



AGENDA
RESCHEDULED REGULAR COUNCIL MEETING
CITY OF GULF SHORES, ALABAMA
JANUARY 21, 2020
4:00 P.M.

1. Call To Order

2. Invocation

A. Rev. Will Lowery, Holy Spirit Episcopal Church

3. Pledge Of Allegiance

4. Roll Call

5. Approval Of Minutes

- a. December 9, 2019 - Rescheduled Regular Council Meeting / Council Work Session Meeting
- b. January 6, 2020 - Council Work Session Meeting

6. Approval Of Expense Vouchers

7. Public Hearing

A. Approve ABC Licenses

Documents:

[CC - ABC LICENSE APPLICATION - KING NEPTUNES.PDF](#)
[CC - ABC LICENSE APPLICATION - MURPHY OIL USA INC.PDF](#)
[CC - ABC LICENSE APPLICATION - THE HAPPY PAPPY.PDF](#)

B. Ordinance - Amend Craft Farms PUD - Aberdeen Villas

Documents:

[ORD - AMEND CRAFT FARMS PUD - ABERDEEN VILLAS.PDF](#)

C. Ordinance - Amend One Club PUD

Documents:

[ORD - AMEND ONE CLUB PUD.PDF](#)

8. New Business

A. Resolution - Award Bid - Disaster Recovery Assistance - CrowderGulf

Documents:

[RESO - AWARD BID - DISASTER RECOVERY ASSISTANCE - CROWDERGULF.PDF](#)

B. Resolution - Award Bid - Disaster Recovery Assistance - D&J Enterprises

Documents:

[RESO - AWARD BID - DISASTER RECOVERY ASSISTANCE - D AND J ENTERPRISES.PDF](#)

C. Ordinance - Amend Code - Chapter 8 - Business Licenses, Taxes And Regulations

Documents:

[ORD - AMEND CODE - CHAPTER 8 -BUSINESS LICENSES TAXES AND REGULATIONS.PDF](#)

D. Ordinance - Taxi Franchise - A Better Cab

Documents:

[ORD - TAXI FRANCHISE - A BETTER CAB.PDF](#)

9. Committee Reports

10. Staff Reports

11. Hearing Of Persons Not Listed On Formal Agenda

12. Adjourn

Receipt Confirmation Page

Receipt Confirmation Number: **20191210095431078**

Application Payment Confirmation Number: **52870428**

Payment Summary	
Payment Item	Fee
Transfer Fee for License 020	\$50.00
Total Amount to be Charged	\$50.00

Application Type

Application Type: TRANSFER

Applicant Information

License Type 1: 020 - RESTAURANT RETAIL LIQUOR
License Type 2:
License County: BALDWIN
Business Type: LLC
Trade Name: **KING NEPTUNES**
Applicant Name: **BAR RESTAURANT GROUP LLC**
Location Address: 1137 GULF SHORES PARKWAY
GULF SHORES, AL 36542
Mailing Address: 12730 COUNTY ROAD 65
FOLEY, AL 36535
Contact Person: **RICHIE MONTELARO**
Contact Home Phone:
Contact Business Phone: 251-968-5464
Contact Fax:
Contact Cell Phone:
Contact Email Address:
Contact Web Address:

Receipt Confirmation Page

Receipt Confirmation Number: **20190815113623350**
Application Payment Confirmation Number: **50227324**

Payment Summary	
Payment Item	Fee
Application Fee for License 070	\$50.00
Total Amount to be Charged	\$50.00

License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
070 - RETAIL TABLE WINE (OFF PREMISES ONLY)	\$75.00	\$150.00	\$225.00
			\$0.00
Total Amount to be Charged	\$75.00	\$150.00	\$225.00

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 070 - RETAIL TABLE WINE (OFF PREMISES ONLY)
License Type 2:
License County: BALDWIN
Business Type: CORPORATION
Trade Name: MURPHY USA 7079
Applicant Name: MURPHY OIL USA INC
Location Address: 140 E FORT MORGAN ROAD
GULF SHORES, AL 36542
Mailing Address: PO BOX 7300
EL DORADO, AR 71731
Contact Person: TIFFANY HAMAKER
Contact Home Phone:
Contact Business Phone: 870-315-5248
Contact Fax:
Contact Cell Phone:
Contact Email Address:
Contact Web Address:

