MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
MAY 17, 2022 – 4:00 P.M.
CITY HALL – COUNCIL CHAMBERS

I. CALL TO ORDER Mayor Tony Kennon called the meeting to order at 4:02 P.M.

II. INVOCATION Councilmember Joni Blalock

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

Present:
Councilmember Jeff Silvers
Councilmember Jerry Johnson
Councilmember Annette Mitchell
Councilmember Joni Blalock
Councilmember Jeff Boyd
Mayor Tony Kennon

Absent: None

V. CONSIDERATION OF AGENDA

Motion made (Blalock/ Mitchell) to approve the agenda as written. Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Work Session	04/19/2022
Flood Damage Prevention Board	04/19/2022
Regular Council Meeting	04/19/2022
Committee of the Whole	04/19/2022

The reading was waived and minutes were approved as written.

VII. REPORTS OF OFFICERS/COMMITTEES

A. City Administrator – Ken Grimes — No report.

B. Director, Public Works – Tim Tucker — No report.

C. Director, Community Development – Kit Alexander — No report.

D. Chief, Police Department – Steve Brown — No report.

E. Chief, Fire Department – Mike Kimmerling — No report.

F. City Clerk – Renee Eberly — No report.

G. Director, Finance – Ford Handley — No report.

H. Parks & Recreation – Ken Grimes — No report.

I. Director, Utilities – Jeff Hartley — No report.

J. Director, Coastal Resources – Phillip West — No report.

K. Librarian, Public Library – Meagan Bing — No report.

L. Director, Municipal Court – Renee Gardner — No report.

M. Director, Expect Excellence – Jonathan Langston — No report.

N. Mayor/Council

Councilmember Silvers shared that over $10,000 was raised for Yancy Reynolds, Public Works employee at this past weekend's fundraiser.

VIII. AUDITING OF ACCOUNTS

Motion made (Mitchell/Silvers) to certify that cash requirements with no related interests are within budget and appropriate for payment. Vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**

Motion made (Mitchell/Johnson) to certify that cash requirements with related interests in Swift Supply are within budget and appropriate for payment. Vote revealed: Silvers, abstain; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (5-0-1).**

IX. PRESENTATIONS

1. Proclamation declaring May 23-30, 2022, is Beach Safety Week. Fire Chief Mike Kimmerling introduced Brett Lesinger, Beach Safety Division Chief, who spoke about the Beach Safe Initiative that is being promoted in partnership with the City of Gulf Shores, Baldwin County EMA, and the Fort Morgan Volunteer Fire Department.

X. RECOGNITIONS

1. Recognition of the retirement of Wanda Cochran, City Attorney. Mayor Kennon recognized Ms. Cochran for her 16 years of service.

XI. UNFINISHED BUSINESS

Resolutions

1. Resolution appointing the City Attorney. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing execution of an agreement with Baldwin County Board of Education for the expansion of the Orange Beach Elementary School. No action taken. Renee Eberly, City Clerk, explained that this item is being handled by the Orange Beach Board of Education.

XII. NEW BUSINESS

Miscellaneous

1. Approval of a Restaurant Retail Liquor License Application by DLR Orange Beach, LLC, for Dick's Last Resort at 4720 Main Street, Spaces M101 and M105. **Motion made (Blalock/Mitchell) to approve the liquor license.** Discussion followed. Councilmember Johnson addressed restaurant representatives in attendance and cautioned that children should not be subjected to adult-oriented entertainment. City Council instructed restaurant representatives to read and follow city regulations entitled, "Prohibited Commercial Displays," in the City Code. Vote revealed: Silvers, nay; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (5-1).**

Resolutions

1. Resolution authorizing the execution of amendment one to the subaward grant agreement with the Alabama Department of Conservation and Natural Resources for the RESTORE Act-funded North Sewer Force Main Upgrade. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing the execution of amendment one to the subaward grant agreement with the Alabama Department of Conservation and Natural Resources for the RESTORE Act-funded Canal Road Improvements east of State Highway 161. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.

3. Resolution authorizing execution of a task order with Sawgrass Consulting, LLC, to provide land surveying and civil engineering design services for conversion of baseball and softball fields to turf surface at the Orange Beach Sportsplex in an amount not to exceed $88,920. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
4. Resolution authorizing execution of a professional services agreement with J. F. Morris Performance LLC for theater performance direction for "Clue on Stage." **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.
5. Resolution accepting a donation from the Beard-Young Family Foundation. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
6. Resolution authorizing execution of a professional services agreement with Scott Mansell for football coaching services. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.
7. Resolution authorizing execution of an agreement with Sesco Lighting, Inc., to repair Tennis Center light standards. **Motion made (Mitchell/Blalock) to adopt the resolution.** Vote unanimous in favor.
8. Resolution authorizing the purchase of a Vehicle for the Fire Department from State Bid in the amount of $37,944.20. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
9. Resolution authorizing the purchase of a Vehicle for the Police Department through Sourcewell in the amount of $38,842.42 and rescinding Resolution No. 22-040 for a vehicle in the amount of $47,154.48. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor.
10. Resolution authorizing execution of a reciprocal agreement to exchange information with the State of Alabama Department of Revenue. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
11. Resolution authorizing the sole source purchase of a replacement 35HP Spare Pump from Jim House & Associates, Inc., for the Utilities Department in the amount of $45,436. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
12. Resolution authorizing the sole source purchase of a replacement 45HP Spare Pump from Jim House & Associates, Inc., for the Utilities Department in the amount of $43,351. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.

Ordinances

1. First Reading – Ordinance amending Chapter 50, Article III, Section 50-56 of the Code of Ordinances for the City of Orange Beach, Alabama,to clarify use of public property as a place of business in the Business License Code. **Motion made (Johnson/Boyd) for unanimous consent to suspend the rules to allow for immediate consideration of this ordinance.** Ford Handley, Finance Director, asked Council to let this ordinance move to a second reading to allow for additional time for review. Roll call vote revealed: Silvers, nay; Johnson, nay; Mitchell, nay; Blalock, nay; Boyd, aye; Kennon, nay. **Failed. (5-1).** Ordinance will move to a second reading.
2. First Reading – Ordinance authorizing the lease of the Medical Arts Building. **Motion made (Boyd/Mitchell) for unanimous consent to suspend the rules to allow for immediate consideration of this ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0). Motion made (Silvers/Blalock) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**

3. First Reading – Ordinance authorizing the issuance, sale, delivery, and payment of the City's $50,000,000 Principal Amount General Obligation School Warrant, Series 2022-A, to be dated the date of delivery, to Regions Capital Advantage, Inc. **Motion made (Silvers/Johnson) for unanimous consent to suspend the rules to allow for immediate consideration of this ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0). Motion made (Silvers/Blalock) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**

4. First Reading – Ordinance authorizing the issuance, sale, delivery, and payment of the City's $25,000,000 Principal Amount General Obligation Warrant, Series 2022-B, to be dated the date of delivery, to Regions Capital Advantage, Inc. **Motion made (Johnson/Blalock) for unanimous consent to suspend the rules to allow for immediate consideration of this ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0). Motion made (Johnson/Boyd) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**

XIII. PUBLIC COMMENTS

None

XIV. ADJOURN

There being no further business to come before the council, motion made (Blalock/Boyd) to adjourn. Vote unanimous in favor.

Time: 4:30 P.M.

APPROVED this the 21st day of June, 2022.

Renee Eberly
City Clerk

CITY OF ORANGE BEACH
CORPORATE SEAL
ALABAMA