

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
SEPTEMBER 7, 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 Jerry Johnson
- 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/Boyd) to approve the agenda as written. Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Work Session	08/03/2021
Regular Council Meeting	08/03/2021
Committee of the Whole	08/03/2021

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> | Report attached. |
| 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 recognized the passing of Officer Brandon Ard and Ella Callaway.

Mayor Kennon thanked the school PTO and volunteers for their work with Comeback Coolers, a nonprofit program sending donated coolers and cold beverages as part of the relief effort to areas of Louisiana affected by Hurricane Ida. Matt Wilson, resident, showed a video of the volunteer efforts.

Chris Litton, employee, and Bill Jeffries, resident, added that local churches have also sent supplies to Louisiana.

Kit Alexander, Community Development Director, advised that the final steps in paving Canal Road will begin tomorrow. Areas of work will include the Island Church driveway, Gulf Bay Road, Sweetwater, and William Silvers intersection.

Nicole Woerner, employee, stated that Coastal Cleanup will be from 8:00 A.M. to Noon on Saturday, September 18, 2021, at Boggy Point and Cotton Bayou Public Beach.

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/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

1. Proclamation declaring September 2021 as Childhood Cancer Awareness Month. Ken Grimes, City Administrator, read the proclamation aloud. Lauren Berry accepted the proclamation on behalf of the Berry Strong Foundation.
2. Proclamation declaring September 17-23, 2021, as Constitution Week. Ken Grimes, City Administrator, read the proclamation aloud. The proclamation will be displayed at the Foley Public Library during Constitution Week.

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

Miscellaneous

1. Approval of a Restaurant Retail Liquor License Application by Los Compadres LLC for El Nuevo Mexico Lindo Restaurant at 25405 Perdido Beach Boulevard, Suite 25. **Motion made (Boyd/Blalock) to approve the liquor license.** Vote unanimous in favor.

Resolutions

1. Resolution rescinding the Declaration of Emergency for Hurricane Ida. **Motion made (Blalock/Johnson) to adopt the resolution.** Vote unanimous in favor.
2. Resolution appointing Chris Callaghan as Municipal Court Judge for the City of Orange Beach. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, abstain; Boyd, aye; Kennon, aye. **Passed. (5-0-1).**
3. Resolution appropriating funds to support the Safe Harbor Animal Coalition in a prorated amount of \$3,333.33 for FY2021. **Motion made (Silves/Johnson) to adopt the resolution.** Ken Grimes, City Administrator, explained that this prorated amount is for the remaining portion of 2021, and that \$10,000 would be budgeted annually beginning with FY2022. Vote unanimous in favor.

4. Resolution appropriating funds to the National Sojourners, Inc., 531 Baldwin County Chapter for the purpose of sponsoring local events benefiting first responders in the amount of \$500. Motion made (Silvers/Mitchell) to adopt the resolution. Vote unanimous in favor.
5. Resolution authorizing the sole source purchase of a replacement pump for the Mariner Lakes Lift Station from Jim House & Associates, Inc., for the Utilities Department in the amount of \$18,558. Motion made (Blalock/Boyd) to adopt the resolution. Vote unanimous in favor.
6. Resolution authorizing the sole source purchase of Two Submersible Pumps from Jim House & Associates, Inc., for the Utilities Department in the amount of \$72,980. Motion made (Silvers/Boyd) to adopt the resolution. Vote unanimous in favor.
7. Resolution authorizing the execution of the Alabama Association of Fire Chiefs Mutual Aid Consortium Agreement. Motion made (Mitchell/Silvers) to adopt the resolution. Vote unanimous in favor.
8. Resolution authorizing a franchise for Rock & Roll Off's, LLC, to remove and dispose of commercial solid waste and to remove and transport construction and demolition debris. Motion made (Blalock/Boyd) to adopt the resolution. Vote unanimous in favor.
9. Resolution authorizing a franchise for Bishop Enterprises, L.L.C., to remove and dispose of commercial solid waste and to remove and transport construction and demolition debris. Motion made (Boyd/Blalock) to adopt the resolution. Vote unanimous in favor.
10. Resolution authorizing the purchase of 12 vehicles for the Police Department from State Bid in the amount of \$425,763.12. Motion made (Johnson/Mitchell) to adopt the resolution. Vote unanimous in favor.
11. Resolution amending the Employees Pay Plan/Job Listing to add the positions of Athletic Program Coordinator and Sportsplex & Concessions Services Director. Motion made (Silvers/Johnson) to adopt the resolution. Vote unanimous in favor.
12. Resolution appropriating funds to the Makos Academics, Arts & Athletics Club in the amount of \$48,900. Motion made (Silvers/Blalock) to adopt the resolution. Vote unanimous in favor.

Public Hearings

1. Public hearing for the vacation of a right-of-way located east of Andrews Lane.

Kit Alexander, Community Development Director, stated that this is a second public hearing for this item in order to ensure that all procedural requirements to notify property owners have been fulfilled.

There being no comments, the public hearing adjourned.

2. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0802-PUDA-21, Summer Salt PUD Modification, Addition of 7 Lots to Phase 2.

Griffin Powell, Planner II, presented the case overview.

Mayor Kennon clarified that the subject property was zoned General Business (GB) prior to becoming a Planned Unit Development (PUD). Kit Alexander, Community Development Director, further reminded Council that the project previously planned for this property was an apartment complex with significantly more density.

Council verified that the road leading to the additional lots meets safety standards and the road/bridge going over culverts will support fire rescue apparatus..

There being no further comments, the public hearing adjourned.

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0802-PUDA-21, Summer Salt PUD Modification, Addition of 7 Lots to Phase 2. **Motion made (Johnson/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 (Johnson/Mitchell) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, nay; Kennon, aye. **Passed. (5-1).**

XIII. PUBLIC COMMENTS

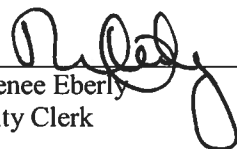
None

XIV. ADJOURN

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

Time: 5:33 P.M.

APPROVED this the 5th day of October, 2021.



Renee Eberly
City Clerk