AGENDA
RESCHEDULED REGULAR COUNCIL MEETING
CITY OF GULF SHORES, ALABAMA
MAY 29, 2018
4:00 P.M.

1. Call to Order

2. Invocation – Rev. Glenn Butler, Gulf Shores United Methodist Church

3. The Pledge of Allegiance

4. Roll Call

5. Approval of Minutes
   A. May 14, 2018 – Regular Council Meeting
   B. May 21, 2018 – Council Work Session Meeting

6. Approval of Expense Vouchers

7. Presentation of Petitions Requests and Communications
   A. Public Assembly Permit Application – Surf Style Retail Management

8. New Business
   A. Resolution – Authorize Lease Agreement – GSBOE Central Office
   B. Resolution – Authorize Mayor to Execute Professional Services Contract – Burr-Forman
   C. Resolution – Authorize Mayor to Execute Professional Services Contract –John T. Mooresmith
   D. Resolution – Authorize Change Order 1 – Street Resurfacing Project
   E. Resolution – Accept Bid – Sportsplex Painting Project
   F. Resolution – Surplus Street Sweeper
   G. Resolution – Board Reappointment – Building Board of Adjustments & Appeals
   H. Resolution – Board Appointments – Library Advisory Board
   I. Resolution – Accept 2017 Audit
   J. Ordinance – Amend Code – Chapter 8 – Taxpayers Refund Request
   K. Ordinance – Franchise – Repicci's Italian Ice & Gelato
   L. Ordinance – Franchise – Suncoast Beach Services, Inc.

9. Committee Reports

10. Staff Reports

11. Hearing of Persons Not Listed on Formal Agenda

12. Adjourn

**MINUTES OF**
**REGULAR COUNCIL MEETING**
**CITY OF GULF SHORES, ALABAMA**
**MAY 29, 2018**

Mayor Robert Craft called the meeting to order at 4:00 p.m. at City Hall. The invocation was delivered by Rev. Glenn Butler, Gulf Shores United Methodist Church.

Upon roll call, the following officials answered "present": Councilman Joe Garris, Jr., Councilman Gary M. Sinak, Councilman Philip Harris, Councilman Jason Dyken, M.D., Councilman Stephen E. Jones and Mayor Robert Craft.

Councilman Jason Dyken, M.D. moved to approve the minutes of the Regular Council Meeting of May 14, 2018, as presented; seconded by Councilman Joe Garris, Jr. was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D. "aye", Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

Furthermore, Councilman Philip Harris moved to approve the minutes of the Council Work Session Meeting of May 21, 2018, as presented; seconded by Councilman Gary M. Sinak was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "abstain", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

At this time, Councilman Gary M. Sinak moved to approve the expense vouchers in the amount of $1,947,850.16 seconded by Councilman Stephen E. Jones; 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.

Director of Recreation and Cultural Affairs, Grant Brown introduced a Public Assembly Permit Application from Surf Style Retail Management to host a Community Skateboard Event/ Contest on June 21, 2018.

Councilman Stephen E. Jones moved to approve the Assembly Permit Application from Surf Style Management to host a Community Skateboard Event/Contest on June 21, 2018; seconded by Councilman Joe Garris, Jr.; and the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

Furthermore, Councilman Jason Dyken, M.D. introduced and moved for the adoption of the following Resolution:

**RESOLUTION NO. 5992 -18**

**A RESOLUTION**
**AUTHORIZING AND DIRECTING THE**
**MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY,**
**A LEASE AGREEMENT WITH**
**GULF SHORES CITY BOARD OF EDUCATION**
**FOR LEASE OF CITY PROPERTY LOCATED AT**
**300 EAST 16TH STREET**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON MAY 29, 2018, as follows:

**Section 1**. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a lease agreement between the City of Gulf Shores and the Gulf Shores City Board of Education to lease City property located at 300 East 16th Street for use as the City Board of Education Central Office.

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

The motion for the adoption of Resolution No. 5992-18 seconded by Councilman Gary M. Sinak; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5992-18 duly and legally adopted.

