

MINUTES OF REGULAR COUNCIL MEETING

CITY OF GULF SHORES, ALABAMA

DECEMBER 7, 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/EMS. 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 Garris moved to approve the minutes of the regular meeting of November 23, 2009, 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 November 30, 2009, as presented; seconded by Councilman Garris. Upon the question, all those officials present voted in favor of the motion, with the exception of Councilman Harris, who abstained. The Mayor declared the motion carried.

Mayor Craft stated that this was the time and place for the public hearing, as advertised, relative to the Fiscal Year 2010 General Fund Budget.

The City Clerk reported the dates on which the required advertising was done. There were no written comments received and no citizens appeared at the hearing to comment.

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

RESOLUTION NO. 4725-09

**A RESOLUTION ADOPTING
CITY OF GULF SHORES
2010 BUDGETS**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON DECEMBER 7, 2009, as follows:

Section 1. That the City of Gulf Shores 2010 Budgets be adopted for the City of Gulf Shores, Alabama, for Fiscal Year 2010 beginning January 1, 2010 and ending December 31, 2010.

GENERAL FUND BUDGET SUMMARY

2010

(JANUARY 1, 2010 THROUGH DECEMBER 31, 2010)

TOTAL REVENUES GENERAL FUND \$25,419,143

EXPENDITURES:

Executive	\$ 533,967
Accounting and Finance	287,890
Rec & Cultural Affairs	108,444
Human Resources	142,705
Information Systems	526,480
Procurement	105,918
Revenue	323,930
Admin & Financial Svcs	1,585,054
Municipal Court	267,540
Police	3,490,174
Fire & EMS	2,686,546

Community Development	315,650
Building	341,921
Special Events & Programs	610,179
Library	345,742
Recreation	2,426,612
Public Works:	
General Services	478,000
Public Facilities-Custodial	330,060
Public Facilities-Landscaping	504,546
Streets	1,810,105
Maintenance	837,030
Outside Agencies	<u>80,000</u>

SUBTOTAL \$18,138,493

Police - Capital Outlay	\$ 513,680
Building – Capital Outlay	40,000
PW Landscaping – Capital Outlay	20,000
PW Streets – Capital Outlay	24,000
PW Maintenance – Capital Outlay	<u>57,500</u>

SUBTOTAL 655,180

Operating Transfers Out	<u>5,532,028</u>	
Total General Fund Expenses		<u>\$24,325,701</u>

Budget Carry Forward General Fund		\$ 1,093,442
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**OTHER FUND BUDGET SUMMARY
2010
(JANUARY 1, 2010 THROUGH DECEMBER 31, 2010)**

REVENUE EXPENDITURE

Special Revenue

2% Lodging Tax	
Revenue	1,705,000

Debt Service Payment	1,705,000
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Police & Fire Related Grants

Police and Fire	366,100
Transfer to General	366,100

Impact Fees Fund

Impact Fees Revenue	81,320
Equipment Police, Recreation	81,320

2008 A GO Warrant

Match/Bond Proceeds	1,753,170
Capital Outlay Projects	1,753,170

Miscellaneous Grants

Transfer to CIF	230,828
Bus Facility, Beach Patrol Vehicles	230,828

Debt Service Fund

Transfers/Rent	5,937,436	
Bond Payments		5,937,436

Total All Funds

Revenue 35,492,997

Total All Funds

Expense 34,399,555

General Fund Budget

Carry Forward 1,093,442

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

The motion for the adoption of Resolution No. 4725-09 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. 4725-09 duly and legally adopted.

Dr. Ernie Rosada presented the 2009-2010 Gulf Shores High School Teacher of the Year Amanda Jennings.

The City Clerk presented the Application for Transfer of Restaurant Retail Liquor License of Oceans Inc., dba Oceans.

Councilman Doughty moved to approve the Application for Transfer of Restaurant Retail Liquor License of Oceans Inc., dba Oceans, located at 15849 Fort Morgan Road, Suite A, 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 of L.A. Fleet Feet Running Club.

Councilman Harris moved to approve the Application for Public Assembly Permit of L.A. Fleet Feet Running Club for the 2010 Sweetheart Run on February 13, 2010, and to waive the permit fee; seconded by Councilman Jones; and the vote was unanimously in favor of the motion.