Receipt Confirmation Page

Receipt Confirmation Number: **20191121101753887**
Application Payment Confirmation Number: **52186552**

Payment Summary	
Payment Item	Fee
Application Fee for License 040 and License 060	\$100.00
Total Amount to be Charged	\$100.00

License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
040 - RETAIL BEER (ON OR OFF PREMISES)	\$75.00	\$150.00	\$225.00
060 - RETAIL TABLE WINE (ON OR OFF PREMISES)	\$75.00	\$150.00	\$225.00
Total Amount to be Charged	\$150.00	\$300.00	\$450.00

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 040 - RETAIL BEER (ON OR OFF PREMISES)
License Type 2: 060 - RETAIL TABLE WINE (ON OR OFF PREMISES)
License County: BALDWIN
Business Type: LLC
Trade Name: **HAPPY PAPPYS COFFEE HOUSE**
Applicant Name: **THE HAPPY PAPPY LLC**
Location Address: 1550 W 2ND STREET; UNIT A5
GULF SHORES, AL 36542
Mailing Address: 1550 A W 2ND STREET; UNIT 5
GULF SHORES, AL 36542
Contact Person: THOMAS PAPADELIAS
Contact Home Phone:
Contact Business Phone: 251-504-0888
Contact Fax:
Contact Cell Phone:
Contact Email Address:
Contact Web Address:

ORDINANCE NO.

**AN ORDINANCE TO AMEND THE
CRAFT FARMS PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN
APPROVING A 13 LOT SINGLE FAMILY DEVELOPMENT
TO BE KNOWN AS ABERDEEN VILLAS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 21, 2020, as follows:

Section 1. That Dilworth Development, Inc. has submitted to the City documentation which satisfies the requirements of Ordinance No. 1584 (Zoning Ordinance) adopted January 1, 2010, Article 15, Sections 15-1 through 15-6 for an amendment to their Planned Unit Development Master Plan and more particularly pertaining to a 4.77 acre property located on Cotton Creek Drive between Cotton Creek Boulevard and Pinehurst Drive to be known as Aberdeen Villas and more particularly described as:

Aberdeen Villas: 925.4' X 104.8' IRR COM AT SE COR OF SEC 33, TH N 40.5' TO PT ON N R/W OF CO HWY 4 FOR POB, TH W 2.07', TH N 59.5', TH N 42.4' ALG CURVE, TH NE ALG CURVE 156.2', TH SE'LY 300.5', TH NE'LY 55', TH E 55.2', TH SE 55.3', TH NE'LY 154.4', TH E'LY & SE'LY ALG CURVE 118.3', TH SE 157.6', TH S 104.8', TH W 925.4' TO POB SEC 34-T8S-R4E IN# 1394047 (WD)

Section 2. That the Master Plan of the Planned Unit Development known as Craft Farms Development, be and the same is hereby amended as submitted, in accordance with Section 15-6 of the Zoning Ordinance, with the following conditions:

1. The Tree Preservation regulations require new developments to preserve the existing trees and vegetation to the greatest extent possible. The common driveway shall be shifted 5-10 feet northward in order to preserve additional trees and landscaping.
2. At preliminary plat approval the applicant shall construct the sidewalk along Cotton Creek Drive or pay a fee in lieu for sidewalk. If a sidewalk is constructed the applicant shall provide regularly spaced street trees in accordance with the PUD regulations.
3. Planting strips shall be provided along the north side of the common drive with regularly spaced street trees.
4. The applicant shall construct a white split rail fence that matches the existing split rail fence along Cotton Creek Drive in order to continue the look of Craft Farms PUD.

Section 3. That the decision of the City Council is that the Planned Unit Development is in the public interest, based on the following findings of fact and conclusions:

- a. The plan is consistent with the statement of purpose for PUDs and achieves goals of the Land Use Plan.
- b. The plan is consistent with the Zoning and Subdivision Regulations.

