

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
DECEMBER 13, 2022 – 4:00 P.M.
CITY HALL – COUNCIL CHAMBERS**

- I. CALL TO ORDER** Mayor Tony Kennon called the meeting to order at 4:00 P.M.
- II. INVOCATION** Councilmember Annette Mitchell
- III. PLEDGE OF ALLEGIANCE**
- 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/Johnson) to approve the agenda as written. Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Regular Council Meeting 11/15/2022
Committee of the Whole 11/15/2022

The reading was waived and minutes were approved as written.

VII. REPORTS OF OFFICERS/COMMITTEES

- A. City Administrator No report.
- B. Director, Public Works – Tim Tucker No report.
- C. Director, Community Development – Kit Alexander No report.
- D. Chief, Police Department – Steve Brown No report.
- E. Chief, Fire Department – Mike Kimmerling No report.
- F. City Clerk – Renee Eberly

Ms. Eberly informed the public of a new look for the city website launched last month, and recognized Marc Anderson, Special Projects Coordinator for overseeing the transition.

- G. Director, Finance – Ford Handley No report.
- H. Parks & Recreation No report.
- I. Director, Utilities – Jeff Hartley No report.
- J. Director, Coastal Resources – Phillip West No report.
- K. Librarian, Public Library – Meagan Bing No report.
- L. Director, Municipal Court – Renee Gardner No report.
- M. Director, Expect Excellence – Jonathan Langston No report.
- N. Mayor/Council

Councilmember Mitchell announced a music performance by the Orange Beach Elementary School at the Orange Beach Event Center following City Council meeting.

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

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

IX. PRESENTATIONS

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

Ordinances

1. Second Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 1006-PUD-22, Top Tier Water Sports PUD. **Motion made (Silvers/Boyd) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Boyd, aye; Kennon, aye. **Passed. (5-0).**

XII. NEW BUSINESS

Resolutions

1. Resolution awarding Officer John Simonson his duty weapons and badge as part of his retirement benefits. **Motion made (Johnson/Boyd) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing the execution of a professional services agreement with Sawgrass Consulting, LLC, for civil engineering and land surveying services. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor.
3. Resolution authorizing the execution of a professional services agreement with GeoCon Engineering & Materials Testing, Inc., for geotechnical analysis and construction materials testing services. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
4. Resolution authorizing the execution of a task order with Wetland Sciences Inc to delineate wetlands in an amount not to exceed \$2,200. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.
5. Resolution appropriating funds to support the Dauphin Island Sea Lab Foundation in the amount of \$1,000. **Motion made (Boyd/Silvers) to adopt the resolution.** Vote unanimous in favor.
6. Resolution amending the Fiscal Year 2023 Budget for the City of Orange Beach. **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor.
7. Resolution amending the Employees Pay Plan/Job Listing to accommodate the approved 2023 budget. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
8. Resolution amending the Organizational Chart for the City of Orange Beach. **Motion made (Johnson/Boyd) to adopt the resolution.** Vote unanimous in favor.

9. Resolution to update the list of volunteer firefighters and reserve police officers covered under workers' compensation insurance. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
10. Resolution extending the entertainment district at SanRoc Cay Marina / Perdido Beach Resort. **Motion made (Boyd/Silvers) to adopt the resolution.** Vote unanimous in favor.
11. Resolution extending the entertainment district at the Wharf. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.
12. Resolution authorizing execution of a performance contract with Coastal Ballet Academy for ballet instruction services. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
13. Resolution appropriating funds to the Gulf Shores Airport Authority in an amount not to exceed \$75,000 for FY2023. **Motion made (Johnson/Silvers) to adopt the resolution.** Brief discussion followed. Vote unanimous in favor.
14. Resolution authorizing execution of a professional services agreement with Socialize Your Bizness, Inc., for social media consulting and marketing services. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor.
15. Resolution authorizing execution of a performance contract with Baldwin County Economic Development Alliance, Inc. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor.
16. Resolution appointing attorneys for 2023. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
17. Resolution authorizing execution of a professional services agreement with Bob Riley and Associates, LLC, for lobbying services. **Motion made (Boyd/Silvers) to adopt the resolution.** Vote unanimous in favor.
18. Resolution authorizing execution of a professional services agreement with Van Scoyoc Associates for consulting services. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
19. Resolution authorizing the City to host community events for the benefit of citizens and visitors of the City of Orange Beach during 2023. **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor.
20. Resolution authorizing execution of a maintenance agreement with Gym-Worx LLC for fitness equipment at the Adult Fitness Center. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
21. Resolution authorizing execution of a change order with Finishing Solutions, L.L.C., for additional repairs at the Medical Arts Building in an amount not to exceed \$102,935.24. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor.

Public Hearings

1. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 1105-ZT-22, Zoning Text Amendments for Articles 4, 5, 8, 10, 12 & 15.

Griffin Powell, Planner II, presented the case overview.

Kit Alexander, Community Development Director, explained that this zoning text amendment is a collection of accrued housekeeping issues centered around the removal of subjective language.

John Harris, 23776A West Cypress Way, inquired about a reference to the length of vehicles. Ms. Alexander responded that a set standard parking space length is used for calculations.

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

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Sections 4.02, 4.03, 5.0601, 8.0101, 10.0305, 10.0306, and 12.06. **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, nay; Kennon, nay. **Failed. (3-2).** Ordinance will move on to a second reading.

XIII. PUBLIC COMMENTS

None

XIV. ADJOURN

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

Time: 4:20 P.M.

APPROVED this the 17th day of January, 2023.

Renee Eberly
City Clerk