

**MINUTES OF  
REGULAR COUNCIL MEETING  
ORANGE BEACH CITY COUNCIL  
JANUARY 7, 2020 – 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** Pastor Jim Kinder, Orange Beach United Methodist Church
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL**

Present: Councilmember Jeff Silvers  
Councilmember Jerry Johnson  
Councilmember Annette Mitchell  
Councilmember Joni Blalock Costo  
Councilmember Jeff Boyd  
Mayor Tony Kennon

Absent: None

**V. CONSIDERATION OF AGENDA: Motion made (Blalock Costo/Johnson) to approve the agenda with the following additions:**

1. Approval of a Restaurant Retail Liquor License Application by KOL Steakhouse of Orange Beach, LLC, for Carver's Steakhouse, 25775 Perdido Beach Boulevard, Suites B, C, and D.
2. Resolution authorizing the purchase of a vehicle for the Fire Department from State Bid in the amount of \$32,222.57.
3. Resolution authorizing the purchase of a tractor for the Coastal Resources Department through Sourcewell in the amount of \$49,902.55.
4. Resolution authorizing the sole source purchase of skid steer attachments for the Coastal Resources Department in the amount of \$24,641.50.
5. Resolution authorizing the purchase of cancer insurance for Orange Beach Firefighters pursuant to Alabama Legislative Act 2019-361.
6. Resolution authorizing the purchase of stop loss insurance for the City of Orange Beach.
7. Resolution awarding the bid for Public Works Building Electrical Work.
8. Resolution awarding the bid for Public Works Building Plumbing Work.
9. Resolution appropriating funds to the Alabama Trails Commission for the 2020 Alabama Recreational Trails Conference in the amount of \$1,000.
10. Resolution committing funds toward soccer field improvements at the Orange Beach Sportsplex for the purpose of hosting the SEC and NAIA Soccer Championships.
11. Resolution declaring a 120 day moratorium on the issuance of building permits for single and multi-family developments to be located in General Business districts.
12. Ordinance repealing Ordinance No. 2019-1340, an ordinance further amending Ordinance No. 172, the City of Orange Beach Zoning Ordinance, Sections 4.01, 4.02, and 4.04 to remove residential use from the General Business Zoning District.

Vote unanimous in favor.

**VI. CONSIDERATION OF PREVIOUS MINUTES**

Work Session

12/03/2019

Regular Council Meeting 12/03/2019  
Committee of the Whole 12/03/2019

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 &amp; Recreation</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 – Jon Darby</u>           | No report. |
| L. | <u>Director, Municipal Court – Renee Gardner</u>       | No report. |
| M. | <u>Mayor/Council</u>                                   |            |

Councilmember Mitchell reminded the audience that the Orange Beach Garden Club's 33<sup>rd</sup> Annual Game Day and Salad Luncheon on February 19, 2020.

## VIII. AUDITING OF ACCOUNTS

**Motion made (Mitchell/Silvers) 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 Costo, 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 Costo, aye; Boyd, aye; Kennon, aye. **Passed. (5-0-1).**

## IX. PRESENTATIONS

1. Stephen and Vivian Hanich, Orange Beach Helping Hands Ministry, thanked the Mayor and Council for the City's contributions to the Orange Beach Christmas Day Dinner which provided 599 dinners to those in need. Mayor Kennon presented Stephen and Vivian with a Distinguished Service Award.

## X. RECOGNITIONS

## XI. UNFINISHED BUSINESS

### Resolutions

1. Resolution appropriating funds to complete the bell tower at the new Orange Beach High School in an amount not to exceed \$141,246. **Motion made (Blalock Costo/Mitchell) to adopt the resolution.** Vote unanimous in favor.
2. Resolution appropriating funds to the Coastal Alabama Business Chamber for the purpose of supporting an office in Orange Beach. **Motion made (Blalock Costo/Johnson) to postpone consideration until the next Council Meeting on January 21, 2020.** Vote unanimous in favor.

3. Resolution authorizing the execution of a license agreement with Wharf Retail Properties, L.L.C., to provide office space for the Coastal Alabama Business Chamber. Motion made (Boyd/Blalock Costo) to postpone consideration until the next Council Meeting on January 21, 2020. Vote unanimous in favor.

## **XII. NEW BUSINESS**

### **Miscellaneous**

1. ADDITION: Approval of a Restaurant Retail Liquor License Application by KOL Steakhouse of Orange Beach, LLC, for Carver's Steakhouse, 25775 Perdido Beach Boulevard, Suites B, C, and D. Motion made (Blalock Costo/Mitchell) to approve the liquor license. Vote unanimous in favor.

