MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
JUNE 8, 2021 – 5:00 P.M.
CITY HALL – COUNCIL CHAMBERS

I. CALL TO ORDER Mayor Tony Kennon called the meeting to order at 4:59 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 (Silvers/Boyd) to approve the agenda with the following additions:

1. Resolution authorizing execution of a professional services agreement with Marquise Elston for speed, strength, and agility training for the Expect Excellence program.
2. Resolution authorizing transactions relating to the CoastAL Beach Development.

Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Work Session	05/04/2021
Regular Council Meeting	05/04/2021
Committee of the Whole	05/04/2021

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	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 Blalock recognized Baldwin County Deputy Bill Smith who drowned during a rescue of swimmers in distress and two Perdido Beach Resort employees who were killed by drunk drivers in Escambia County on their way home from work. Mayor Kennon issued a warning that the city will be cracking down on reckless and drunk driving. City Administrator Ken Grimes gave a reminder on the dangers of rip current.s

Councilmember Boyd issued a reminder to dispose of snapper carcasses in dumpsters, not in the water. He also reminded students and employees to serve as ambassadors of the city and treat tourists who have chosen to vacation in Orange Beach kindly.

Mickey Franco, Owner of Island Fiber, gave an update on the progress of fiber installation in residential neighborhoods. Island Fiber has reached their goal of 600 customers as of yesterday and installation to residential homes throughout the city is now 55-60% complete with all major neighborhoods done. Construction is moving to Terry Cove as state permits are finalized. Councilmember Johnson praised the professional conduct of the installation team.

VIII. AUDITING OF ACCOUNTS

Motion made (Mitchell/Blalock) 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/Boyd) 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

1. Recognition of State Champion Lady Makos Softball Team. Head Coach Shane Alexander and Coaches Jody Hodo, David McClain, and Rebekah Mathis were present with the Lady Makos Softball Team, who won the 2021 AHSAA 2A State Softball Championship. Mayor and Council recognized the girls and their coaches as the first first-year program to win a state championship in Alabama.

XI. UNFINISHED BUSINESS

Ordinances

1. Second Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0405-ZT-21, Section 4.05, Land Use Buffering and Screening. **Motion made (Blalock/Johnson) to adopt the ordinance.** Roll call vote revealed: Silvers, nay; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, nay; Kennon, aye. **Passed. (4-2).**

2. Second Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0403-PUD-21, Caribe Seaside PUD. **Motion made (Silvers/Boyd) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**

3. Second Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0503-PUDA-21, Sunset Park PUD Modification. **Motion made (Mitchell/Johnson) to adopt the ordinance.** Discussion followed. Councilmember Blalock stated that she could not

in good conscience let heritage trees be destroyed. Kit Alexander, Community Development Director, stated that staff has asked the applicant to consider swapping the common area with the lots containing heritage trees. The applicant will have to resubmit the application with the revised plan should they agree. Ms. Alexander stated that city staff will address lot layout of PUDs with applicants in the future. Roll call vote revealed: Silvers, nay; Johnson, nay; Mitchell, aye; Blalock, nay; Boyd, nay; Kennon, nay. **Failed. (5-1).**

