

MINUTES OF REGULAR COUNCIL MEETING

CITY OF GULF SHORES, ALABAMA

FEBRUARY 9, 2009

Mayor Pro Tem Doughty called the meeting to order at 5:00 p.m. at the City Hall. The invocation was delivered by Keith Martin, Gulf Shores Acting Deputy Fire Chief. The Pledge of Allegiance to the flag was led by Mayor Pro Tem Doughty.

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

Councilman Jones moved to approve the minutes of the work session of January 26, 2009, as presented; seconded by Councilman Garris; and the vote of those officials present was unanimously in favor of the motion.

Councilman Dyken moved to approve the minutes of the regular meeting of January 26, 2009, as presented; seconded by Councilman Jones; and the vote of those officials present was unanimously in favor of the motion.

Councilman Garris moved to approve the minutes of the work session of February 2, 2009, as presented; seconded by Councilman Dyken; 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 \$927,822.05; 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 Pro Tem Doughty stated that this was the time and place for the public hearing, as advertised, on the application of CPSW Investments LLC, dba Staybridge Suites, 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 Jones moved to approve the application of CPSW Investments LLC, dba Staybridge Suites, located at 3947 Highway 59, Gulf Shores, Alabama, 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 Dyken; and the vote of those officials present was unanimously in favor of the motion.

Mayor Pro Tem Doughty 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 Shimmering Sands.

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 Pro Tem 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 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. 1536

**AN ORDINANCE AMENDING ORDINANCE NO. 235
(ZONING ORDINANCE), ADOPTED MAY 10, 1982,
BY CHANGING THE ZONING CLASSIFICATION
OF AN APPROXIMATE 6-ACRE PARCEL
DESCRIBED HEREIN IN REZONING CASE Z2008-02,
FROM RML TO BR**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9, 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:
Lot 2, Shimmering Sands Subdivision.

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 RML (Limited Multi-Family) to BR (Restricted Business).

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 Garris; and upon the question, the vote thereon was as follows: Councilman Garris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Garris then moved for the adoption of Ordinance No. 1536 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1536 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 Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor Pro Tem declared Ordinance No. 1536 duly and legally adopted.

Mayor Pro Tem Doughty 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 signs.

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 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. 1537

**AN ORDINANCE TO AMEND ORDINANCE NO. 235
(ZONING ORDINANCE), ADOPTED MAY 10, 1982
AT ARTICLE 9, SIGNS,
SECTION 9-2. GENERAL SIGN REGULATIONS,
SUBSECTION E. SIGNS OVER PUBLIC PROPERTY,
BY REWRITING THE SUBECTION**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9, 2009, as follows:

Section 1. That Ordinance No. 235 (Zoning Ordinance), adopted May 10, 1982, be and it is hereby amended at ARTICLE 9, SIGNS, Section 9-2. General Sign Regulations, Subsection E. Signs Over Public Property, so that said Subsection shall read as follows:

ARTICLE 9 SIGNS

* * * *

Sec. 9-2. General Sign Regulations

* * * *

E. Signs Over Public Property.

1. No sign of any character shall be suspended across any public street, alley or waterway; nor shall any sign of any description be painted on or applied to any curb, sidewalk, tree, light standard, utility pole, hydrant, bridge, wall, bench, trash receptacle, or any structure, unless specifically permitted by this Ordinance, except or on a temporary permit basis as provided in Section 9-2.C. of this Ordinance.
2. No portion of any flat sign or projecting sign shall project over any street or alley right-of-way for a distance of more than four feet (4').
3. No detached ground or pole sign shall extend or project over any portion of any sidewalk, street, alley, waterway or any other public way or any public property with the exception of those as provided for in Section 9-2.L.2. or those as provided for in existing Municipal Information Sign Franchise Agreements.
4. The City may from time to time locate public recycling container stations on public rights of way or other public property, directly, by contract, or by franchise. As may be determined by the City Council and notwithstanding the provisions of any other section or subsection of Article 9 of the Zoning Ordinance, such public recycling container stations may have as attachments recycling sponsorship acknowledgement display panels in form, size and content approved by the City Council or its designee.

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 Garris; and upon the question, the vote thereon was as follows: Councilman Garris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Garris then moved for the adoption of Ordinance No. 1537 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1537 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 Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor Pro Tem declared Ordinance No. 1537 duly and legally adopted.

The City Clerk presented the Application for Public Assembly Permit of Kaiser Realty, Inc. for Cycling the Coast.

