MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
OCTOBER 6, 2020 – 5:00 P.M.
ORANGE BEACH COMMUNITY CENTER

I. CALL TO ORDER Mayor Tony Kennon called the meeting to order at 5:02 P.M.

II. INVOCATION Councilmember Annette Mitchell

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

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

Absent: Councilmember Jerry Johnson

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

1. Resolution declaring an emergency affecting public health, safety, and convenience due to Hurricane Delta.
2. Resolution authorizing execution of Change Order No. 3 with Asphalt Services, Inc., for the Coastal Resources Center Site Work in an amount not to exceed $27,494.50.
3. Resolution declaring certain personal property owned by the City of Orange Beach as surplus and unneeded and authorizing the Mayor and City Clerk to dispose of such property.
4. Resolution authorizing the execution of a task order with TTL, Inc., to provide engineering design, bid and construction administrative services to fill wetlands at the Orange Beach Middle/High School site in an amount not to exceed $110,000.
5. Resolution authorizing the execution of an agreement with the Baldwin County Board of Education to use the Orange Beach Middle/High School as an evacuation location in the event of a major storm.
6. Resolution authorizing execution of a FY2020 Port Security Program Grant Award Agreement with the U.S. Department of Homeland Security for a rapid response vessel for the Police Department.
7. Resolution authorizing the execution of a Medical Services Agreement for firefighter physical examinations with Southern Rapid Healthcare, Inc., dba Southern Rapid Care.
8. Resolution authorizing the purchase of a vehicle for the Fire Department from State Bid in the amount of $28,963.
9. Resolution authorizing the emergency purchase of six vehicles from the Alabama Department of Transportation for Hurricane Sally response in the amount of $171,150.
10. Resolution authorizing the purchase of a lift truck for the Street Department through Sourcewell in the amount of $34,500.
11. Resolution awarding the bid for Hurricane Sally Roofing Repairs to Porter Roofing Contractors, Inc., in an amount not to exceed $95,025 and per unit pricing for a term of one year.

12. Resolution authorizing the execution of a storage rental agreement with FM Holdings, LLC, dba Keel Storage.
13. Resolution authorizing the single source purchase associated with the Canal Road Widening Project for construction of a right turn lane and commercial access improvements on SR-180 (Canal Road) at the Commons from John G. Walton Construction Company, Inc., in an amount not to exceed $147,020.26.
14. Ordinance authorizing the issuance, sale, delivery, and payment of $15,660,000 principal amount of General Obligation Taxable Warrants, Series 2020, to be dated the date of delivery.

Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Regular Council Meeting	08/18/2020
Committee of the Whole	08/18/2020

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 – Meagan Bing	No report.
L.	Director, Municipal Court – Renee Gardner	No report.
M.	Director, Expect Excellence – Jonathan Langston	No report.

N. Mayor/Council

Councilmember Blalock introduced Meagan Bing, Interim Library Director.

Councilmember Blalock announced the passing of Jan Borman, who designed the original Orange Beach flag.

Councilmember Silvers thanked all the city employees who have been working hard to clean up the city after Hurricane Sally.

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

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; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (4-0-1).**

IX. PRESENTATIONS

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

Resolutions

1. ADDITION: Resolution declaring an emergency affecting public health, safety, and convenience due to Hurricane Delta. **Motion made (Mitchell/Blalock) to adopt the resolution.** Vote unanimous in favor.
2. ADDITION: Resolution authorizing execution of Change Order No. 3 with Asphalt Services, Inc., for the Coastal Resources Center Site Work in an amount not to exceed $27,494.50. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
3. ADDITION: Resolution declaring certain personal property owned by the City of Orange Beach as surplus and unneeded and authorizing the Mayor and City Clerk to dispose of such property. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor.
4. ADDITION: Resolution authorizing the execution of a task order with TTL, Inc., to provide engineering design, bid and construction administrative services to fill wetlands at the Orange Beach Middle/High School site in an amount not to exceed $110,000. **Motion made (Blalock/Boyd) to adopt the resolution.** Vote unanimous in favor.
5. ADDITION: Resolution authorizing the execution of an agreement with the Baldwin County Board of Education to use the Orange Beach Middle/High School as an evacuation location in the event of a major storm. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor.
6. ADDITION: Resolution authorizing execution of a FY2020 Port Security Program Grant Award Agreement with the U.S. Department of Homeland Security for a rapid response vessel for the Police Department. **Motion made (Blalock/Boyd) to adopt the resolution.** Vote unanimous in favor.
7. ADDITION: Resolution authorizing the execution of a Medical Services Agreement for firefighter physical examinations with Southern Rapid Healthcare, Inc., dba Southern Rapid Care. **Motion made (Silvers/Blalock) 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 $28,963. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor.
9. ADDITION: Resolution authorizing the emergency purchase of six vehicles from the Alabama Department of Transportation for Hurricane Sally response in the amount of $171,150. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
10. ADDITION: Resolution authorizing the purchase of a lift truck for the Street Department through Sourcewell in the amount of $34,500. **Motion made (Mitchell/Boyd) to adopt the resolution.** Vote unanimous in favor.
11. ADDITION: Resolution awarding the bid for Hurricane Sally Roofing Repairs to Porter Roofing Contractors, Inc., in an amount not to exceed $95,025 and per unit pricing for a term

