gulf Coast Area Chamber of Commerce, dba Annual National Shrimp Festival, at the Gulf Shores Public Beach, and to so notify the ABC Board; seconded by Council Dyken; and the vote of those officials present was unanimously in favor of the motion.

The City Clerk presented the Application for transfer of Restaurant Retail Liquor License of The Beach Hut.

Councilman Jones moved to approve the Application for Transfer of Restaurant Retail Liquor License of BB Seafood Concepts Inc., dba The Beach Hut, located at 8818 Highway 180 West, Suite C, Gulf Shores, Alabama, 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 Garris introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 4687-09

**A RESOLUTION
AMENDING RESOLUTION NO. 3829-05,
ADOPTED MAY 9, 2005,
WITH REGARD TO
AMENDMENT TO FINAL PLAN
OF PLANNED UNIT DEVELOPMENT
TO BE KNOWN AS ENCLAVE AT OAK HILL**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON SEPTEMBER 14, 2009, as follows:

Section 1. That Resolution No. 3829-05, adopted May 9, 2005, approving the Final Plan of the Planned Unit Development to be known as Enclave at Oak Hill, be and it is hereby amended at the phasing plan to allow construction to begin on Phase II of the project in 2012 and commencement of construction for Phase III of the project in 2015, conditioned upon:

1. By November 1, 2009, The Enclave at Oak Hill shall construct a berm or ditch, consistent with City standards, to intercept the water from running off onto the Palmetto Woods Subdivision.

Section 2. That this Resolution shall become effective upon its adoption.

The motion for the adoption of Resolution No. 4687-09 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 Pro Tem Doughty, "aye." Mayor Craft was absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4687-09 duly and legally adopted.

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

RESOLUTION NO. 4688-09

**A RESOLUTION APPOINTING
BEBE GAUNTT AND PAT WARD
TO THE
CIVIC CENTER ADVISORY BOARD
TO EACH SERVE A FULL TERM OF THREE YEARS
ENDING ON JULY 22, 2012**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON SEPTEMBER 14, 2009, as follows:

Section 1. That Bebe Gauntt be and she hereby is appointed to the Civic Center Advisory Board, representing the City, to serve a full term of three years ending on July 22, 2012, replacing Beth Medlock.

Section 2. That Pat Ward be and she hereby is appointed to the Civic Center Advisory Board, representing The George C. Meyer Foundation, to serve a full term of three years ending on July 22, 2012, replacing Marilyn Graese.

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

The motion for the adoption of Resolution No. 4688-09 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 Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Mayor Craft was absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4688-09 duly and legally adopted.

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

RESOLUTION NO. 4689-09

**A RESOLUTION
DESIGNATING FINANCIAL INSTITUTIONS
AS DEPOSITORIES FOR CITY FUNDS AND
AUTHORIZING, EMPOWERING AND DESIGNATING
THE MAYOR AND CITY ADMINISTRATOR AS
CITY'S AGENTS FOR DEPOSIT, TRANSFER AND
INVESTMENT OF CITY FUNDS AMONG
SEVERAL NAMED DEPOSITORIES,
PURSUANT TO TITLE 11-43-122,
CODE OF ALABAMA 1975, AS AMENDED; AND
PROVIDING CASH INVESTMENT REPORTS BE MADE
AND AVAILABLE TO COUNCIL FOR REVIEW**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON SEPTEMBER 14, 2009, as follows:

Section 1. That the following financial institutions be and the same hereby are designated as depositories for City funds:

BancorpSouth Bank	Morgan-Keegan & Co., Inc.
BankTrust	RBC Bank
Branch Banking & Trust Bank	Regions Bank
BBVA Compass Bank	The Bank of New York Trust
First National Bank of of Baldwin County	Company, N.A. Vision Bank
Hancock Bank	Wachovia Bank, N.A.
Heritage First Bank	Whitney National Bank

pursuant to Title 11-43-122, *Code of Alabama 1975*, as amended.

Section 2. That the Mayor and City Administrator be and they hereby are authorized, empowered, and designated as the City's agents for the deposit, transfer and investment of City funds among the several named depositories.

Section 3. That cash investment reports shall be made, which reflect the activity of City funds among the several depositories, and which will be available for review by the Council at their request.

Section 4. That any resolution or parts thereof that conflict with this Resolution shall be and are hereby rescinded.

Section 5. That this Resolution shall become effective upon its adoption.

The motion for the adoption of Resolution No. 4689-09 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 Pro Tem Doughty, "aye." Mayor Craft was absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4689-09 duly and legally adopted.

COMMITTEE REPORTS:

Councilman Dyken, Chairman of the Finance Advisory Group, welcomed Cindy King to the City.

Councilman Jones reported on the upcoming visit of Auntie Litter to the Gulf Shores and Orange Beach schools.

Councilman Harris expressed appreciation to Dr. Rosado for the motivation and creativity he is bringing to the high school in this challenging economic time.

Mayor Pro Tem Doughty asked if there was anyone present who wished to address the Council but had been unable to get on the formal agenda. There was no response.

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

Mayor Pro Tem Doughty declared the meeting adjourned.

Carolyn M. Doughty, Mayor Pro Tem

ATTEST:

Renee F. Moore, MMC, City Clerk