

Town of Perdido Beach
Council Workshop Meeting @ Town Hall – 9212 County Road 97
April 11, 2016 – 4:30pm

The Town Council of the Town of Perdido Beach met in Work Session on Monday, April 11, 2016 at 4:30 pm at the Town Hall with Mayor Patsy Parker presiding. Mayor Parker called the meeting to order at 4:35 pm.

Members Present: Council Members: Andy Holk, Gary Fishbein, Sean Hickey, Ellen Leslie, and Mayor Parker. Council Member Condon arrived shortly after roll call.

Members Absent: None

Others Present: Marcus McDowell -Town Attorney; Mrs. Lynn Thompson –Town Clerk and Members of the Town.

Public Comments:

- Mr. Tom Cunningham Sr. commented on a Community/Public Boat Launch in the Town. (Questions and Answers Attached)
- Mrs. Kimberly Hargrove commented and asked questions regarding:
 - March 14, 2016 comments made by Commissioner Dorsey regarding doing away with water accesses.
 - March 14, 2016 comments by the Baldwin County commission and State Legislator regarding dissolution of the Town.
 - Right-of-Way- Guidelines and Ordinances.
- Mr. Ralph Hargrove Commented on the Escambia Avenue Right-of-Way.

Guest Speakers: None

Presentations: None

THE COUNCIL DISCUSSED GENERAL BUSINESS THAT INCLUDED:

1. **Minutes:** Minutes from March 14, 2016
2. **Financials:** March, 2016 Financial Report
3. **Resolutions:**
 - Resolution Approving Funds to Perform Non-Bid Work for the Town of Perdido Beach (Replace Carpet in Town Hall with Hard Surface Flooring)
 - Resolution Approving Funds to Complete an Appraisal on Lot 4, Block 27 (Potential site for a Community Pier and Boat Launch).
 - Resolution Adopting Baldwin County Multi-Hazard Mitigation Plan
4. **Motions/Request from Council:** None
5. **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)**
 - Ad Hoc – Property Search: Mayor Patsy Parker, Chair

- **Recommendation:** Approve funds to complete an appraisal on lot 4, Block 27 north of and adjacent to Resmondo Boat Works (Hoover Property)

CARRIED OVER TO COUNCIL AGENDA FOR CONSIDERATION

- Ad Hoc – Escambia Avenue: Mr. Ralph Hargrove, Chair
 - Chairman Hargrove reported that the Committee met and is working to move forward to recommend to the Town Council use guidelines for Escambia Avenue Water Access that will best serve the citizens of the Town.
- Beautification: Councilwoman Ellen Leslie, Chair
 - **(No meeting in March due to lack of a quorum)**
- Budget and Finance:
 - **No meeting in March due to lack of a quorum)**
- Buildings and Grounds: Mr. Steve Love, Chair
 - **Recommendation:** Approve Funds for Replacement of Carpet at Town Hall with Hard Surface Flooring and Select Vendor.
CARRIED TO COUNCIL MEETING FOR CONSIDERATION
- Communication: Mr. Steve Foster, Chair
 - **Announced Coffee with Mayor Parker on April 23rd at 10:00am**
 - **Recommendation:** The Communication Committee recommends to the Town Council to consider for adoption the committee’s latest version of the draft Communication Plan-dated 03-26-16.
CARRIED TO COUNCIL MEETING FOR CONSIDERATION.
- Public Safety: Councilwoman Leslie, Chair –
 - **(No meeting in March – cancelled due to predictions of severe weather)**
- Public Works: Councilman Sean Hickey, Chair
 - **Recommendation:** Traffic Calming – 3 and 4 ways stops at various locations **DISCUSSION-NO ACTION TAKEN**
- Committee Chairs: Mayor Patsy Parker, Chair **(No Report)**

6. Council/Legal/Staff Comments:

- Appointment Policy for Zoning Board of Adjustment
- Law Enforcement Options

7. Other Business:

Recommendations by the Planning Commission from Master Plan.

- **NO DISCUSSION**

8. Adjourn:

There was a motion by Council Member Condon, seconded by Council Member Hickey to adjourn.

All voting in favor - the meeting adjourned at 6:05pm.

ATTEST:

Patsy W. Parker
Patsy W. Parker, Mayor

Lynn Thompson
Lynn Thompson, Town Clerk

Town of Perdido Beach Council Meeting 4/11/16

PLEASE ENTER THIS INTO THE MEETING MINUTES AND THE MAYOR'S ANSWERS.

We would like clarification for the source of funding and type of Boat Launch and Pier the Ad Hoc – Property Search committee is tasked to find.

I have four brief questions, so if you will answer them, it will be informative:

- yes* 1. Will the funding for this potential boat launch be from the BP funds or from the town budget? *BP (Mayor)*
- no* 2. Can BP funds be used to construct a **Community** only boat launch and pier? *(Town Attorney)*
- yes* 3. If BP funds are used, will the boat launch be by necessity a **PUBLIC** boat launch? *(Town Attorney)*
- no* 4. To have a **Community** boat launch and pier, would the town have to pay for it out of town general funds? *(Town Attorney)*

Some in the town support a **Community** boat launch.