of one year. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.

12. ADDITION: Resolution authorizing the execution of a storage rental agreement with FM Holdings, LLC, dba Keel Storage. **Motion made (Mitchell/Boyd) to adopt the resolution.** Vote unanimous in favor.

13. ADDITION: Resolution authorizing the single source purchase associated with the Canal Road Widening Project for construction of a right turn lane and commercial access improvements on SR-180 (Canal Road) at the Commons from John G. Walton Construction Company, Inc., in an amount not to exceed $147,020.26. **Motion made (Silvers/Mitchell) to adopt the resolution.** Mayor Kennon explained that this project is being moved forward in order to keep the Canal Road widening project contractor busy while leaving all five lanes open during Hurricane Sally recovery. Vote unanimous in favor.

Public Hearings

1. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0803-PUDA-20, Wharf PUD Modification – Wharf East Side Storage.

   Griffin Powell, City Planner, presented the project overview.

   Jimmy Boyd, resident, asked if the project would impede the connectivity between the Wharf and Cypress Village. Ercil Godwin, Sawgrass Consulting, Project Architect, responded that the footpath used by the Cypress Village residents is not a dedicated easement. Mayor Kennon added that connectivity will be achieved through the planned multimodal path.

   There being no additional comments, the public hearing adjourned.

2. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 1003-PUDA-20, Cottages at Tannin PUD Modification (Setback Encroachment for Stairs).

   Griffin Powell, City Planner, presented the project overview.

   Councilmember Boyd asked how this project was received by the Planning Commission. Griffin responded that this is a minor modification request, so it was not presented to Planning Commission for consideration. Councilmember Boyd expressed his feelings that the PUD would not have been approved if this modification was included in the original request. Griffin explained that the proposed modification is the developer's effort to meet the Council's request to add a second method of ingress/egress made at the time of approval of the original PUD. Mayor Kennon stated that this should have been caught earlier, but two points of ingress/egress are needed. Council discussed other options for a second method of ingress/egress either through the back or underneath. Councilmember Mitchell stated that these external side stairs are a standard solution for townhouse-type developments, and that she prefers the open airy feel. Kit Alexander, Community Development, stated that the look of this project is consistent within the Beach Overlay District, which is different than interior residential neighborhoods.

   Lannie Smith, Building Official, asked Council if they would like for two exits to be required for single family residents. Mayor and Council responded affirmatively, and that they thought two exits were already required. Lannie explained that this is not the case and that there are several residences that only have one exit. Lannie stated that he will include this change in the next building code update, which is currently being drafted.

   There being no additional comments, the public hearing adjourned.

3. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0906-PUDA-20, Cypress Village PUD Modification, Resubdivision of Lot 2, Cypress Village Subdivision. Postponed to October 20, 2020.
4. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0908-PUDA-20, Broken Sound PUD Modification (36 Lots). Postponed to October 20, 2020.

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0803-PUDA-20, Wharf PUD Modification – Wharf East Side Storage. No action taken. Ordinance will move forward to a second reading.
2. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 1003-PUDA-20, Cottages at Tannin PUD Modification (Setback Encroachment for Stairs. **Motion made (Boyd/Silvers) for unanimous consent to suspend the rules to allow for immediate consideration of this ordinance.** Roll call vote revealed: Silvers, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (5-0). Motion made (Boyd/Silvers) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (5-0).**
3. ADDITION: First Reading – Ordinance authorizing the issuance, sale, delivery, and payment of $15,660,000 principal amount of General Obligation Taxable Warrants, Series 2020, to be dated the date of delivery. **Motion made (Silvers/Blalock) for unanimous consent to suspend the rules to allow for immediate consideration of this ordinance.** Roll call vote revealed: Silvers, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (5-0). Motion made (Silvers/Blalock) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (5-0).**

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: 5:46 P.M.

APPROVED this the 2nd day of November, 2020.

Renee Eberly
City Clerk