

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
AUGUST 2, 2022 – 5:00 P.M.
CITY HALL – COUNCIL CHAMBERS**

- I. CALL TO ORDER** Mayor Tony Kennon called the meeting to order at 5:02 P.M.
- II. INVOCATION** Councilmember Jerry Johnson
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL**

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

Absent: Councilmember Annette Mitchell
Councilmember Jeff Boyd

V. CONSIDERATION OF AGENDA

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

VI. CONSIDERATION OF PREVIOUS MINUTES

Regular Council Meeting 07/05/2022
Committee of the Whole 07/05/2022

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> | |

Councilmember Silvers introduced Ms. Frances Holk-Jones. Ms. Holk-Jones invited the audience to attend the Annual Professional Rodeo Fundraiser benefitting the Jennifer Claire Moore Foundation's Peer Helpers Program.

Mayor Kennon recognized Mr. Gene Brett for the role he played in founding the City of Orange Beach, which was incorporated 38 years ago.

VIII. AUDITING OF ACCOUNTS

Motion made (Blalock/Silvers) to certify that cash requirements with no related interests are within budget and appropriate for payment. Vote revealed: Silvers, aye; Johnson, aye; Blalock, aye; Kennon, aye. **Passed. (4-0).**

Motion made (Johnson/ Blalock) to certify that cash requirements with related interests in Swift Supply are within budget and appropriate for payment. Vote revealed: Silvers, abstain; Johnson, aye; Blalock, aye; Kennon, aye. **Passed. (3-0-1).**

IX. PRESENTATIONS

1. Presentation by Jackie McGonigal, Wind and Water Learning Center Coordinator, to review Sail Camp's summer highlights and future expansion plans. Ms. McGonigal showed a slideshow summarizing the 2022 children's summer sail camp program and introduced the sail camp instructors. She asked City Council to support U.S. Sailing Small Boat Instructor Certification for returning instructors and raising capacity of the sail camp program from 10 to 12 students each session.

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

Resolutions

1. 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 (Silvers/Blalock) to postpone consideration until the next council meeting on August 16, 2022.** Vote unanimous in favor.
2. Resolution awarding the bid for Debris Clearance, Disposal, and Sand Reclamation to D&J Enterprises, Inc. **Motion made (Johnson/Blalock) to adopt the resolution.** Vote unanimous in favor.

Ordinances

1. Second 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. Renee Eberly, City Clerk, stated that the applicant was not able to obtain the requested letter of approval from the HOA President and has withdrawn the request.

XII. NEW BUSINESS

Resolutions

1. Resolution authorizing the execution of a task order for Thompson Engineering, Inc., to perform construction engineering and inspection services for the widening of Canal Road from SR-161 to Wilson Boulevard in an amount not to exceed \$971,400. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing execution of a service agreement with HAAS, Inc., dba HAAS Alert, for a Fire Department digital alerting solution. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
3. Resolution awarding the bid for the Community Development Building Renovation to GreenCo Services, LLC, in an amount not to exceed \$268,731. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.

4. Resolution authorizing execution of a professional services agreement with Katelyn Boyd Carson for softball coaching services. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
5. Resolution authorizing the purchase of Artificial Turf (Materials Only) for the Softball Field at the Sportsplex through Sourcewell in the amount of \$256,217. **Motion made (Silvers/Blalock) to postpone consideration until the next council meeting on August 16, 2022.** Vote unanimous in favor.
6. Resolution appropriating funds to relocate the Softball Field Dugouts at the Sportsplex in an amount not to exceed \$20,000. **Motion made (Blalock/Silvers) to adopt the resolution.** Vote unanimous in favor.
7. Resolution authorizing the sole source purchase of a Crash Data Retrieval Tool from Crash Data Group, Inc., for the Police Department in the amount of \$19,525. **Motion made (Johnson/Silvers) 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. 0505-PUDA-22, Parks Edge PUD Modification, 31 Parks Edge.

Griffin Powell, Planner II, presented the case overview. He summarized the request to extend the rear porch and add stairs. He explained that there are existing nonconforming stairs added by the developer. Mr. Powell stated that letters of support from the Parks Edge ARC (Architectural Review Committee), the neighbor to the north, and the Parks Edge HOA (Home Owners Association) President have been received.

Mayor Kennon clarified with Kit Alexander, the Community Development Director, that approval is required from 100% of the homeowners of affected lots in a PUD modification. Ms. Alexander explained that this request is for a single specific lot, so only that single homeowner's approval is required. If the modification was made to every lot in the PUD so that each individual request would not have to come before Council for approval, 100% of the homeowners in the PUD would have to agree.

Chuck Oakley, applicant and owner of 31 Parks Edge, explained his intent to redirect the rear stairs for a more logical exit leading to the driveway and to construct the stairs with wood to solve the way the current brick staircase is sinking into the sand.

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

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0505-PUDA-22, Parks Edge PUD Modification, 31 Parks Edge. **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; Blalock, nay; Kennon, aye. **Failed. (3-1).** Councilmember Blalock explained that Councilmember Boyd, who is not in attendance, wishes to be present for the vote. The ordinance will move on to a second reading on August 16, 2022.
2. First Reading – Ordinance amending Chapter 66, Article IV, Division 4, Section 66-130 of the Code of Ordinances for the City of Orange Beach, Alabama, to increase the allowable height of small cell facility poles in rights-of-way and to eliminate maximum allowable small cell equipment dimensions. **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; Blalock, aye; Kennon, aye. **Passed. (4-0).** **Motion made (Johnson/Silvers) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Blalock, aye; Kennon, aye. **Passed. (4-0).**

XIII. PUBLIC COMMENTS

None

XIV. ADJOURN

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

Time: 5:40 P.M.

APPROVED this the 6th day of September, 2022.


Renee Eberly
City Clerk

