

MINUTES OF REGULAR COUNCIL MEETING

CITY OF GULF SHORES, ALABAMA

JULY 13, 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 Eldon Thurow, Grace Lutheran Church. 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 Harris moved to approve the minutes of the regular meeting of June 22, 2009, as presented; seconded by Councilman Dyken; and the vote of those officials present was unanimously in favor of the motion.

Councilman Dyken moved to approve the minutes of the special meeting of July 2, 2009, as presented; seconded by Councilman Jones. Upon the question, all those officials present voted in favor of the motion, with the exception of Councilmen Garris and Harris, who abstained. The Mayor Pro Tem declared the motion carried.

Councilman Garris moved to approve the minutes of the work session of July 6, 2009, as presented; seconded by Councilman Dyken. Upon the question, all those officials present voted in favor of the motion, with the exception of Councilman Harris, who abstained. The Mayor Pro Tem declared the motion carried.

Councilman Dyken moved to approve the payroll and expense vouchers in the amount of \$728,650.68; seconded by Councilman Harris; 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.

Andy Bauer, Acting Planning Director, presented the letter request of Dr. Jason Williams for a temporary building.

Councilman Jones moved to approve the request of Dr. Jason Williams for a temporary building on the property located at the intersection of Office Park Drive and West 2nd Street for a one year period conditioned upon: (1) The concrete pad shall be 10' X 10'. (2) A five foot (5') easement shall be provided from the east property line. 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 Alabama Gulf Coast Area Chamber of Commerce for the Shrimp Festival.

Councilman Dyken moved to approve the Application for Public Assembly Permit of the Alabama Gulf Coast Area Chamber of Commerce for the 38th Annual National Shrimp Festival on October 8-11, 2009; seconded by Council 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 Alabama Gulf Coast Area Chamber of Commerce for the Shrimp Festival 10K Run.

Councilman Garris moved to approve the Application for Public Assembly Permit of the Alabama Gulf Coast Area Chamber of Commerce for the Shrimp Festival 10K Run on October 10, 2009; seconded by Councilman Harris; 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. 4664-09

**A RESOLUTION AUTHORIZING AND DIRECTING THE
MAYOR AND CITY CLERK TO EXECUTE
AND ATTEST, RESPECTIVELY,
A CONTRACT WITH
ALABAMA GULF COAST AREA CHAMBER OF COMMERCE
FOR 2009 ANNUAL NATIONAL SHRIMP FESTIVAL**

WHEREAS, under Section 11-47-19 of the *Code of Alabama*, the City Council of the City of Gulf Shores is authorized to provide music and other exhibitions for the amusement of inhabitants of the City; and

WHEREAS, the Alabama Gulf Coast Area Chamber of Commerce is experienced in the annual production of the National Shrimp Festival, an event that has historically featured music and other exhibitions for the amusement of the inhabitants of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 13, 2009, as follows:

Section 1. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a Contract for the Provision of Music and Other Exhibitions for the Amusement of the Inhabitants of the City of Gulf Shores between the City of Gulf Shores and the Alabama Gulf Coast Area Chamber of Commerce; 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. 4664-09 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. 4664-09 duly and legally adopted.

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

RESOLUTION NO. 4665-09

**A RESOLUTION
AUTHORIZING, RATIFYING AND CONFIRMING
EXECUTION OF APPLICATION
FOR FUNDING FOR FILING
WITH THE DEPARTMENT OF HOMELAND SECURITY,
FEDERAL EMERGENCY MANAGEMENT AGENCY'S
GRANT PROGRAM DIRECTORATE
IN COORDINATION WITH THE U.S. FIRE ADMINISTRATION,
TO FACILITATE OBTAINING FINANCIAL ASSISTANCE
FOR ASSISTANCE TO FIREFIGHTERS FIRE STATION
CONSTRUCTION GRANT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 13, 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 Department of Homeland Security, Federal Emergency Management Agency's Grant Program Directorate in coordination with the U.S. Fire Administration, to facilitate obtaining financial assistance for Assistance to Firefighters Fire Station Construction Grant. The City Clerk is hereby authorized to seal and attest said application. Any prior approval and execution of said contract is hereby ratified and approved.

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

The motion for the adoption of Resolution No. 4665-09 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. 4665-09 duly and legally adopted.

