

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
OCTOBER 19, 2021 – 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 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/Blalock) to approve the agenda as written. Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Flood Damage Prevention Board	09/21/2021
Regular Council Meeting	09/21/2021
Committee of the Whole	09/21/2021

The reading was waived and minutes were approved as written.

VII. REPORTS OF OFFICERS/COMMITTEES

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 Johnson invited the public to attend the "Arts Afire" event at the Orange Beach Coastal Arts Center on Saturday, October 31, 2021, between 5:00 and 7:00 p.m. for free glass and pottery demonstrations along with children's activities.

Councilmember Mitchell introduced Claire Atkins, representing Junior Leadership Coastal Alabama.

Councilmember Boyd recognized Frances Holk-Jones, candidate for 2022 Alabama State Representative.

Mayor Kennon recognized Tim Harry, 4206 Lauder Lane, who introduced Bruce Ladebu, founder of the Children's Rescue Initiative. Mr. Ladebu thanked Mayor and Council for hosting past and future training sessions for the organization.

Ken Grimes, City Administrator, stated that approximately 15,200 people attended the Freedom Fest according to counts provided by the Wharf. He thanked Jeanne Fitzgibbons, other city staff, and vendors for their contributions.

Staff reminded the audience about the upcoming Tree Lighting event on November 30, 2021, and Seafood Fest in February 2022.

VIII. AUDITING OF ACCOUNTS

Motion made (Mitchell/Boyd) 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

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

Miscellaneous

1. Approval of a Special Events Retail Liquor License Application by Event Concessions, Inc., for "Event Concessions Kip Moore Concert" to be held November 13, 2021, at 4720 Main Street, Spaces M101 and M105, at the Wharf. **Motion made (Blalock/Boyd) to approve the liquor license.** Vote unanimous in favor.

Resolutions

1. Resolution awarding the bid for Backcountry Trail Post-Hurricane Sally Repairs to Asphalt Services, Inc., in an amount not to exceed \$170,977.70. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.
2. Resolution awarding the bid for City Hall Roof Replacement to Finishing Solutions, L.L.C., in an amount not to exceed \$464,112. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor.
3. Resolution establishing rates for health and dental insurance for employees and repealing Resolution No. 17-157. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor.
4. Resolution authorizing the purchase of Stop Loss Insurance for the City of Orange Beach,

FY2022. Motion made (Silvers/Boyd) to adopt the resolution. Vote unanimous in favor.

5. Resolution authorizing the execution of a Medical Services Agreement and Addendum for firefighter physical examinations with Southern Rapid Healthcare, Inc., dba Southern Rapid Care. **Motion made (Blalock/Mitchell) to adopt the resolution.** Vote unanimous in favor.
6. Resolution authorizing the purchase of real property from Donald R. Lyons, Jr., and Starla Paul and authorizing the Mayor to negotiate and execute a real estate purchase agreement and such other documents as may be required to close the transactions contemplated therein. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.
7. Resolution authorizing the execution of a service agreement with Cellular South, Inc., dba CSpire, to connect fiber to the Wildlife Center. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
8. Resolution awarding Officer Brock Palmer his duty weapon and badge as part of his retirement benefits. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.

Public Hearings

1. Public hearing for the sale of the Orange Beach Medical Arts Building.

Mayor Kennon explained the purpose of the sale of the building to Southern Rapid Care for the purpose of creating a medical complex for the convenience of citizens. Mayor Kennon also spoke of the potential closure of Bonito Avenue to through traffic in order to improve emergency access from the Fire Station.

Councilmember Boyd inquired about the role of the Orange Beach Healthcare Authority. Wanda Cochran, City Attorney, explained that the Orange Beach Healthcare Authority manages the building, but the City of Orange Beach retains ownership and the authority to sell the property.

There being no opposition or any further comments, the public hearing adjourned.

Ordinances

1. First Reading – Ordinance approving the sale of the Medical Arts Building. **Motion made (Johnson/Boyd) 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.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**

Motion made (Mitchell/Silvers) to recess from Council Meeting until after the Committee of the Whole Meeting. Vote unanimous in favor.

Recess began at 5:24 P.M.

Council Meeting reconvened at 5:57 P.M.

Executive Session

1. Executive session to discuss pending litigation. **Motion made (Blalock/Boyd) to enter executive session to discuss pending litigation.** The City Attorney advised the Council that a declaration was required by the Open Meetings Act for an Executive Session; therefore, she stated for the record that she was duly qualified and had the personal knowledge to provide the requisite declaration for the stated purposes of the Executive Session authorized by the Act. Vote unanimous in favor. Mayor Kennon stated that executive session would last approximately 30 minutes.

Time in: 5:57 P.M.

Time out: 6:32 P.M.

Motion made (Boyd/Silvers) to authorize the City Attorney to take all actions deemed necessary to perfect an appeal of the judgement rendered in the Boles v. City of Orange Beach case, and that the Mayor is authorized to execute all documents related to the appeal. Vote unanimous in favor.

XIII. PUBLIC COMMENTS

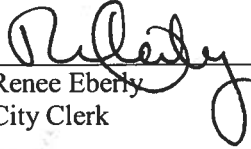
None

XIV. ADJOURN

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

Time: 6:34 P.M.

APPROVED this the 16th day of November, 2021.


Renee Eberly
City Clerk

