

**MINUTES OF  
REGULAR COUNCIL MEETING  
ORANGE BEACH CITY COUNCIL  
JANUARY 16, 2024 – 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 Jeff Boyd
- 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 (Mitchell/Blalock) to approve the agenda as written.** Vote unanimous in favor.  
**Motion passed. Motion made (Mitchell/Blalock) to move public hearings and ordinances to be held directly after the Reports of Officers/Committees.** Vote unanimous in favor. **Motion passed.**

**VI. CONSIDERATION OF PREVIOUS MINUTES**

Regular Council Meeting 12/13/2023  
Committee of the Whole 12/13/2023

The reading was waived and minutes were approved as written.

**VII. REPORTS OF OFFICERS/COMMITTEES**

1. City Administrator – Ford Handley No report.
2. Director, Public Works – Tim Tucker No report.
3. Director, Community Development – Kit Alexander  
Ms. Alexander introduced Chris Pappas, new city engineer.
4. Chief, Police Department – Steve Brown No report.
5. Chief, Fire Department – Jeff Smith No report.
6. City Clerk – Renee Eberly No report.
7. Director, Finance – Ford Handley No report.
8. Parks & Recreation – Ford Handley No report.
9. Director, Utilities – Jeff Hartley No report.
10. Director, Coastal Resources – Phillip West No report.
11. Librarian, Public Library – Meagan Bing No report.
12. Director, Municipal Court – Pam Davis No report.
13. Director, Expect Excellence – Jonathan Langston No report.

14. Mayor/Council

Mark Tampary thanked the Mayor and Council for supporting the Merry Memories Tinsel Trail event this past Christmas. Mr. Tampary reported that approximately \$10,000 was raised for the Christian Service Center. Mayor and Council thanked Mr. Tampary and encouraged him to continue the event in future years.

Tim Harry, resident, announced upcoming training for the Children Rescue Initiative. He introduced Bruce Ladebu, founder of the organization.

Councilmember Mitchell reminded the audience that Mardi Gras will be held on February 13, 2024.

**XII. NEW BUSINESS – Reordered**

**Public Hearings**

1. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 1203-PUD-23, Turquoise Place North PUD.

Mayor Kennon gave an introduction to dispel rumors and misinformation. Jamie Logan, City Attorney, explained that the PUD must stand on its own merits, separate from the ongoing lawsuit with the developer.

Griffin Powell, Planner II, presented the case overview for the request to rezone properties along the Perdido Beach Boulevard from RS-1 to PUD to allow for new condos.

Councilmembers discussed wetlands, traffic concerns, and the proposed boat slips.

Tem Blalock, Cotton Bayou resident, spoke in opposition.

Margaret Childress Long, Cotton Bayou resident, spoke in opposition.

Tina D'Aversa, property owner of 3376 Washington Avenue, spoke in opposition.

Candace Burgin, Manager of Turquoise Place Condominium Owners Association, spoke in opposition.

Rich Nenstiel, Cotton Bayou property owner, spoke in opposition.

Pete Vallas, 26201 Perdido Beach Boulevard, spoke in opposition.

John Russell, property owner of beach house by Nautilus Condo, spoke in opposition.

Larry Wireman, developer, spoke about a possible shuttle to the beach and his contractual right to use the Turquoise name.

Karen Nenstiel, 26550 Cotton Bayou Drive, spoke in opposition.

Britten Britt, daughter of property owner east of the development, spoke in opposition.

Roger Jansen, 26436 Cotton Bayou Drive, spoke in opposition.

Myron Rogers, Adams Street resident, spoke in opposition.

Esther Jackson, Cotton Bayou resident, spoke in opposition.

Johnny Garona(?), grew up on Cotton Bayou, Burkart resident, spoke in opposition.

Karen and Rich Nenstiel spoke again.

Kit Alexander, Community Development Director, stated that the city has partnered with Auburn University to study the water quality of Cotton Bayou. She stated that a report is forthcoming, but currently, Auburn researchers have recommended the following: (1) lawn

areas be pretreated before draining to the bayou, (2) no floating docks, (3) no increase to the speed of boat traffic, (4) no fueling onsite, and (5) no pump outs by boats.

Margaret Long spoke again.

Tem Blalock spoke again.

Ty Fleming spoke in opposition.

There being no further comments, the public hearing was adjourned.

