

Town of Perdido Beach  
Council Meeting Minutes  
Town Hall – 9212 County Road 97  
May 18, 2017 – 6:30pm

The Town Council of the Town of Perdido Beach met in regular session on May 18, 2017 at 6:30 pm at the Town Hall with Mayor Kae Hamilton presiding. Mayor Hamilton called the Meeting to order at 6:30 pm.

**Members Present:** Council Members: Mayor Kae Hamilton, Councilman Gary Kiefer, Councilman Steve Love, Councilman Thomas Bloxham, Councilman Andrew Stewart and Councilman Oliver Guilford.

**Members Absent:** No members were absent

**Others Present:** Marcus McDowell-Town Attorney, Lynn Thompson-Town Clerk and Members of the Town.

**Invocation:** Councilman Love

**Pledge of Allegiance:** Councilman Love

**Public Comments:** None

**Attorney Request to Enter into Executive Session:**

Marcus McDowell-Town Attorney read aloud: Reason for entering into Executive Session

**Negotiations to Buy/Sell/Lease Real Property**

- The body may go into executive session to discuss the consideration the body is willing to offer or except when considering to buy, sell, lease, or exchange real property or when considering the market value of real property.
- Exception: The body cannot go into executive session under this subsection if...
  - Any member of the body has a personal interest in the transaction and attends or participates in the executive session, *or*
  - A condemnation action has been filed to acquire the property in question.
- Terms of the Contract: The body must openly discuss, however. The material terms of any contract to purchase, exchange, or lease real property before executing the contract.

**THE ALABAMA OPEN MEETINGS ACT-A MANUAL FOR ALABAMA PUBLIC OFFICIALS**

Attorney Mc Dowell stated that he and Council would be in session approximately 20 minutes.

There was a motion by Councilman Stewart, second by Councilman Guilford to enter into executive session.

**“YES”**

- Councilman Kiefer
- Councilman Love
- Councilman Bloxham
- Councilman Stewart
- Councilman Guilford
- Mayor Hamilton

**Roll Call Vote:**  
**“ABSTAIN”**

**“NO”**

All in favor, motion carried unanimously to enter into executive session.

Motion by Councilman Stewart, second by Councilman Guilford to exit Executive Session.

**“YES”**

- Councilman Kiefer
- Councilman Love
- Councilman Bloxham
- Councilman Stewart
- Councilman Guilford
- Mayor Hamilton

**Roll Call Vote:**  
**“ABSTAIN”**

**“NO”**

All in favor motion carried unanimously.

**Public Comments:**

There was a lengthy discussion regarding the Perdido Beach Volunteer Fire Dept. acquisition of Block 34-Park Property-(Current location of the PBVFD). (Written Comments are on file at Town Hall)

**ITEM: Minutes:** April 13th Workshop and April 20<sup>th</sup> 2017 Council Meeting Minutes

There was a motion by Councilman Stewart, seconded by Councilman Guilford to approve the minutes as presented

No Discussion: All voted in favor to approve the minutes.

**ITEM: Financials:** April Financial Report

Motion by Councilman Stewart, second by Councilman Kiefer to approve the financial report.

No Discussion:

**“YES”**

- Councilman Kiefer
- Councilman Love
- Councilman Bloxham
- Councilman Stewart
- Councilman Guilford
- Mayor Hamilton

**Roll Call Vote:**  
**“ABSTAIN”**

**“NO”**

All in favor, motion carried to approve the financial report.

**Guest Speaker(s): None**

**Presentations: None**

**Ordinance(s):**

**ITEM:**

ORDINANCE 2017-02 LEVYING A PRIVILEGE OR LICENSE TAX UPON PERSONS, FIRMS OR CORPORATIONS ENGAGED IN THE BUSINESS OF RENTING OR FURNISHING ROOMS, LODGINGS, OR ACCOMMODATIONS TO TRANSIENTS IN THE TOWN OF PERDIDO BEACH, ALABAMA (Second Reading)

Motion by Councilman Stewart, second by Councilman Guilford to waive the reading.