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

RESOLUTION NO. 4726-09

**A RESOLUTION APPROVING SITE PLAN OF
CLYDE WEIR
FOR A DEVELOPMENT LOCATED
AT 3851 GULF SHORES PARKWAY;
AND SETTING FORTH FINDINGS OF FACT AND
CONCLUSIONS, IN ACCORDANCE WITH REQUIREMENTS
OF ARTICLE 15 OF ZONING ORDINANCE NO. 235
(SP2009-04)**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON DECEMBER 7, 2009, as follows:

Section 1. That the Site Plan of Clyde Weir for a 25,257 square foot mixed use building located at 3851 Gulf Shores Parkway be and it is hereby approved.

The Site Plan approved and referenced herein shall be comprised of the following exhibits: Exhibit A – Plans dated December 7, 2009.

Section 2. That the decision of the Council is that the Site Plan is in the public interest, based on the following findings of fact and conclusions:

- A. The plan is consistent with the comprehensive plan and the purpose and intent of the zoning district in which it is located – CD (commercial).
- B. The plan is in conformance with applicable regulations of the zoning district in which it is located. The plan meets or exceeds area and setback requirements.
- C. The plan is in conformance with the City's subdivision regulations and all other applicable City requirements including design, adequacy and construction of streets, drainage, utilities and other essential services or facilities.

ALL CONSTRUCTION SHALL BE CONSISTENT WITH THE SITE PLAN APPROVED BY COUNCIL AND COMPLY WITH ALL ZONING AND OTHER APPLICABLE REGULATIONS OF THE CITY, AND FURTHER CONTINGENT UPON:

- 1) The applicant shall provide a revised photometric plan indicating the light readings that conform to the regulation set forth for properties outside the Marine Turtle Conservation Zone.
 - 2) The applicant shall provide a copy of the recorded joinder of title prior to the issuance of a building permit.
- D. The plan is consistent with good design standards in respect to all internal and external relationships, including but not limited to:
- 1) Relationship to adjoining properties;
 - 2) Internal circulation, both vehicular and pedestrian;
 - 3) Design of access and egress and impact on adjoining streets;
 - 4) Disposition and use of open space, provision of screening and/or buffering, and preservation of existing natural features including trees, wetlands, and dunes;
 - 5) Size and bulk of the structure meets or exceeds compliance with area requirements;
 - 6) Building arrangements both between buildings in the proposed development and those on adjoining sites.

E. The plan is in conformance with City policy in respect to sufficiency of ownership. The City does not, by this approval, assume any responsibility for title or survey problems which may arise.

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

The motion for the adoption of Resolution No. 4726-09 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 Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Craft, "aye." Whereupon, the Mayor declared Resolution No. 4726-09 duly and legally adopted.

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

RESOLUTION NO. 4727-09

**A RESOLUTION ACCEPTING THE BID OF
HEARTLAND PAYMENT SYSTEMS
FOR ON-LINE PAYMENT PROCESSING; AND
AUTHORIZING EXECUTION OF CONTRACT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON DECEMBER 7, 2009, as follows:

Section 1. That the bid of Heartland Payment Systems for on-line payment processing, be and the same is hereby accepted, being the lowest, most responsible, among sealed bids opened on September 10, 2009.

Section 2. That the Mayor 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 Heartland Payment Systems for on-line payment processing for the City; 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. 4727-09 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. 4727-09 duly and legally adopted.

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

RESOLUTION NO. 4728-09

**A RESOLUTION AUTHORIZING AND DIRECTING THE
MAYOR AND CITY CLERK TO EXECUTE
AND ATTEST, RESPECTIVELY,
CONTRACT WITH VAN SCOYOC ASSOCIATES, INC.
FOR FEDERAL RELATIONS SERVICES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON DECEMBER 7, 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 between the City of Gulf Shores and Van Scoyoc Associates, Inc. for federal relations services; in substantially the form presented to Council this date.

Section 2. That the funds for payment for such contract be authorized in an amount not to exceed \$5,500.00 per month.

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

The motion for the adoption of Resolution No. 4728-09 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. 4728-09 duly and legally adopted.

COMMITTEE REPORTS:

Councilman Jones announced that the Clean Coast Partnership would be offering an electronic recycling day on January 9 at the Gulf State Park pavilion.

STAFF REPORTS:

Building Official Brandan Franklin reported that the City's ISO rating has been reclassified to a 3 for the Fire Department and to a 4 for commercial and residential buildings.

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

Mayor Craft declared the meeting adjourned.

Robert Craft, Mayor

(SEAL)

ATTEST:

Renee F. Moore, MMC, City Clerk