### **Resolutions**

1. Resolution authorizing the purchase of a Pickup Truck for the Landscape Department through Sourcewell in the amount of \$30,876.75. Motion made (Silvers/Boyd) to adopt the resolution. Vote unanimous in favor.
2. Resolution authorizing payment of up to \$3,000 to the Coastal Alabama Business Chamber for the Annual Electronic Recycling and Paper Shred Event. Motion made (Johnson/Mitchell) to adopt the resolution. Vote unanimous in favor.
3. Resolution authorizing execution of a professional services agreement with Socialize Your Bizness, Inc., for social media consulting and marketing services. Motion made (Silvers/Mitchell) to adopt the resolution. Vote unanimous in favor.
4. Resolution authorizing execution of a software service agreement with SiteImprove, Inc., to monitor the city's website and improve performance. Motion made (Blalock Costo/Boyd) to adopt the resolution. Vote unanimous in favor.
5. Resolution authorizing the execution of a professional services agreement with Shazam Interactive, LLC, for website development and maintenance. Motion made (Boyd/Mitchell) to adopt the resolution. Vote unanimous in favor.
6. Resolution authorizing the execution of a professional services agreement with Bob Riley and Associates, LLC, for lobbying services. Motion made (Mitchell/Silvers) to adopt the resolution. Mayor Kennon clarified for the benefit of the audience that this project is being paid for with grant funds. Vote unanimous in favor.
7. Resolution authorizing the execution of a professional services agreement with Van Scoyoc Associates for consulting services. Motion made (Silvers/Boyd) to adopt the resolution. Vote unanimous in favor.
8. ADDITION: Resolution authorizing the purchase of a vehicle for the Fire Department from State Bid in the amount of \$32,222.57. Motion made (Johnson/Silvers) to adopt the resolution. Vote unanimous in favor.
9. ADDITION: Resolution authorizing the purchase of a tractor for the Coastal Resources Department through Sourcewell in the amount of \$49,902.55. Motion made (Silvers/Mitchell) to adopt the resolution. Vote unanimous in favor.
10. ADDITION: Resolution authorizing the sole source purchase of skid steer attachments for the Coastal Resources Department in the amount of \$24,641.50. Motion made (Silvers/Blalock Costo) to adopt the resolution. Vote unanimous in favor.
11. ADDITION: Resolution authorizing the purchase of cancer insurance for Orange Beach Firefighters pursuant to Alabama Legislative Act 2019-361. Motion made (Johnson/Mitchell) to adopt the resolution. Vote unanimous in favor.

12. ADDITION: Resolution authorizing the purchase of stop loss insurance for the City of Orange Beach. Motion made (Blalock Costo/Mitchell) to adopt the resolution. Vote unanimous in favor.
13. ADDITION: Resolution awarding the bid for Public Works Building Electrical Work. Motion made (Silvers/Blalock Costo) to postpone consideration until the next Council Meeting on January 21, 2020. Discussion followed.
14. ADDITION: Resolution awarding the bid for Public Works Building Plumbing Work. Motion made (Silvers/Johnson) to postpone consideration until the next Council Meeting on January 21, 2020. Vote unanimous in favor.
15. ADDITION: Resolution appropriating funds to the Alabama Trails Commission for the 2020 Alabama Recreational Trails Conference in the amount of \$1,000. Motion made (Silvers/Johnson) to adopt the resolution. Vote unanimous in favor.
16. ADDITION: Resolution committing funds toward soccer field improvements at the Orange Beach Sportsplex for the purpose of hosting the SEC and NAIA Soccer Championships. Motion made (Silvers/Boyd) to adopt the resolution. Vote unanimous in favor.
17. ADDITION: Resolution declaring a 120 day moratorium on the issuance of building permits for single and multi-family developments to be located in General Business districts. Motion made (Mitchell/Silvers) to adopt the resolution. Vote unanimous in favor.

#### **Public Hearings**

1. Public hearing to appeal the decision of the Planning Commission regarding the Sweat Tire Site Plan Review, Case No. 0909-SP-19. Motion made (Silvers/Johnson) to postpone the public hearing to the next Council Meeting on January 21, 2020. Vote unanimous in favor.

#### **Ordinances**

1. ADDITION: First Reading – Ordinance repealing Ordinance No. 2019-1340, an ordinance further amending Ordinance No. 172, the City of Orange Beach Zoning Ordinance, Sections 4.01, 4.02, and 4.04 to remove residential use from the General Business Zoning District. Motion made (Mitchell/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 Costo, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).** Motion made (Mitchell/Johnson) to adopt the ordinance. Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock Costo, 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 (Blalock Costo/Johnson) to adjourn. Vote unanimous in favor.

Time: 5:17 P.M.

**APPROVED** this the 4<sup>th</sup> day of February, 2020.

  
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Renee Eberly  
City Clerk