

Town of Perdido Beach, Alabama
Regular Council Meeting – April 16, 2013

The Town Council held its Regular Scheduled Council Meeting at Town Hall on April 16, 2013. Andy Holk, Chairman Pro-tempore called the meeting to order at 6:04 pm.

MEMBERS PRESENT: Council Members: Council Member Gary Fishbein, Council Member Sean Hickey, Council Member Andy Holk and Council Member Priscilla Condon.
Council Member Ellen McDonald Leslie arrived after the roll was called and the minutes were approved.

MEMBERS ABSENT: Mayor Patsy Parker

ALSO PRESENT: Mrs. Kae Hamilton, Perdido Beach Fire Fighter; Ms. Hope Zeanah, Principal Elberta Elementary School; Marcus Mc Dowell, Town Attorney; Lynn Thompson, Town Clerk and Members of the Town.

PLEDGE OF ALLEGIANCE: Andy Holk, Chairman Pro- tempore
Chairman Holk explained the reason the flag was displayed at half-staff (April 16, 2013) was to pay respect to and honor the victims of the Boston bombing, and in compliance with the proclamation issued by President Obama.

ITEM: WORKSHOP MINUTES APRIL 9, 2013

Motion by Council Member Condon, seconded by Council Member Fishbein to approve the April 9, 2013 minutes.

Discussion:

Roll call vote:

"YES"

"ABSTAIN"

"NO"

Council Member Fishbein

Council Member Hickey

Council Member Holk

Council Member Condon

All in favor- motion carried to approve the minutes as corrected.

ITEM: March 19, 2013 REGULAR COUNCIL MINUTES

Motion by Council Member Condon, seconded by Council Member Fishbein to approve the March 19, 2013 Council Minutes as written.

No discussion

"YES"

"ABSTAIN"

"NO"

Council Member Fishbein

Council Member Hickey

Council Member Holk

Council Member Condon

Council Member McDonald Leslie

Motion carried to approve the March 19, 2013 Council Minutes as presented

ITEM: MARCH FINANCIAL REPORT:

Motion by Council Member Condon, seconded by Council Member Hickey to approve the March financial report.

No discussion

Roll call vote:

"YES"

"ABSTAIN"

"NO"

Council Member Fishbein

Council Member Hickey

Council Member Holk

Council Member Condon

Council Member McDonald Leslie

Motion carried unanimously to approve the financial report as presented.

ITEM: PUBLIC COMMENTS-None

ITEM: GUEST SPEAKERS: None

ITEM: RESOLUTION 2013-08 COMMENDING FIREFIGHTER KAE HAMILTON FOR BEING NAMED 2013 FIREFIGHTER OF THE YEAR

Andy Holk, Chairman Pro-tempore read aloud the Resolution.

Motion by Council Member Condon, seconded by Council Member Leslie to adopt Resolution 2013-08.

No discussion

Roll call vote:

"YES"

"ABSTAIN"

"NO"

Council Member Fishbein

Council Member Hickey

Council Member Holk

Council Member Condon

Council Member McDonald Leslie

All in favor motion carried unanimously

ITEM: RESOLUTION 2013-09 COMMENDING PRINCIPAL HOPE ZEANAH ON BEING NAMED ALABAMA PRINCIPAL OF THE YEAR

Andy Holk, Chairman Pro-tempore read aloud the Resolution.

Motion by Council Member Condon, seconded by Council Member Fishbein to adopt Resolution 2013-09.

No discussion

Roll call vote:

"YES"

"ABSTAIN"

"NO"

Council Member Fishbein

Council Member Hickey

Council Member Holk
Council Member Condon
Council Member McDonald Leslie
All in favor motion carried unanimously

ITEM: RESOLUTION 2013-10 NAMING APPOINTEES TO THE ZONING BOARD OF ADJUSTMENT
Motion by Council Member Condon, seconded by Council Member McDonald Leslie to consider
Resolution 2013-10.