- c. The purpose, location and amount of the Common Open Space in the PUD, the reliability of maintenance and conservation of the Common Open Space, are adequate as related to the proposed Density and type of development.
- d. The physical design of the plan and the manner, in which said design adequately makes provisions for public services, provides adequate control over vehicular traffic and parking and furthers the amenities of light and air, recreation and visual enjoyment.
- e. The relationship of the proposed PUD to the surrounding neighborhood is beneficial.
- f. In the case of a plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and of the residents and owners of the PUD in the integrity of the plan.

Section 4: Abandonment After Approval. In the event the applicant fails to commence construction of the PUD, excluding site grading, within five (5) years of Master Plan approval, such approval shall terminate and be deemed null and void, in which case the property shall revert to the base zoning classification. The Council shall have the authority to extend this period for no more than one (1) year and may only grant such an extension one (1) time for an approved Master Plan.

Section 5. That the provisions of this Ordinance are severable and a determination of the invalidity of any portion of this Ordinance shall not affect the validity and enforceability of the remainder of the Ordinance.

Section 6. That this Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED this 21st day of JANUARY, 2020.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC, City Clerk

CERTIFICATE

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Ordinance No. (prepared by City Clerk), which Ordinance was duly and legally adopted at a rescheduled regular meeting of the City Council on January 21, 2020 and the same was duly published as required by law.

City Clerk

ORDINANCE NO.

**AN ORDINANCE TO AMEND THE
ONE CLUB PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 21, 2020, as follows:

Section 1. That One Club has submitted to the City documentation which satisfies the requirements of Ordinance No. 1584 (Zoning Ordinance) adopted January 1, 2010, Article 15, Sections 15-1 through 15-6 for an amendment to their Planned Unit Development Master Plan. One Club is located on the east side of Highway 59, at the intersection of Oak Road East, contains 73 acres, and is more particularly described as:

LOTS 1-14 EMERALD GREENS SUB SLIDE 2374-A THRU 2374-E LYING IN THE CITY OF GULF SHORES SEC 33-T8S-R4E

18 AC(C) COMMENCING AT THE NORTHWEST CORNER OF SECTION 33 THENCE RUN EAST 200'(S), THEN SOUTH 30'(S) TO THE POB, THENCE EAST 300'(S), THENCE SOUTH 110'(S), THENCE EAST 150'(S) , THENCE NORTH 110'(S), THENCE EAST 128'(S), THENCE SOUTH 1280'(S), THENCE WEST 635'(S), THENCE NORTH 730'(S), THENCE NORTHEAST 120'(S), THENCE NORTH 400'(S), THENCE NORTHEAST 42'(S) TO THE POB LYING IN THE CITY OF GULF SHORES SEC 33-T8S-R4E

Section 2. That the Master Plan of One Club, be and the same is hereby amended as submitted, in accordance with Section 15-6 of the Zoning Ordinance, with the following conditions:

1. All proposed new uses and proposed expansion of existing uses must obtain proper city permits prior to commencement of construction.
2. In an effort to reduce the potential noise nuisance caused by the golf driving cage the hours of operation shall be restricted to 7am– 6pm Sunday through Thursday and 7am-9pm Friday and Saturday.

Section 3. That the decision of the City Council is that the Planned Unit Development is in the public interest, based on the following findings of fact and conclusions:

- a. The plan is consistent with the statement of purpose for PUDs and achieves goals of the Land Use Plan.
- b. The plan is consistent with the Zoning and Subdivision Regulations.
- c. The purpose, location and amount of the Common Open Space in the PUD, the reliability of maintenance and conservation of the Common Open Space, are adequate as related to the proposed Density and type of development.
- d. The physical design of the plan and the manner, in which said design adequately makes provisions for public services, provides adequate control over vehicular traffic and parking and furthers the amenities of light and air, recreation and visual enjoyment.

- e. The relationship of the proposed PUD to the surrounding neighborhood is beneficial.
- f. In the case of a plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and of the residents and owners of the PUD in the integrity of the plan.

Section 4: Abandonment After Approval. In the event the applicant fails to commence construction of the PUD, excluding site grading, within five (5) years of Master Plan approval, such approval shall terminate and be deemed null and void, in which case the property shall revert to the base zoning classification. The Council shall have the authority to extend this period for no more than one (1) year and may only grant such an extension one (1) time for an approved Master Plan.

Section 5. That the provisions of this Ordinance are severable and a determination of the invalidity of any portion of this Ordinance shall not affect the validity and enforceability of the remainder of the Ordinance.

