

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
MAY 6, 2025 – 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 Joni Blalock
- 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.

Work Session	04/01/2025
Regular Council Meeting	04/02/2025
Committee of the Whole	04/02/2025

The reading was waived and minutes were approved as written.

VI. 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> | No report. |

VII. 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/Boyd) 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).**

VIII. PRESENTATIONS

1. Proclamation declaring May 2025 as Mental Health Awareness Month. Renee Eberly, City Clerk, read the proclamation aloud. Katie Cargle, NAMI (National Alliance on Mental Illness) Baldwin County, accepted the proclamation.

IX. RECOGNITIONS

X. UNFINISHED BUSINESS

Ordinances

1. Second Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0408-PUDA-25, Village of Tannin PUD Modification, Lot 1 Land Use Designation. **Motion made (Blalock/Johnson) to postpone consideration until June 3, 2025.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Motion passed. (6-0).**

XI. NEW BUSINESS

Miscellaneous

1. Approval of a Special Retail (More than 30 Days) Liquor License Application by Zahr Entertainment LLC for Festiva on Canal, 26831 Canal Road, Unit 3. **Motion made (Silvers/Blalock) to approve the liquor license.** Vote unanimous in favor. **Motion passed.**

Resolutions

1. Resolution authorizing execution of a software service agreement with Zapp Software, LLC, for the 2026 Festival of Art, 2026 Seafood Festival, and 2025 Freedom Fest. **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
2. Resolution authorizing execution of a service agreement by and between the City of Orange Beach and Coastal Cats & Critters, Inc., for the housing and care of feral cats removed from active beach mouse habitats. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
3. Resolution authorizing execution of a service agreement by and between the City of Orange Beach and Safe Harbor Animal Coalition (SHAC) for the removal of feral cats from active beach mouse habitats. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
4. Resolution authorizing the execution of a professional services agreement with Goodwyn, Mills & Cawood, Inc., for engineering, design, and testing. **Motion made (Boyd/Silvers) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
5. Resolution authorizing the execution of a task order with Goodwyn, Mills & Cawood, Inc., to perform a Discharge Information Zone (DIZ) study for the Orange Beach Wastewater Treatment Plant in an amount not to exceed \$54,435. **Motion made (Blalock/Silvers) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
6. Resolution authorizing the Mayor to execute a Pipeline Right-of-Way Contract with the Alabama Department of Conservation of Natural Resources (ADCNR) for access to operate

and maintain sanitary and storm sewers. **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

7. Resolution appointing Grant Nichols to the Board of Adjustment. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
8. Resolution authorizing execution of a service agreement with Verified First, LLC, for human resources background checks. **Motion made (Johnson/Blalock) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
9. Resolution authorizing execution of a software service agreement with GovernmentJobs.com, Inc., dba NeoGov, to integrate Verified First background checks for the Human Resources Department. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
10. Resolution authorizing the City of Orange Beach to raise funds for the Baldwin County Child Advocacy Center. **Motion made (Blalock/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
11. Resolution awarding the bid for Softball and Baseball Field Light Installation to Armstrong Electrical Contractors, LLC, in an amount not to exceed \$142,159. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
12. Resolution amending Resolution No. 25-091 and authorizing the purchase of Two Vehicles for the Public Works Street Department through State Bid from Stivers Ford Lincoln, Inc., in the amount of \$124,824. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
13. Resolution authorizing the purchase of Three Vehicles for the Police Department through State Bid from Stivers Ford Lincoln, Inc., in the amount of \$144,243. **Motion made (Blalock/Silvers) 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. 0401-RZ-25, Twilley Property Rezoning.

Griffin Powell, City Planner, presented the request by Ron Tilley Builders, on behalf of Ron and Darlene Twilley, for approval to rezone Lot 44 of Emma Burkart Subdivision from General Business (GB) to Single-Family Residential (RS-1). The property is located at 28226 Canal Road.

There being no comments, the public hearing was adjourned.

2. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0409-ZT-25, Zoning Text Amendment, Article 8, Parking Requirements for Automotive Repair, Service Stations, and Car Washes.

Griffin Powell, City Planner, presented the request by the Community Development Department to modify parking requirements for automotive repair and service centers.

Mayor Kennon clarified that the proposed amendment reduces parking requirements.

There being no comments, the public hearing was adjourned.

3. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0410-ZT-25, Zoning Text Amendment, Article 4, Wetlands Density and Minimum Setbacks.

Griffin Powell, City Planner, presented the request by the Community Development Department to modify density calculations related to wetlands and wetland setbacks.

Mayor and Council generally agreed that more data and consideration of unintended consequences is needed. Council discussed possible partial adoption, implementing a moratorium, and/or postponement until after a comprehensive study has been conducted. Mayor and Council explained that the reason this action is being considered is because of complaints of residential flooding possibly being exacerbated by new constructions.

John Price, 5112 Pine Way, attorney, spoke in opposition of the amendment.

John "Tater" Harris, 26276 St. Lucia Drive, spoke in opposition of the amendment.

Jason Alley, Bayshore Towers resident, Margaritaville, asked for a clearer definition of "wetlands."

Matt Cook, 31357 Pine Run, owner of undeveloped property, spoke in opposition of the amendment.

Bruce Bigler, 31421 Dolphin Drive, Bay Area Developer, spoke in opposition of the amendment.

John "Tater" Harris asked if the amendment would lower property tax revenue for the city. Mayor Kennon responded that taxes on undeveloped property are relatively low and would not affect current revenues.

Vince Lucido, 26572 Bay Circle, Lucido Engineering & Surveying, spoke in opposition of the amendment.

Robert Stuart, 5550 Pinewood Circle, Planning Commission Chair, spoke in support of city officials and staff.

Mark Taupeka, attorney, urged city officials to consider legal ramifications. Mayor Kennon responded that "takings" are finely defined legal terminology and are not based on speculative value of undeveloped property.

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

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0401-RZ-25, Twilley Property Rezoning. **Motion made (Blalock/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 (Blalock/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).**
2. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0409-ZT-25, Zoning Text Amendment, Article 8, Parking Requirements for Automotive Repair, Service Stations, and Car Washes. **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 (Boyd/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).**
3. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0410-ZT-25, Zoning Text Amendment, Article 4, Wetlands Density and Minimum Setbacks. No action taken. Ordinance will move forward to a second reading.
4. First Reading – Ordinance declaring City-owned real property as unneeded for municipal purposes and authorizing the execution of a ground lease agreement with the Solid Waste Disposal Authority of Baldwin County, Alabama, Inc. **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. **Motion passed. (6-0). Motion made (Mitchell/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).**

XIII. PUBLIC COMMENTS

None

XIV. ADJOURN

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

Time: 6:29 P.M.

APPROVED this the 3rd day of June, 2025.



Renee Eberly
City Clerk

