

## **MINUTES OF REGULAR COUNCIL MEETING**

### **CITY OF GULF SHORES, ALABAMA**

**MARCH 22, 2010**

Mayor Craft called the meeting to order at 5:00 p.m. at the City Hall. The invocation was delivered by The Reverend Steven Kurtz, First Presbyterian Church. 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 March 8, 2010, as presented; seconded by Councilman Harris. Upon the question, all those officials present voted in favor of the motion, with the exception of Councilman Doughty, who abstained. The Mayor declared the motion passed.

Councilman Jones moved to approve the minutes of the work session of March 15, 2010, as presented; seconded by Councilman Doughty; and the vote was unanimously in favor of the motion.

Councilman Harris moved to approve the minutes of the special meeting of March 17, 2010, as presented; seconded by Councilman Jones. Upon the question, all those officials present voted in favor of the motion, with the exception of Councilman Dyken, who abstained. The Mayor declared the motion passed.

Councilman Jones moved to approve the expense vouchers in the amount of \$161,962.90; seconded by Councilman Garris; and the vote was unanimously in favor of the motion.

The City Clerk noted that the complete list of vouchers to be paid, as reflected on a computer printout, had been made a permanent record in the Clerk's office.

Mayor Craft stated that this was the time and place for the public hearing, as advertised, on the application of RJ's Liquor and Wine for a Lounge Retail Liquor-Class II (Package) License.

The City Clerk reported the dates on which the required advertising was done; and she read the letters of reference. The Acting Chief of Police 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 Doughty moved to approve the application of Montelaro Tobacco Road, Inc., dba RJ's Liquor and Wine Gulf Shores, located at 1545 Gulf Shores Parkway, Gulf Shores, Alabama, for a Lounge Retail Liquor – Class II (Package) License and to so notify the ABC Board; seconded by Councilman Jones; and the vote was unanimously in favor of the motion.

The Mayor read a Proclamation supporting the 2010 census and presented such to a U.S. Census Bureau representative.

Mayor Craft read a Proclamation acknowledging the City's support of the 2010 Relay for Life. The Proclamation was presented to Brandan Franklin, representing the City's Relay for Life team.

The City Clerk presented the Application for Public Assembly Permit for the Hot Trot for ARC 5K and 1 Mile Runs.

Councilman Harris moved to approve the Application for Public Assembly Permit of the Robertsdale Rotary Club for the Hot Trot for ARC 5K and 1 Mile Runs on June 12, 2010; seconded by Councilman Jones; and the vote was unanimously in favor of the motion.

The City Clerk presented the Application for Public Assembly Permit for the FloraBama Triathlon.

Councilman Dyken moved to approve the Application for Public Assembly Permit of the FloraBama for the annual triathlon on April 17, 2010; seconded by Councilman Jones; and the vote was unanimously in favor of the motion.

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

**RESOLUTION NO. 4768-10**

**A RESOLUTION  
AUTHORIZING AND DIRECTING  
THE MAYOR AND CITY CLERK  
TO EXECUTE AND ATTEST, RESPECTIVELY,  
A PROFESSIONAL SERVICES CONTRACT  
WITH CHRISTIE STRATEGY GROUP  
FOR STATE RELATIONS SERVICES**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 22, 2010, 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 professional services between the City of Gulf Shores and Christie Strategy Group for state 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 \$10,000.00 per quarter, plus expenses (mileage, meals, lodging, etc).

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

The motion for the adoption of Resolution No. 4768-10 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. 4768-10 duly and legally adopted.

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

**RESOLUTION NO. 4769-10**

**A RESOLUTION AUTHORIZING AND DIRECTING THE  
MAYOR AND CITY CLERK TO EXECUTE  
AND ATTEST, RESPECTIVELY, CONTRACT  
WITH SLAVIN MANAGEMENT CONSULTANTS  
FOR PERSONNEL CLASSIFICATION AND  
COMPENSATION STUDY  
IN AMOUNT NOT TO EXCEED \$42,738.00**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 22, 2010, 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 Slavin Management Consultants for a Personnel Classification and Compensation Study in an amount not to exceed \$42,738.00; 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. 4769-10 was seconded by Councilman Dyken; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Garris, "aye," Councilman Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Craft, "aye." Whereupon, the Mayor declared Resolution No. 4769-10 duly and legally adopted.