XII. NEW BUSINESS

Resolutions

1. Resolution extending the moratorium on the issuance of business licenses for charters and delivery of rental watercrafts in public access areas. Discussion followed. Councilmember Boyd explained that the duck boat business at state-owned boat launches has opened up the flood gates to customers taking up parking spots meant for boat trailers. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
2. Resolution to reject all bids for the Orange Beach High School Turnout. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor.
3. Resolution awarding the bid for a new Boat Lift for Marine Police to Advanced Restoration Technologies Inc, dba Docks and Decks, in an amount not to exceed $25,818. **Motion made (Johnson/Blalock) to adopt the resolution.** Vote unanimous in favor.
4. Resolution authorizing the execution of a task order with McCollough Architecture, Inc., to provide professional services for the renovation of the Recreation Center in an amount not to exceed $25,400. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
5. Resolution authorizing execution of a task order with Sawgrass Consulting, LLC, to provide civil design, land surveying, construction engineering and inspection for Fire Station No. 5 in an amount not to exceed $71,500. **Motion made (Silvers/Johnson) to adopt the resolution.** Discussion followed. Mayor and Council would like to review an alternative option proposed by the Wharf. **Motion made (Silvers/Blalock) to postpone consideration.** Vote unanimous in favor.
6. Resolution authorizing execution of a task order with Sawgrass Consulting, LLC, to provide land surveying, preliminary civil engineering, conceptual site planning, and geotechnical soil reporting for Orange Beach High School Athletic Facilities in an amount not to exceed $58,500. **Motion made (Boyd/Silvers) to adopt the resolution.** Vote unanimous in favor.
7. Resolution authorizing the execution of Change Order No. 1 with Roads, Inc. of NWF to add Juniper Street to 2021 Roadway Resurfacing in an amount not to exceed $7,200. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor.
8. Resolution authorizing execution of Change Order No. 5 with E-J Builders, Inc., for additional electrical work for the Baseball and Softball Field Renovations in an amount not to exceed $41,910. **Motion made (Johnson/Boyd) to adopt the resolution.** Vote unanimous in favor.
9. Resolution authorizing execution of Change Order No. 1 with John G. Walton Construction Company, Inc., to mitigate groundwater conditions related to construction of a deceleration lane on SR-180 (Canal Road) at Cypress Village in an amount not to exceed $7,362.30. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor. Mayor Kennon recognized the passing of John Ramsay, president of Crowder Gulf.
10. Resolution appropriating funds to support the Orange Beach High School to fund two teaching units in an amount not to exceed $197,621.20. **Motion made (Silvers/Mitchell) to**

adopt the resolution. Vote unanimous in favor.

11. Resolution appropriating funds to support the Orange Beach Elementary School to fund one teaching unit in an amount not to exceed $80,000. **Motion made (Mitchell/Boyd) to adopt the resolution.** Vote unanimous in favor.

12. Resolution appropriating funds to the Baldwin County Board of Education for teacher and coach salaries in an amount not to exceed $60,000. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.

13. Resolution amending Resolution No. 21-040 to authorize the purchase of Two Vehicles for the Police Department from State Bid in the amount of $75,129.40. **Motion made (Blalock/Mitchell) to adopt the resolution.** Brief discussion followed. Vote unanimous in favor.

14. Resolution authorizing the sole source purchase of a Control Panel located at the Ono Island Lift Station from Jim House & Associates, Inc., for the Utilities Department in the amount of $27,591. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.

15. Resolution authorizing the purchase of Soccer/Football Scoreboards for the Parks and Recreation Department through Sourcewell in the amount of $30,073.40. **Motion made (Johnson/Mitchell) to adopt the resolution.** Brief discussion followed. Vote unanimous in favor.

16. ADDITION: Resolution authorizing execution of a professional services agreement with Marquise Elston for speed, strength, and agility training for the Expect Excellence program. **Motion made (Blalock/Boyd) to adopt the resolution.** Vote unanimous in favor.

17. Resolution authorizing the sole source purchase of a Control Panel located at the Ono Island Lift Station from Jim House & Associates, Inc., for the Utilities Department in the amount of $27,591. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.

Ordinances

1. First Reading – Ordinance further amending Chapter 22, Section 22-4 of the Code of Ordinances for the City of Orange Beach, Alabama, to change the official polling site for municipal elections. **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 (Silvers/Johnson) to adopt the ordinance.** Council clarified that the change in polling site from the Orange Beach Community Center to the Orange Beach Event Center will not take effect until 2024. 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 (Mitchell/Silvers) to adjourn. Vote unanimous in favor.

Time: 5:41 P.M.

APPROVED this the 6th day of July, 2021.

Renee Eberly
City Clerk