

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
JULY 26, 2022 – 5:00 P.M.
CITY HALL – COUNCIL CHAMBERS**

- I. CALL TO ORDER** Mayor Tony Kennon called the meeting to order at 4:58 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
Mayor Tony Kennon

Absent: Councilmember Jeff Boyd

V. CONSIDERATION OF AGENDA

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

VI. CONSIDERATION OF PREVIOUS MINUTES

Work Session	06/21/2022
Regular Council Meeting	06/21/2022
Committee of the Whole	06/21/2022
Special-Called Council Meeting	06/27/2022

The reading was waived and minutes were approved as written.

VII. REPORTS OF OFFICERS/COMMITTEES

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| A. <u>City Administrator – Ken Grimes</u> | No report. |
| B. <u>Director, Public Works – Tim Tucker</u> | No report. |
| C. <u>Director, Community Development – Kit Alexander</u> | No report. |
| D. <u>Chief, Police Department – Steve Brown</u> | No report. |
| E. <u>Chief, Fire Department – Mike Kimmerling</u> | No report. |
| F. <u>City Clerk – Renee Eberly</u> | No report. |
| G. <u>Director, Finance – Ford Handley</u> | No report. |
| H. <u>Parks & Recreation – Ken Grimes</u> | No report. |
| I. <u>Director, Utilities – Jeff Hartley</u> | No report. |
| J. <u>Director, Coastal Resources – Phillip West</u> | No report. |
| K. <u>Librarian, Public Library – Meagan Bing</u> | No report. |
| L. <u>Director, Municipal Court – Renee Gardner</u> | No report. |
| M. <u>Director, Expect Excellence – Jonathan Langston</u> | No report. |
| N. <u>Mayor/Council</u> | |

Mayor Kennon recognized the passing of John Brown, 18-year-old member of the first graduating class of Orange Beach, the class of 2022. He stated that a candlelight vigil would be held at the Orange Beach High School on July 27th at 9:00 P.M.

Councilmember Mitchell announced that Southern Rapid Care is moving to the Orange Beach Medical Arts Building, and is expanding into family care, pediatrics, weight loss, and various specialties. Shelia Stephens, Southern Rapid Care, introduced Dr. Jeff Lipke, who is new to the area and will be providing family care and pediatric services.

Mayor Kennon stated that a memorial service for Pastor Richard Brooks will be held on July 30th at Foley United Methodist Church at 11:00 A.M.

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; Kennon, aye. **Passed. (5-0).**

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; Kennon, aye. **Passed. (4-0-1).**

IX. PRESENTATIONS

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

Ordinances

1. Second Reading – Ordinance amending and restating Chapter 2 of the Code of Ordinances for the City of Orange Beach, Alabama, entitled, "Administration." **Motion made (Blalock/Mitchell) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Kennon, aye. **Passed. (5-0).**

XII. NEW BUSINESS

Miscellaneous

1. Approval of a Restaurant Retail Liquor License Application by Zeke's Food, LLC, for Zeke's, 26619 Perdido Beach Boulevard, Unit 200. **Motion made (Blalock/Silvers) to approve the liquor license.** Vote unanimous in favor.
2. Approval of a temporary modular building on property located at 27121 Canal Road, parcel PIN 8229. **Motion made (Silvers/Mitchell) to approve the temporary structure.** Vote unanimous in favor.

Resolutions

1. Resolution authorizing the execution of a professional services agreement with Mark D. Pavey for architectural and engineering services. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing execution of a task order with Mark D. Pavey to provide professional design services for the Orange Beach Medical Plaza in an amount not to exceed \$222,609. **Motion made (Blalock/Silvers) to postpone consideration until the next council meeting on August 2, 2022.** Vote unanimous in favor.
3. Resolution authorizing execution of a professional services agreement with Jody Hodo for softball coaching services. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.