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

RESOLUTION NO. 4666-09

**A RESOLUTION
AUTHORIZING CERTAIN ACTIONS
RELATIVE TO
VENDOR STALE-DATED OUTSTANDING CHECKS**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 13, 2009, as follows:

Section 1. That the following vendor stale-dated out-standing checks are hereby authorized to be voided:

<u>Payee</u>	<u>Check #</u>	<u>Amount</u>	<u>Credit Acct. No.</u>
Abbott Services	44323	\$ 3.25	01-564-43-63
Alabama Section ITE	39162	\$ 45.00	01-560-81-10
Alton Jenkins	37705	\$ 25.00	01-535-10-62
	41639	\$ 75.00	01-535-10-62
Attorney's Title Inc.	38943	\$ 140.00	01-115-09-18

Baldwin County Internet	41033	\$5,000.00	01-228-60-10
Cellular South	39794	\$2,043.80	01-229-60-63
Christopher Matthew Livin	38964	\$ 24.00	01-553-57-15
Cingular	41097	\$1,287.13	01-229-60-63
Cingular Veterans Dr.	39608	\$ 178.99	01-229-60-63
Cingular-SBA	41098	\$2,960.00	01-229-60-63
Dave McClean	36667	\$ 22.68	01-322-10-20
DVA/Closeout Video	40426	\$ 9.99	01-552-64-10
Emerald Healthcare Group	42553	\$ 100.00	01-535-43-32
Express Roadside Service	39620	\$ 110.00	01-530-81-10
First Bankcard Services	39709	\$1,141.63	01-553-61-70
		\$ 335.01	01-553-57-10
		\$ 158.01	01-553-88-20
Home Depot	40267	\$ 39.80	01-562-61-40
Kimberly Byrd	43534	\$ 60.00	01-347-90-00
Nafeco, Inc.	40982	\$ 42.04	01-535-43-24
		\$1,391.70	01-535-61-55
		\$ 734.76	01-535-61-95
Northwest Florida Girls	39752	\$ 50.00	01-553-57-15
Shelton St. Comm. College	41322	\$ 208.90	01-535-64-10
South Baldwin Regional	41170	\$ 147.67	01-535-61-20
		\$ 99.10	01-530-81-10
Southern Light, LLC	39900	\$4,420.00	01-229-60-64
Stephen Tirador	41650	\$ 50.00	01-535-10-62
Steve Humphrey	44005	\$ 80.00	01-347-88-00
Summit Landscape Supply	42095	\$ 211.25	01-562-62-40
Talk Source	39688	\$ 35.00	01-511-81-10
The UPS Store	41182	\$ 10.52	01-564-43-83
Voice Stream	41191	\$2,592.53	01-229-60-63
Wal-Mart Community	41026	\$ 7.04	01-530-81-10
		\$ 33.93	01-553-88-20
		\$ 12.44	01-535-61-20
		\$ 4.94	01-535-61-55
Total		\$23,891.11	

Section 2. That the following vendor stale-dated out-standing checks are hereby authorized to be removed from the City's books debiting Miscellaneous Claims payable and crediting Miscellaneous Expense-Admin:

<u>Payee</u>	<u>Check #</u>	<u>Amount</u>
Meme & Charley	69684	\$ 35.70
Annette Smith	402	8.00
Vickie Ericks	130	75.00
Neil Sullivan	190	10.00
Chris Dazet	265	30.00
Felecia Cofie	302	45.00
Ann Tatom	338	8.00
Isom Walker	347	6.00
Jacob Bear	731	36.25
Parallax Books	952	55.00
Ralph Overton	953	300.00
SouthTrust Bank	1125	700.00
Wilma Kopoid	1135	66.66
John Ziegler	1185	80.00
Norma McAndre	1247	47.00
Lura Kennedy	26368	25.00
National High	28167	625.00
AL Dept. of Agriculture	30573	45.00
GMSDL	30636	48.00
Shores Acres Plant Farm	30710	2,650.60
GC Windshield Repair	31753	35.00
Safety Systems	32227	477.60

VISA	32740	5,565.43
VISA	32886	3,776.95
Dover Publ.	33208	3,271.69
So Automotive	33987	153.90
GS Builders Supply	34113	2,082.47
Alton Jenkins	34487	312.00
	34590	50.00
Deborah Scott	36169	691.85
Alfred Jeffcoat	36589	25.00
Joshua Huggins	36598	25.00
		<hr/>
	Total	\$21,363.10

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

The motion for the adoption of Resolution No. 4666-09 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. 4666-09 duly and legally adopted.