All in favor, motion carried.

Motion by Councilman Stewart, second by Councilman Love to adopt Ordinance 2017-02 LEVYING A PRIVILEGE OR LICENSE TAX UPON PERSONS, FIRMS OR CORPORATIONS ENGAGED IN THE BUSINESS OF RENTING OR FURNISHING ROOMS, LODGINGS, OR ACCOMMODATIONS TO TRANSIENTS IN THE TOWN OF PERDIDO BEACH, ALABAMA.

Discussion:

**Roll Call Vote:**

**“YES”**

**“ABSTAIN”**

**“NO”**

Councilman Kiefer  
Councilman Love  
Councilman Bloxham

Councilman Stewart

Councilman Guilford  
Mayor Hamilton

5 yea votes and 1 nay vote-Motion carried

**Committee Reports/Recommendations:**

***(Reports are given in Workshop – any recommendations for the Town Council will be added to the Council Meeting Agenda for consideration by the Council and discussed at that time)***

Ad Hoc-Alabama Bicentennial Celebration Committee

Councilman Stewart set June 3<sup>rd</sup> at 3:00 pm for the Committee’s organizational meeting.

Beautification:

Mayor Hamilton made a recommendation to the Town Council to purchase and install permanent markers at the Bay Avenue water accesses.

Discussion: The Committee’s are budgeted funds and can be spent with the Mayor’s approval without having to be approved by Council unless the expenditures exceed the budgeted amount.

Budget and Finance:

Buildings and Grounds:

Communication:

Public Safety:

Public Works:

There were no committee recommendations made to the Town Council.

**Council/Legal/Staff Comments: There were none**

**Public Comments: There were none**

**Other Business:**

**The following items were carried over for discussion at the next Workshop meeting scheduled for June 8, 2017:**

- Hold Harmless Agreement for Volunteers
- Planning Commission Recommendation RE: Using metal shipping containers for storage and as dwellings.
- Nuisance Abatement Ordinance-Dangerous Buildings

**Other Business:**

Mayor Hamilton asked Mrs. Pam Poppell if she would be willing to serve on the Planning Commission. She said that she would consider serving.

Ad hoc Bicentennial Celebration Committee Members appointed were:


Freda Fleming, Councilman Andrew Stewart, Ronnie Resmondo, Tommy Resmondo, Crystal Tolbert and Lynn Thompson.

**Adjourn:**

Being no further business there was a motion by Councilman Stewart, second by Councilman Bloxham to adjourn. The meeting ended at 8:10 pm.