Section 6. That this Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED this 21st day of JANUARY, 2020.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC, City Clerk

CERTIFICATE

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Ordinance No. (prepared by City Clerk), which Ordinance was

duly and legally adopted at a rescheduled regular meeting of the City Council on January 21, 2020 and the same was duly published as required by law.

City Clerk

RESOLUTION NO. -20

**A RESOLUTION
ACCEPTING THE PROPOSAL OF
CROWDERGULF FOR PRIMARY DISASTER RECOVERY ASSISTANCE
AS DEFINED IN SCOPE OF WORK AND
AUTHORIZING EXECUTION OF A CONTRACT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 21, 2020, as follows:

Section 1. That the proposal of CrowderGulf for Disaster Recovery Assistance, be and the same is hereby accepted, receiving the highest score based upon qualification, experience, resources, operational plans and unit pricing, among sealed proposals opened on December 10, 2019, as defined in scope of work and/or as specified for additional authorized services; and

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 CrowderGulf for Primary Disaster Recovery Assistance following a natural or manmade disaster; in substantially the form presented to Council this date.

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

ADOPTED this 21st day of January, 2020.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. -20 (prepared by City Clerk), which Resolution was duly and legally adopted at a rescheduled regular meeting of the City Council on January 21, 2020.

City Clerk

RESOLUTION NO. -20

**A RESOLUTION
ACCEPTING THE PROPOSAL OF
D&J ENTERPRISES FOR DISASTER RECOVERY ASSISTANCE
AS DEFINED IN SCOPE OF WORK AND
AUTHORIZING EXECUTION OF A CONTRACT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 21, 2020, as follows:

Section 1. That the proposal of D&J Enterprises of Auburn, Alabama for Disaster Recovery Assistance, be and the same is hereby accepted, based upon their qualifications and unit pricing set forth in their proposal, among sealed proposals opened on December 10, 2019, as defined in scope of work and/or as specified for additional authorized services; and

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 D&J Enterprises for Secondary Disaster Recovery Assistance Following a Natural or Manmade Disaster; in substantially the form presented to Council this date.

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

ADOPTED this 21st day of January, 2020.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. -20 (prepared by City Clerk), which Resolution was duly and legally adopted at a rescheduled regular meeting of the City Council on January 21, 2020.

City Clerk

ORDINANCE NO.

**AN ORDINANCE
TO AMEND THE CODE OF ORDINANCES,
ADOPTED JULY 24, 1989, AT CHAPTER 8,
BUSINESS LICENSES, TAXES, AND REGULATIONS,
ARTICLE I., IN GENERAL, SECTION 8-35, LICENSE FEE SCHEDULES,
AT SCHEDULE "G" SPECIAL EVENTS LICENSES BY CHANGING CERTAIN
LANGUAGE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 21, 2020, 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 at **ARTICLE I., IN GENERAL**, Section 8-35. License fee schedules. Schedule "G" Special Events Licenses by changing certain language so the entire Section shall read as follows:

CHAPTER 8 BUSINESS LICENSES, TAXES AND REGULATIONS

* * * *

ARTICLE I. IN GENERAL.

* * * *

Sec. 8-35. License fee schedules.

* * * *

Schedule "G" Special Events Licenses

- A. Any person holding a valid city public assembly permit may upon proper application and payment of a fee, and upon such other conditions as the city council may by resolution impose as provided in subsection (D) below, be issued a festival business license under which persons not currently holding a valid city business license may be registered to sell products or services on a for-profit basis for the duration of the public assembly at the permitted public assembly site or sites without the issuance of a separate business license or the payment of a separate fee. All event licenses are valid only for one (1) specified event. For permitted events with fewer than 150 participating vendors, the assembly permit holder may obtain one special event license for the event provided they meet the following requirements: 1) state they wish to elect this option in the assembly permit application; 2) submit a preliminary list of all participating vendors no later than seven (7) days prior to the event; 3) On the first business day following the event submit a final list of participants, completed tax return forms and tax remittances for all participating vendors to City Revenue Division. Failure to meet any of these requirements will require all vendors to obtain licenses and the permit holder and event will not be considered for this option in the future.