Some do not support a **Public** boat launch because of the increased traffic, crime, trash, increased wake action and various nonresident activity associated with **Public** boat launches and piers as seen in Orange Beach, Josephine, Lillian and on Dauphin Island.

Tom Cunningham Sr.

AD HOC PROPERTY SEARCH COMMITTEE – REPORT TO THE TOWN COUNCIL

April 11, 2016

April 7, 2016: The committee met in regular session and discussed the Town Council suggestion that a contract be considered before spending funds on a grass bed survey on property identified as lot 4, Block 27 Perdido Beach Subdivision (located adjacent to and north of Resmondo Boat Works).

The Committee voted to recommend to the Town Council that an appraisal be ordered on said property following Alabama property purchase laws and procedures. The Committee outlined steps forward: (1) obtain an appraisal (2) negotiate a contract with contingency of receiving a favorable grass bed survey (3) complete a grass bed survey (4) if grass bed survey is favorable, purchase property (5) complete design (6) complete construction.

Presented by: Mayor Patsy Parker, Chair

Section 18-4-14**Procedure for acquiring real property.**

Whenever real property is acquired by a state agency in connection with any programs or projects, the acquisition shall be conducted, to the greatest extent practicable, in accordance with the following:

- (1) An agency shall make every reasonable effort to acquire, expeditiously, real property by negotiation.
- (2) Real property shall be appraised before the initiation of negotiations, and the owner or his or her designated representative shall be given an opportunity to accompany the appraiser during his or her inspection of the property.
- (3) Before the initiation of negotiations for real property, the state agency concerned shall establish an amount which it believes to be just compensation for the property and shall make a prompt offer to acquire the property for the full amount established. In no event shall the amount be less than the approved appraisal of the fair market value of the property by the agency. Any decrease or increase in the fair market value of real property prior to the date of valuation caused by the public improvement for which the property is acquired, or by the likelihood that the property would be acquired for improvement, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property. The agency concerned shall provide the owner of the real property to be acquired with a written statement and summary of the basis for the amount it established as just compensation. Where appropriate, the just compensation for the real property acquired and for damages to remaining real property shall be separately stated.
- (4) No owner shall be required to surrender possession of real property before the state agency pays the agreed purchase price, or deposits with the state court in accordance with applicable law, for the benefit of the owner, an amount not less than the approved appraisal of the fair market value of the property by the agency, or the amount of the award of compensation in the condemnation proceeding for such property.
- (5) The construction or development of a public improvement shall be scheduled so that, to the greatest extent practicable, no person lawfully occupying real property shall be required to move from a dwelling, if a replacement dwelling will be available, without at least 90 days written notice from the agency concerned of the date by which the move is required.
- (6) If the agency permits an owner or tenant to occupy the real property acquired on a rental basis for a short term for a period subject to termination by the state agency on a short notice, the amount of rent required shall not exceed the fair rental value of the property to a short-term occupier.
- (7) The agency should either advance the time of condemnation or defer negotiations or condemnation and the deposit of funds in court for the use of the owner, or take any other action coercive in nature, in order to compel an agreement on the price to be paid for the property.
- (8) If any interest in real property is to be acquired by exercise of the power of eminent domain, the agency concerned shall institute formal condemnation proceedings. No agency shall intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of his or her real property.
- (9) If the acquisition of only part of a property would leave its owner with an uneconomic remnant, the agency concerned shall offer to acquire the entire property.

(Act 99-582, p. 1318, §15.)

BUILDINGS & GROUNDS COMMITTEE – REPORT TO THE TOWN COUNCIL

April 11, 2016

March 25, 2016: The committee met and discussed (1) repair to outside door of meeting room at town hall and (4) repair to outside trim of town hall.

Mayor Parker and member Tom Bloxham have solicited additional estimates concerning replacement of Town Hall carpet with no success. Recommendation: Award work to W & W, the only vendor responding to requests for estimate or to update estimate to include the Mayor's Office.

Update on Reallocation Application: Email received from Attorney Johnson – he will submit reallocation application (repurpose of storage building to community/town meeting facility) to Governor Bentley the week of April 11th.

Members: Mr. Steve Love, Chair
Mr. Tom Bloxham, Vice-Chair
Mr. Larry Chapman
Mr. Gary Kiefer
Mayor Patsy Parker (to be appointed in Council Meeting March 14, 2016)

REPORT TO COUNCIL – COMMUNICATION COMMITTEE

April 11, 2016

March 23, 2016: The committee met in regular session to review and make final changes to the Communication Plan before presenting it to the Town Council for consideration.

The Committee recommends to the Town Council to consider for adoption the committee's latest version of the draft Communication Plan dated 03-23-16.

Committee Members: Steve Foster, Chair
 Patsy Parker, Secretary
 Tom Bloxham
 Karen Gross
 Kae Hamilton