**ATTEST:**

  
Kae Hamilton, Mayor

  
Lynn Thompson, Town Clerk

## Town of Perdido Beach Checking and Deposit Detail As of April 30, 2017

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
<b>ASSETS</b>								256,334.52
<b>Current Assets</b>								223,334.52
<b>Checking/Savings</b>								223,334.52
1000 · Capital Improvement Fund								0.00
Total 1000 · Capital Improvement Fund								0.00
1200 · General Fund - Centennial								223,334.52
Check	04/05/2017	2708	Enveloc, Inc.	March Backup	X	5040 · Comput...	-19.90	223,314.62
Check	04/05/2017	2709	1 Man & A Tractor	March Lawn ...	X	5340 · BUILDI...	-115.00	223,199.62
Check	04/05/2017	2710	Centurylink		X	5060 · Telepho...	-260.72	222,938.90
Check	04/05/2017	2711	Riviera Utilities	Town Hall	X	5045 · Electric ...	-82.93	222,855.97
Check	04/05/2017	2712	Riviera Utilities	Storage Bldg	X	5045 · Electric ...	-22.02	222,833.95
Deposit	04/05/2017			Deposit	X	4750 · Ad valor...	395.51	223,229.46
Deposit	04/05/2017			Deposit	X	-SPLIT-	39.34	223,268.80
Deposit	04/05/2017			Deposit	X	-SPLIT-	298.00	223,566.80
Deposit	04/05/2017			Deposit	X	4800 · Miscella...	1,162.00	224,728.80
Paycheck	04/07/2017	2713	Lynn Thompson		X	-SPLIT-	-456.49	224,272.31
Deposit	04/12/2017			Deposit	X	4520 · Sales T...	845.86	225,118.17
Check	04/13/2017	2714	Marcus McDowell-T...	April Retainer	X	5005 · Attorne...	-1,000.00	224,118.17
Deposit	04/13/2017			Deposit	X	4520 · Sales T...	12.34	224,130.51
Paycheck	04/14/2017	2715	Lynn Thompson		X	-SPLIT-	-456.49	223,674.02
Deposit	04/17/2017			Deposit	X	-SPLIT-	526.00	224,200.02
Deposit	04/17/2017			Deposit	X	4750 · Ad valor...	25.24	224,225.26
Deposit	04/17/2017			Deposit	X	4900 · FRANC...	887.73	225,112.99
Check	04/17/2017	2716	All Season's Lawn S...	1st mow of 6	X	5360 · PUBLIC...	-1,800.00	223,312.99
Check	04/17/2017	2717	Jerry Reagan	Recorder for ...	X	5020 · Offices ...	-152.17	223,160.82
Paycheck	04/21/2017	2718	Lynn Thompson		X	-SPLIT-	-456.49	222,704.33
Deposit	04/21/2017			Deposit	X	4520 · Sales T...	44.32	222,748.65
Deposit	04/24/2017			Deposit	X	-SPLIT-	1,173.32	223,921.97
Check	04/24/2017	2719	Volkert, Inc	Invoice # 010...	X	5602 · Stormw...	-5,813.00	218,108.97
Deposit	04/27/2017			Deposit	X	4750 · Ad valor...	63.12	218,172.09
Deposit	04/27/2017			Deposit	X	4520 · Sales T...	716.79	218,888.88
Check	04/27/2017	2720	Office Depot			5020 · Offices ...	-65.19	218,823.69
Paycheck	04/28/2017	2721	Lynn Thompson			-SPLIT-	-456.49	218,367.20
Liability Check	04/28/2017	Draft	United States Treas...	80-0472714		-SPLIT-	-2,155.40	216,211.80
Liability Check	04/28/2017	draft	St. of Alabama Dept...	0784782379		-SPLIT-	-50.70	216,161.10
Liability Check	04/28/2017	draft	Alabama Dept. of R...	R006270618		2400 · Payroll ...	-306.93	215,854.17
Deposit	04/30/2017			Interest	X	4200 · Interest ...	18.37	215,872.54
Total 1200 · General Fund - Centennial							-7,461.98	215,872.54
Total Checking/Savings							-7,461.98	215,872.54
<b>Accounts Receivable</b>								0.00
11000 · Accounts Receivable								0.00
Total 11000 · Accounts Receivable								0.00
Total Accounts Receivable								0.00
<b>Other Current Assets</b>								0.00

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**Special Revenue  
Reconciliation Detail  
1200 - 4 & 5 Cent Gas Tax, Period Ending 04/30/2017**

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						11,005.60
Cleared Transactions						
Deposits and Credits - 2 items						
Deposit	04/05/2017			X	112.91	112.91
Deposit	04/30/2017			X	0.91	113.82
Total Deposits and Credits					113.82	113.82
Total Cleared Transactions					113.82	113.82
Cleared Balance					113.82	11,119.42
Register Balance as of 04/30/2017					113.82	11,119.42
Ending Balance					113.82	11,119.42

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05/08/17

**Special Revenue  
Reconciliation Detail  
1300 - 7 Cent Gas Tax, Period Ending 04/30/2017**

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Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						11,979.30
Cleared Transactions						
Deposits and Credits - 2 items						
Deposit	04/05/2017			X	130.32	130.32
Deposit	04/30/2017			X	0.99	131.31
Total Deposits and Credits					131.31	131.31
Total Cleared Transactions					131.31	131.31
Cleared Balance					131.31	12,110.61
Register Balance as of 04/30/2017					131.31	12,110.61
Ending Balance					131.31	12,110.61

