MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
JULY 21, 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 Councilmember Annette Mitchell

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/Johnson) to approve the agenda with the following additions:

1. Resolution authorizing the execution of a billing service agreement with AccuMed Billing, Inc.
2. Resolution amending Resolution No. 20-125 to reject all bids for the Public Works Fire Sprinkler System and to accept the negotiated price from A1 Fire Protection, Inc., in the amount of $43,207.69.

Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Regular Council Meeting	06/16/2020
Committee of the Whole	06/16/2020

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	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

Councilmember Mitchell announced the dates for the upcoming community theatre performance of Beauty and the Beast.

Mayor Kennon gave an update on COVID-19 mask rules and social distancing.

Kit Alexander, Community Development Director, presented a slideshow of ongoing and upcoming roadway improvements.

Councilmember Mitchell clarified that Orange Beach is not considering any school separation from Baldwin County.

Jonathan Langston, Expect Excellence Director, announced that the Expect Excellence program is temporarily closed due to positive COVID-19 tests among staff and participants.

Mayor Kennon announced the names of candidates for the August 25, 2020, general municipal election.

VIII. AUDITING OF ACCOUNTS PRESENTATIONS

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, 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

Resolutions

1. Resolution authorizing the execution of a Task Order with Auburn University to conduct sediment and environmental inventories within Perdido Bay in an amount not to exceed $89,269. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.

2. Resolution authorizing the execution of a Memorandum of Understanding with Columbia Southern University, Inc., for an evacuation location in the event of a major storm. **Motion made (Boyd/Silvers) to adopt the resolution.** Vote unanimous in favor.

3. Resolution awarding the bid for 2020 Roadway Repairs to Roads, Inc. of NWF in an amount not to exceed $174,900. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor.

4. Resolution authorizing the execution of a Task Order with McCollough Architecture, Inc., to provide professional services for the Orange Beach High School Field House in an amount not to exceed $44,255. **Motion made (Blalock/Silvers) to adopt the resolution.** Vote unanimous in favor.

5. Resolution authorizing the execution of an Investment Management Agency Agreement with Regions Bank. **Motion made (Mitchell/Boyd) to adopt the resolution.** Vote unanimous in favor.

6. Resolution authorizing the execution of a Lease Agreement with Intellicom Wireless Management, Inc., for a wireless communications tower. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
7. Resolution appointing the City Clerk to prepare and file the list of qualified voters for the August 25, 2020, municipal election in the City of Orange Beach. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
8. Resolution appointing election officers for the municipal election. **Motion made (Blalock/Johnson) to adopt the resolution.** Vote unanimous in favor.
9. ADDITION: Resolution authorizing the execution of a billing service agreement with AccuMed Billing, Inc. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
10. ADDITION: Resolution amending Resolution No. 20-125 to reject all bids for the Public Works Fire Sprinkler System and to accept the negotiated price from A1 Fire Protection, Inc., in the amount of $43,207.69. **Motion made (Silvers/Blalock) 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. 0703-PUDA-20, Summer Salt PUD Modification.

   Griffin Powell, Planner II, presented the case overview.

   Council discussed the sign design. Kit Alexander, Community Development Director, confirmed that the actual sign portion of the structure meets all zoning regulations, and that the portion that protrudes is the architectural feature. Council expressed appreciation of the architectural feature.

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

2. Public hearing to appeal the decision of the Building Official regarding a permit extension for construction of a single-family home at 23784 Cypress Park by Paul Uter.

   Lannie Smith, Building Official, presented the history of the expired permit, which has gone through multiple extensions.

   Sally Bradley, who is under contract to purchase the residence, asked Council to extend the permit a final time to complete the construction.

   Council stated that this would be a final extension to allow for the estimated 30 to 60 days for completion.

   Motion made (Silvers/Johnson) to approve the appeal and extend the building permit for 90 days with the staff recommendation for the public benefit to be paid up front. Vote unanimous in favor.

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0703-PUDA-20, Summer Salt PUD Modification. **Motion made (Johnson/Silvers) 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 (Silvers/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/Blalock) to recess from Council Meeting until after the Committee

of the Whole Meeting. Vote unanimous in favor.

Recess began at 5:52 P.M.

Council Meeting reconvened at 6:04 P.M.

Executive Session

1. Executive session to discuss threatened and pending litigation. **Motion made (Blalock /Johnson) to enter executive session to discuss threatened and 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.

   Time in: 6:04 P.M.

   Time out: 6:33 P.M.

   Motion made (Silvers/Mitchell) to authorize the City Attorney to bring an action in Baldwin County Circuit Court to determine the city's obligations to release certain records requested under the Alabama Open Records Law. Vote unanimous in favor.

XIII. PUBLIC COMMENTS

None

XIV. ADJOURN

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

Time: 6:33 P.M.

APPROVED this the 18th day of August, 2020.

Renee Eberly
City Clerk