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



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

**RESOLUTION NO. 4770-10**

**A RESOLUTION ACCEPTING THE BID OF  
HALL MOTORSPORTS  
IN THE TOTAL AMOUNT OF \$27,446.00  
FOR TWO ALL TERRAIN VEHICLES  
FOR GULF SHORES POLICE DEPARTMENT; AND  
AUTHORIZING EXECUTION OF CONTRACT**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 22, 2010, as follows:

Section 1. That the bid of Hall Motorsports in the total amount of \$27,446.00 for two (2) all terrain vehicles for Gulf Shores Police Department, be and the same is hereby accepted, being the most conforming and responsible, among sealed bids, opened on March 2, 2010.

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 Hall Motorsports for purchase of all terrain vehicles for the Gulf Shores Police Department.

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

The motion for the adoption of Resolution No. 4770-10 was seconded by Councilman Doughty; 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. 4770-10 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. 4771-10**

**A RESOLUTION ACCEPTING THE BID OF  
FOLEY IMPLEMENT COMPANY, INC.  
IN THE TOTAL AMOUNT OF \$18,800.00  
FOR 4X4 GATORS FOR USE BY  
PUBLIC WORKS DEPARTMENT –  
STREETS DIVISION; AND  
AUTHORIZING EXECUTION OF CONTRACT**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 22, 2010, as follows:

Section 1. That the bid of Foley Implement Company, Inc. in the total amount of \$18,800.00 for two (2) 4X4 Gators for use by the Public Works Department-Streets Division, be and the same is hereby accepted, being the lowest, most responsible, among sealed bids opened on February 23, 2010.

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 Foley Implement Company, Inc. for 4X4 Gators to be used by the Public Works Department – Streets Division.

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

The motion for the adoption of Resolution No. 4771-10 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. 4771-10 duly and legally adopted.

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

**RESOLUTION NO. 4772-10**

**A RESOLUTION AMENDING  
RESOLUTION NO. 1975-93,  
ADOPTING PURCHASING MANUAL  
FOR CITY OF GULF SHORES,  
AT APPENDIX A,  
PURCHASING AUTHORIZATION LIST**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 22, 2010, as follows:

Section 1. That Resolution No. 1975-93, adopting the Purchasing Manual for the City of Gulf Shores, be and it is hereby amended at Appendix A, Purchasing Authorization List, by changing certain names which shall read as follows:

PURCHASING AUTHORIZATION LIST

<u>DEPARTMENT</u>	<u>DEPT. PURCHASING AGENT</u>	<u>DATE</u>
Admin. Div.	Steve Garman, City Administrator Renee Moore, City Clerk Wanda Parris, Deputy City Clerk	3/22/2010

Finance Div.	Cindy King, Finance Director
Cultural Affairs	Grant Brown, Director
Accounting	Michelle Mims, Accounting Manager Jennifer Tingle, Accounting Clerk
Municipal Court	Kenneth B. McKenzie, Court Clerk Julie Jones, Magistrate Natasha Touchstone, Magistrate
Personnel Div.	Sandy Carden, Personnel Officer Candy Porter, Personnel Assistant
Revenue Div.	Sandra Stevens, City Treasurer
Purchasing Dept.	Wanda Brantley, Procurement Officer Daniel Santa Cruz, DPO
CDD	Andy Bauer, Planning Director Sherry Smith, Secretary Norm Anthony, Code Enforcement Jennifer Watkins, Planner
Building Dept.	Brandan Franklin, Building Official Lance Jones, Building Inspector Kathy George, Receptionist Don Williams, Building Inspector Tamatha Norman, Permit Clerk
Information Systems	Diane Brown, Information Systems Mgr Shana Russell, Network Administrator
Public Works	Mark Acreman, Director Noel Hand, Assistant Director Janice Childress/Kathy Brown, Office Assistants Paulette Cornell/ Michelle Buskens (shop) David Barton, PW Inspector
Maintenance Div.	David Peleschak, Supervisor Bobby Collins, Mike Collins Roger Groves, Mike Parker Mike Zona, Mark Hrabak Doug White, Charles Phipps
Landscape Div.	Cliff Collings, Supervisor Frances Ivey, Don Turk Harlan Harrison, Brent Etheredge Jeff Gay, Phyllis Phipps Jonathan Seller, Stacy McGregor
Streets/Roads Div.	Jeff Beck, Supervisor

Don Hermech, John Brown  
Hiawatha McGaster, Riley Houston  
Kenny Mink, Tommy McDonald  
Randy Hastings

Custodial Dept. Mike Richardson, Supervisor  
Michelle Collings

Recreation Div. Kathryn Emerson, Leo Arnold  
Jean Coberly, Micheal Grafe  
Jeff Hopkins, Sylvia Lamberth  
Walt Norton, Brook Monroe,  
Bridgette Reynolds, Cindy Kneeream