## **CAPITAL IMPROVEMENT FUND: (June 2011)**

### **Frequently Asked Question: What may Capital Improvement Fund money be spent on?**

The Municipal Government Capital Improvement Fund provided for in §11-66-1 et. seq., is authorized by Section 219.04 (Amendment 666), of the Alabama Constitution of 1901. Portions of the Municipal Government Capital Improvement Fund are distributed annually as provided for in §11-66-6, Code of Alabama. The share of each municipality must be expended solely for "capital improvements" and the renovation of capital improvements determined by the municipal governing body. The governing body of each municipality may use such share to finance bond or warrant issues for capital improvements and the renovation of capital improvements and may pledge such share to retire the principal and interest of such bonds or warrants.

Section 219.04 (Amendment 666), of the Alabama Constitution of 1901, defines "Capital Improvements" as capital outlay projects that include the planning, designing, inspection, purchasing, construction, reconstruction, improvement, repair or renovation of permanent buildings, docks, structures and sites therefor for the executive, legislative or judicial branches of state government. The term "Capital Improvement" shall also mean the construction or improvement of roads and bridges in the highway system; payment of debt service on the bonded indebtedness issued by the State of Alabama or any public corporation or authority of the State of Alabama; funding economic development and industrial recruitment activities; and the procurement of technical equipment, including computer and telecommunications equipment, required for the operation of any governmental entity.



**Town of Perdido Beach-Capital Improvement Fund**  
**Reconciliation Detail**  
**Capital Improvement -Centennial, Period Ending 04/30/2017**

08/17

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						42,413.39
Cleared Transactions						
Deposits and Credits - 2 items						
Deposit	04/17/2017		<i>Annally</i>	X	5,913.62	5,913.62
Deposit	04/30/2017			X	3.68	5,917.30
Total Deposits and Credits					5,917.30	5,917.30
Total Cleared Transactions					5,917.30	5,917.30
Cleared Balance					5,917.30	48,330.69
Register Balance as of 04/30/2017					5,917.30	48,330.69
Ending Balance					5,917.30	48,330.69

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**Town of Perdido Beach Oil Acct**  
**Reconciliation Detail**  
**Centennial Bank-SPECIAL ACCOUNT, Period Ending 04/30/2017**

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						12,171.24
Cleared Transactions						
Checks and Payments - 3 items						
Check	03/24/2017	1135	Heron Valuation Gro...	X	-1,500.00	-1,500.00
Check	04/27/2017	1137	Taylor Engineering	X	-1,285.00	-2,785.00
Check	04/27/2017	1138	Wetland Resources	X	-1,125.00	-3,910.00
Total Checks and Payments					-3,910.00	-3,910.00
Deposits and Credits - 2 items						
Deposit	04/05/2017			X	635.00	635.00
Deposit	04/30/2017			X	0.43	635.43
Total Deposits and Credits					635.43	635.43
Total Cleared Transactions					-3,274.57	-3,274.57
Cleared Balance					-3,274.57	8,896.67
Uncleared Transactions						
Checks and Payments - 1 item						
Check	04/27/2017	1139	Wetland Resources		-750.00	-750.00
Total Checks and Payments					-750.00	-750.00
Total Uncleared Transactions					-750.00	-750.00
Register Balance as of 04/30/2017					-4,024.57	8,146.67
Ending Balance					-4,024.57	8,146.67

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**Town of Perdido Beach Money Market**  
**Reconciliation Detail**  
**Centennial Bank, Period Ending 04/30/2017**

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Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						355,232.68
Cleared Transactions						
Deposits and Credits - 1 item						
Deposit	04/30/2017			X	43.80	43.80
Total Deposits and Credits					43.80	43.80
Total Cleared Transactions					43.80	43.80
Cleared Balance					43.80	355,276.48
Register Balance as of 04/30/2017					43.80	355,276.48
Ending Balance					43.80	355,276.48