Councilman Garris moved to approve the Application for Public Assembly Permit of Kaiser Realty, Inc. for Cycling the Coast on March 28, 2009, and to waive the permit fee; seconded by Councilman Dyken. Upon the question, all those officials present voted in favor of the motion, with the exception of Councilman Jones, who abstained. The Mayor Pro Tem declared the motion carried.

At the request of the Mayor Pro Tem, Councilman Dyken explained the non-binding letter of intent that the Council intends to adopt with Colonial Realty Limited Partnership and Langley-Colonial, LLC.

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

RESOLUTION NO. 4610-09

**A RESOLUTION TO AUTHORIZE A LETTER OF INTENT
AND THE HOLDING OF A PUBLIC HEARING**

BE IT RESOLVED by the City Council of the City of Gulf Shores (the "City") WHILE IN REGULAR SESSION ON THE 9TH DAY OF FEBRUARY, 2009, as follows:

Section 1. That the Mayor Pro Tempore of the City be and hereby is authorized and directed to execute and deliver, for and in the name of the City, a non-binding Letter of Intent with Colonial Realty Limited Partnership and Langley-Colonial, LLC in substantially the form and of substantially the content as the form of the Letter of Intent presented to and considered at this meeting, with such changes, additions thereto or deletions therefrom as the Mayor Pro Tempore shall approve, which approval shall be conclusively evidenced by the execution of the Letter of Intent. The Mayor Pro Tempore is hereby authorized and directed to execute the Letter of Intent and the City Clerk of the City is hereby authorized and directed to attest the signature of the Mayor Pro Tempore on said agreement.

Section 2. The City Council hereby authorizes the holding of a public meeting during the City Council's regular meeting on February

23, 2009 at 5:00 p.m. in order to determine whether the expenditure of public funds for the purposes described in the aforesaid Letter of Intent will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities, all as provided in Amendment No. 750 to the Alabama Constitution of 1901, as amended. Notice of such meeting shall be published in accordance with the provisions of Amendment No. 750 at least seven days prior to February 23, 2009 in the newspaper having the largest circulation in the City.

The motion for the adoption of Resolution No. 4610-09 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 Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4610-09 duly and legally adopted.

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

RESOLUTION NO. 4611-09

**A RESOLUTION
AMENDING RESOLUTION NO. 4428-08,
ADOPTED FEBRUARY 11, 2008,
WITH REGARD TO
AMENDMENT TO FINAL PLAN
OF PLANNED UNIT DEVELOPMENT
TO BE KNOWN AS PARK PLACE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9, 2009, as follows:

Section 1. That Resolution No. 4428-08, adopted February 11, 2008, approving the Final Plan of the Planned Unit Development to be known as Park Place, be and it is hereby amended to grant a one (1) year extension, conditioned upon:

1. Park Place shall submit for site plan review on the development within two (2) years (February 11, 2010) of Final PUD approval.
2. Park Place shall comply with all of the conditions of the Preliminary PUD/rezoning approval as outlined in Resolution 4173-06.

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

The motion for the adoption of Resolution No. 4611-09 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 Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4611-09 duly and legally adopted.

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

RESOLUTION NO. 4612-09

**A RESOLUTION
APPROVING MASTER SIGNAGE PLAN
OF COLONIAL PINNACLE LIFESTYLE CENTER**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9, 2009, as follows:

Section 1. That the request of Langley Properties for approval of the Master Signage Plan for Colonial Pinnacle Lifestyle Center, located on the east side of Alabama Highway 59 directly north of County Road 4 East (aka Cotton Creek Drive), part of the Craft Farms RPC, is hereby approved, as outlined in Section 2, conditioned upon:

1. All proposed future flat signs shall be regulated by the requirements set forth in Article 9 of the Zoning Ordinance unless a modification to the Master Signage Plan is approved by the City Council.
2. Within 60 days of approval, the applicants shall remove the existing signs which are slated to be removed on the master signage plan.
3. The applicants shall modify the proposed signage for the Publix retail development so that it is similar in style and architecture to the other signs proposed in the master signage plan.

Section 2. That the master signage plan consists of one (1) existing monument sign at Cypress Lake Drive and Highway 59, one (1) existing monument sign at Cypress Point Drive and County Road 4, one (1) proposed monument sign at the Cobb Theater entrance on Highway 59, five (5) new directional signs which are interior to the development, a new pylon sign identifying the development as a whole located along Highway 59, and the approved sign for the future Publix retail development.

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

The motion for the adoption of Resolution No. 4612-09 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 Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4612-09 duly and legally adopted.

