MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
JUNE 21, 2022 – 5:00 P.M.
CITY HALL – COUNCIL CHAMBERS

I. CALL TO ORDER Mayor Tony Kennon called the meeting to order at 5:00 P.M.

II. INVOCATION Councilmember Annette Mitchell

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	05/17/2022
Regular Council Meeting	05/17/2022
Committee of the Whole	05/17/2022
Special-Called Council Meeting	05/25/2022

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 — No report.

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

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

Resolutions

1. <u>Resolution awarding the bid for Canal Road Improvements from SR-161 to Wilson Boulevard to John G. Walton Construction Company, Inc., in an amount not to exceed $7,362,511.77 and committing $3,562,511.77 in city funds towards this RESTORE Act project.</u> **Motion made (Silvers/Boyd) to postpone consideration until the next council meeting on July 5, 2022.** Vote unanimous in favor.

Ordinances

1. <u>Second Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0405-PUDA-22, Turquoise Place PUD Modification, Turquoise Place Parking Garage.</u> **Motion made (Johnson/Boyd) to adopt the ordinance.** Discussion followed. Mayor and Council voiced concern about the quantity of parking spaces still not meeting requirements, and discussed philosophy regarding the upzoning of neighboring beachfront residential properties, particularly the property directly adjacent to the proposed parking garage owned by Rodney Jones. Mayor Kennon and Councilmember Mitchell spoke in favor of considering a low density option for the beachfront residential owners between Turquoise Place and Island House. Councilmember Blalock stated she is firmly against upzoning. Mayor Kennon opened the floor for public comments.

   Barry Bruckmann, owner of one of the neighboring beachfront residential properties, stated he was neutral on the parking garage, asked Council for consideration to upzone his property and not just the property directly adjacent to the parking garage.

   Mayor Kennon and some members of Council agreed that a PUD (Planned Unit Development) alternative for the beachfront residential properties between Turquoise Place and the Island House comprised of "high-end unique looking cottages" would be potentially desirable.

   Jason Voyles, Turquoise Place COA (Condo Owners Association) President and President of Spectrum Capital, spoke in favor of the project. He reviewed the timeline of decisions and events leading to the parking garage request, stated that more than 80% of the COA members are in favor of the project, and explained that the quantity of parking spaces actually does meet requirements since employees are shuttled from off-site parking and bedrooms were over-counted in the calculation of required parking spaces.

   Rodney Jones, owner of adjacent beachfront residential property, stated he was amenable to the parking garage as presented given the solution proposed by the Mayor of potentially upzoning his property to allow a PUD with five cottages. He stated that his main concern recovering the property value lost by having a 40' parking garage wall abut his property line.

   There being no further comments, the Mayor closed the floor.

Roll call vote revealed: Silvers, nay; Johnson, aye; Mitchell, aye; Blalock, nay; Boyd, aye; Kennon, aye. **Passed. (4-2).**

XII. NEW BUSINESS

Resolutions

1. Resolution appropriating funds to the Zoo Foundation, Inc., to sponsor the Alabama Gulf Coast Zoo's lion preservation program in the amount of $48,800. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing execution of a subaward grant agreement with the Alabama Department of Conservation and Natural Resources for the RESTORE Act state expenditure plan funded Expansion of the Orange Beach Wildlife Rehabilitation and Education Program. **Motion made (Blalock/Boyd) to adopt the resolution.** Vote unanimous in favor.
3. Resolution authorizing execution of a Memorandum of Agreement with the Alabama Gulf Coast Convention and Visitors Bureau, dba Gulf Shores Orange Beach Sports & Events, to fund sports tourism. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
4. Resolution adopting the provisions of Act 2022-229 and appropriating funds to cover the cost of one-time lump sum payment to eligible retirees and beneficiaries through the State of Alabama Employees' Retirement System. **Motion made (Silvers/Boyd) to adopt the resolution.** Discussion followed. **Motion made (Johnson/Silvers) to postpone consideration until the next council meeting on July 5, 2022.** Vote unanimous in favor.
5. Resolution appropriating funds to the Makos Academics, Arts & Athletics Club in the amount of $258,632.13. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
6. Resolution authorizing the execution of a Master Subscription Agreement with Granicus, LLC, for address identification and rental activity monitoring. **Motion made (Johnson/Blalock) to adopt the resolution.** Vote unanimous in favor.
7. Resolution authorizing the purchase of Lockers for the Sportsplex through the TIPS purchasing cooperative in the amount of $94,074.64. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
8. Resolution authorizing execution of a professional services agreement with DuncanCounts, LLC, for lobbying services. **Motion made (Boyd/Johnson) to adopt the resolution.** Vote unanimous in favor.
9. Resolution authorizing the execution of a service agreement with MCC Telephony of the South, LLC, doing business as Mediacom, for cable television and internet service at the Ono Island Fire Station. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.

Ordinances

1. First Reading – Ordinance amending Chapter 42, Article III, Division 5, Sections 42-198 and 42-203 of the Code of Ordinances for the City of Orange Beach, Alabama, entitled "Flood Damage Prevention" to include mechanical and electrical equipment elevation requirements. **Motion made (Johnson/Silvers) 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/Silvers) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**

2. First Reading – Ordinance approving the petition by the Baldwin County Commission and accepting annexation of territory within the city limits of the City of Orange Beach, Alabama. **Motion made (Blalock/Boyd) 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 (Blalock/Silvers) 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: 6:14 P.M.

APPROVED this the 26th day of July, 2022.

CITY OF ORANGE BEACH
CORPORATE
SEAL
ALABAMA

Renee Eberly
City Clerk