

Town of Perdido Beach
Regular Council Meeting
Town Hall/Perdido Beach Volunteer Fire Dept.
8450 Escambia Avenue
Perdido Beach, Al. 36530

October 22, 2009

1. Call to Order

Mayor Parker called the meeting to order at 6:30 PM.

2. Roll Call

Council members present: Councilmember Thompson, Councilmember Kelley, Councilmember Resmondo, Councilmember Larsen, Councilmember Kaiser, all present. Others Present: Attorney Sheila Stone, Lynn Thompson, Town Clerk, citizens of the town, Donna Watts with the Chamber of Commerce, and Ryan Dezember with the Baldwin Register.

3. Invocation and Pledge of Allegiance

J. T. Abbott presented Invocation and Pledge of Allegiance.

4. Approval of Minutes of Previous Meeting Motion by Councilmember Thompson to approve minutes as read, second by Councilmember Kaiser. No additions or corrections. The motion passed.

5. Approval of Financial Report. Clerk Lynn Thompson read the financial report. Motion by Councilmember Kaiser to approve financial report as presented, seconded by Councilmember Thompson.

6. Public Comments

Mayor Parker read the meeting agenda aloud for the benefit of those in attendance. Although the Council was in Regular session the Mayor allowed for public interaction and discussion on several agenda items.

One concern was for better communication between the Town Council and the Public in regards to meeting times. Mayor Parker explained that the website would be available in the coming week as a means of better communication, she also explained that all meetings are posted at the Town Hall a week in advance and also the meeting schedules are posted in 2 newspapers; those being the Onlooker and the Mobile Register.

Another topic of discussion was the temporary moratorium placed on building of structures. Mayor Parker explained that that particular issue was of concern to the Town Council also and would be addressed later as business.

Another area of concern was the "election process". Mayor Parker explained that the Town was not required to hold an election because the candidates that ran for office were uncontested. She further explained the terms of office of current officials are three years.

Donna Watts asked that the town council consider an appointment of a councilmember to the Board of Directors of the Chamber of Commerce.

7. Presentations

Mayor Parker read a proclamation to Jim and Nancy Gaines for their invaluable assistance to the Community during the entire incorporation process. The Gaines were not present at reading, but the proclamation will be mailed to them.

8. Ordinances for Consideration:

1. 2009-xx Ordinance Levying Ad valorem Tax on All Real Property, Personal Property and Intangibles (Second Reading)

Councilmember Thompson made a motion to adjust the agenda to have the financial report read before voting on Ordinance 2009-xx. Motion seconded by Councilmember Kelley.

Discussion: Motion passed.

Councilman Kaiser read the Financial Report.

Councilmember Thompson made a motion to amend Ordinance 2009-xx from 4 mils to 5 mils, seconded by Councilmember Kaiser. Discussion: Roll call vote: Councilmember Thompson – Aye, Councilmember Kelley – Nay, Mayor Parker – Aye, Councilmember Larsen – Nay, Councilmember Resmondo – Nay, Councilmember Kaiser – Aye. Tie vote - the motion failed.

Councilmember Thompson made a motion to adopt at 4 mils, Ordinance 2009-xx “ Levying Ad valorem Tax on All Real Property, Personal Property, and Intangibles”, seconded by Councilmember Kelley. There was no discussion. Roll Call Vote: Councilmember Thompson- Aye, Councilmember Kelley- Aye, Mayor Parker – Aye, Councilmember Resmondo- Aye, Councilmember Larsen- Aye, Councilmember Kaiser- Nay. Motion passed to adopt Ordinance 2009-07 at 4 mils

2. 2009-xx, Ordinance to Adopt a New Business License Code for the Town of Perdido Beach, Alabama and from Year to Year Thereafter Until Repealed or Revised.

