

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
AUGUST 15, 2023 – 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** Pastor Josh McIntosh, Worship on the Water at Flora-bama
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL**

Present: Councilmember Jeff Silvers
Councilmember Jerry Johnson
Councilmember Annette Mitchell
Mayor Tony Kennon

Absent: Councilmember Joni Blalock
Councilmember Jeff Boyd

V. CONSIDERATION OF AGENDA

Motion made (Silvers/Johnson) to approve the agenda as written. Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Work Session	07/18/2023
Regular Council Meeting	07/18/2023
Committee of the Whole	07/18/2023

The reading was waived and minutes were approved as written.

VII. REPORTS OF OFFICERS/COMMITTEES

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| 1. <u>City Administrator – Ford Handley</u> | No report. |
| 2. <u>Director, Public Works – Tim Tucker</u> | No report. |
| 3. <u>Director, Community Development – Kit Alexander</u> | No report. |
| 4. <u>Chief, Police Department – Steve Brown</u> | No report. |
| 5. <u>Chief, Fire Department – Mike Kimmerling</u> | No report. |
| 6. <u>City Clerk – Renee Eberly</u> | No report. |
| 7. <u>Director, Finance – Ford Handley</u> | No report. |
| 8. <u>Parks & Recreation – Ford Handley</u> | No report. |
| 9. <u>Director, Utilities – Jeff Hartley</u> | No report. |
| 10. <u>Director, Coastal Resources – Phillip West</u> | No report. |
| 11. <u>Librarian, Public Library – Meagan Bing</u> | No report. |
| 12. <u>Director, Municipal Court – Pam Davis</u> | No report. |
| 13. <u>Director, Expect Excellence – Jonathan Langston</u> | No report. |
| 14. <u>Mayor/Council</u> | |

Mayor Kennon announced that Orange Beach has been ranked the third most picturesque town in the U.S. by North Carolina Travel Guides.

Shelia Stephens, Southern Rapid Care, announced Southern Rapid Care's 8th anniversary and the opening of a cardiac branch. She introduced Dr. Ken Francez, cardiologist and resident of Orange Beach, who will be joining the medical group. Dr. Francez spoke in gratitude and stated his objectives for serving the community.

Council reminded the audience about the "Meet the Makos" event this coming Friday at 6:00 P.M. at the Sportsplex.

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; Kennon, aye. **Passed. (4-0).**

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; Kennon, aye. **Passed. (3-0-1).**

IX. PRESENTATIONS

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

Miscellaneous

1. Approval of a Retail Beer (On or Off Premises) and Retail Table Wine (On or Off Premises) Liquor License Application by Maruti Hospitality, LLC, for Fairfield Inn and Suites Orange Beach at 3111 Loop Road. **Motion made (Silvers/Mitchell) to approve the liquor license.** Vote unanimous in favor.
2. Approval of a Restaurant Retail Liquor License Application by L & R Food Service LLC for China Dragon at 25405 Perdido Beach Boulevard, Suite 19. **Motion made (Silvers/Mitchell) to approve the liquor license.** Vote unanimous in favor.

Resolutions

1. Resolution awarding the bid for Sportsplex Shade Replacement to Complete Roofing LLC in an amount not to exceed \$83,800. **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor.
2. Resolution awarding the bid for Baseball Field Turf Installation and Dugouts to Rolin Construction, Inc., in an amount not to exceed \$1,310,000. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
3. Resolution awarding the bid for the new Wildlife Center, Phase II Interior Buildout, to Rolin Construction, Inc., in an amount not to exceed \$720,000. **Motion made (Johnson/Silvers) to postpone consideration until the next council meeting on September 5th.** Vote unanimous in favor.
4. Resolution authorizing the execution of a professional services agreement with McCollough Architecture, Inc., for architectural services. **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor.
5. Resolution authorizing the purchase of Artificial Turf (Materials Only) for the Soccer/Football Field at the Sportsplex through Sourcewell in the amount of \$436,570. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.

6. Resolution adopting a City of Orange Beach FY2024 Transportation Plan. **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor.
7. Resolution authorizing execution of an extension of a cooperative service agreement with the U.S. Department of Agriculture to supplement nuisance wildlife control services. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.

Public Hearings

1. Public hearing for an appeal by Ike's Beach Service, Inc., of a business license denial.
The public hearing was cancelled due to the applicant withdrawing their appeal.
2. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0802-PUDA-23, Buena Vista on the Beach PUD Minor Modification, Outdoor Kitchen Area.

Griffin Powell, Planner II, presented the case overview requesting a minor modification to the Buena Vista on the Beach PUD (Planned Unit Development) Master Plan to add an open and covered area attached to the coach houses not to exceed 300 square feet to be utilized as an outdoor kitchen area.

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

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0802-PUDA-23, Buena Vista on the Beach PUD Minor Modification, Outdoor Kitchen Area. **Motion made (Johnson/Mitchell) 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; Kennon, aye. **Passed. (4-0).** **Motion made (Silvers/Johnson) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Kennon, aye. **Passed. (4-0).**
2. First Reading – Ordinance ratifying acts of the Board of Adjustment appointing members Linda Bradley, Greg Kennedy, Ryan Beebe, David Dichiara, and McGee Scarbrough, and clarifying term dates. **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; Kennon, aye. **Passed. (4-0).** **Motion made (Johnson/Mitchell) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Kennon, aye. **Passed. (4-0).**

XIII. PUBLIC COMMENTS

None

XIV. ADJOURN

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

Time: 5:17 P.M.

APPROVED this the 12th day of September, 2023.

Renee Eberly
City Clerk