4. Resolution reappointing Chris Hicks and Sted McCollough and appointing Vince McCoy to the Fire Code Board of Appeals. Motion made (Mitchell/Silvers) to adopt the resolution. Vote unanimous in favor.
5. Resolution reappointing Russ Hart, Jon Townsend, Greg Kennedy, and Jeff Silvers and appointing Sted McCollough to the Construction Board of Adjustment and Appeals. Motion made (Johnson/Blalock) to adopt the resolution. Vote unanimous in favor.
6. Resolution appointing Tim Harry, Ryan Beebe, and Jimmy Boyd to the Board of Adjustment. Motion made (Silvers/Mitchell) to adopt the resolution. Vote unanimous in favor.
7. Resolution authorizing the City of Orange Beach to join the State of Alabama and other local governments as a participant in opioid settlements. Motion made (Blalock/Mitchell) to adopt the resolution. Vote unanimous in favor.
8. Resolution authorizing execution of a service agreement with Coastal Fire Solutions, LLC, for alarm monitoring at the Expect Excellence Recreation Center Building. Motion made (Silvers/Johnson) to adopt the resolution. Vote unanimous in favor.
9. Resolution accepting the negotiated price for a UTV for the Fire Department from Hall's Motorsports Eastern Shore in the amount of \$21,296. Motion made (Johnson/Mitchell) to adopt the resolution. Vote unanimous in favor.
10. Resolution accepting the negotiated price for a UTV for the Coastal Resources Department from Hall's Motorsports Eastern Shore in the amount of \$21,296. Motion made (Blalock/Mitchell) to adopt the resolution. Vote unanimous in favor.
11. Resolution authorizing the sole source purchase of a Station Alerting System from Purvis Systems Incorporated for the Fire Department in the amount of \$141,129.90. Motion made (Silvers/Mitchell) to adopt the resolution. Vote unanimous in favor.
12. Resolution appropriating funds to the Orange Beach Board of Education to support city school system operations in an amount not to exceed \$1,000,000. Motion made (Johnson/Mitchell) to adopt the resolution. Vote unanimous in favor.
13. Resolution awarding the bid for On-Call Carpentry and Drywall Services to Steward Construction Company, Inc., per unit pricing for a maximum of three years. Motion made (Mitchell/Silvers) to adopt the resolution. Vote unanimous in favor.
14. Resolution declaring Four Police Vehicle Lightbars owned by the City of Orange Beach as surplus and unneeded and authorizing the donation of said property to the Coastal Alabama Community College. Motion made (Silvers/Blalock) to adopt the resolution. Vote unanimous in favor.
15. Resolution awarding the bid for Debris Clearance, Disposal, and Sand Reclamation to D&J Enterprises, Inc. Motion made (Blalock/Silvers) to postpone consideration until the next council meeting on August 2, 2022. Vote unanimous in favor.
16. Resolution accepting a proposal for Debris Monitoring, Disaster Management, and Recovery Services from Thompson Consulting Services, LLC. Motion made (Silvers/Johnson) to adopt the resolution. Vote unanimous in favor.

Public Hearings

1. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0708-PUDA-22, CoastAL PUD Master Plan, Signage Plan.

Griffin Powell, Planner II, presented the case overview. He summarized the request for three freestanding signs. There being no comments, the public hearing was adjourned.

2. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0706-PUDA-22, Phoenix West II PUD Master Plan, Public Benefit Amendment.

Griffin Powell, Planner II, presented the case overview. He summarized the request to shift \$150,000 in public benefit contributions from bike paths to the EcoVillage project by the City's Coastal Resources Department. There being no comments, the public hearing was adjourned.

3. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0707-PUDA-22, Parks Edge PUD Master Plan, Lot 2, 51 Parks Edge, Accessory Structure.

Griffin Powell, Planner II, presented the case overview. He introduced the request to construct a detached shed. The applicant's son, Ryan William, explained the request and need for additional storage. Kit Alexander, Community Development Director, clarified that the reason this case is before the Council is because it is a PUD (Planned Unit Development), and that otherwise it would have gone before the Board of Adjustment, who follow a criteria of hardship.

Mayor Kennon asked the applicant to submit a letter of approval from the HOA (Home Owners' Association) President and a letter of support from the impacted neighbor. Mayor and Council also asked for the gutters around the building to be moved to "split the difference."

There being no further comments, the public hearing was adjourned.

4. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0709-PUDA-22, Parks Edge PUD Master Plan, Lot 3, 49 Parks Edge, Setback Encroachment.

Motion made (Blalock/Silvers) to postpone the public hearing to August 16, 2022, per the applicant's request. Vote unanimous in favor. Mayor Kennon asked staff to let the applicant know that they will also be required to present a letter of approval from the HOA President and a letter of support from the impacted neighbor.

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0708-PUDA-22, CoastAL PUD Master Plan, Signage Plan. **Motion made (Silvers/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; Kennon, aye. **Passed. (5-0).** **Motion made (Silvers/Blalock) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Kennon, aye. **Passed. (5-0).**
2. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0706-PUDA-22, Phoenix West II PUD Master Plan, Public Benefit Amendment. **Motion made (Blalock/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; Kennon, aye. **Passed. (5-0).** **Motion made (Blalock/Silvers) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Kennon, aye. **Passed. (5-0).**
3. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0707-PUDA-22, Parks Edge PUD Master Plan, Lot 2, 51 Parks Edge, Accessory Structure. No action taken. Ordinance will move forward to a second reading.
4. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0709-PUDA-22, Parks Edge PUD Master Plan, Lot 3, 49 Parks Edge, Setback

Encroachments. Since the public hearing for this ordinance was postponed to August 16, 2022, the first reading of this ordinance will also be moved to August 16, 2022.

XIII. PUBLIC COMMENTS

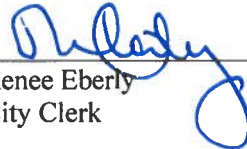
None

XIV. ADJOURN

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

Time: 5:37 P.M.

APPROVED this the 16th day of August, 2022.



Renee Eberly
City Clerk