Motion by Councilmember Thompson for immediate consideration of Ordinance 2009-xx,. Councilmember Thompson- Aye, Councilmember Kelley- Aye, Mayor Parker- Nay, Councilmember Resmondo- Aye, Councilmember Larsen- Aye, Councilmember Kaiser- Aye, Motion failed. Ordinance to be reconsidered at Workshop Meeting, November 12, 2009.

9. Resolutions for Consideration:

1. 2009-12, Adopting Amendment to Resolution 2009-06, Temporary moratorium on Structures, Parts Thereof, Land Use, Land Use Changes or Subdivisions; exempting single family residential structures from the temporary moratorium. Motion by Councilmember Kelley, second by Councilmember Kaiser, to adopt Resolution 2009-12, amending Resolution

2009-06, to exempt single family residential structures from temporary moratorium. No discussion. All in favor, motion carried.

2. Resolution 2009-13, Resolution Endorsing the Baldwin County Commission's Route for the Construction of the County Road 83 Thoroughfare Between I-10 and I-65 and Opposing the Route Proposed by the Alabama Department of Transportation. Motion by Councilmember Kelley, seconded by Councilmember Kaiser to adopt Resolution 2009-13, endorsing Baldwin County's route and opposing the Dept. of Transportation route. All in favor, motion carried.

10. Motions/Requests from the Town Council

Motion to adopt the Town's fiscal year as January 1 to December 31. Motion by Councilmember Kaiser, seconded by Councilmember Kelley. All in favor, motion carried.

Motion to change Regular Council Meeting from November 26th to November 19th due to the Thanksgiving Holiday. Motion by Councilmember Thompson, seconded by Councilmember Resmondo. All in favor, motion carried.

Motion to accept assistance offered by the Baldwin County Planning and Zoning Department and the County Commission to help with the Town's Planning and Zoning. Motion by Councilmember Kaiser, seconded by Councilmember Thompson to accept assistance from Baldwin County Planning and Zoning Department. Discussion. All in favor, motion carried.

11. Committee Reports

Finance & Audit Report – Councilman Kaiser reported on progress concerning Line of Credit with Vision Bank. (Written report on file).

Building Committee/Town Hall Report- Councilman Kelley reported on Town Hall progress. (Written report on file).

Safety Committee Report- Councilman Thompson reported on a training meeting attended by him and Mayor Parker. (Written report on file). He also announced that Sheriff Mack will be present to address the council at the regular meeting, November 19th. Councilman Thompson recommended Mr. Tommy Resmondo and Mr. J.T. Abbott as members to the Public Safety Committee. Mayor Parker made the appointment and also named herself to the committee.

12. Council, Legal Counsel and Staff Comments

- (a) Committee Appointments to date: Building/Town Hall – William Kelley, Chairperson, Councilman Thompson, Councilwoman Larsen, and Gary Herrington; Beautification – Councilwoman Larsen, Chairperson, Kay Hamilton; Public Works – Councilman Resmondo, Chairperson; Public Safety – Councilman Thompson, Chairperson, Mayor Parker, Tommy Resmondo, J.T. Abbott; Finance/Audit – Councilman Kaiser, Chairperson, Mayor Parker

- (b) Committee meeting procedures were discussed.**
- (c) Mayor Parker reported that an agreement between the Town of Perdido Beach and the Baldwin County Commission is pending for Baldwin County to enforce the county's building laws and codes, as well as the Flood Damage Prevention Ordinance of the Town of Perdido Beach and for the county to collect all fees associated with enforcement.**
- (d) Electric providers-Franchise Authority ACT # 2009-301 Clarifies the fees that electric providers are required to pay to municipalities.**
- (e) Thank you Letters: There is a list of numerous individuals to whom the Town needs to send letters of appreciation.**
- (f) Clerk, Lynn Thompson reported to the Mayor and Council that the Town is insured against Liability as of October 13th, through the Alabama Municipal Insurance Company. Attorney Sheila Stone expounded on the actual coverage of the policy.**

There being no further business the meeting adjourned at 9:00 PM

ATTEST:

Patsy W. Parker, Mayor

Lynn Thompson, Town Clerk