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

RESOLUTION NO. 4667-09

**A RESOLUTION
ON SPENDING OF
FEDERAL ECONOMIC RENEWAL GRANTS**

WHEREAS, the economic downturn is having a critical impact on every day Americans who are struggling to maintain or find jobs in an increasingly difficult environment; and,

WHEREAS, those same Americans are the taxpayers that provide the revenue needed to operate essential government services; and,

WHEREAS, Congress approved and President Obama signed into law a taxpayer-sponsored economic recovery package that will provide billions of dollars to help economically devastated cities and states immediately provide jobs to millions of out-of-work Americans through considerable infrastructure rebuilding, green energy projects and other projects that will require manufactured components; and,

WHEREAS, our taxpayer dollars should be spent to maximize the creation of American jobs and restore the economic vitality of our communities; and,

WHEREAS, any domestically produced products that are purchased with economic recovery plan monies will immediately help struggling American families and will help stabilize our greater economy; and,

WHEREAS, any economic recovery plan spending should, to every extent possible, include a commitment to buy materials, goods and services for projects from companies that are produced within the United States, thus employing the very workers that pay the taxes for the economic recovery plan spending in the first place.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 13, 2009, as follows:

Section 1. That the City of Gulf Shores will work to maximize the creation of American jobs and restore economic growth and

opportunity by spending economic recovery plan funds on products and services that both create jobs and help keep Americans employed.

Section 2. That the City of Gulf Shores commits to purchasing only products and services that are made or performed in the United States whenever and wherever possible with any economic recovery monies provided to the City of Gulf Shores.

Section 3. That the City of Gulf Shores commits to publish any requests to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products and services that will maximize the success of our nation's economic recovery program.

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

The motion for the adoption of Resolution No. 4667-09 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. 4667-09 duly and legally adopted.

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

RESOLUTION NO. 4668-09

**A RESOLUTION REAPPOINTING
TOM GILES
TO THE GULF SHORES UTILITIES BOARD,
PLACE 4,
TO SERVE A FULL TERM
ENDING ON JUNE 5, 2015**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 13, 2009, as follows:

Section 1. That Tom Giles be and he hereby is reappointed to the Gulf Shores Utilities Board, Place 4, to serve a full term of six years ending on June 5, 2015.

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

The motion for the adoption of Resolution No. 4668-09 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 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. 4668-09 duly and legally adopted.

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

RESOLUTION NO. 4669-09

**A RESOLUTION ESTABLISHING
FEE SCHEDULE FOR
PLANNING AND PERMITTING FUNCTIONS
IN COMMUNITY DEVELOPMENT DEPARTMENT
OF THE CITY OF GULF SHORES; AND
RESCINDING RESOLUTION NO. 4093-06**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 13, 2009, as follows:

Section 1. That the following schedule of fees is hereby established and approved for planning and permitting functions in the Community Development Department of the City of Gulf Shores:

Administrative Site Plan Review.....	250.00
Site Plan Review.....	300.00
Conditional Use Permit.	300.00
Special Exception Review.....	300.00
Rezoning.....	1,000.00
Planned Unit Development... ..	1,500.00
Plus other normal fees associated with subdivision, site plans for individual development	
Zoning Ordinance Text Amendment.....	500.00
<u>Subdivision:</u>	
Preliminary Plat.....	1,000.00 + 75.00/lot
Final Plat.....	300.00
Subdivision Recording Fee/Deposit.....	75.00
<u>Amendment to Any Application:</u>	
Requiring Council Action.....	50% of current fee
Requiring Administrative/Staff Action... ..	25% of current fee
<u>Zoning Board of Adjustment:</u>	
Single Family & Duplex Variance.....	100.00
All Other Variances.....	500.00
Appeal to Board of Zoning Adjustments.....	200.00
<u>Other Permits and Applications</u>	
Comprehensive Plan Amendment.....	500.00
Tree Removal Permit.....	250.00
Master Signage Plan.....	250.00
Relocation of Right-of-Way.....	500.00*
<u>Meeting Minutes & Records</u>	
Written Confirmation of Zoning.....	75.00
Transcript of Planning Commission Mtg. or Zoning Board of Adjustment Mtg.- Written.....	100.00
<u>Coastal Permits</u>	
Single Family/Duplex on Beaches/Dunes.....	300.00
Commercial/More than 2 on Beaches/Dunes.....	5,000.00
Modifications.....	250.00+
Variances to Division 8 Regulations.....	1,000.00
Administrative Fees/Refunds.....	25.00

Fees shall be doubled if permit activity is commenced prior to approval.

