

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
JULY 16, 2024 – 5:00 P.M.
CITY HALL – COUNCIL CHAMBERS**

- I. CALL TO ORDER** Mayor Tony Kennon called the meeting to order at 4:59 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 (Silvers/Blalock) to approve the agenda as written. Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Work Session	06/18/2024
Regular Council Meeting	06/18/2024
Committee of the Whole	06/18/2024

The reading was waived and minutes were approved as written.

VII. REPORTS OF OFFICERS/COMMITTEES

- | | |
|---|------------|
| 1. <u>City Administrator – Ford Handley</u> | No report. |
| 2. <u>Director, Public Works – Tim Tucker</u> | No report. |
| 3. <u>Director, Community Development – Adam Roberson</u> | No report. |
| 4. <u>Chief, Police Department – Steve Brown</u> | No report. |
| 5. <u>Chief, Fire Department – Jeff Smith</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 – Nicole Ard</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 – Ford Handley</u> | No report. |
| 14. <u>Mayor/Council</u> | |

Mayor Kennon reminded the public that a Town Hall is being held on August 6th at the Orange Beach Event Center beginning at 5:00 P.M.

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; 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

1. Recognition of Margaret Childress Long, resident of Cotton Bayou for over 75 years. Marc Anderson, Special Projects Coordinator, read the Certificate of Recognition aloud. Margaret spoke in remembrance of her family and read the lyrics to the song, "Ode to Orange Beach," by local singer/songwriter Brent Burns.

XI. UNFINISHED BUSINESS

Resolutions

1. Resolution authorizing execution of a marina slip license agreement with Pelican's Perch Marina and Boat Yard. **Motion made (Mitchell/Blalock) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

XII. NEW BUSINESS

Resolutions

1. Resolution authorizing the purchase of a Video Surveillance System with Access Control for City Hall through State Bid from Vision Security Technologies Inc. in the amount of \$57,713.67. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
2. Resolution authorizing execution of a professional services agreement with Jay Jackson for theatrical set building for "Shrek the Musical". **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
3. Resolution authorizing execution of a performance agreement with McLean Motor Sports Productions, LLC, for the "Bama Coast Cruisin'" event as part of the 2024 Freedom Fest. **Motion made (Blalock/Boyd) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
4. Resolution authorizing execution of a performance agreement with Gulf Coast Gun Collectors Association for a collectible firearms show at the Orange Beach Event Center as part of the 2024 Freedom Fest. **Motion made (Boyd/Mitchell) to adopt the resolution.** Council discussed briefly. Vote unanimous in favor. **Motion passed.**
5. Resolution authorizing Orange Beach to join the State of Alabama and other local governments as a participant in opioid settlements (Kroger). **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
6. Resolution declaring contents of 26192 Canal Road owned by the City of Orange Beach as surplus and unneeded, authorizing the donation of certain property to Habitat for Humanity of Baldwin County, Inc., and authorizing the Mayor and City Clerk to dispose of remaining

property. **Motion made (Mitchell/Blalock) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

Public Hearings

1. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0503-PUD-24, Abbey Road PUD.

Griffin Powell, Planner II, presented the case overview to rezone 3.7 acres from MR (Marine Resort) to PUD (Planned Unit Development) for a single-family residential subdivision containing 33 lots for a property located at the southwest corner of the intersection of Canal Road and Captain Trent Lane.

City Council voiced concerns about the gravel road, lack of sidewalks, location of utilities under roadways, and allowance of vacation rentals.

Kathy Lindsey, 4844 Caswell Lane and Planning Commission member, spoke in opposition.

Don Rowe, 27186 White Marlin Drive, spoke in favor.

Jim O'Donnell, 28888 Canal Road, spoke in favor.

Mike Nelson, 29866 Bayshore Drive South, spoke in favor.

Justin Self, 5122 Sampson Avenue, spoke in favor.

Greg Leatherbury, 29514 Canal Road, spoke in favor.

Kristy Bushaw, realtor, speaking to Council's concerns regarding vacation rental activity, stated that owners may not necessarily rent out their properties.

Greg Kennedy, resident and developer, explained his profit margins on the project and stated that he prefers the proposed 33 cottage style homes, but will move to building the 100 condo by-right option if the 33 home project is turned down.

Councilmember Blalock asked if the condos would be occupied by full-time residents or vacationers. Mr. Kennedy responded that it would probably be a mixture of both.

Councilmember Johnson stated that the market will determine whether properties are rentals or not. He mentioned that the school is nearby and that Mr. Kennedy lives in Orange Beach and is not an out-of-town developer.

Councilmember Mitchell discussed the roles of Planning Commission and City Council. She also made clear her preference for safe lighting and paved roads. Mr. Kennedy explained the nature of the lighting provided in the project and stated that though he personally prefers gravel for the look and drainage, he is amenable to paving the roads if required. Jamie Logan, City Attorney, clarified that City Council cannot approve conditionally to require asphalt and that the Developer would have to resubmit the project if that feature is changed.

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

2. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0604-PUDA-24, Springhill Suites PUD Modification, Buffer Screening & Roof Features.

Griffin Powell, Planner II, presented the case overview for a minor modification to the Springhill Suites PUD (Planned Unit Development) Master Plan to amend the buffer screening requirements along the north lot line and to amend the architectural roof features on the proposed building located at 24241 Perdido Beach Boulevard.

Richard Schwartz, 29207 Bayshore Drive North and owner of Doc's Seafood, brought up a property line issue. Mayor Kennon asked Mr. Schwartz to discuss his issue directly with the Marriott representative and explained that the City has no input in civil issues.

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0503-PUD-24, Abbey Road PUD. No action taken. Ordinance will move to a second reading.
2. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0604-PUDA-24, Springhill Suites PUD Modification, Buffer Screening & Roof Features. **Motion made (Silvers/Boyd) for unanimous consent to suspend the rules to allow for immediate consideration of this ordinance.** Roll call vote revealed: Silvers, nay; Johnson, nay; Mitchell, nay; Blalock, nay; Boyd, aye; Kennon, aye. **Motion failed. (2-4).** Ordinance will move to a second reading.

XIII. PUBLIC COMMENTS

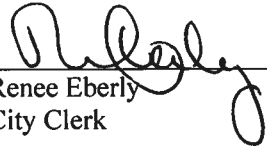
None

XIV. ADJOURN

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

Time: 6:30 P.M.

APPROVED this the 20th day of August, 2024.



Renee Eberly
City Clerk