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

**RESOLUTION NO. 5993-18**

**A RESOLUTION
AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
WITH BURR & FORMAN LLP FOR LEGAL SERVICES
RELATED TO THE ESTABLISHMENT OF A FREESTANDING EMERGENCY
DEPARTMENT AND OTHER MEDICAL-RELATED FACILITIES**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON MAY 29, 2018, as follows:

**Section 1**. That the Mayor is hereby authorized and directed to execute and attest an agreement between the City of Gulf Shores and Burr & Forman LLP for legal services relative to the establishment of a freestanding emergency department and other medical-related facilities; and

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

The motion for the adoption of Resolution No. 5993-18 seconded by Councilman Stephen E. Jones; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5993-18 duly and legally adopted.

Furthermore, Councilman Gary M. Sinak introduced and moved for the adoption of the following Resolution:

**RESOLUTION NO. 5994-18**

**A RESOLUTION
AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
WITH JOHN T. MOORESMITH FOR CONSULTING SERVICES
RELATED TO THE ESTABLISHMENT OF A FREESTANDING EMERGENCY
DEPARTMENT AND OTHER MEDICAL-RELATED FACILITIES**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON MAY 29, 2018, as follows:

**Section 1**. That the Mayor is hereby authorized and directed to execute an agreement between the City of Gulf Shores and John T. Mooresmith for consulting services relative to the establishment of a freestanding emergency department and other medical-related facilities; and

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

The motion for the adoption of Resolution No. 5994-18 seconded by Councilman Joe Garris, Jr.; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5994-18 duly and legally adopted.

At this time, Councilman Stephen E. Jones introduced and moved for the adoption of the following Resolution:

**RESOLUTION NO. 5995 -18**

**A RESOLUTION
AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK
TO EXECUTE AND ATTEST, RESPECTIVELY,
CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN
THE CITY OF GULF SHORES AND
JOHN G. WALTON CONSTRUCTION COMPANY, INC.
IN AN AMOUNT NOT TO EXCEED $23,366.29
FOR ADDITIONAL SERVICES RELATED TO THE
ROAD RESURFACING, WIDENING AND
STORMWATER IMPROVEMENTS PROJECT**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON MAY 29, 2018, as follows:

**Section 1.** That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, Change Order No. 1 to the contract between the City of Gulf Shores and John G. Walton Construction Company, Inc. for additional services related to the Road Resurfacing, Widening and Stormwater Improvements Project, and in substantially the form presented to Council this date, and more particularly described as:

Change Order No. 1 – Add $23,366.29

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

The motion for the adoption of Resolution No. 5995-18 seconded by Councilman Joe Garris, Jr.; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5995-18 duly and legally adopted.

Councilman Gary M. Sinak introduced and moved for the adoption of the following Resolution:

**RESOLUTION NO. 5996-18**

**A RESOLUTION
ACCEPTING THE BID OF
SPOT ON PAINTING
IN THE TOTAL AMOUNT OF $43,350.00
FOR SPORTSPLEX PAINTING PROJECT;
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 RESCHEDULED REGULAR SESSION ON MAY 29, 2018, as follows:

**Section 1**. That the bid of Spot On Painting in the total amount of $43,350.00 for the Sportsplex Painting Project be and the same is hereby accepted, being the lowest, most responsible, among sealed bids opened on May 5, 2018.

**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 Spot On Painting for said repainting project.

**Section 3**. This project was budgeted at $60,000 in the 2018 Budget in account 14-879-81003.

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

The motion for the adoption of Resolution No. 5996-18 seconded by Councilman Joe Garris, Jr.; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5996-18 duly and legally adopted.

Furthermore, Councilman Jason Dyken, M.D. introduced and moved for the adoption of the following Resolution:

**RESOLUTION NO. 5997-18**

**A RESOLUTION
DECLARING CERTAIN PERSONAL PROPERTY SURPLUS
AND NOT NEEDED AND APPROVING THE TRADE-IN OF
THE 2010 STREET SWEEPER (#3565) IN THE
AMOUNT OF $27,500 TOWARDS
THE PURCHASE OF A 2018 TYMCO 435 STREET SWEEPER
IN AN AMOUNT NOT TO EXCEED $114,889.50**

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WHEREAS, in 2010, the City purchased a 2010 Tymco 600 Street Sweeper for use by the Public Works Department;

WHEREAS, due to the age and condition of the 2010 Street Sweeper, the City desires to surplus and trade in said Street Sweeper for a new 2018 Tymco 435 Street Sweeper. The City budgeted $117,500 for the new Street Sweeper; this price included a trade-in value in the amount of $27,500 for the old equipment;

WHEREAS, the purchase of this equipment is through an NJPA (National Joint Powers Alliance) contract which is authorized and approved by the State of Alabama as being competitively bid.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON MAY 29, 2018, as follows:

**Section 1**. That the following personal property owned by the City of Gulf Shores, Alabama, is not needed for public municipal purposes:

Inventory

2010 Tymco 600 Street Sweeper

**Section 2**. That the Mayor and City Clerk be and they are hereby authorized and directed to

surplus and trade-in such property owned by the City of Gulf Shores, Alabama, described in Section 1 above, to Ingram Equipment towards the purchase of a 2018 Tymco 435 Street Sweeper through the NJPA contract which is authorized and approved by the State of Alabama as being competitively bid.