Library Div. Wendy Congiardo, Sherry Hoffman

Special Events  
Div. Teri Westbrook, Christie Shannon  
Jerry (Rick) Vines, Bob Fierstos  
Candice Hughes, John Augustiniak

Police Fred Beaman, Deputy Chief  
Alicia Talley, Records Clerk  
Dudley Carlisle  
Lieutenants on each Shift:  
Dennis King, Alan Carpenter  
Bill Cowan  
Sergeants on each Shift:  
Darrell Franklin, Mike Hill  
Brian Potts, Richard King  
Corporals on each Shift  
Roman Frye, Brian Fillingim  
Criminal Investigators on each Shift:  
Sgt. Harry L. “Skip” Callaway  
Cpl. Timothy Knight  
Cpl. Tommy Green  
Cpl. Justin Clopton

Fire Hartly Brokenshaw, Chief  
Keith Martin, Deputy Chief  
Mitchell Sims, Gary Sinak  
George Surry, Mike Higgins  
Bo Smith, Evan Ard  
Brian Gardner, Jeffery McWilliams  
Mark Fincher, Wayne Redditt  
Kevin Tolbert, Richard Abbott  
Mathew Bartl, Michael Lucas  
Charles Ingram, Jeff Kimsey  
Brian McMahan, Robert Rowland  
Alex Anagnostopoulos, Nick Sheer  
Ron West, Steve Lawrence

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

The motion for the adoption of Resolution No. 4772-10 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. 4772-10 duly and legally adopted.

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

**RESOLUTION NO. 4773-10**

**A RESOLUTION AMENDING RESOLUTION NO. 1975-93,  
ADOPTING PURCHASING MANUAL  
FOR CITY OF GULF SHORES,  
AT CHAPTER X, PETTY CASH AND  
CASH BOX POLICY, SECTION A**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON March 22, 2010, as follows:

Section 1. That Resolution No. 1975-93, adopting the Purchasing Manual for the City of Gulf Shores, be and it is hereby amended at CHAPTER X, PETTY CASH AND CASH BOX POLICY, Section A., by changing certain names and amounts which shall read as follows:

**CHAPTER X. PETTY CASH AND CASH BOX POLICY**

A. A petty cash fund may be used to purchase small items of immediate need or to reimburse employees for eligible outlay of cash. The following funds are presently authorized for the respective divisions of the City:

<u>FUND</u>	<u>AMOUNT</u>	<u>CUSTODIAN</u>
General Government	\$1,000	Revenue Clerk
Hurricane Decals & Beach Passes	25	Revenue Coordinator
Beach Parking (Seasonal)	1,400	Recreation/Cultural Affairs Director
Municipal Court	500	Court Clerk
Police	300	Clerk Police Chief designee
Fire/EMS	300	Fire Chief
Community Development	500	Administrative Assistant
Building Department	250	Administrative Assistant
Special Events & Programs	1,000	Special Events Coordinator
Library	400	Librarian
Parks & Rec.	500	Recreation/Cultural Affairs Director
Sims Parks Concessions	300	Program Coordinator/Interim Director
Sportsplex Concessions	600	Program Coordinator/Interim Director
Young Adventurers' Club	300	Program Coordinator/Interim Director
<b>TOTAL</b>	<b>\$7,375</b>	

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

The motion for the adoption of Resolution No. 4773-10 was seconded by Councilman Dyken; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Garris, "aye," Councilman Doughty, "aye," Councilman Harris, "aye," Councilman Dyken, "aye," Councilman Jones, "aye," and Mayor Craft, "aye." Whereupon, the Mayor declared Resolution No. 4773-10 duly and legally adopted.

STAFF REPORTS:

Recreation and Cultural Affairs Director Grant Brown commended City staff for the work on the landscaping project at the City Sportsplex.

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

The Mayor read into the record the following statement relative to the petition for vacation of a portion of West 2<sup>nd</sup> Avenue from J. Russell Mothershed and Betty Diane Mothershed.

It is the expressed opinion of the City Attorney that the Mothershed vacation petition dated November 3, 2009 does not meet the mandatory requirements of Section 23-4-20 of the *Code of Alabama* because the owners of all the land abutting the portion of the street to be vacated have not joined in the petition as required by the statute. The City Attorney has further expressed the opinion that the City Council is not required to proceed, and should not proceed, with notice, hearing, and voting on the petition due to the petition's failure to meet the requirements of Section 23-4-20. Based on that advice, no further action with respect to that petition will be taken by the City Council.

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

Mayor Craft declared the meeting adjourned.

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Robert Craft, Mayor

(SEAL)

ATTEST:

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Renee F. Moore, MMC, City Clerk