

September 24, 2009
 Regular Council Meeting
 8450 Escambia Ave.
 Perdido Beach, Al. 36530
 6:30 P.M.

1. Call to Order

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

2. Roll Call

Council members present – Mayor Parker, Al Thompson, William Kelley, Ronnie Resmondo, Pattie Larsen and Denny Kaiser. Also present: Lynn Thompson, Town Clerk, Attorney Sheila Stone, Hoyt Sanders, Mayor of Pinson, Alabama.

3. Invocation and Pledge of Allegiance

Councilmember Kaiser led the invocation and pledge.

4. Approval of Minutes of Previous Meetings

Minutes from previous Meetings were silently read. A motion was made by Council Member Thompson and a second by Council Member Kaiser to approve the minutes from; September 1, 2009 Workshop Meeting; September 3, 2009 Special Council Meeting; and September 10, 2009 “continued Workshop Meeting”.

5. Public Comments

Hoyt Sanders, Mayor of Pinson, Alabama shared with Council a few of his experiences involved in managing a new town.

6. Mayor Parker administered the Oath of Office to Lynn Thompson, Clerk Treasurer. Council member Thompson held the Bible for his wife while she repeated the Oath.

7. Steve Love presented to the Council his intentions regarding a building he was considering purchasing and would give the Town options to use it for a Town Hall Building.

Mayor Parker explained that the council does not need to suspend the rules of order when an ordinance or resolution of a general or permanent nature is considered for adoption on its first reading. In such case, the Town’s Rules of Procedure Ordinance contains a provision for the Town Council to allow “immediate consideration” upon unanimous approval by the Town Council for immediate consideration.

8. ORDINANCES CONSIDERED FOR ADOPTION:

2009xx LEVYING AD VALOREM TAX

Motion by Councilmember Thompson, second by Councilmember Kelley, for immediate consideration of the Ordinance. **Roll call vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo **Nay**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Nay**. **Four “Aye’s”- two “Nay’s” Motion failed. Immediate consideration of the Ordinance to Levy Ad Valorem Tax is not approved.**

2009-04 FLOOD DAMAGE PREVENTION ORDINANCE

Motion by Councilmember Kaiser, second by Councilmember Thompson, for immediate consideration of the Flood Damage Prevention Ordinance. **Roll call vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in favor – motion passed.**

Motion by Councilmember Kaiser second by Councilmember Thompson to waive the reading of the Ordinance. **All in favor – motion passed.**

Motion by Councilmember Thompson, second by Councilmember Kaiser to adopt Flood Damage Prevention Ordinance 2009-04. **Roll Call Vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in favor- motion passed.**

2009-05 ADOPT VISION BANK AS GENERAL DEPOSITORY BANK

Motion by Councilmember Kaiser, second by Councilmember Kelley, for immediate consideration of Ordinance to Adopt Vision Bank as General Depository Bank. **Roll Call Vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in favor- motion passed.**

Motion by Councilmember Kaiser, second by Councilmember Kelley to waive the reading of the Ordinance. **All in favor- motion passed.**

Motion by Councilmember Thompson, second by Councilmember Resmondo to adopt Ordinance 2009-05-Adopt Vision Bank as a General Depository Bank. **Roll Call Vote-**Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in Favor- Motion Passed.**

2009-06 ORDINANCE LEVYING SALES AND USE TAX

Motion by Councilmember Thompson, second by Councilmember Kaiser for immediate consideration of the Ordinance Levying a True Sales and Use Tax. **Roll Call Vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in favor- motion passed.**

Motion by Councilmember Thompson, second by Councilmember Resmondo to waive the reading of the Ordinance . **All in favor- motion passed.**

Motion by Councilmember Thompson, second by Councilmember Kelley to Adopt Ordinance 2009-06-Levying a True Sales and Use Tax. **with the following amendments - “Change Section 6 to Section 5 and change Section 7 to Section 6.** **Roll call Vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in Favor- Motion Passed.**

9. RESOLUTIONS FOR CONSIDERATION

Resolution 2009-03 NEGOTIATE A LINE OF CREDIT

Motion by Councilmember Kaiser, second by Councilmember Resmondo for immediate consideration of the Resolution 2009-03. **Roll call Vote:** Mayor Parker, **Aye**, Councilmember Thompson: **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye** and Councilmember Kaiser: **Aye**. **All in Favor.**

Motion by Councilmember Kaiser, second by Councilmember Kelley to waive the reading of the Resolution. **All in favor- motion passed.**

Motion by Councilmember Kaiser, second by Councilmember Larsen to adopt Resolution 2009-03- Authorizing Mayor to Negotiate a Line of Credit. **Roll call vote:** Mayor Parker: **Aye**, Councilmember Thompson: **Aye**, Councilmember Resmondo, **Aye**, Councilmember Kelley: **Aye**, Councilmember Larsen: **Aye** and Councilmember Kaiser: **Aye**. **All in Favor -Motion passed.**

Resolution 2009-04 APPOINTING COMMITTEES

Motion by Councilmember Thompson, second by Councilmember Kelley to adopt Resolution 2009-04 Appointing Committees, **with the following amendment to have resolution read “one of which shall be a council member and chairperson of the committee” All in favor- motion passed.** **Committees Named: Finance and Auditing, Public Safety, Building/Town Hall, Beautification and Public Works**