Discussion: Add Resolution 2013-10 to the agenda
Original Motion withdrawn by Council Member Condon.

Motion by Council Member Condon, seconded by Council Member McDonald Leslie to add
Resolution 2013-10 to the Council Agenda.
Voice Vote-All in favor motion carried to add Resolution 2013-10 to the agenda.

Motion by Council Member Condon, seconded by Council Member Leslie to adopt Resolution
2013-10.

Discussion:

Motion by Council Member Fishbein, seconded by Council Member Condon to table Resolution
2013-10 until the next Council Workshop on May 14, 2013.

Roll call vote:

"YES"

"ABSTAIN"

"NO"

Council Member Fishbein

Council Member Hickey

Council Member Holk

Council Member Condon

Council Member McDonald Leslie

Motion carried to table Resolution 2010-13

Chairman Holk asked that the minutes reflect Councilman Fishbein's comments stating that he
would contact Mr. Tom Cunningham to see if in fact he is interested in filling a vacancy on the
Zoning Board of Adjustment and ask Mr. Cunningham to contact the Mayor. Councilman
Fishbein also asked that the vacancy be posted on the Town's website.

COMMITTEE REPORTS

BEAUTIFICATION COMMITTEE

Council Member Ellen McDonald Leslie, Beautification Committee Chairman reported that the tree planting around the storage building for the purpose of erosion control has been approved by both the Town Council and the Planning Commission. The Committee plans to plant the trees on April 18, 2013.

BUDGET AND FINANCE COMMITTEE

Council Member Ellen McDonald Leslie reported on behalf of the Committee that the Committee had met and discussed the budget in detail.

BUILDING AND GROUNDS COMMITTEE

Council Member Condon, Committee Chairman gave the following written report:
The Buildings and Grounds Committee met 9:00 am March 22, 2013 at the Perdido Beach Town Hall. In attendance were Mayor Patsy Parker, Councilwomen Priscilla Condon, Al Thompson and Tom Bloxham. Absent: Councilman Sean Hickey

Priscilla Condon was elected as Chair of the committee and Sean Hickey as vice Chair

Meeting time was discussed and changed to 8:00 am on the 4th Friday of the month.

Discussion: Referral from Town Council to look into adjustable chairs for the council console. Decided to check local thrift stores, Office Depot, Staples and on-line sources. Tom Bloxham volunteered to get several quotes. A recommendation will be made to Town council to approve up to \$1200.00 for purchase of the chairs for the meeting room console with funds coming from budget line item to be determined by finance committee.

Discussed: Contract with John Abbott for lawn care at Town Hall. His present contract began 4-2-12 and has no ending date. He presently charges \$60 per cutting. Tom Bloxham will work on a new potential contract to be discussed at next meeting.

Discussion: Need to link plans and recommendations from Beautification, Public Works and Building and grounds committees. Examples of conflicting recommendations were given. Major concern was planting of trees by storage building, which has been approved by town council. Tom Bloxham will attend next Beautification committee meeting as a representative from Building and Grounds and recommend that we have periodic joint meetings.

Motion to adjourn made by Priscilla Condon

PUBLIC WORKS

Council Member Hickey reported the following on behalf on the Public Works Committee:

- The Town is considering entering into an intergovernmental agreement between the Town and Baldwin County for exchange of mowing and grading services.

- He reported that the Town needs to do a study before installing proposed speed limit signs.
- Also a need to develop *Policies and Procedures Related to Volunteer Work and Safety Policies and Procedures Related to Public Work*.
- Committee's suggestion to extend the Town's contract with Arnie's General Contracting through June 16, 2013 in order to get the agreement with Baldwin County in place.