ORDINANCE 2017- 02 LEVYING A PRIVILEGE OR LICENSE TAX UPON PERSONS, FIRMS OR CORPORATIONS ENGAGED IN THE BUSINESS OF RENTING OR FURNISHING ROOMS, LODGINGS, OR ACCOMMODATIONS TO TRANSIENTS IN THE TOWN OF PERDIDO BEACH, ALABAMA

**WHEREAS**, pursuant to the provisions of the Code of Alabama, 1975, Sections 11-51-200 through 11-51-207, this ordinance levies a privilege or license tax upon persons, firms or corporations engaged in the business of renting or furnishing rooms, lodgings, or accommodations to transients in the Town of Perdido Beach, Alabama and provides penalties for the violation of this ordinance.

**THEREFORE, BE IT ORDAINED** by the Town Council of the **Town of Perdido Beach**, Alabama, as follows:

**Section 1. Levy in Town.** There is hereby levied and imposed, in addition to all other taxes of every kind now imposed by law, a privilege or license tax upon every person, firm or corporation engaging or continuing with the Town of Perdido Beach in the business of renting or furnishing any room or rooms, lodgings or accommodations to transients in any place in which rooms, lodgings, or accommodations are regularly furnished to transients for a consideration, in an amount to be determined by the application of the rate of \_\_\_% (5 per cent) of the charge for such room, rooms, lodgings, or accommodations, including the charge for use or rental of personal property and services furnished in such room. Provided, however, there is exempted from the tax levied rooms, lodgings or accommodations supplied for a period of one hundred and eighty (180) continuous days or more in any place.

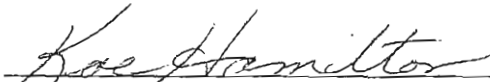
**Section 2. Provisions of State Lodgings Tax Statutes Applicable to this Ordinance and Taxes Herein Levied.** This ordinance and the taxes levied herein shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, discounts, penalties, fines, punishments, and deductions that are applicable to the taxes levied by the State Lodgings Tax statutes, except where inapplicable or where herein otherwise provided, including all provisions of the State Lodgings Tax statutes for enforcement and collection of taxes.

**Section 3. This Ordinance Cumulative to General License Code or Ordinance.** This ordinance shall not be construed to repeal any of the provisions of the general license code or ordinance of the Town, but shall be held to be cumulative, and the amounts of the taxes herein levied shall be in addition to the amounts of all other license taxes imposed by the Town by its general license code or ordinance.

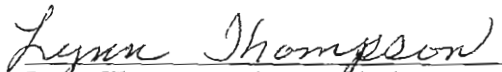
**Section 4. Severability.** Each and every provision of this ordinance is hereby declared to be an independent provision and the holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof, and it is hereby declared that the other provisions of this ordinance would have been enacted regardless of any provision which might have been held invalid.

**Section 5. Effective Date.** This ordinance shall become effective, upon passage and publication as required by law, and shall commence on the first day of June, 2017. The first payment of taxes hereunder shall be due and payable on the twentieth day of July 2017.

ADOPTED AND APPROVED this 18th day of May, 2017.

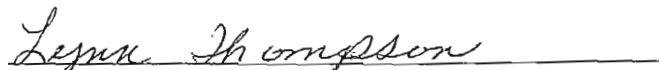
  
Kae Hamilton, Mayor

ATTEST:

  
Lynn Thompson, Town Clerk

TOWN OF PERDIDO BEACH Certificate of Publication. This is to certify that Ordinance Number 2017-02, Town of Perdido Beach, Alabama was published by posting on at least three (3) Bulletin Boards in the Town from **May 19, 2017 to June 19, 2017.**

- 1) Town Hall
- 2) Perdido Beach Volunteer Fire Department
- 3) Perdido Beach Baptist Church
- 4) St. Andrews by the Sea Church

  
Lynn Thompson, Town Clerk