MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
AUGUST 17, 2021 – 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 Jeff Boyd

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/Mitchell) to approve the agenda as written. Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Work Session	07/20/2021
Regular Council Meeting	07/20/2021
Committee of the Whole	07/20/2021

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 — Report attached.

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

Jeanne Fitzgibbon, city employee, invited the audience to sign up for the Full Moon Paddle Relay for Life fundraiser.

Chris Litton, city employee, reminded the audience that the Huey helicopter rides are ongoing at the Wharf.

Mayor Kennon asked for prayers for Brandon Ard, an Orange Beach police officer who is fighting COVID-19. Allen McElroy, resident, mentioned that today is Officer Ard's birthday.

VIII. AUDITING OF ACCOUNTS

Motion made (Mitchell/Johnson) 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

XI. UNFINISHED BUSINESS

Ordinances

1. Second Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0608-PUDA-21, Sunset Park, Lot 25, 4696 Casablanca Dr., Porch Encroachment. **Motion made (Boyd/Mitchell) to adopt the ordinance.** Roll call vote revealed: Silvers, nay; Johnson, nay; Mitchell, nay; Blalock, nay; Boyd, nay; Kennon, nay. **Failed. (0-6).**

XII. NEW BUSINESS

Resolutions

1. Resolution appropriating funds to the Makos Academics, Arts & Athletics Club in the amount of $217,451.95. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing execution of a Memorandum of Agreement with the Alabama Gulf Coast Convention and Visitors Bureau, dba Gulf Shores & Orange Beach Sports Commission, to fund athletic facility upgrades. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
3. Resolution adopting the 2021 Baldwin County Multi-Hazard Mitigation Plan. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor.
4. Resolution authorizing execution of an agreement between the Baldwin County Commission, the City of Orange Beach, and the Planning Commission of the City of Orange Beach concerning the exercise of subdivision regulations within the planning jurisdiction of the municipal planning commission. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.
5. Resolution declaring certain personal property owned by the City of Orange Beach as surplus and unneeded and authorizing the Mayor and City Clerk to dispose of such property. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
6. Resolution declaring a vehicle owned by the City of Orange Beach as surplus and unneeded and authorizing the donation of said property to the Back Country Trail Foundation, Inc **Motion made (Blalock/Boyd) to adopt the resolution.** Vote unanimous in favor.

7. Resolution authorizing execution of a Second Amended and Restated Fiber Optics Development Agreement and related documents with Camp Fox, LLC, dba Island Fiber, relating to "Fiber to the Home" services. **Motion made (Boyd/Johnson) for unanimous consent to suspend the rules to allow for immediate consideration of this resolution.** 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 resolution.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**
8. Resolution awarding the bid for Fire Station 5 Bay Relocation to Sun Coast Builders, Inc., in an amount not to exceed $163,200. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor.
9. Resolution declaring the Fire Station No. 5 Apparatus Bay Structure located at the Wharf Shopping Center owned by the City of Orange Beach as surplus and unneeded and authorizing the sale of said property to Wharf Retail Properties, L.L.C. **Motion made (Blalock/Silvers) to adopt the resolution.** Vote unanimous in favor.
10. Resolution authorizing the purchase of Two Used Vehicles for the Police Department from the Alabama Department of Economic and Community Affairs (ADECA) in the amount of $28,000. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.
11. Resolution appropriating funds to the South Baldwin Regional Medical Center for the purpose of sponsoring employee appreciation days in the amount of $1,000. **Motion made (Silvers/Boyd) 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. 0704-PUD-21, Romar Beach Hotel PUD.

   Griffin Powell, Planner II, presented the case overview.

   Councilmember Mitchell commended the improved coastal look, but asked the developer to improve it further.

   Ben Boles, Beach Music Properties, spoke in opposition.

   Councilmember Boyd explained other factors weighing on his decision such as the future of the Romar Beach Baptist Church.

   Mayor Kennon and Council discussed the intensity of the project. Councilmember Mitchell shared that Planning Commission Attorney John Lawler had stated that this project would be a "downzoning" by all definitions.

   Ian Boles, Beach Music Properties and father of Ben Boles, spoke in opposition.

   Chris Callaghan, resident, spoke generally in support of planned unit developments (PUDs).

   Paul Smith, founding pastor of Romar Beach Baptist Church, stated that he would keep the property a church if a purchase could be made successfully if the property went to foreclosure.

   There being no further comments, the public hearing adjourned.

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0704-PUD-21, Romar Beach Hotel PUD. **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 (Boyd/Blalock) to adopt the ordinance with the condition that the developer enhance the coastal look of the project and submit revised architectural drawings with design elements to be approved by City Council prior to construction.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).** reading.

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: 5:50 P.M.

APPROVED this the 21st day of September, 2021.

Renee Eberly
City Clerk