### **Ordinances**

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 1203-PUD-23, Turquoise Place North PUD. **Motion made (Silvers/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; Blalock, aye; Boyd, aye; Kennon, aye. **Motion passed. (6-0).** **Motion made (Silvers/Mitchell) to adopt the ordinance with the following conditions as recommended by Auburn University: (1) lawn areas be pretreated before draining to the bayou, (2) no floating docks, (3) no increase to the speed of boat traffic, (4) no fueling onsite, and (5) no pump outs by boat.** Roll call vote revealed: Silvers, nay; Johnson, nay; Mitchell, aye; Blalock, nay; Boyd, nay; Kennon, abstain. **Motion failed. (1-4-1).**
2. First Reading – Ordinance amending Section 62-1 of the City Code to raise the gross annual income qualifying for municipal exemption from \$25,000 to \$27,500. **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; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Motion passed. (6-0).** **Motion made (Silvers/Johnson) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Motion passed. (6-0).**
3. First Reading – Ordinance amending Chapter 42, Article VI, Section 42-507 of the Code of Ordinances for the City of Orange Beach, Alabama, entitled, "Calculation and collection of impact fees; exceptions." **Motion made (Blalock/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, aye; Boyd, aye; Kennon, aye. **Motion passed. (6-0).** **Motion made (Johnson/Boyd) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Motion passed. (6-0).**
4. First Reading – Ordinance amending Chapter 74, Article II, Division 2, Section 74-34 of the Code of Ordinances for the City of Orange Beach, Alabama, entitled, "Certificate of accessibility to public sewer required; administration." **Motion made (Blalock/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; Blalock, aye; Boyd, aye; Kennon, aye. **Motion passed. (6-0).** **Motion made (Blalock/Mitchell) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Motion passed. (6-0).**

### **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; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Motion 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. **Motion passed. (5-0-1).**

**IX. PRESENTATIONS**

**X. RECOGNITIONS**

**XI. UNFINISHED BUSINESS**

**XII. NEW BUSINESS**

**Resolutions**

1. Resolution appropriating funds to the Orange Beach Board of Education to support city school system operations in an amount not to exceed \$3,264,594. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
2. Resolution authorizing the execution of a professional services agreement with Cobbs, Allen & Hall, Incorporated, for insurance and HR consulting. **Motion made (Blalock/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
3. Resolution declaring 10 body cameras and mounts owned by the City of Orange Beach as surplus and unneeded and authorizing the donation of said property to the Town of Elberta. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
4. Resolution establishing fees for the Orange Beach Golf Center. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
5. Resolution to reject bids for Five Vehicles for the Public Works Department. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
6. Resolution awarding the bid for Sportsplex Turf Maintenance Services. **Motion made (Silvers/Johnson) to postpone consideration until the next council meeting on February 6<sup>th</sup>.** Vote unanimous in favor. **Motion passed.**
7. Resolution awarding the proposal for a Glamping Concessionaire. **Motion made (Johnson/Blalock) to postpone consideration until the next council meeting on February 6<sup>th</sup>.** Vote unanimous in favor. **Motion passed.**
8. Resolution authorizing the purchase of Three Vehicles for the Coastal Resources Department through State Bid from Stivers Ford Lincoln, Inc., in the amount of \$161,465. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
9. Resolution authorizing the purchase of Two Ambulances for the Fire Department through the Houston-Galveston Area Council Purchasing Cooperative from Southern Emergency Consultants, LLC, in the amount of \$997,000. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
10. Resolution authorizing the purchase of a SCBA Refill System for the Fire Department through the NPPGov purchasing cooperative from Sunbelt Fire Inc. in the amount of \$89,982.80. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
11. Resolution authorizing the purchase of Radio Equipment for the Fire Department through State Bid from Motorola Solutions, Inc., in the amount of \$33,107.84. **Motion made (Johnson/Blalock) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

12. Resolution authorizing the purchase of a Vehicle for the Sportsplex through State Bid from Stivers Ford Lincoln, Inc., in the amount of \$44,905. Motion made (Silvers/Johnson) to adopt the resolution. Vote unanimous in favor. **Motion passed.**
13. Resolution authorizing the purchase of Two Vehicles for the Utilities Department through State Bid from Stivers Ford Lincoln, Inc., in the amount of \$125,591. Motion made (Silvers/Johnson) to adopt the resolution. Vote unanimous in favor. **Motion passed.**
14. Resolution authorizing execution of a professional services agreement with Van Scoyoc Associates, Inc., for consulting services. Motion made (Boyd/Mitchell) to adopt the resolution. Vote unanimous in favor. **Motion passed.**
15. Resolution authorizing execution of a professional services agreement with Adams and Reese, LLP, for federal and state governmental relations and consulting services. Motion made (Silvers/Blalock) to adopt the resolution. Vote unanimous in favor. **Motion passed.**
16. Resolution declaring dumbbells owned by the City of Orange Beach as surplus and unneeded and authorizing the donation of said property to the Orange Beach Board of Education. Motion made (Mitchell/Boyd) to adopt the resolution. Vote unanimous in favor. **Motion passed.**

### XIII. PUBLIC COMMENTS

None

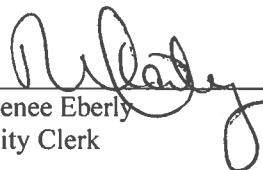
### XIV. ADJOURN

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

Time: 7:17 P.M.

**APPROVED** this the 20<sup>th</sup> day of February, 2024.



  
Renee Eberly  
City Clerk