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

RESOLUTION NO. 4613-09

**A RESOLUTION AUTHORIZING AND DIRECTING THE
MAYOR PRO TEM AND CITY CLERK TO EXECUTE
AND ATTEST, RESPECTIVELY,
PROFESSIONAL SERVICES AGREEMENT WITH
SKIPPER CONSULTING, INC.
FOR TRAFFIC SIGNAL SYSTEM UPDATE
IN AMOUNT NOT TO EXCEED \$7,400.00**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9, 2009, as follows:

Section 1. That the Mayor Pro Tem and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a Professional Services Agreement between the City of Gulf Shores and Skipper Consulting, Inc. for traffic signal system update in an amount not to exceed \$7,400.00; in substantially the form presented to Council this date.

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

The motion for the adoption of Resolution No. 4613-09 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 Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4613-09 duly and legally adopted.

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

RESOLUTION NO. 4614-09

**A RESOLUTION AUTHORIZING AND DIRECTING THE
MAYOR PRO TEM AND CITY CLERK TO EXECUTE
AND ATTEST, RESPECTIVELY,
AMENDMENT TO
TASK ORDER 2007-1 WITH
OLSEN ASSOCIATES, INC.
FOR COASTAL ENGINEERING SERVICES
RELATIVE TO LITTLE LAGOON PASS
IN AMOUNT NOT TO EXCEED \$35,000.00;**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9, 2009, as follows:

Section 1. That the Mayor Pro Tem and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, an amendment to Task Order 2007-1 between the City of Gulf Shores and Olsen Associates, Inc. for coastal engineering services relative to Little Lagoon Pass (ADLOT modifications) in an amount not to exceed \$35,000.00; in substantially the form presented to Council this date.

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

The motion for the adoption of Resolution No. 4614-09 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 Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4614-09 duly and legally adopted.

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

RESOLUTION NO. 4615-09

**A RESOLUTION RATIFYING AND
CONFIRMING THE ACTION
OF THE MAYOR IN
REAPPOINTING STEVE BURROW AND
JIMMIE VAN VALKENBURG
TO THE BEAUTIFICATION BOARD**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9, 2009, as follows:

Section 1. That the action of the Mayor in reappointing Steve Burrow to the Beautification Board of the City of Gulf Shores for a 3-year period ending September 1, 2011, be and it is hereby ratified and confirmed.

Section 2. That the action of the Mayor in reappointing Jimmie Van Valkenburg to the Beautification Board of the City of Gulf Shores for a 3-year period ending December 9, 2011, be and it is hereby ratified and confirmed.

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

The motion for the adoption of Resolution No. 4615-09 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 Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4615-09 duly and legally adopted.

The Mayor Pro Tem requested and received unanimous consent of those officials present to deviate from the published agenda to table the Resolution reappointing individuals to the Zoning Board of Adjustments and Appeals. Mayor Pro Tem Doughty stated that it had come to her attention that an individual was resigning from the Board and all appointments should be considered at the same time.

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

RESOLUTION NO. 4616-09

**A RESOLUTION REAPPOINTING
NORA MANDOKI
TO THE PERSONNEL BOARD
TO SERVE A FULL TERM OF THREE YEARS
ENDING ON MARCH 27, 2012**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9, 2009, as follows:

Section 1. That Nora Mandoki be and she hereby is reappointed to the Personnel Board for a full term of three years term ending on March 27, 2012.

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

The motion for the adoption of Resolution No. 4616-09 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 Dyken, "aye,"

Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye."
Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor
Pro Tem declared Resolution No. 4616-09 duly and legally adopted.

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

RESOLUTION NO. 4617-09

**A RESOLUTION ACCEPTING THOSE CERTAIN STREETS
KNOWN AS OLDE PARK LANE AND OLDE PARK COURT,
AS SHOWN ON PLAT OF CYPRESS GARDENS SUBDIVISION,
AS RECORDED IN THE OFFICE OF THE
JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA**

WHEREAS, Craft Farms Property Owners Association, Inc. has
completed those certain streets known as Olde Park Lane and Olde
Park Court, along with improvements, as shown on plat of Cypress
Gardens Subdivision, a subdivision as recorded in Instrument
#764180, Slides #2129F and #2130A, in the records in the Office of
the Judge of Probate of Baldwin County, Alabama; and

WHEREAS, Craft Farms Property Owners Association, Inc. is
desirous of conveying to the City said streets together with all
improvements, including but not limited to street lights and
sidewalks; and

WHEREAS, the acceptance of said streets is authorized by and
acted upon under Ordinance No. 610, adopted on September 26, 1994.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9,
2009, as follows:

Section 1. That those certain streets known as Olde Park Lane
and Olde Park Court in Cypress Gardens Subdivision, a subdivision as
recorded in Instrument #764180, Slides #2129F and #2130A, in the
records in the Office of the Judge of Probate of Baldwin County,
Alabama, having been inspected and approved as meeting the
requirements and regulations of the City of Gulf Shores, be and the
same hereby are accepted as public rights-of-way and the maintenance
and responsibility for the same will, from this date forward, be
assumed by the City of Gulf Shores.