**Section 3**. That the approved FY 2018 Budget amount is $117,500.

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

The motion for the adoption of Resolution No. 5997-18 seconded by Councilman Stephen E. Jones; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5997-18 duly and legally adopted.

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

**RESOLUTION NO. 5998 -18**

**A RESOLUTION
REAPPOINTING VINCE LUCIDO
TO THE BUILDING BOARD OF ADJUSTMENTS & APPEALS
TO SERVE A FULL TERM OF FOUR YEARS ENDING ON JUNE 8, 2022**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RECHEDULED REGULAR SESSION ON MAY 29, 2018 as follows:

**Section 1**. That Vince Lucido be and he hereby is reappointed to the Building Board of Adjustments & Appeals to serve a full term of four years ending on June 8, 2022.

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

The motion for the adoption of Resolution No. 5998-18 seconded by Councilman Gary M. Sinak; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5998-18 duly and legally adopted.

At this time, Councilman Stephen E. Jones introduced and moved for the adoption of the following Resolution:

**RESOLUTION NO. 5999-18**

**A RESOLUTION
REAPPOINTING MARY-ALLISON BAUER
TO THE LIBRARY ADVISORY BOARD AND
APPOINTING DOUG HILLIS TO THE LIBRARY ADVISORY BOARD
EACH TO SERVE A FULL TERM OF FOUR YEARS
ENDING ON MAY 13, 2022**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RECHEDULED REGULAR SESSION ON MAY 29, 2018 as follows:

**Section 1**. That Mary-Allison Bauer be and she hereby is reappointed to the Library Advisory Board to serve a full term of four years ending on May 13, 2022; and

**Section 2**. That Doug Hillis be and he hereby is appointed to the Library Advisory Board to serve a full term of four years ending on May 13, 2022 replacing Coman Dalton.

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

The motion for the adoption of Resolution No. 5999-18 seconded by Councilman Jason Dyken; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5999-18 duly and legally adopted.

Furthermore, Councilman Gary M. Sinak introduced and moved for the adoption of the following Resolution:

**RESOLUTION NO. 6000-18
A RESOLUTION
ACCEPTING CITY OF GULF SHORES
2017 AUDIT**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON MAY 29, 2018 as follows:

**Section 1.** That the City of Gulf Shores 2017 Audit be accepted in the form presented to Council this date for Fiscal Year 2017 beginning January 1, 2017 and ending December 31, 2017.

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

The motion for the adoption of Resolution No. 6000-18 seconded by Councilman Joe Garris, Jr.; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 6000-18 duly and legally adopted.

At this time, Councilman Stephen E. 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. 1894
AN ORDINANCE
TO AMEND THE CODE OF ORDINANCES,
ADOPTED JULY 24, 1989, AT CHAPTER 8,
BUSINESS LICENSES, TAXES AND REGULATIONS,
ARTICLE VII, SALES, USE, LODGING AND RENTAL TAXES,
SECTION 8-119(c). PROCEDURE FOR GOVERNING PETITIONS FOR REFUND;
BY REWRITING THE ENTIRE SECTION**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON MAY 29, 2018, as follows:
**Section 1**. That Chapter 8, BUSINESS LICENSES, TAXES AND REGULATIONS, of the code of Ordinances, adopted July 24, 1989, be and it is hereby amended by changing certain language at ARTICLE VII. SALES, USE, LODGING AND RENTAL TAXES, DIVISION I. GENERALLY, Section 8-119. Uniform revenue procedures and requirements; appeals; penalties, interest and surcharges, Item (c) Procedure For Governing Petitions For Refund; Appeals Therefrom, so the entire Section shall read as follows:

CHAPTER 8.BUSINESS, LICENSES, TAXES AND REGULATIONS
* * * *
ARTICLE VII.SALES USE, LODGING AND RENTAL TAXES
* * * *
DIVISION I. GENERALLY
* * * *
Section 8-119. Uniform revenue procedures and requirements; appeals; penalties, interest and surcharges.
* * * *

Item (c)Procedure for governing petitions for refund; appeals therefrom.