*Can be waived by City with justification.

When any of the above applications require publication of notice of a public hearing, all fees associated with the publication of the notice shall be the responsibility of the applicant and shall be billed to the applicant.

Section 3. That Resolution No. 4093-06, adopted June 12, 2006, is hereby rescinded.

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

The motion for the adoption of Resolution No. 4669-09 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 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. 4669-09 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:

The motion for unanimous consent was seconded by Councilman Garris; 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. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Garris then moved for the adoption of Ordinance No. 1551 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1551 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 Ordinance No. 1551 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. 1552

**AN ORDINANCE AN ORDINANCE TO AMEND THE CODE OF ORDINANCES,
ADOPTED JULY 24, 1989,
AT CHAPTER 7,
BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES,
ARTICLE VII. CONSTRUCTION AND OTHER ACTIVITIES
ON GULF FRONT BEACHES AND DUNES,
BY ADDING A NEW SECTION
ADOPTING ADDRESSING/SIGNAGE STANDARDS
FOR BEACH FRONTING PROPERTIES**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 13, 2009, as follows:

Section 1. That Chapter 7, BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, of the Code of Ordinances, adopted July 24, 1989, be and it is hereby amended at ARTICLE VII. CONSTRUCTION AND OTHER ACTIVITIES ON GULF FRONT BEACHES AND DUNES by adding a new Section that shall read as follows:

CHAPTER 7 BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES

* * *

ARTICLE VII. CONSTRUCTION AND OTHER ACTIVITIES ON GULF FRONT BEACHES AND DUNES

* * *

Sec. 7-___. Addressing/signage standards for beach fronting properties with dune walkovers.

A. For all locations other than multi-family developments, Street Address (911) numbers shall be provided on the seaward side of structures. The numbers shall be of contrasting color and be a minimum of four inches (4") in height.

B. For all multi-family developments, an eighteen inch (18") by twenty-eight inch (28") sign shall be provided. The sign shall have four (4) lines with the name of the development occupying the top two (2) lines, the address numbers occupying the third line and the street name occupying the fourth line of the sign with a minimum

of three inch (3") letters and numbers. The sign shall have a green background with white letters. The sign shall be a freestanding sign supported by a minimum of one (1), four inch by four inch (4" X 4") ten foot (10') post located on the seaward side of the dunes, but not south of the established Mean High Tide Line, with the sign facing south. The height of the sign shall be a minimum of four feet (4') to the bottom of the sign from grade and a maximum of five feet (5') to the bottom of the sign from grade at time of construction.

C. For all multi-family developments, the International Flag System (Beach Warning Sign) shall be posted on the site nearest the point of ingress/egress to the beach.

D. It shall be the responsibility of the property owner/homeowner's association to maintain the required signage at the required locations. The City of Gulf Shores Building Department and Fire Department will make routine inspections to verify the signs are in compliance with this ordinance. Anyone found not in compliance with this ordinance will be subject to penalties and fines as allowed within the City of Gulf Shores' Code of Ordinances.

E. The requirements of this ordinance shall not exempt any requirements as established in other ordinances adopted by the City of Gulf Shores regarding signage.

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 Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Mayor Craft was absent. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Garris then moved for the adoption of Ordinance No. 1552 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1552 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 Ordinance No. 1552 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. 1553

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES,
ADOPTED JULY 24, 1989,
AT CHAPTER 10, COURT AND CRIMINAL PROCEDURE,
BY CHANGING CERTAIN LANGUAGE
AT SECTION 10-11, POWERS OF COURT,
SUBSECTION (d),
AS IT RELATES TO COURT COSTS; AND
AT SECTION 10-12, COURT COSTS IN TRAFFIC CASES**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 13, 2009, as follows:

Section 1. That Chapter 10, COURT AND CRIMINAL PROCEDURE, of the Code of Ordinances, adopted July 24, 1989, be and it is hereby amended by changing certain language at Section 10-11, Powers of court, Subsection (d) so the Section shall read as follows:

CHAPTER 10 COURT AND CRIMINAL PROCEDURE

* * *

Sec. 10-11. Powers of court.

