

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
JUNE 16, 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 Kim Van Brimmer, Orange Beach Presbyterian Church
- 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 with the following additions:

1. Approval of a Restaurant Retail Liquor License Application by Fresh Off the Boat, LLC, for Fresh Off the Boat, 27267 Perdido Beach Boulevard, Unit D1.
2. Approval of a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) Liquor License Application by DMP The Market LLC for The Pantry at the Wharf, 6790 Wharf Parkway, Space F106.
3. Resolution awarding the bid for Public Works Building Fire Sprinkler System to A1 Fire Protection, Inc., in an amount not to exceed \$79,156.
4. Resolution authorizing execution of a professional services agreement with Pete Rancont for baseball coaching services.
5. Resolution authorizing execution of a performance contract with Alex Huffman for golf instruction services.
6. Resolution to provide commitment to construct sidewalk improvements and ensure payment of the city share of funding as awarded by the Alabama Department of Transportation through the Transportation Alternatives Program.
7. Resolution authorizing the execution of a Memorandum of Agreement with the Gulf State Park for lifeguard services.

Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Regular Council Meeting	05/19/2020
Committee of the Whole	05/19/2020

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. 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 – Jon Darby No report.
- L. Director, Municipal Court – Renee Gardner No report.
- M. Mayor/Council

Greg Alexander, President/CEO of the Coastal Alabama Business Chamber, invited the public to the ribbon cutting of the new Orange Beach Chamber Office at the Wharf on Thursday, June 25, 2020, at 10:00 A.M.. Mr. Alexander thanked Mayor and Council for their support.

Mayor Kennon announced that the groundbreaking for a new Freestanding Emergency Room will be held Thursday, June 18, 2020, at 10:00 A.M.

A brief video was shown of the flagpole dedication to John Davis held earlier in the day at the Orange Beach Sportsplex.

VIII. AUDITING OF ACCOUNTS PRESENTATIONS

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, abstain; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (5-0-1).**

Motion made (Mitchell/Blalock) 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. First Reading – Ordinance appointing Steve Brown as Chief of Police for the City of Orange Beach, Alabama. **Motion made (Blalock/Boyd) for unanimous consent to suspend the rules to allow for immediate consideration of this ordinance.** Vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).** **Motion made (Blalock/Boyd) to adopt the ordinance.** Vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**

Past Chiefs of Police for the City of Orange Beach, Robert Vinson and Billy Wilkins, spoke briefly. Chief Brown introduced his family, summarized his 27+ year history with the City of Orange Beach beginning as a dispatcher, and thanked the Mayor and City Council for the opportunity to serve in this capacity as Chief of Police.

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

Miscellaneous

1. ADDITION: Approval of a Restaurant Retail Liquor License Application by Fresh Off the Boat, LLC, for Fresh Off the Boat, 27267 Perdido Beach Boulevard, Unit D1. **Motion made (Johnson/Mitchell) to approve the liquor license.** Vote unanimous in favor.
2. ADDITION: Approval of a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) Liquor License Application by DMP The Market LLC for The Pantry at the Wharf, 6790 Wharf Parkway, Space F106. **Motion made (Silvers/Boyd) to approve the liquor license.** Vote unanimous in favor.

Resolutions

1. Resolution to support the Safe Harbor Animal Coalition in an amount not to exceed \$35,000. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing the execution of a task order with Thompson Engineering, Inc., to perform professional construction engineering and inspection services for the proposed Lauder Lane turn lane in an amount not to exceed \$6,480. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
3. Resolution authorizing the execution of service agreement addenda with Harbor Communications, LLC, to connect fiber to Fire Station #2 and the new Public Works Facility. **Motion made (Boyd/Silvers) to adopt the resolution.** Vote unanimous in favor.
4. Resolution authorizing the execution of service agreement addenda with Harbor Communications, LLC, to increase bandwidth at the Orange Beach Event Center. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
5. Resolution awarding the bid for the Baseball and Softball Complex. **Motion made (Silvers/Mitchell) to postpone consideration until the next Council Meeting on July 7, 2020.** Vote unanimous in favor.
6. Resolution awarding the bid for Public Works Building Mechanical Work to Sun Coast Builders, Inc., in an amount not to exceed \$126,868. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor.
7. ADDITION: Resolution awarding the bid for Public Works Building Fire Sprinkler System to A1 Fire Protection, Inc., in an amount not to exceed \$79,156. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
8. ADDITION: Resolution authorizing execution of a professional services agreement with Pete Rancont for baseball coaching services. **Motion made (Mitchell/Blalock) to adopt the resolution.** Vote unanimous in favor.
9. ADDITION: Resolution authorizing execution of a performance contract with Alex Huffman for golf instruction services. **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor.
10. ADDITION: Resolution to provide commitment to construct sidewalk improvements and ensure payment of the city share of funding as awarded by the Alabama Department of Transportation through the Transportation Alternatives Program. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
11. ADDITION: Resolution authorizing the execution of a Memorandum of Agreement with the Gulf State Park for lifeguard services. **Motion made (Johnson/Boyd) to adopt the resolution.** Vote unanimous in favor.

Public Hearings

1. Public hearing to appeal the decision of the Planning Commission of Case No. 0201-SP-20, New Retail Store (Dollar General), The Broadway Group LLC, to October 20, 2020. Motion made (Boyd/Johnson) to postpone the public hearing to October 20, 2020. Roll call vote revealed: Silvers, nay; Johnson, nay; Mitchell, nay; Blalock, nay; Boyd, aye; Kennon, aye. **Failed. (2-4).** Alvin Hope, lawyer representing the Broadway Group, spoke to say that the Broadway Group is not prepared to present their case and asked that Council reconsider postponement of the public hearing. Councilmember Blalock explained that she was reluctant to postpone the public hearing due to the level of concern raised by citizens opposed to the project. After further discussion, Council agreed on a shorter postponement. **Motion made (Johnson/Blalock) to postpone the public hearing to September 1, 2020.** Vote unanimous in favor. **Passed. (6-0).**
2. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0505-PUDA-20, Beach Village PUD Modification.
Griffin Powell, Planner II, presented the case overview.
There was no opposition present.
3. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0504-PUDA-20, Wharf PUD Modification Reader Board Sign.
Griffin Powell, Planner II, presented the case overview.
There was no opposition present.

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0505-PUDA-20, Beach Village PUD Modification. **Motion made (Silvers/Johnson) for unanimous consent to suspend the rules to allow for immediate consideration of this ordinance.** 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.** Vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**
2. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0504-PUDA-20, Wharf PUD Modification Reader Board Sign. **Motion made (Johnson/Boyd) for unanimous consent to suspend the rules to allow for immediate consideration of this ordinance.** Vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).** **Motion made (Johnson/Silvers) to adopt the ordinance.** Vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**

XIII. PUBLIC COMMENTS

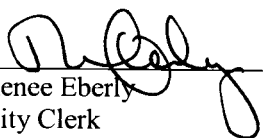
None

XIV. ADJOURN

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

Time: 5:47 P.M.

APPROVED this the 21st day of July, 2020.



Renee Eberly
City Clerk