PUBLIC SAFETY COMMITTEE

Al Thompson, Committee Member reported on behalf of the Safety Committee that the committee had met with the Public Works Committee and discussed the list of roads where potential speed limits signs may be placed and that the Baldwin County Highway Dept. do the study that is necessary prior to the Town installing speed limit signs. They also discussed purchasing a mobile electronic speed indicator sign and would get price quotes on a sign.

FIRE CHIEF'S REPORT-NO REPORT

AD HOC COMMITTEE-PROPERTY SEARCH

Council Member Ellen McDonald Leslie reported on behalf of the Committee that they met and discussed talking to Alabama Emergency Management Agency (AEMA) to find out the possibility of funds being re-allocated to purchase property in the Town for the purpose of establishing a public park area.

SOUTH BALDWIN CHAMBER OF COMMERCE REPORT – No Report

ITEM: COUNCIL, STAFF AND LEGAL COMMENTS:

Legal Comments:

Marcus McDowell, Town Attorney updated the Town Council on his research related to Block 34- park property. He stated that he plans to meet with David Conner, Baldwin County Attorney to discuss the park property as well as the Intergovernmental Agreement between the Town and Baldwin County for exchange of services.

Attorney McDowell also explained to the Council that the purpose of the Comprehensive/Master Plan is to have a "blueprint" for future growth and is also a tool for the Town to use to secure certain kinds of grants. The Plan provides a long term tool for the growth and development of the Town.

Council Comments:

Council Member Fishbein gave the clerk the following written comments to be submitted for the minutes:

Comments by Councilman Dr. Gary Fishbein:

At a recent committee meeting I was the victim of aggressive finger pointing by an individual at the meeting during their response to an issue. I responded by returning the finger pointing to emphasize the absurdity of this behavior and in self defense. This individual responded by symbolically forming a pistol with their hands and proceeded to aim and fire it at me. The committee chairperson did nothing to intervene in this behavior.

Such behavior is in violation of Roberts Rules of Order under which such committees function. Specifically 'All remarks must be directed to the Chair. Remarks must be courteous in language and deportment-avoid all personalities, never allude to others by name or to motives.'

I request that should such behavior be repeated such individuals be prohibited from attending any town meetings in the future.

Submitted for the minutes by Councilman Dr. Gary Fishbein

OTHER BUSINESS:

ITEM: Recommendation from the Building and Grounds Committee to purchase chairs for console in meeting room.

Motion by Council Member Condon, seconded by Council Member Hickey to add "Purchase of chairs for console in Meeting Room" to the agenda

Voice vote: All in favor-motion carried

Motion by Council Member Condon, seconded by Council Member Hickey for immediate consideration to spend up to twelve hundred (\$1200.00) for the purchase of chairs for the console.

Roll call vote:

"YES"

"ABSTAIN"

"NO"

Council Member Fishbein

Council Member Hickey

Council Member Holk

Council Member Condon

Council Member McDonald Leslie

Motion carried unanimously

Motion by Council Member Condon, seconded by Council Member Hickey for Council to approve up to twelve hundred (\$1200.00) for the purchase of eleven (11) chairs for the console in the meeting room.

Discussion:

After consulting with Budget and Finance Chairman Gary Fishbein it was determined that the (\$1200.00) needed to purchase the chairs would come from budget line item "undesignated funds".

Motion as amended:

Motion by Council Member Condon, seconded by Council Member Hickey to spend up to (\$1200.00) from budget line item "un-designated funds" for the purchase of eleven (11) chairs for the meeting room console.

Roll call vote:

"YES"

"ABSTAIN"

"NO"

Council Member Fishbein

Council Member Hickey

Council Member Holk

Council Member Condon

Council Member McDonald Leslie

Motion carried unanimously

MOTION TO ADJOURN: Motion by Council Member Condon, seconded by Council Member Hickey to adjourn. All in favor

Meeting adjourned at 7:12 pm

ATTEST:

Patsy W. Parker
Patsy W. Parker, Mayor

Lynn Thompson
Lynn Thompson, Town Clerk