



AGENDA
REGULAR COUNCIL MEETING
CITY OF GULF SHORES, ALABAMA
FEBRUARY 22, 2021
4:00 P.M.

1. Call To Order

2. Invocation

A. Councilman Stephen E. Jones

3. Pledge Of Allegiance

4. Roll Call

5. Approval Of Minutes

- a. February 8, 2021 - Regular Council Meeting
- b. February 15, 2021 - Council Work Session Meeting

6. Approval Of Expense Vouchers

7. Presentation Of Petitions, Requests And Communications

A. Arbor Day 2021

Documents:

[ARBOR DAY 2021.PDF](#)

8. Public Hearing

A. ABC License Application - Pinkis Beverages, INC. D/B/A AL's Liquor

Documents:

[CC- ABC LICENSE APPLICATION - ALS LIQUOR.PDF](#)

9. New Business

A. Ordinance - Amend Code - Motor Driven Cycles

Documents:

[ORD - AMEND CODE - MOTOR DRIVEN CYCLES.PDF](#)

B. Ordinance - Franchise Renewal - Collection & Disposal Of Non-Residential Garbage & Trash

Documents:

[ORD - FRANCHISE RENEWAL - TRASH COLLECTION AND DISPOSAL.PDF](#)

C. Resolution - Award Bid - Gulf Place Hurricane Sally Lighting Repair Project

Documents:

[RESO - AWARD BID - GULF PLACE HURRICANE SALLY LIGHTING REPAIR PROJECT.PDF](#)

D. Resolution - Accept Proposal - Jade Consulting, LLC - West 4th Street Bridge Project

Documents:

[RESO - ACCEPT PROFESSIONAL SERVICES PROPOSAL - JADE CONSULTING, LLC.PDF](#)

E. Resolution - Accept Proposal - Skipper Consulting, Inc. - West 4th Street Bridge Project

Documents:

[RESO - ACCEPT PROFESSIONAL SERVICES PROPOSAL - SKIPPER CONSULTING - COPY.PDF](#)

F. Resolution - Surplus And Donate Air Packs

Documents:

[RESO - SURPLUS AND DONATE AIR PACKS.PDF](#)

G. Resolution - Surplus And Donate Engine

Documents:

[RESO - SURPLUS AND DONATE FIRE ENGINE.PDF](#)

10. Committee Reports

11. Staff Reports

12. Hearing Of Persons Not Listed On Formal Agenda

13. Adjourn

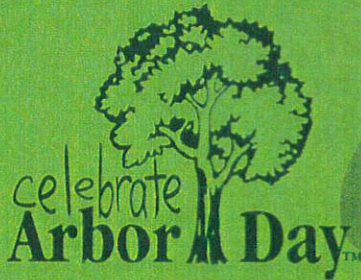
14. Mayor Updates

GULF SHORES
BEAUTIFICATION
BOARD presents

 Arbor Day Foundation

2021

ARBOR DAY



FEBRUARY 27

8:30 A.M. - 10:00 A.M.

**GULF SHORES
ELEMENTARY SCHOOL**

DRIVE THRU TREE GIVEAWAY

* Proof of Gulf Shores residency required

Trees available this year include:

- ❖ Persimmon (*Diospyros virginiana*)
- ❖ Pecan (*Carya illinoensis*)
- ❖ Witch Hazel (*Hamamelis virginiana*)
- ❖ Turkey Oak (*Quercus laevis*)
- ❖ Bald Cypress (*Taxodium distichum*)
- ❖ Red Bay (*Persea borbonia*)

For more information contact the
Engineering Department at 251-968-1166.