Resolution 2009-05 OFFICIAL NEWSPAPER

Motion by Councilmember Resmondo, second by Councilmember Kelley to adopt Resolution 2009-05 to adopt “Onlooker” as official newspaper”. All in favor-motion passed

RESOLUTION 2009-06 TEMPORARY MORATORIUM ON BUILDING

Motion by Councilmember Kaiser, second by Councilmember Thompson for immediate consideration of Resolution 2009-06-Temporary Moratorium on Building.. **Roll Call Vote** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in favor- motion passed.**

Motion by Councilmember Kaiser, second by Al Thompson to waive the reading of the Resolution. **All in favor- motion passed.**

Motion by Patti Larsen, second by Councilmember Kaiser to adopt Resolution 2009-06-Temporary Moratorium on Building. **Roll Call Vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in Favor-Motion passed .**

Resolution 2009-07 AGREEMENT WITH BALDWIN COUNTY

Motion by Councilmember Kaiser, second by Councilmember Thompson for immediate consideration of the Resolution 2009-07 Agreement With Baldwin County. Roll Call Vote: Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in favor- motion passed.**

Motion by Councilmember Kaiser, second by Councilmember Thompson Waive the reading of the Resolution.-All in favor- motion passed.

Motion by Councilmember Kaiser and second by Councilmember Kelley to adopt Resolution 2009-07, *with an amendment to exclude zoning*. **Roll call Vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser. **All in favor -Motion passed**

RESOLUTION 2009-08 WEBSITE CONSTRUCTION AND HOSTING

Motion by Councilmember Thompson, second by Councilmember Larsen to enter into agreement with Steve Foster for construction and hosting website. All in favor-motion passed.

RESOLUTION 2009-09 ACCEPT FUNDS FROM PERDIDO BEACH INCORPORATION COMMITTEE

Motion by Councilmember Kaiser second by Councilmember Resmondo for immediate consideration of Resolution 2009-09-Accept Funds from the Perdido Beach Incorporation Committee. **Roll Call Vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, Councilmember Kaiser, **Aye**. **All in favor- motion passed.**

Motion by Councilmember Thompson, second by Councilmember Kaiser to waive the reading of the Resolution. All in favor- motion passed.

Motion by Councilmember Thompson, second by Councilmember Kelley to adopt Resolution 2009-09-Accept Funds from Perdido Beach Incorporation Committee. **Roll call Vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in favor- motion passed .**

RESOLUTION 2009-10 OBTAIN SURETY BONDS

Motion by Councilmember Kaiser, second by Councilmember Larsen for immediate consideration of the Resolution 2009-10-Obtain Surety Bonds. **Roll Call Vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in favor-motion passed.**

Motion by Councilmember Kelley, second by Councilmember Larsen to waive the reading of the Resolution. **All in favor- motion passed.**

Councilmember Larsen asked the cost of the bonds- Clerk Lynn Thompson told Councilmember Larsen AMIC had quoted her, \$80.00 each for Mayor and Mayor Pro-Tempore and \$250.00 for Clerk/Treasurer.

Motion by Councilmember Kelley, second by Councilmember Larsen to adopt Resolution 2009-10-Obtain Surety Bonds. **Roll Call Vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in favor- motion passed.**

RESOLUTION 2009-11 CONTRACT WITH REVENUE DISCOVERY SYSTEMS (RDS).

Motion by Councilmember Kelley, second by Councilmember Thompson, for immediate consideration of Resolution 2009-11-Contract With Revenue Discovery Systems (RDS).. **Roll Call Vote;** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Resmondo, **Aye**, Councilmember Larsen, **Aye**, Councilmember Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in favor-motion passed.**

Motion by Councilmember Larsen, second by Councilmember Kaiser to waive the reading of the Resolution. **All in favor- motion passed.**

Motion by Councilmember Kelley, second by Councilmember Thompson to adopt Resolution 2009-11 -Resolution to contract with Revenue Discovery Systems to collect sales and use tax for the Town. **Roll Call Vote:** Mayor Parker, **Aye**, Councilmember Thompson, **Aye**, Councilmember Larsen, **Aye**, Council-member Kelley, **Aye**, Councilmember Kaiser, **Aye**. **All in favor-motion passed.**

10. Request from Councilmember Kaiser to bring the ad valorem Ordinance back to Workshop, October 8th., for additional discussion.

11. Counsel Comments:

Counsel Stone suggested members of the Council read “Rules of Procedure” in “Selected Readings for the Municipal Official”.

She discussed policy regarding requests for copies of public records.

Also commented on the uniqueness of the Town of Perdido Beach in regards to its waterways.

12, Other business that came before the Meeting. Councilmember Kaiser stated that some Perdido Beach residents have asked him questions concerning Councilmember Resmondo’s request to the U.S Army Corp of Engineers for a permit to build a marina.

Council Meeting ended at 8:48 PM

Approved this _____ day of October, 2009.

Patsy W. Parker, Mayor

ATTEST:

Lynn Thompson, Town Clerk