(d) Upon conviction in municipal court for a violation of any ordinance of the city there shall be taxed against the defendant as court costs the sum of sixty-six dollars (\$66.00), or such lesser amount as may be provided, and there shall also be taxed as costs the additional costs and fees imposed by the statutes of the state, and the latter such costs and fees shall be remitted pursuant to such statutes. All costs taxed for the city, as hereinabove provided, shall be paid into the city treasury.

* * *

Section 2. That Chapter 10, COURT AND CRIMINAL PROCEDURE, of the Code of Ordinances, adopted July 24, 1989, be and it is hereby amended by changing certain language at Section 10-12, Court costs in traffic cases, so the entire Section shall read as follows:

CHAPTER 10 COURT AND CRIMINAL PROCEDURE

* * *

Sec. 10-12. Court costs in traffic cases.

The court costs for moving traffic violations and nonmoving traffic violations within the jurisdiction of the municipal court shall be raised to fifty-nine dollars and fifty cents (\$59.50).

Section 3. 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 Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Mayor Craft was absent. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Jones then moved for the adoption of Ordinance No. 1553 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1553 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 Ordinance No. 1553 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. 1554

**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 18th day of November, 2008, AIG Baker Gulf Shores Golf Course, 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 13, 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 heretobefore 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: 66-04-18-2-000-001.000 - 359' (S) X 504' (S) From northeast corner of northwest $\frac{1}{4}$ section 18 for point of beginning; thence south 344' (S), thence northwest 504' (S), thence east 359' (S) to point of beginning. 1.42 acres. Sec 18-T9S-R4E, DD BK 352, Pg. 408

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 Garris; 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. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Garris then moved for the adoption of Ordinance No. 1554 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1554 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 Ordinance No. 1554 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. 1555

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

WHEREAS, on the 2nd day of April, 2009, Pennstar, LLC, owners of all the real property hereinafter described, did file with the City Clerk petitions 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 13, 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 heretobefore 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:

66-04-18-2-000-002.005 - 37' X 155' Common Area 10 Island Wood Phase One Sub Slides 2185-F and 2186-A.

66-04-18-2-000-002.006 - 282.6' X 175.3' Irr Common Area 5 Island Wood Phase One Sub Slide 2185-F and 2186-A.

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

Section 4. That the territories 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 Garris; 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. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Jones then moved for the adoption of Ordinance No. 1555 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1555 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 Ordinance No. 1555 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. 1556

**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, Gerhard J. and Marsha Hinnen, 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 13, 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 heretobefore 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: 66-04-18-2-000-002.017 - 75' X 155' Lot 19 Island Wood Sub Phase One slide 2185-F and 2186-A. 1416 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 Garris; 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. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Dyken then moved for the adoption of Ordinance No. 1556 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1556 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 Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Mayor Craft was absent. Whereupon, the Mayor Pro Tem declared Ordinance No. 1556 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. 1557

**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, Julian and Betty Tedder, 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 13, 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 heretobefore 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: 66-04-18-2-000-002.003 - 102.5' x 50' (S) Irr part of Lot 8 Slide 2006-B and 2006-C lying outside corporate limits. 1389 West Fairway Drive

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 Garris; 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. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Jones then moved for the adoption of Ordinance No. 1557 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1557 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 Ordinance No. 1557 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. 1558

**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, Erwin and Maureen Bacon, 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 13, 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 heretobefore 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: 66-04-18-2-000-002.025 - 75' X 165' Lot 26 Island Wood Sub Phase One Slide 2185-F and 2186-A. 1444 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 Garris; 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. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Dyken then moved for the adoption of Ordinance No. 1558 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1558 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 Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Mayor Craft was absent. Whereupon, the Mayor Pro Tem declared Ordinance No. 1558 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. 1559

**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 May, 2008, Timothy B. Sullivan, as trustee 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 13, 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 heretobefore 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: 66-04-18-2-000-002.024 - 75' x 165' Lot 25 Island Wood Sub Phase One Slide 2185-F and 2186-A. 1440 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 Garris; 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. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Harris then moved for the adoption of Ordinance No. 1559 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1559 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 Ordinance No. 1559 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. 1560

