MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
MAY 20, 2025 – 5:00 P.M.
CITY HALL – COUNCIL CHAMBERS

I. CALL TO ORDER Mayor Tony Kennon called the meeting to order at 5:01 P.M.

II. INVOCATION Pastor Jerry Peebles, Canal Road Baptist Church

III. PLEDGE OF ALLEGIANCE Marina Hammit & Kaitlynn Robertson

IV. ROLL CALL

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

Absent: Councilmember Joni Blalock

V. CONSIDERATION OF AGENDA

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

Work Session	04/15/2025
Regular Council Meeting	04/15/2025
Committee of the Whole	04/15/2025

The reading was waived and minutes were approved as written.

VI. REPORTS OF OFFICERS/COMMITTEES

1. City Administrator – Ford Handley — No report.
2. Director, Public Works – Tim Tucker — No report.
3. Director, Community Development – Adam Roberson — No report.
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 – Nicole Ard — 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 – Ford Handley — No report.
14. Mayor/Council

Councilmember Mitchell thanked Kutter's Grounds Maintenance for their donation of 50 palm trees.

Councilmember Boyd reminded the public that the red snapper fishing season opens this Friday, May 23, 2025.

Councilmember Silvers praised the construction progress and look of the Veterans Memorial.

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; Boyd, aye; Kennon, aye. **Motion passed. (5-0).**

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; Boyd, aye; Kennon, aye. **Motion passed. (4-0-1).**

VIII. PRESENTATIONS

IX. RECOGNITIONS

X. UNFINISHED BUSINESS

Ordinances

1. Second Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0410-ZT-25, Zoning Text Amendment, Article 4, Wetlands Density and Minimum Setbacks. **Motion made (Silvers/Boyd) to postpone consideration indefinitely.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Boyd, aye; Kennon, aye. **Motion passed. (5-0).**

XI. NEW BUSINESS

Miscellaneous

1. Approval of a Restaurant Retail Liquor License Application by Tee off at the Wharf Incorporated for Tee Off at the Wharf at 4619 Main Street, Space A101. **Motion made (Mitchell/Boyd) to approve the liquor license.** Vote unanimous in favor. **Motion passed.**

Resolutions

1. Resolution authorizing a temporary portable building at 22801 Canal Road for Friendship Materials, LLC, dba Fulcrum Earth & Stone. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
2. Resolution authorizing the purchase of an access control system for the Police Department through State Bid from Vision Security Technologies Inc. in the amount of $59,228.57. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
3. Resolution authorizing the purchase of a video surveillance system for the Police Department through State Bid from Vision Security Technologies Inc. in the amount of $63,057.15. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
4. Resolution authorizing execution of a software service agreement with Southern Software, Inc., for inmate records and jail management. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
5. Resolution establishing fees and operational policies for the Orange Beach Shooting Complex. **Motion made (Johnson/Silvers) to adopt the resolution. Motion made (Mitchell/Boyd) to amend the motion to postpone consideration for one month.** Vote unanimous in favor. **Motion passed. Motion made (Mitchell/Silvers) to approve the motion as amended to postpone consideration of the resolution for one month.** Vote unanimous in favor. **Motion passed.**

6. Resolution authorizing the execution of a mutual aid agreement for law enforcement and other public safety services with the City of Bay Minette, Alabama. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

7. Resolution authorizing the execution of a mutual aid agreement for law enforcement and other public safety services with Coastal Alabama Community College. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

8. Resolution awarding Assistant Police Chief Robert Howard his duty weapons and badge as part of his retirement benefits. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

9. Resolution awarding Officer Kenneth Clouse his duty weapons and badge as part of his retirement benefits. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

10. Resolution amending the Employees Pay Plan/Job Listing to add the positions of Industrial Maintenance Electrician and Senior Human Resources Generalist. **Motion made (Boyd/Johnson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

11. Resolution awarding the proposal for a Strategic and Comprehensive Plan contractor. **Motion made (Silvers/Johnson) to postpone consideration until the next council meeting on June 3, 2025.** Vote unanimous in favor. **Motion passed.**

12. Resolution authorizing the execution of an agreement with the Pensacola and Perdido Bays Estuary Program for marine debris volunteer project coordination, trash removal, and coastal vegetation planting. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

13. Resolution authorizing the purchase of a Dump Truck for the Utilities Department through the National Joint Purchasing Alliance from Empire Truck Sales, LLC, in the amount of $128,500. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

14. Resolution authorizing the execution of a task order with Foth Infrastructure & Environment, LLC, to perform engineered beach annual monitoring in the amount of $54,800. **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

15. Resolution authorizing execution of professional services agreements with Alicia Arrington for special needs aide services for the Expect Excellence Program. **Motion made (Mitchell/Boyd) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

16. Resolution approving the submission of the 2024 Municipal Water Pollution Prevention (MWPP) Annual Report. **Motion made (Silvers/Johnson) 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. 0502-CU-25, Bayside Garages at Orange Beach.

