

**MINUTES OF  
REGULAR COUNCIL MEETING  
ORANGE BEACH CITY COUNCIL  
MARCH 7, 2023 – 5:00 P.M.  
CITY HALL – COUNCIL CHAMBERS**

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

**VI. CONSIDERATION OF PREVIOUS MINUTES**

Regular Council Meeting 02/07/2023  
Committee of the Whole 02/07/2023

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

Ms. Alexander gave an update on upcoming lane closures related to intersection improvements at SR-161 and SR-182.

- D. Chief, Police Department – Steve Brown No report.
- E. Chief, Fire Department – Mike Kimmerling No report.
- F. City Clerk – Renee Eberly No report.
- G. Director, Finance – Ford Handley No report.
- H. Parks & Recreation – Ford Handley 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 – Pam Davis No report.
- M. Director, Expect Excellence – Jonathan Langston No report.
- N. Mayor/Council

Councilmember Blalock thanked staff for a successful Arbor Day tree giveaway event, and shared that the Alabama Gulf Coast Zoo's free day for city employees and their families drew 74 attendees.

Councilmember Silvers reminded the audience of the Festival of Art taking place this upcoming weekend.

## VIII. AUDITING OF ACCOUNTS

**Motion made (Mitchell/Johnson) 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. **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. **Passed. (5-0-1).**

## IX. PRESENTATIONS

## X. RECOGNITIONS

## XI. UNFINISHED BUSINESS

### Miscellaneous

1. Approval of 2021 Audited Financials. **Motion made (Mitchell/Johnson) to approve the 2021 audited financials.** Vote unanimous in favor.

## XII. NEW BUSINESS

### Miscellaneous

1. Approval of a Special Events Retail Liquor License Application by Wharf Restaurant Group LLC for the "Black And White Night" event to be held on March 24, 2023, at 4671 Wharf Parkway West **Motion made (Silvers/Blalock) to approve the liquor license.** Vote unanimous in favor.
2. Approval of a Lounge Retail Liquor Class I License Application by Ata Sanders LLC for Pour Smart Bar, 4851 Wharf Parkway, Suite D124. **Motion made (Boyd/Mitchell) to approve the liquor license.** Vote unanimous in favor.
3. Appoint voting delegate for the Alabama League of Municipalities Annual Convention and the Alabama Municipal Insurance Corporation Annual Membership Meeting to be held in Birmingham, May 10-13, 2023. **Motion made (Silvers/Boyd) to appoint Jerry Johnson as the voting delegate.** Vote unanimous in favor.

### Resolutions

1. Resolution appropriating funds to support the Safe Harbor Animal Coalition in the amount of \$10,000 for FY2023. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing execution of a task order with GeoCon Engineering & Materials Testing, Inc., to provide a preliminary soil study for a Softball Field House and Batting Cages at the Sportsplex in an amount not to exceed \$4,705. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor.
3. Resolution authorizing execution of a task order with Sawgrass Consulting, LLC, to provide surveying and civil design services for a Softball Field House and Batting Cages at the Sportsplex in an amount not to exceed \$36,200. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor.

4. Resolution authorizing the purchase of furniture for Fire Station No. 3 through the TIPS purchasing cooperative in the amount of \$15,233.21. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
5. Resolution declaring fire rescue extrication equipment owned by the City of Orange Beach as surplus and unneeded and authorizing the donation of said property to the City of Creola, Alabama. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
6. Resolution authorizing the execution of a task order with Thompson Engineering, Inc., for structural analysis and design of a new Fire Training Facility in an amount not to exceed \$9,500. **Motion made (Boyd/Johnson) to adopt the resolution.** Vote unanimous in favor.
7. Resolution authorizing the execution of a professional services agreement with Thompson Engineering, Inc., for transportation, traffic, and other engineering services. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
8. Resolution accepting the statement of work from CivicPlus for CivicClerk for website agenda management. **Motion made (Blalock/Mitchell) to adopt the resolution.** Vote unanimous in favor.
9. Resolution authorizing the execution of an indemnification agreement with the Alabama Department of Conservation and Natural Resources for the beach renourishment project. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
10. Resolution accepting the donation of radios for the Fire Department from the Elberta Volunteer Fire Department. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor.
11. Resolution accepting the transfer of a Humvee vehicle for the Police Department through the LESO Program. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
12. Resolution authorizing the execution of a task order with Olsen Associates, Inc., to perform pre-construction beach/borrow area survey/analyses for the engineered beach restoration project in an amount not to exceed \$50,700. **Motion made (Johnson/Boyd) to adopt the resolution.** Vote unanimous in favor.
13. Resolution authorizing the execution of a Letter of Agreement for the Baldwin County Emergency Operations Plan. **Motion made (Silvers/ Mitchell) to adopt the resolution.** Vote unanimous in favor.
14. Resolution authorizing payment to the Alabama Department of Transportation for extension of the SR-161 left turn lane in an amount not to exceed \$10,167. **Motion made (Blalock/Silvers) to adopt the resolution.** Vote unanimous in favor.
15. Resolution authorizing the execution of a contract for law enforcement services with Baldwin County. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor.
16. Resolution awarding the bid for a Medical Response Golf Cart for the Sportsplex to Gator Moto Utility Vehicles and More, LLC, dba Moto Electric Vehicles, in the amount of \$24,640. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
17. Resolution awarding the bid for Perdido Pass Seawall Park Post-Hurricane Sally Repairs and Phase III Expansion. **Motion made (Boyd/Silvers) to postpone consideration until the next council meeting on March 21, 2023.** Vote unanimous in favor.

### Public Hearings

1. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 1208-PUDA-22, Village of Tannin Minor PUD Amendment, 69 Parks Edge Front Porch Addition.

**Motion made (Johnson/Silvers) to reschedule the public hearing and first reading of the ordinance to council meeting on April 4, 2023.** Vote unanimous in favor.

### Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 1208-PUDA-22, Village of Tannin Minor PUD Amendment, 69 Parks Edge Front Porch Addition. This item has been postponed to April 4, 2023.
2. First Reading – Ordinance amending Chapter 42, Article II, Division 2, Section 42-41(d) of the Code of Ordinances for the City of Orange Beach, Alabama, to adopt the 2021 International Fire Code. **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. **Passed. (6-0).** **Motion made (Johnson/Silvers) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**
3. ADDITION: First Reading – Ordinance declaring certain city property not necessary for municipal purposes and authorizing a lease to the Orange Beach Board of Education.. **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; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).** **Motion made (Silvers/Boyd) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**

### XIII. PUBLIC COMMENTS

None

### XIV. ADJOURN

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

Time: 5:21 P.M.

**APPROVED** this the 4<sup>th</sup> day of April, 2023.

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Renee Eberly  
City Clerk