One (1) Day Events Only	Fee \$ 25.00
Multiple (Consecutive) Day Events	Fee \$100.00

B. Any persons desiring to sell goods or services on a for-profit basis at a permitted public assembly site under authority of an issued festival business license must, prior to such public assembly, file with the city revenue division a completed business license application, a completed sales tax license application, and the written consent of the holder of the festival license to the sale of goods or services by such person at the public assembly site under authority of the festival license. A certificate of permission to conduct business will be issued under authority of the festival business license at the permitted public assembly site for the duration of the public assembly covered by the festival assembly; provided, however, that no person who has any delinquent or past due liability to the city for taxes, fees, interest, penalty, or other charges of any kind shall be issued a certificate of permission unless and until all such taxes, fees, interest, penalties, or other charges are paid in full to the city. A certificate of permission shall be posted and surrendered for inspection by the city on demand in the manner provided under [section 8-20](#) of the city's Code of Ordinances with respect to licenses.

C. Notwithstanding any other provision of the city's Code of Ordinances, any person selling goods or services for profit at a permitted public assembly under authority of a certificate of permission shall file with the city the return described in [section 8-167](#) of the city's Code of Ordinances and remit all sales taxes due the city with respect to sales of goods or services by such person during the public assembly on the earlier of: 1) the last day such person offers any goods or services for sale during such public assembly, or 2) the last day of the public assembly as identified in the permit authorizing such.

D. In considering any application for a festival business license, the city council shall consider all relevant factors, including any difficulties experienced by the city in the collection of taxes in connection with previous public assemblies under the same or related sponsorship or with previous public assemblies of a similar type. For reasons deemed sufficient to it, the city council may, in its discretion, deny the issuance of a festival business license to an applicant or may condition such issuance upon the satisfaction of such conditions precedent as it may determine, including, without limitation, the posting of a cash or fidelity bond to protect the city against the risk of non-collection of taxes from persons doing business at the public assembly under a certificate of permission.

E. In the event the mayor determines that any person holding a festival business license is permitting sales of goods or services for profit within the site or sites covered by the associated public assembly permit by persons not holding a certificate of permission and not otherwise holding a current business license, the mayor shall afford the festival business license holder such notice as is practicable under the circumstances and require such person to show cause why such festival business license should not be revoked in its entirety. Upon failure of such licensee after notice to show cause satisfactory to the mayor, the mayor may issue a written revocation of such festival business license and a notice to all persons to whom a certificate of permission has been issued under such festival business license to cease and desist further sales.

* * * *

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

ADOPTED this 21st day of January, 2020.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Ordinance No. (prepared by City Clerk), which Ordinance was duly and legally adopted at a rescheduled regular meeting of the City Council on January 21, 2020 and the same was duly published as required by law in the City of Gulf Shores, Alabama.

City Clerk

ORDINANCE NO.

**AN ORDINANCE
GRANTING OF A NONEXCLUSIVE FRANCHISE AGREEMENT
TO A BETTER CAB TO PROVIDE TRANSPORTATION
SERVICE IN THE CITY OF GULF SHORES;
AND AUTHORIZING THE EXECUTION OF A FRANCHISE AGREEMENT
BETWEEN THE CITY OF GULF SHORES AND THE COMPANY**

WHEREAS, A Better Cab has requested the renewal of their franchise to empower the Company to provide transportation service in the City of Gulf Shores; and

WHEREAS, the City is desirous of granting of a nonexclusive franchise to A Better Cab to provide transportation service in the City; and

WHEREAS, the residents of the City will benefit by the granting of such a franchise renewal;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 21, 2020, as follows:

Section 1. That the renewal of a nonexclusive franchise be and it is hereby granted to A Better Cab for operation of a taxi service 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 A Better Cab which sets forth the requirements, covenants and agreements of a franchise to the Company for operation of a taxi service within the City.

Section 3. That the subject Franchise Agreement, the full text of which is available for examination in the office of the City Clerk, is dated January 21, 2020.

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

ADOPTED this 21st day of January, 2020.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Ordinance No. (prepared by City Clerk), which Ordinance was duly and legally adopted at a rescheduled regular meeting of the City Council on January 21, 2020 and the same was duly published as required by law.

City Clerk