ALABAMA



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20210203151544949



Type License: 011 - LOUNGE RETAIL LIQUOR - CLASS II (PACKAGE) **State:** \$300.00 **County:** \$440.00
Type License: **State:** **County:**
Trade Name: ALS LIQUOR **Filing Fee:** \$50.00
Applicant: PINKIS BEVERAGES INC **Transfer Fee:**
Location Address: 160 COTTON CREEK DR STE 215 GULF SHORES, AL 36542
Mailing Address: 444 COLLINWOOD LOOP FOLEY, AL 36535
County: BALDWIN **Tobacco sales:** YES **Tobacco Vending Machines:** 0
Product Type: 01 **Type Ownership:** CORPORATION
Book, Page, or Document info: 1577162
Do you sell Draft Beer?:
Date Incorporated: 6/22/2016 **State incorporated:** AL **County Incorporated:** BALDWIN
Date of Authority: 6/22/2016
Federal Tax ID: 81-3132159 **Alabama State Sales Tax ID:** R009531643

Name:	Title:	Date and Place of Birth:	Residence Address:
ALKESH VIJAY BHUPAT PATEL	PRESIDENT		

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES
 Does ABC have any actions pending against the current licensee? NO
 Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO
 Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO
 Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES
 Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO
 Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO
 Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: ALKESH V. PATEL
Business Phone: 850-324-6156
Fax:

Home Phone:
Cell Phone:
E-mail: ALSLIQUORSTORE@YAHOO.COM

PREVIOUS LICENSE INFORMATION:
Trade Name:
Applicant:

Previous License Number(s)
License 1:
License 2:

ORDINANCE NO.

**AN ORDINANCE TO AMEND THE *CODE OF ORDINANCES*,
ADOPTED JULY 24, 1989, AT CHAPTER 22, VEHICLES FOR HIRE, TO
ADD ARTICLE IV, MOTOR DRIVEN CYCLES, TO REGULATE THE
RENTAL AND USE OF RENTED MOTOR DRIVEN CYCLES**

WHEREAS, the Chief of Police of City of Gulf Shores has provided the City Council with extensive information and documentation establishing that the operation of rented motor-driven cycles in the City of Gulf Shores has created serious and chronic conditions of risk and disruption to public safety and convenience both with respect to the general public and with respect to the individuals operating such rented cycles in an illegal, unskilled, or careless manner; and

WHEREAS, the City Council of the City of Gulf Shores finds that the rental and operation of rented motor-driven cycles should be prohibited in the City of Gulf Shores and its police jurisdiction effective January 1, 2021 and that interim regulation of the rental and operation of rental motor-driven cycles should be imposed in the interest of the safety and welfare of the residents of the City and its visitors,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 22, 2021, as follows:

Section 1. That Chapter 22, Vehicles For Hire, *Code of Ordinances*, adopted July 24, 1989, be and it is hereby amended to add Article IV reading in its entirety as follows:

**ARTICLE IV
MOTOR-DRIVEN CYCLES**

Section 22-100 - Definitions.

As used in this Article, the following terms shall have the following definitions:

(a) **MOTOR VEHICLE.** Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for electric personal assistive mobility devices.

(b) **MOTORCYCLE.** Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

(c) **MOTOR-DRIVEN CYCLE.** Every motorcycle, including every motor scooter, with a motor that produces not more than five brake horsepower nor exceeds 150 cubic centimeter engine displacement, and weighs less than 200 pounds fully equipped, and every bicycle with a motor attached; provided, however, the term does not include a bicycle having only pedal assist and no throttle assist.

(d) **COMMERCIAL RENTAL OF MOTOR-DRIVEN CYCLE.** Any rental, lease, bailment, loan, or other provision of a Motor-Driven Cycle to a person for use in exchange for payment or other valuable consideration, whether direct or indirect.

(e) **RENTED MOTOR-DRIVEN CYCLE.** Any Motor-Driven Cycle placed in the possession or control of a person under a Commercial Rental of Motor-Driven Cycle.

(f) **APPROVED PROTECTIVE HEADGEAR.** A DOT approved Motorcycle Cycle or Moped Helmet.

(g) **FLOURESCENT HIGHWAY SAFETY VEST.** A fluorescent highway safety vest meeting or exceeding the requirements for an American National Standards Institute (ANSI) Class 2 safety vest.

(h) **EYE PROTECTIVE DEVICE.** Shatter-resistant attached helmet visor, goggles, or over-glasses.

