

**MINUTES OF REGULAR COUNCIL MEETING**

**CITY OF GULF SHORES, ALABAMA**

**JANUARY 12, 2009**

Mayor Craft called the meeting to order at 5:00 p.m. at the City Hall. The invocation was delivered by Keith Martin, Gulf Shores Fire Marshal. 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, Jones, and Mayor Craft. The Mayor declared a quorum present.

Councilman Doughty moved to approve the minutes of the work session of December 15, 2008, as presented; seconded by Councilman Garris; and the vote was unanimously in favor of the motion.

Councilman Garris moved to approve the minutes of the rescheduled regular meeting of December 15, 2008, as presented; seconded by Councilman Doughty; and the vote was unanimously in favor of the motion.

Councilman Jones moved to approve the minutes of the work session of January 5, 2009, as presented; seconded by Councilman Harris. Upon the question, all those officials present voted in favor of the motion, with the exception of Mayor Craft, who abstained. The Mayor declared the motion carried.

Councilman Jones moved to approve the payroll and expense vouchers in the amount of \$2,894,796.76; seconded by Councilman Garris; and the vote 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.

Tommie Werneth, Baldwin EMC, presented to the City a tax equivalency check in the amount of \$783,724.10.

Mayor Craft stated he appreciated all those who have sent cards and called relative to his recent hospital stay. The Mayor reported he would have to go back to Birmingham in the near future for another procedure but all looked well.

The City Clerk presented the application for transfer of the Special Retail (more than 30 days) License of Honours Golf Craft Farms, LLC, dba Cotton Creek Club, located at 3840 Cotton Creek Circle, Gulf Shores, Alabama.

The Clerk advised that Chief of Police Bourne indicated he did not object to the transfer of the license.

Whereupon, Councilman Doughty moved to approve the application for transfer of the Special Retail (more than 30 days) License of Honours Golf Craft Farms, LLC, dba Cotton Creek Club, located at 3840 Cotton Creek Circle and to so notify the ABC Board; seconded by Councilman Garris; and the vote was unanimously in favor of the motion.

The City Clerk presented the Application for Public Assembly Permit from the Alabama Gulf Coast Sports Commission.

Councilman Jones moved to approve the Application for Public Assembly Permit of the Alabama Gulf Coast Sports Commission for the Extreme Volleyball Professionals Tour, May 15-18, 2009, at the Gulf Shores Public Beach, and to waive the permit fee; seconded by Councilman Dyken; and the vote was unanimously in favor of the motion.

Mayor Craft 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.

Councilman Dyken recused himself from discussion on the Amendment to the Site Plan of Mainstay Suites and Retail Center.

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

**RESOLUTION NO. 4606-09**  
  
**A RESOLUTION**  
**AMENDING RESOLUTION NO. 4469-08,**  
**ADOPTED APRIL 28, 2008,**  
**WITH REGARD TO**  
**AMENDMENT TO SITE PLAN**  
**OF MAINSTAY SUITES AND RETAIL CENTER**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 12, 2009, as follows:

Section 1. That Resolution No. 4469-08, adopted April 28, 2008, approving the Site Plan of BSW Engineers for a mixed-use retail and hotel development, to be known as Mainstay Suites, be and it is hereby amended to modify the site plan to add an 8,300 square foot conference center and reduce the amount of retail space, CONTINGENT UPON:

1. All mechanical equipment, if placed on the roofs of the buildings or the ground, is required to be completely screened.

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

The motion for the adoption of Resolution No. 4606-09 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "abstain," Councilman Jones, "aye," and Mayor Craft, "aye." Whereupon, the Mayor declared Resolution No. 4606-09 duly and legally adopted.

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

**RESOLUTION NO. 4607-09**

**A RESOLUTION AUTHORIZING  
AND DIRECTING THE  
MAYOR AND CITY CLERK TO EXECUTE  
AND ATTEST, RESPECTIVELY,  
CHANGE ORDERS TO CONTRACT BETWEEN  
THE CITY OF GULF SHORES AND  
JOE RALEY BUILDERS  
FOR TEMPORARY POLICE ADMINISTRATION FACILITY**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 12, 2009, as follows:

Section 1. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, change orders to the contract between the City of Gulf Shores and Joe Raley Builders for the temporary police administration facility, more particularly described as:

Change Order No. 4 - Deduct \$2,173.00  
Change Order No. 5 - Deduct \$320.00

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

The motion for the adoption of Resolution No. 4607-09 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Craft, "aye." Whereupon, the Mayor declared Resolution No. 4607-09 duly and legally adopted.

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

**RESOLUTION NO. 4608-09**

**A RESOLUTION AUTHORIZING  
THE MAYOR AND CITY CLERK  
TO EXECUTE AND ATTEST, RESPECTIVELY,  
COOPERATIVE AGREEMENT WITH  
ALABAMA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT  
FOR TECHNICAL AND PROFESSIONAL SERVICES  
TO BE PROVIDED BY CITY IN IMPLEMENTATION OF  
ALABAMA COASTAL AREA MANAGEMENT PROGRAM**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 12, 2009, as follows:

Section 1. That the Mayor and City Clerk of the City of Gulf Shores be and they hereby are authorized and directed to execute and attest, respectively, a Cooperative Agreement between the City of Gulf Shores and the Alabama Department of Environmental Management for technical and professional services to be provided by the City in implementing the Alabama Coastal Area Management Program.

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

The motion for the adoption of Resolution No. 4608-09 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

Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Craft, "aye." Whereupon, the Mayor declared Resolution No. 4608-09 duly and legally adopted.

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

**RESOLUTION NO. 4609-09**

**A RESOLUTION  
AUTHORIZING EXECUTION OF APPLICATION  
FOR FUNDING FOR FILING  
WITH THE ALABAMA HISTORICAL RECORDS  
ADVISORY BOARD  
TO FACILITATE OBTAINING FINANCIAL ASSISTANCE  
FOR HISTORICAL RECORDS PRESERVATION**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 12, 2009, as follows:

Section 1. That the Mayor be and he is hereby authorized and directed to execute an application for funding for filing with the Alabama Historical Records Advisory Board to facilitate obtaining financial assistance for a historical records preservation grant. The City Clerk is hereby authorized to seal and attest said application.

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

The motion for the adoption of Resolution No. 4609-09 was seconded by Councilman Jones; 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," Councilman Jones, "aye," and Mayor Craft, "aye." Whereupon, the Mayor declared Resolution No. 4609-09 duly and legally adopted.

STAFF REPORTS:

Public Works Director Mark Acreman stated that the Lagoon Park facilities should be open to the public this week.

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

Mayor Craft declared the meeting adjourned.

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Robert Craft, Mayor

(SEAL)

ATTEST:

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Renee F. Moore, MMC, City Clerk