*(1)Petitions for refund allowed, generally.* Any taxpayer may file a petition for refund with the department for any overpayment of tax or other amount erroneously paid to the department. If a final assessment for the tax has been entered by the department, a petition for refund of all or a portion of the tax may be filed only if the final

assessment plus applicable interest has been paid in full prior to or with the filing of the petition for refund. The department may also issue automatic refunds for the reasons and in the manner specified in Section 40-29-71 of the Code of Alabama.

In the case of a petition for refund of sales, use, or transient occupancy tax, a petition may be filed by the consumer/purchaser who paid the tax directly to the taxpayer that collected the tax, or by the taxpayer if the taxpayer remitted in excess of the tax due, however never collected the tax from the consumer/purchaser, or by the taxpayer if the consumer/purchaser paid the tax directly to the taxpayer, provided that a refund shall not be paid to the taxpayer until after the tax has been credited or repaid to the consumer/purchaser by the taxpayer.

**Section 2**. That this Ordinance shall become effective upon adoption and publication as required by law.

The motion for unanimous consent was seconded by Councilman Joe Garris, Jr.; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye," Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Mayor Robert Craft then declared the rules suspended.

Councilman Joe Garris, Jr. then moved for the adoption of Ordinance No. 1894 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1894 was seconded by Councilman Gary M. Sinak; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr. "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Mayor Robert Craft declared Ordinance No. 1894 duly and legally adopted.

Councilman Stephen E. 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. 1895**

**AN ORDINANCE
GRANTING A NONEXCLUSIVE FRANCHISE TO
JJM FOOD SERVICE, LLC, d/b/a REPICCI'S ITALIAN ICE & GELATO
TO PROVIDE SUMMER SNACK CONCESSIONS
PRIMARILY AT THE SPORTSPLEX AND SIMS PARK
AND AUTHORIZING THE EXECUTION OF A FRANCHISE AGREEMENT
BETWEEN THE CITY AND THE CORPORATION**

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WHEREAS, JJM Food Services, LLC, d/b/a Repicci's Italian Ice & Gelato has requested a franchise to empower the Corporation to provide summer snack concessions primarily at the Sportsplex and Sims Park; and

WHEREAS, the City is desirous of granting a nonexclusive franchise to JJM Food Services, LLC, d/b/a Repicci's Italian Ice & Gelato to provide such service; and

WHEREAS, the residents visitors of the City will be benefited by the granting of such a franchise;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON MAY 29, 2018, as follows:

**Section 1**. That a nonexclusive franchise be and it is hereby granted to JJM Food Services, LLC, d/b/a Repicci's Italian Ice & Gelato, a corporation, for the provision summer snack concessions primarily at the Sportsplex and Sims Park located within the corporate limits of the City; and

**Section 2**. That the Mayor and City Clerk are hereby directed and authorized to execute and attest, respectively, a Franchise Agreement between the City of Gulf Shores and JJM Food Services, LLC, d/b/a Repicci's Italian Ice & Gelato which sets forth the requirements, covenants and agreements of a franchise to the Corporation for such services.

**Section 3**. That a copy of the subject Franchise Agreement, marked Exhibit A, is attached hereto and made a part hereof.

**Section 4**. That this Ordinance shall become effective upon its adoption and publication as required by law.

The motion for unanimous consent was seconded by Councilman Philip Harris; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye," Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Mayor Robert Craft then declared the rules suspended.

Councilman Stephen E. Jones then moved for the adoption of Ordinance No. 1895 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1895 was seconded by Councilman Philip Harris; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr. "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Mayor Robert Craft declared Ordinance No. 1895 duly and legally adopted.