Section 22-101- Commercial Rental or Use of Motor-Driven Cycles Illegal After December 31, 2021 Prohibited.

(a) On and after January 1, 2022, the commercial rental of a motor-driven cycle in the corporate limits or police jurisdiction of the City of Gulf Shores is prohibited and shall constitute an offense punishable as provided in Section 1-8 of the Code of

Ordinances. Each instance of such commercial rental shall constitute a separate offense.

(b) On and after January 1, 2022, the operation of a rented motor-driven cycle in any public right of way or other public place within the corporate limits or police jurisdiction of the City of Gulf Shores is prohibited and shall constitute an offense punishable as provided in Section 1-8 of the Code of Ordinances. Each instance of such operation shall constitute a separate offense.

Section 22-102. Interim Requirements For Commercial Rental of Motor-Driven Cycle.

Any person engaging in the business of commercial rental of motor-driven cycles in the City of Gulf Shores or its police jurisdiction at any time prior to January 1, 2022 shall comply with the following requirements:

- (a) Without regard to the person who may be the nominal rental customer, no rented motor-driven cycle shall be provided for operation by any person who does not personally possess and produce for copying at the time of rental a valid current Alabama Class M or Class B motorcycle license or Class M license endorsement or, if a resident of a state other than Alabama, a valid current license from the state of residence expressly authorizing the operation of a motor-driven cycle by the person in the person's state of residence. A log shall be maintained by the business identifying the specific operator of the motor-driven cycle and the cycle identified by serial number or license tag being rented for use by the operator, and attaching a photographic image of the operator's license for the operation of a motor-driven cycle. The log shall be provided for inspection whenever requested by a law enforcement officer or an agent or employee of the City Revenue Department.

- (b) Before releasing a rented motor-driven cycle to an operator, the business shall obtain the personal signature of the operator himself or herself on an acknowledgment containing the language set out in Section 22-103 below and shall retain such signed acknowledgment as an attachment in the rental log.

- (c) The business shall provide each operator without charge with approved protective headgear, eye-protective devices, and a florescent highway safety vest and shall require the operator to wear such items at all times as a written condition of rental when operating the rented motor-driven cycle.

- (d) The business shall at all times maintain comprehensive commercial general liability insurance with an insurance company qualified to do business in Alabama with policy limits of not less than three hundred thousand dollars (\$300,000.00) combined single limit, on a standard ISO form, naming the City of Gulf Shores as an additional insured, and with an obligation of the insurer to notify the City of Gulf Shores at least ten (10) days prior to cancellation or material change. A current certificate of insurance shall be filed and maintained at all times with the Revenue Department of the City of Gulf Shores.

- (e) Violation of any of the requirements set out in this Section shall constitute an offense punishable as provided in Section 1-8 of the Code of Ordinances and shall be grounds for revocation of business license as provided in Section 8-31 of the Code of Ordinances. Each instance of violation shall constitute a separate offense.

Section 22-103 Operation of a Rented Motor-Driven Cycle In A Reckless, Careless, or Illegal Manner.

- (a) In addition to any other separately applicable penal ordinance or statute, it shall be a separate offense for any person to operate a rented motor-driven cycle in any manner that is in violation of the ordinances of the City or the laws of the State of Alabama, that is reckless, or that is objectively negligent or careless, including, without limitation, the operation of a rented motor-driven cycle without approved protective headgear, eye-protective device, and florescent highway safety vest. The offense shall be punishable as an offense as provided in Section 1-8 of the Code of Ordinances, provided, however, that the nondiscretionary minimum fine to be imposed for violation of this provision shall be \$250.00.

- (b) Before taking possession of a rented motor-driven cycle in the City of Gulf Shores or its police jurisdiction, each person proposing to operate a rented

motor-driven cycle shall be required to execute an acknowledgment form containing the following language.