Section 2. That the maintenance period and maintenance bond
normally required for new streets be waived, inasmuch as these
streets have been in use for over two years.

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

The motion for the adoption of Resolution No. 4617-09 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 Dyken,
"aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye."
Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor
Pro Tem declared Resolution No. 4617-09 duly and legally adopted.

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

RESOLUTION NO. 4618-09

**A RESOLUTION AUTHORIZING AND DIRECTING THE
MAYOR PRO TEM AND CITY CLERK TO EXECUTE
AND ATTEST, RESPECTIVELY,
BILL OF SALE TO
THE UTILITIES BOARD OF THE CITY OF GULF SHORES
RELATIVE TO WATER LINES AND APPURTENANCES
IN GULF SHORES INDUSTRIAL PARK, PHASE IV**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9, 2009, as follows:

Section 1. That the Mayor Pro Tem and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a Bill of Sale from the City of Gulf Shores to The Utilities Board of the City of Gulf Shores for all that personal property, pertaining or related to water lines and appurtenances located in, upon, along, across or under Gulf Shores Industrial Park, Phase IV; in substantially the form presented to Council this date.

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

The motion for the adoption of Resolution No. 4618-09 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 Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4618-09 duly and legally adopted.

The City Clerk read into the record the following bid tabulation:

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

RESOLUTION NO. 4619-09

**A RESOLUTION ACCEPTING THE BID OF
EXECUTIVE PROTECTION SERVICES
IN THE AMOUNT OF \$14.95 PER MAN HOUR
FOR TRAFFIC CONTROL OFFICERS
AT GULF PLACE; AND
AUTHORIZING EXECUTION OF CONTRACT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9, 2009, as follows:

Section 1. That the bid of Executive Protection Services in the amount of \$14.95 per man hour for traffic control officers at Gulf Place, be and the same is hereby accepted, being the lowest, most responsible, among sealed bids opened on January 27, 2009.

Section 2. That the Mayor Pro Tem and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a contract between the City of Gulf Shores and Executive Protection Services for traffic control officers; in substantially the form presented to Council this date.

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

The motion for the adoption of Resolution No. 4619-09 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 Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4619-09 duly and legally adopted.

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

RESOLUTION NO. 4620-09

**A RESOLUTION AUTHORIZING THE
CITY OF GULF SHORES' PARTICIPATION IN
"THE YEAR OF ALABAMA SMALL TOWNS AND DOWNTOWNS" IN 2010**

WHEREAS, Governor Bob Riley has invited the Cities and Towns of Alabama to participate in a statewide promotion of 'The Year of Alabama Small Towns & Downtowns'; and

WHEREAS, The Office of the Governor, The Alabama League of Municipalities, The Alabama State Chambers of Commerce and Alabama Tourism Department are sponsoring the program; and

WHEREAS, all citizens are encouraged to have family, friends and former neighbors return to Gulf Shores to participate in a celebration of our hometown, in keeping with the State of Alabama's 'Small Towns and Downtowns' program; and

WHEREAS, as part of this program, the State of Alabama will provide Gulf Shores with a complimentary historic marker which will

be placed in an appropriate location as designated by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 9, 2009, as follows:

Section 1. That the City of Gulf Shores joins in with the State of Alabama in celebrating 'The Year of Alabama Small Towns and Downtowns'.

Section 2. That the "There Is No Place Like Home for the Holidays" Christmas Open House on December 3, 2010, is declared the homecoming event for the City of Gulf Shores.

The motion for the adoption of Resolution No. 4620-09 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 Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Councilman Harris and Mayor Craft were absent. Whereupon, the Mayor Pro Tem declared Resolution No. 4620-09 duly and legally adopted.

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.

An unidentified individual asked what the City's plan of action would be if Gulf Shores Utilities Board declared bankruptcy.

The Mayor Pro Tem stated that there currently was no plan in place, but consideration would be given to this.

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 Pro Tem Doughty declared the meeting adjourned.

Carolyn M. Doughty, Mayor Pro Tem

(SEAL)

ATTEST:

Renee F. Moore, MMC, City Clerk