

**MINUTES OF  
REGULAR COUNCIL MEETING  
ORANGE BEACH CITY COUNCIL  
MARCH 1, 2023 – 5:00 P.M.  
PERFORMING ARTS CENTER**

- I. CALL TO ORDER** Mayor Tony Kennon called the meeting to order at 5:02 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 (Johnson/Mitchell) to approve the agenda as written.** Vote unanimous in favor.

**VI. CONSIDERATION OF PREVIOUS MINUTES**

Regular Council Meeting 01/17/2023  
Committee of the Whole 01/17/2023

The reading was waived and minutes were approved as written.

**VII. REPORTS OF OFFICERS/COMMITTEES**

- |   |            |
|---|------------|
| A. <u>City Administrator</u>                              | No report. |
| B. <u>Director, Public Works – Tim Tucker</u>             | No report. |
| C. <u>Director, Community Development – Kit Alexander</u> | No report. |
| D. <u>Chief, Police Department – Steve Brown</u>          | No report. |
| E. <u>Chief, Fire Department – Mike Kimmerling</u>        | No report. |
| F. <u>City Clerk – Renee Eberly</u>                       | No report. |
| G. <u>Director, Finance – Ford Handley</u>                | No report. |
| H. <u>Parks &amp; Recreation – Ford Handley</u>           | No report. |
| I. <u>Director, Utilities – Jeff Hartley</u>              | No report. |
| J. <u>Director, Coastal Resources – Phillip West</u>      | No report. |
| K. <u>Librarian, Public Library – Meagan Bing</u>         | No report. |
| L. <u>Director, Municipal Court – Pam Davis</u>           | No report. |
| M. <u>Director, Expect Excellence – Jonathan Langston</u> | No report. |
| N. <u>Mayor/Council</u>                                   | No report. |

## 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/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. **Passed. (4-0-1).**

## IX. PRESENTATIONS

## X. RECOGNITIONS

## XI. UNFINISHED BUSINESS

### Miscellaneous

1. Approval of 2021 Audited Financials. **Motion made (Silvers/Johnson) to postpone consideration until the next council meeting on March 7, 2023.** Vote unanimous in favor.

### Ordinances

1. Second Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 1203-PUD-22, Romar Beach Hotel PUD. **Motion made (Mitchell/Boyd) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Boyd, aye; Kennon, aye. **Passed. (5-0).**
2. Second Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 1207-ZT-22, Article 15, Temporary Residential Real Estate Signs. **Motion made (Silvers/Mitchell) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Boyd, aye; Kennon, aye. **Passed. (5-0).**

## XII. NEW BUSINESS

### Miscellaneous

1. Approval of a Lounge Retail Liquor Class I License Application by SanBar, LLC, for SanBar, 4851 Wharf Parkway, Suite D132 **Motion made (Silvers/Blalock) to approve the liquor license.** Vote unanimous in favor.
2. Approval of a Restaurant Retail Liquor License Application by KOL Italian of Orange Beach, LLC, for Ristorante Carmelo, 25747 Perdido Beach Boulevard. **Motion made (Mitchell/Silvers) to approve the liquor license.** Vote unanimous in favor.

### Resolutions

1. Resolution appropriating funds to The Zoo Foundation, Inc., to sponsor the Alabama Gulf Coast Zoo in the amount of \$50,000 for FY2023. **Motion made (Johnson/Boyd) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing the purchase of Archive Storage Mobile Shelving for the Administration Department through Sourcewell in the amount of \$66,023.83. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor.
3. Resolution amending Resolution No. 22-024 appointing new members and reappointing existing members to the Legislative Review Committee. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.

4. Resolution authorizing execution of license, usage, and lease agreements with the Orange Beach City Board of Education. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
5. Resolution awarding the bid for Dumpster Services to BFI Waste Services, LLC, doing business as Republic Services, per unit pricing. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor.
6. Resolution awarding the annual bid for Roll-Off Container Services to BCC Waste Solutions, LLC, dba Baldwin Container Company, per unit pricing. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor.
7. Resolution awarding the bid for Canoe Trail Post-Hurricane Sally Repairs to Southern Justice Marine & Sales LLC in an amount not to exceed \$257,385. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
8. Resolution authorizing the City of Orange Beach to join the State of Alabama and other local governments as a participant in opioid settlements. **Motion made (Mitchell/Boyd) to adopt the resolution.** Vote unanimous in favor.
9. Resolution authorizing execution of the South Alabama Mutual Assistance Agreement. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor.
10. Resolution approving a temporary permit for a Sales Trailer at Solis Condominium located 25802 Perdido Beach Boulevard. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.

#### **Ordinances**

1. First Reading – Ordinance further amending Ordinance No. 172, City of Orange Beach Zoning Ordinance, Springhill Suites by Marriott Planned Unit Development, Preliminary and Final PUD Approval Extension. **Motion made (Silvers/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; Boyd, aye; Kennon, aye. **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. **Passed. (5-0).**

#### **XIII. PUBLIC COMMENTS**

None

#### **XIV. ADJOURN**

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

Time: 5:12 P.M.

**APPROVED** this the 21<sup>st</sup> day of March, 2023.

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Renee Eberly  
City Clerk