“As a person duly licensed by the State of _____ to operate a motor-driven cycle, I understand that the improper operation of the rented motor-driven cycle in Gulf Shores will be dangerous to me and others and will not be tolerated by the City. I understand that I must wear approved protective headgear, eye-protective device, and florescent highway safety vest at all times when operating the rented motor-driven cycle. I understand that the minimum fine for the offense of illegal, reckless, negligent, or careless operation of a rented motor-driven cycle in Gulf Shores or its police jurisdiction, including operation without wearing approved protective headgear, eye-protective device, and florescent highway safety vest is \$250.00 plus court costs and that a fine of up to \$500 and a jail term of up to 180 days can be imposed at the discretion of the municipal court.”

Section 2. 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 3. That this Ordinance shall not be interpreted to repeal any other ordinance of the City of Gulf Shores or any provision of the law of Alabama adopted by operation of Section 1-8 of the City’s Code of Ordinances.

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

ADOPTED this 22ND day of February, 2021.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC, City Clerk

ORDINANCE NO.

**AN ORDINANCE
GRANTING RENEWALS OF A NONEXCLUSIVE
FRANCHISE TO REPUBLIC SERVICES LLC,
BALDWIN COUNTY CONTAINER LLC,
WASTE MANAGEMENT AND WASTE PRO OF ALABAMA, INC.
TO PROVIDE FOR THE COLLECTION AND DISPOSAL
OF NON-RESIDENTIAL GARBAGE AND TRASH
IN THE CITY OF GULF SHORES; AND AUTHORIZING
THE EXECUTION OF A FRANCHISE AGREEMENT
BETWEEN THE CITY OF GULF SHORES AND THE CORPORATIONS**

WHEREAS, Republic Services LLC, Baldwin County Container LLC, Waste Management, and Waste Pro of Alabama, Inc. have all requested a franchise renewal to empower the Corporations to provide for collection and disposal of non-residential garbage and trash; and

WHEREAS, the City is desirous of granting a nonexclusive franchise renewal to Republic Services LLC, Baldwin County Container LLC, Waste Management, and Waste Pro of Alabama, Inc. to provide such service; and

WHEREAS, the residents 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 REGULAR SESSION ON FEBRUARY 22, 2021, as follows:

Section 1. That a nonexclusive franchise be and it is hereby granted to Republic Services LLC, Baldwin County Container LLC, Waste Management, and Waste Pro of Alabama, Inc., to provide collection and disposal of non-residential garbage and trash for the term of five years ending on December 31, 2025, 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 to Republic Services LLC, Baldwin County Container LLC, Waste Management, and Waste Pro of Alabama, Inc., which sets forth the requirements, covenants and agreements of a franchise to the Corporation for such services.

Section 3. That each franchisee pays a \$450 franchise fee annually and is required to maintain a business license and provide a certificate of insurance.

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

ADOPTED this 22nd day of February, 2021.

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 regular meeting of the City Council on February 22, 2021 and the same was duly published as required by law.

City Clerk

RESOLUTION NO. -21

**A RESOLUTION
ACCEPTING THE BID OF BILL SMITH ELECTRIC, INC.
IN THE AMOUNT NOT TO EXCEED \$320,000.00
FOR THE GULF PLACE HURRICANE SALLY LIGHTING
REPAIRS PROJECT AND EXECUTION OF CONTRACT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,
ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 22, 2021, as follows:

Section 1. That the bid of Bill Smith Electric, Inc. in the amount of \$299,218.00, for the Gulf Place Hurricane Sally Lighting Repairs Project, be and the same is hereby accepted, being the lowest, most responsible, among sealed bids opened on February 3, 2021. As this was a unit price bid, Engineering recommends awarding the contract in an amount not to exceed \$320,000.00 in the event additional damages are uncovered during the project.

Section 2. That the lighting fixtures are insured and all repair expenses will be reimbursed through our insurance provider.

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

ADOPTED this 22nd day of February, 2021.

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. -21 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on February 22, 2021.