At this time, Councilman Stephen E. 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. 1896**

**AN ORDINANCE
GRANTING A NONEXCLUSIVE FRANCHISE TO
JASON HOLT d/b/a SUNCOAST BEACH SERVICES, INC.
FOR THE OPERATION OF A BEACH EQUIPMENT RENTAL CONCESSION
IN CERTAIN PUBLIC PLACES WITHIN THE CITY; AND
AUTHORIZING THE EXECUTION OF A FRANCHISE AGREEMENT
BETWEEN THE CITY OF GULF SHORES AND THE CORPORATION**

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WHEREAS, Jason Holt d/b/a Suncoast Beach Services, Inc. has requested a franchise for the operation of a beach equipment rental concession in certain public places within the City; and

WHEREAS, the City is desirous of granting a nonexclusive franchise to Jason Holt d/b/a Suncoast Beach Services, Inc. to provide such service; and

WHEREAS, the residents and visitors of the City will be benefited by the granting of such a franchise;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON MAY 29, 2018, as follows:

**Section 1**. That a nonexclusive franchise be and it is hereby granted to Jason Holt d/b/a Suncoast Beach Services, Inc., a corporation, for the operation of a beach equipment rental concession in certain public places within the corporate limits of the City.

**Section 2**. That the Mayor and City Clerk are hereby directed and authorized to execute and attest, respectively, a Franchise Agreement between the City of Gulf Shores and Jason Holt d/b/a Suncoast Beach Services, Inc. which sets forth the requirements, covenants and agreements of a franchise to the Corporation for such services.

**Section 3**. That a copy of the subject Franchise Agreement, marked Exhibit A, is attached hereto and made a part hereof.

**Section 4**. That this Ordinance shall become effective upon its adoption and publication as required by law.

The motion for unanimous consent was seconded by Councilman Joe Garris, Jr.; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye," Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Mayor Robert Craft then declared the rules suspended.

Councilman Gary M. Sinak then moved for the adoption of Ordinance No. 1896 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1896 was seconded by Councilman Joe Garris, Jr.; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr. "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye",

Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Mayor Robert Craft declared Ordinance No. 1896 duly and legally adopted.

COMMITTEE REPORTS:
No reports at this time.

STAFF REPORT:
Department Heads presented brief project updates.

At this time, local resident Suzanne Borchert presented a proposal from the homeowners in the neighborhoods close to the 4th Street W. Bridge. She asked for the Mayor and Council's consideration in support of converting the closed 4th Street Bridge into a walking/biking Bridge Park. Public Works Director Mark Acreman addressed Ms. Borchert's concerns and will follow up with her requests per Mayor Craft.

There being no further business to come before the Council, Councilman Stephen E. Jones moved to adjourn; seconded by Councilman Joe Garris, Jr.; and the vote of those officials present was unanimously in favor of the motion.

Mayor Robert Craft declared the meeting adjourned at 4:34 p.m.

Robert Craft, Mayor

CITY OF GULF SHORES CORPORATE SEAL

ATTEST:

Wanda Parris, MMC
City Clerk

**City of Gulf Shores**
**Expense Vouchers**
**May 5-18, 2018**

Account Summary

| Account Number | Account Name | Payment Amount |
|---|---|---|
| 01-1150810 | A/R - Hangout Music Festival | $ 2,439.55 |
| 01-1417020 | Inventory-Automotive Sup. | $ 226.26 |
| 01-1417040 | Inventory-Hurricane Sup | $ 72.96 |
| 01-1417050 | Inventory-Janitorial Sup. | $ 1,373.85 |
| 01-2296062 | Deposits (Security)-SpecEvents | $ 200.00 |
| 01-3478100 | Parking Fees-Public Beach | $ 54,074.00 |
| 01-501-63260 | Registration Fees/Tuition | $ 698.00 |
| 01-501-64110 | Water/Sewer | $ 244.14 |
| 01-501-64421 | Equipment Rental | $ 228.30 |
| 01-501-65310 | Telephone | $ 494.09 |
| 01-501-65410 | Legal Notices/Publications | $ 1,000.00 |
| 01-501-65810 | Meals/Lodging/Travel | $ 3,947.83 |
| 01-501-66150 | Supplies - Office | $ 88.00 |
| 01-501-66210 | Natural Gas | $ 15.60 |
| 01-501-66220 | Electricity | $ 622.83 |
| 01-501-66410 | Books/Subscriptions | $ 10.99 |
| 01-501-68110 | Miscellaneous | $ 783.21 |
| 01-508-52081 | Recruiting | $ 351.10 |
| 01-508-64110 | Water/Sewer | $ 70.09 |
| 01-508-64211 | Refuse Collection | $ 7.51 |
| 01-508-65310 | Telephone | $ 51.88 |
| 01-519-63260 | Registration Fees/Tuition | $ 940.00 |
| 01-519-64110 | Water/Sewer | $ 36.23 |
| 01-519-64211 | Refuse Collection | $ 52.56 |
| 01-519-64421 | Equipment Rental | $ 54.28 |
| 01-519-65310 | Telephone | $ 749.53 |
| 01-519-65311 | Internet Service | $ 2,503.50 |
| 01-519-65810 | Meals/Lodging/Travel | $ 1,242.40 |
| 01-519-66112 | Computer | $ 4,505.72 |
| 01-519-66115 | GIS | $ 200.00 |
| 01-519-66165 | Postage & Freight | $ 321.00 |
| 01-519-66170 | Furn,Equip,Fixt,SmTools<$5000 | $ 17.02 |
| 01-519-66171 | ComputerPerphs&Parts(CityWide) | $ 47.85 |
| 01-519-66211 | Natural Gas (Emerg Generator) | $ 15.60 |
| 01-519-66260 | Fuel, Oil & Lubricants | $ 68.82 |
| 01-519-66410 | Books/Subscriptions | $ 55.00 |
| 01-519-68110 | Miscellaneous | $ 55.00 |
| 01-520-64110 | Water/Sewer | $ 28.70 |
| 01-520-65310 | Telephone | $ 50.84 |
| 01-530-64110 | Water/Sewer | $ 320.97 |
| 01-530-64211 | Refuse Collection | $ 75.09 |
| 01-530-64383 | R & M - Vehicle | $ 4,257.90 |
| 01-530-64421 | Equipment Rental | $ 35.00 |
| 01-530-65310 | Telephone | $ 2,753.21 |
| 01-530-66112 | Computer | $ 817.49 |
| 01-530-66150 | Supplies - Office | $ 220.75 |
| 01-530-66155 | Supplies - Operating | $ 46.50 |
| 01-530-66170 | Furn,Equip,Fixt,SmTools<$5000 | $ 2,986.39 |
| 01-530-66195 | Uniform Rental/Purchases | $ 134.45 |
| 01-530-66210 | Natural Gas | $ 165.98 |
| 01-530-66220 | Electricity | $ 34.24 |
| 01-530-66260 | Fuel, Oil & Lubricants | $ 2,590.18 |
| 01-530-68110 | Miscellaneous | $ 203.85 |
| 01-535-64110 | Water/Sewer | $ 188.20 |
| 01-535-64211 | Refuse Collection | $ 75.09 |
| 01-535-64332 | Contract/Consulting Services | $ 3,041.00 |
| 01-535-64383 | R & M - Vehicle | $ 11,390.11 |
| 01-535-64421 | Equipment Rental | $ 223.69 |
| 01-535-64422 | Fire Hydrant Rentals | $ 4,975.00 |
| 01-535-65310 | Telephone | $ 909.15 |
| 01-535-66150 | Supplies - Office | $ 75.47 |
| 01-535-66170 | Furn,Equip,Fixt,SmTools<$5000 | $ 18.38 |
| 01-535-66185 | Supplies - Training | $ 889.79 |
| 01-535-66195 | Uniform Rental/Purchases | $ 744.10 |
| 01-535-66210 | Natural Gas | $ 100.81 |
| 01-535-66220 | Electricity | $ 716.03 |
| 01-535-66260 | Fuel, Oil & Lubricants | $ 496.01 |
| 01-540-64110 | Water/Sewer | $ 12.70 |
| 01-540-64324 | R & M - Equipment | $ 170.00 |
| 01-540-64421 | Equipment Rental | $ 536.84 |
| 01-540-65310 | Telephone | $ 207.78 |
| 01-540-65810 | Meals/Lodging/Travel | $ 213.64 |
| 01-540-66150 | Supplies - Office | $ 37.76 |
| 01-540-66210 | Natural Gas | $ 7.80 |
| 01-541-64110 | Water/Sewer | $ 12.70 |
| 01-541-66172 | ACAMP Expenditures<$5,000 | $ 669.58 |
| 01-541-66210 | Natural Gas | $ 7.80 |
| 01-541-66260 | Fuel, Oil & Lubricants | $ 166.57 |
| 01-550-64110 | Water/Sewer | $ 9.88 |
| 01-550-65310 | Telephone | $ 255.66 |
| 01-550-65810 | Meals/Lodging/Travel | $ 45.80 |
| 01-551-64110 | Water/Sewer | $ 188.20 |
| 01-551-64211 | Refuse Collection | $ 300.34 |
| 01-551-64332 | Contract/Consulting Services | $ 840.98 |
| 01-551-65310 | Telephone | $ 155.64 |
| 01-551-65710 | Programs/Special Events | $ 2,404.99 |
| 01-551-66210 | Natural Gas | $ 1,261.05 |
| 01-551-66220 | Electricity | $ 1,960.00 |
| 01-552-64110 | Water/Sewer | $ 88.90 |
| 01-552-64211 | Refuse Collection | $ 75.09 |
| 01-552-64421 | Equipment Rental | $ 164.60 |
| 01-552-66220 | Electricity | $ 147.00 |
| 01-553-51068 | Contract Labor | $ 13,299.72 |
| 01-553-64110 | Water/Sewer | $ 1,256.50 |
| 01-553-64211 | Refuse Collection | $ 497.59 |
| 01-553-64324 | R & M - Equipment | $ 150.50 |
| 01-553-64363 | R & M - Property & Facility | $ 506.98 |
| 01-553-64421 | Equipment Rental | $ 205.05 |
| 01-553-65310 | Telephone | $ 165.64 |
| 01-553-65460 | Member / Public Relations & Advertising | $ 159.00 |
| 01-553-65715 | Athletic Programs - Supplies | $ 4,696.05 |
| 01-553-66121 | Aquatic Program - Supplies | $ 210.00 |
| 01-553-66150 | Supplies - Office | $ 29.99 |
| 01-553-66155 | Supplies - Operating | $ 340.68 |