**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, Dennis and Janet Meckert, 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 13, 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 heretobefore 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: 66-04-18-2-000-002.001 - 72.5' x 140' (S) Irr part of Lot 10 Fairway View Estates Sub Slide 2006-B and 2006-C lying outside corporate limits. 1397 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 Garris; 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. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Garris then moved for the adoption of Ordinance No. 1560 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1560 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 Ordinance No. 1560 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. 1561

**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 April, 2008, Larry D. and Yvonne Gilliland, 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 13, 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 heretobefore 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: 66-04-18-2-000-002.004 - 102.5' x 88' (S) Irr part of Lot 9 Fairway View Estates Sub Slide 2006-B and 2006-C Outside Corporate Limits. 1393 West Fairway Drive

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 Garris; 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. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Dyken then moved for the adoption of Ordinance No. 1561 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1561 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 Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Mayor Craft was absent. Whereupon, the Mayor Pro Tem declared Ordinance No. 1561 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. 1562

**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 19th day of May, 2008, Shawn M. Richardson, 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 13, 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 heretobefore 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: 66-04-18-2-000-002.007 - 67.9' X 167.8' Irr Lot 9 Island Wood Sub Phase One Slide 2185-F and 2186-A. 1453 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 Garris; 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. Mayor Pro Tem Doughty then declared the rules suspended.

Councilman Garris then moved for the adoption of Ordinance No. 1562 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1562 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 Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Pro Tem Doughty, "aye." Mayor Craft was absent. Whereupon, the Mayor Pro Tem declared Ordinance No. 1562 duly and legally adopted.

The Mayor Pro Tem requested and received consent of those members present to deviate from the published agenda to consider a Resolution authorizing application for a grant for bus facilities and infrastructure improvements.

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

RESOLUTION NO. 4670-09

**A RESOLUTION
AUTHORIZING AND DIRECTING THE MAYOR
AND CITY CLERK TO EXECUTE
APPLICATION FOR FEDERAL ASSISTANCE
FOR FILING WITH FEDERAL TRANSIT ADMINISTRATION,
UNITED STATES DEPARTMENT OF TRANSPORTATION,
TO FACILITATE OBTAINING FINANCIAL ASSISTANCE
IN AMOUNT OF \$771,000.00
FOR BUS FACILITIES AND INFRASTRUCTURE IMPROVEMENTS;
AND AUTHORIZE MATCHING FUNDS PAYMENT OF \$154,200.00
FROM THE 2009 CAPITAL IMPROVEMENTS FUND**

WHEREAS, the Federal Transit Administration has been delegated authority to award Federal financial assistance for a transportation project; and

WHEREAS, the grant for Federal financial assistance will impose certain obligations upon the Applicant and may require the Applicant to provide the local share of the project costs; and

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JULY 13, 2009, as follows:

Section 1. That the Mayor and City Clerk are hereby authorized and directed to execute and file an application for Federal assistance on behalf of the City of Gulf Shores with the Federal

Transit Administration to facilitate obtaining financial assistance in the amount of \$771,000.00 for bus facilities and infrastructure improvements.

Section 2. That the Mayor and City Clerk are hereby authorized to execute and file with its application the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.

Section 3. That the Mayor and City Clerk are hereby authorized to execute the grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Gulf Shores, Alabama.

Section 4. That the payment of \$154,200.00 of required matching funds are hereby authorized from the Capital Improvements Fund as allocated in the Fiscal Year 2009 Spending Plan.

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

The motion for the adoption of Resolution No. 4670-09 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. 4670-09 duly and legally adopted.

COMMITTEE REPORTS:

Councilman Jones and Library Director Wendy Congiardo presented information to the Council relative to library activities.

STAFF REPORTS:

Public Works Director Mark Acreman stated that the Alabama Department of Transportation would be pouring the foundations this week for the County Road 8 traffic signals.

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.

Gerald Carter addressed the permit fee changes and stated they only benefit developers, not residents.

Mayor Pro Tem Doughty addressed her concern with the traffic situation she experienced on Saturday. It took her an hour to travel from Keller Road to the foot of the bridge.

Public Works Director Acreman stated he would monitor the situation.

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