City Clerk

RESOLUTION NO. -21

A RESOLUTION
AUTHORIZING AND DIRECTING THE
MAYOR AND CITY CLERK TO
EXECUTE AND ATTEST, RESPECTIVELY,
A PROFESSIONAL SERVICES CONTRACT BETWEEN
THE CITY OF GULF SHORES AND JADE CONSULTING, LLC
FOR CONCEPTUAL DESIGN & COST ESTIMATING
RELATED TO THE REPLACEMENT OF THE
WEST 4TH STREET VEHICULAR BRIDGE AND
NEW PEDESTRIAN BRIDGES AT WEST 4TH STREET
AND WINDMILL RIDGE ROAD
IN AN AMOUNT NOT TO EXCEED \$15,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 22, 2021, as follows:

Section 1. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a professional service contract between the City of Gulf Shores and Jade Consulting, LLC for Conceptual Design and Cost Estimating for the replacement of the West 4th Street Vehicular Bridge and new Pedestrian Bridges at West 4th Street and Windmill Ridge Road in an amount not to exceed \$15,000.00; in substantially the form presented to Council this date; and

Section 2. That \$15,000 is budgeted for this professional services proposal in FY 2021 in Account #42-879-80911, Land & Improvements.

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

ADOPTED this 22nd day of February, 2021.

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. -21 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on February 22, 2021.

City Clerk

RESOLUTION NO. -21

**A RESOLUTION
AUTHORIZING AND DIRECTING THE
MAYOR AND CITY CLERK TO
EXECUTE AND ATTEST, RESPECTIVELY,
A PROFESSIONAL SERVICES CONTRACT BETWEEN
THE CITY OF GULF SHORES AND SKIPPER CONSULTING, INC.
TO PERFORM A TRAFFIC & PEDESTRIAN STUDY
FOR THE REPLACEMENT OF THE WEST 4TH STREET BRIDGE
IN AMOUNT NOT TO EXCEED \$10,000.00**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 22, 2021, as follows:

Section 1. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a professional service contract between the City of Gulf Shores and Skipper Consulting, Inc. to perform a traffic & pedestrian study for the replacement of the West 4th Street Bridge in an amount not to exceed \$10,000.00; in substantially the form presented to Council this date; and

Section 2. That \$10,000 is budgeted for this professional services proposal in FY 2021 in Account #42-879-80911, Land & Improvements.

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

ADOPTED this 22nd day of February, 2021.

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. -21 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on February 22, 2021.

City Clerk

RESOLUTION NO. -21

**A RESOLUTION
AUTHORIZING THE SURPLUS AND DONATION OF
17 SCOTT AIR PACKS TO THE
ORANGE BEACH FIRE DEPARTMENT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,
ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 22, 2021, as follows:

Section 1. That seventeen (17) Scott Air Packs owned by the City of Gulf Shores, Alabama have been declared surplus and are not needed for public or municipal purposes.

Section 2. That the Mayor and City Clerk be and they are hereby authorized and directed to donate such property owned by the City of Gulf Shores, Alabama, described in Section 1 above, to the Orange Beach Fire Department.

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

ADOPTED this 22nd day of February, 2021.

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. -21 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on February, 22, 2021.

City Clerk

RESOLUTION NO. -21

**A RESOLUTION
AUTHORIZING THE SURPLUS AND DONATION OF
UNNEEDED FIRE ENGINE TO THE
DAUPHIN ISLAND FIRE DEPARTMENT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,
ALABAMA, WHILE IN REGULAR SESSION ON FEBRUARY 22, 2021, as follows:

Section 1. That the following fire engine owned by the City of Gulf Shores, Alabama has been declared surplus and is not needed for public or municipal purposes:

Make: 2006 FERRARA PUMPER
Model: INTRUDER II
VIN 44KFT42896WZ0964

Section 2. That the Mayor and City Clerk be and they are hereby authorized and directed to donate such property owned by the City of Gulf Shores, Alabama, described in Section 1 above, to the Dauphin Island Fire Department.

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

ADOPTED this 22nd day of February, 2021.

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. -21 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on February 22, 2021.

City Clerk