   Griffin Powell, City Planner, presented the request by Lucido Engineering & Surveying LLC, on behalf of Steven Carter, for conditional use approval to construct an enclosed self-storage facility consisting of one building covering 15,840 square feet and containing 12 units. The property is located at 24701 Pelican Place.

   Councilmember Silvers quested the width of the buffer between the property and the Broken Sound neighborhood. Staff explained that the buffer meets requirements and that a chain link fence will also be erected.

Mayor Kennon stated to the audience that the self-storage facility proposed is, in his opinion, of minimal noise and impact compared to what could be built by-right on that property.

Councilmember Silvers confirmed with Vince Lucido, Lucido Engineering & Surveying LLC, that the drainage for the project meets the standard for a 100-year flood event, which is over and above the 25-year flood event requirement. Mr. Lucido responded in the affirmative.

Council, Mayor, and staff discussed communications with the Alabama State Park on possible diversion of rainfall to the surrounding state park lands.

Ken Shepherd, resident of Wood Glen Lot 42, spoke in concern about drainage issues in his neighborhood. Upon questioning by the Council, he stated that he purchased his property in February, knew that there has been problems with drainage, and has been hoping that the city would find a solution. He made some suggestions for possible solutions. Chris Pappas, City Engineer, explained the complexity of the environmental situation and why certain suggestions have been deemed to be ineffective.

Mr. Shepherd also asked for a new traffic signal on Canal Road at Lauder Lane. Mayor and Council explained the denial by ALDOT (Alabama Department of Transportation), but stated that other solutions, like relocation of existing traffic signals and/or extending service roads, are being considered.

Kim Parsons, Wood Glen HOA, spoke on the neighborhood's concerns about drainage issues.

David Parsons, Wood Glen resident, theorized that drainage issues may be further exacerbated by the golf cart path.

Mayor Kennon closed by saying that the ideal solution will be to obtain State Park permission to divert drainage runoff towards the state park lands.

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

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0502-CU-25, Bayside Garages at Orange Beach. **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; Boyd, aye; Kennon, aye. **Motion passed. (5-0). Motion made (Silvers/Johnson) to adopt the ordinance. Motion made (Boyd/Mitchell) to amend the motion to adopt the ordinance contingent upon the stormwater management system being designed to provide detention through a 100-year flood event.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Boyd, aye; Kennon, aye. **Motion passed. (5-0). Motion made (Boyd/Silvers) to adopt the ordinance as amended.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Boyd, aye; Kennon, aye. **Motion passed. (5-0).**

2. First Reading – Ordinance accepting ownership of the Bear Point Cemetery and amending the Code of Ordinances to establish a new chapter entitled, "Municipal Cemetery." **Motion made (Silvers/Johnson) 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; Boyd, aye; Kennon, aye. **Motion passed. (5-0). Motion made (Silvers/Boyd) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Boyd, aye; Kennon, aye. **Motion passed. (5-0).**

3. First Reading – Ordinance declaring City-owned real property as unneeded for municipal purposes and authorizing the execution of a real estate purchase agreement with The Wharf Landing, LLC. **Motion made (Boyd/Johnson) 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; Boyd, aye; Kennon, aye. **Motion passed. (5-0). Motion**

made (Mitchell/Boyd) to adopt the ordinance. Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Boyd, aye; Kennon, aye. **Motion passed. (5-0).**

4. First Reading – Ordinance establishing a temporary moratorium on development of or within 15 feet of wetlands and utilization of wetland acreage in density calculations. **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; Boyd, aye; Kennon, aye. **Motion passed. (5-0). Motion made (Silvers/Mitchell) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Boyd, aye; Kennon, aye. **Motion passed. (5-0).**

XIII. PUBLIC COMMENTS

None

XIV. ADJOURN

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

Time: 6:15 P.M.

APPROVED this the 17th day of June, 2025.

Renee Eberly
City Clerk