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|---|---|---|---|
| 01-553-66210 | Natural Gas | $ | 2,048.85 |
| 01-553-66220 | Electricity | $ | 9,951.70 |
| 01-553-66410 | Books/Subscriptions | $ | 66.31 |
| 01-554-64110 | Water/Sewer | $ | 733.79 |
| 01-554-64211 | Refuse Collection | $ | 376.75 |
| 01-554-65310 | Telephone | $ | 565.03 |
| 01-554-66180 | Tournaments | $ | 19.29 |
| 01-554-66210 | Natural Gas | $ | 10.40 |
| 01-554-66220 | Electricity | $ | 7,092.08 |
| 01-554-66260 | Fuel, Oil & Lubricants | $ | 536.18 |
| 01-555-64110 | Water/Sewer | $ | 872.32 |
| 01-555-66220 | Electricity | $ | 2,178.75 |
| 01-555-66260 | Fuel, Oil & Lubricants | $ | 355.18 |
| 01-556-68210 | Credit Card Fees | $ | (1,841.92) |
| 01-558-64110 | Water/Sewer | $ | 67.33 |
| 01-558-66220 | Electricity | $ | 188.00 |
| 01-560-64110 | Water/Sewer | $ | 13.18 |
| 01-560-64211 | Refuse Collection | $ | 15.02 |
| 01-560-64421 | Equipment Rental | $ | 200.16 |
| 01-560-65310 | Telephone | $ | 391.28 |
| 01-560-66150 | Supplies - Office | $ | 157.15 |
| 01-560-66170 | Furn,Equip,Fixt,SmTools<$5000 | $ | 22.55 |
| 01-560-66220 | Electricity | $ | 11.88 |
| 01-560-66260 | Fuel, Oil & Lubricants | $ | 196.46 |
| 01-561-51068 | Contract Labor | $ | 448.28 |
| 01-561-64211 | Refuse Collection | $ | 125.15 |
| 01-561-64332 | Contract/Consulting Services | $ | 24.00 |
| 01-561-65310 | Telephone | $ | 51.88 |
| 01-561-66117 | Supplies - Custodial | $ | 842.03 |
| 01-561-66150 | Supplies - Office | $ | 36.34 |
| 01-561-66260 | Fuel, Oil & Lubricants | $ | 350.55 |
| 01-561-68110 | Miscellaneous | $ | 495.10 |
| 01-562-51068 | Contract Labor | $ | 3,054.67 |
| 01-562-64110 | Water/Sewer | $ | 2,570.03 |
| 01-562-64211 | Refuse Collection | $ | 125.15 |
| 01-562-65310 | Telephone | $ | 103.76 |
| 01-562-66140 | Supplies - Landscape | $ | 1,149.44 |
| 01-562-66150 | Supplies - Office | $ | 37.97 |
| 01-562-66220 | Electricity | $ | 14.00 |
| 01-562-66260 | Fuel, Oil & Lubricants | $ | 679.92 |
| 01-562-68110 | Miscellaneous | $ | 21.56 |
| 01-562-80818 | Vehicles | $ | 1,083.46 |
| 01-563-51068 | Contract Labor | $ | 3,822.97 |
| 01-563-64110 | Water/Sewer | $ | 201.18 |
| 01-563-64211 | Refuse Collection | $ | 125.15 |
| 01-563-64246 | MowingContract-ROWs,Splx&IndPk | $ | 6,012.50 |
| 01-563-64375 | R & M - Streets/Drainage/Sidewalks | $ | 4,470.81 |
| 01-563-64378 | R & M-Street Lights | $ | 713.45 |
| 01-563-65310 | Telephone | $ | 375.29 |
| 01-563-66150 | Supplies - Office | $ | 47.65 |
| 01-563-66155 | Supplies - Operating | $ | 75.45 |
| 01-563-66162 | Supplies-Mosquito Control | $ | 35.80 |
| 01-563-66170 | Furn,Equip,Fixt,SmTools<$5000 | $ | 907.70 |
| 01-563-66220 | Electricity | $ | 1,901.51 |
| 01-563-66260 | Fuel, Oil & Lubricants | $ | 2,097.09 |

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|---|---|---|---|
| 01-563-66510 | Traffic Signs/Markers | $ | 190.82 |
| 01-563-80690 | Street Resurfacing | $ | 225.00 |
| 01-564-51068 | Contract Labor | $ | 1,058.40 |
| 01-564-64211 | Refuse Collection | $ | 125.13 |
| 01-564-64324 | R & M - Equipment | $ | 1,828.34 |
| 01-564-64332 | Contract/Consulting Services | $ | 1,200.00 |
| 01-564-64363 | R & M - Property&Facility | $ | 6,730.60 |
| 01-564-64379 | R & M-Street/TrafficLight | $ | 286.89 |
| 01-564-64383 | R & M - Vehicle | $ | 3,180.02 |
| 01-564-65310 | Telephone | $ | 155.64 |
| 01-564-66150 | Supplies - Office | $ | 57.77 |
| 01-564-66155 | Supplies - Operating | $ | 457.98 |
| 01-564-66170 | Furn,Equip,Fixt,SmTools<$5000 | $ | 328.68 |
| 01-564-66260 | Fuel, Oil & Lubricants | $ | 357.03 |
| 01-564-80710 | Vehicles | $ | 984.99 |
| 01-991-94104 | Transfer to Debt Service Fund | $ | 100,625.00 |
| 11-579-68135 | Misc Expense - MunCtJudicialAdmFund | $ | 443.44 |
| 37-556-64324 | R & M - Equipment | $ | 11.48 |
| 37-556-65310 | Telephone | $ | 88.06 |
| 37-556-66155 | Supplies - Operating | $ | 136.15 |
| 37-556-66260 | Fuel, Oil & Lubricants | $ | 175.54 |
| 37-563-51068 | Contract Labor | $ | 14,820.92 |
| 37-563-64110 | Water/Sewer | $ | 3,147.33 |
| 37-563-64211 | Refuse Collection | $ | 4,067.57 |
| 37-563-66170 | Furn,Equip,FixtSmTools<$5000 | $ | 240.00 |
| 37-563-66220 | Electricity | $ | 152.15 |
| 37-563-80915 | ADEM Recycling Grant | $ | 5,998.00 |
| 40-879-65525 | Hwy 59 Bridge Widening-Bayou Village | $ | 17,114.24 |
| 40-879-65530 | Hwy 182 Improvements | $ | 1,916.87 |
| 42-501-80874 | Improvements-Gulf Place Redesign | $ | 1,002,179.37 |
| 42-562-51068 | Contract Labor | $ | 2,883.12 |
| 55-0000210 | Construction in Progress | $ | 572,568.00 |
| | **TOTAL** | **$** | **1,947,850.16** |

**City of Gulf Shores**
**Inter-City Transfers**
**May 5-18, 2018**

| | | |
|---|---|---|
| 43-991-93894 | Transfer To 2014 GO Fund | $ 1,000,000.00 |
| 43-991-93900 | Transfer To 2016-B Fund | $ 1,200,000.00 |
| | **TOTAL** | **$ 2,200,000.00** |