

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
MAY 16, 2023 – 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** Pastor Fred Franks, Island Church
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL**

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

Absent: Councilmember Jeff Boyd

V. CONSIDERATION OF AGENDA

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

VI. CONSIDERATION OF PREVIOUS MINUTES

Work Session	04/18/2023
Regular Council Meeting	04/18/2023
Committee of the Whole	04/18/2023

The reading was waived and minutes were approved as written.

VII. REPORTS OF OFFICERS/COMMITTEES

1. City Administrator – Ford Handley No report.
2. Director, Public Works – Tim Tucker No report.
3. Director, Community Development – Kit Alexander No report.
4. Chief, Police Department – Steve Brown No report.
5. Chief, Fire Department – Mike Kimmerling

Chief Kimmerling showed a quick reference card for local medical facilities for easy reference in emergency medical situations.

6. City Clerk – Renee Eberly No report.
7. Director, Finance – Ford Handley No report.
8. Parks & Recreation – Ford Handley 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 – Jonathan Langston No report.
14. Mayor/Council

Councilmember Mitchell introduced Tim Harry, 4206 Lauder Lane, who spoke about the Children's Rescue Initiative and thanked Mayor and Council for their support.

Councilmember Johnson announced the graduation of the first Orange Beach High School Senior Class on Thursday, May 18, 2023, at the Orange Beach Event Center.

Councilmember Johnson also recognized the Lady Makos for competing in their third consecutive softball state championship.

Cindy Ross reported on a successful fundraiser for Maasai Mara.

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

Motion made (Mitchell/Blalock) 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; Kennon, aye. **Passed. (4-0-1).**

IX. PRESENTATIONS

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

Resolutions

1. Resolution awarding the bid for Fire Station No. 1 Roof Replacement to Roofing Plus, Inc., in an amount not to exceed \$365,636 and per unit pricing. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
2. Resolution adopting a Financial Management Policy for the City of Orange Beach. **Motion made (Mitchell/Blalock) to adopt the resolution.** Vote unanimous in favor.
3. Resolution authorizing a complete appraisal of the Event Center by The Appraisal & Consultant Group, Inc., in an amount not to exceed \$20,000. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
4. Resolution authorizing the execution of a performance contract with Joan Hill for water aerobics instruction at the Aquatics Center. **Motion made (Blalock/Mitchell) to adopt the resolution.** Vote unanimous in favor.
5. Resolution authorizing execution of professional services agreements with DeRhonda Ponder, Elizabeth Wood, and Stephanie Myrick for special needs aide services for the Expect Excellence program. **Motion made (Silvers/Johnson) to adopt the resolution.** Jonathan Langston, Expect Excellence Director, confirmed that this is the fourth year of providing this service to a participant in need at no charge to the parents. Vote unanimous in favor.
6. Resolution authorizing execution of an agreement to grant access point and access easement with the Baldwin County Bridge Company, L.L.C. **Motion made (Mitchell/Blalock) to adopt the resolution.** Vote unanimous in favor.
7. Resolution authorizing execution of an Administrative Services Agreement with Blue Cross Blue Shield of Alabama. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.

Public Hearings

1. Public hearing for (1) the adoption of a Supplement and First Amendment to the Third Amended and Restated Development Agreement by and among the City, Wharf Retail Properties, LLC, Wharf Entertainment Properties, LLC, and Wharf Landing, LLC, and (2) the issuance to Wharf Retail of the City's Second Amended and Restated Limited Obligation Warrant Series 2010A. **Motion made (Silvers/Johnson) to postpone the public hearing to the next council meeting on June 6, 2023.** Vote unanimous in favor.
2. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0401-PUD-23, Rollins Road Residential PUD. Public hearing cancelled at the request of the applicant.
3. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0408-CU-23, Liberty Linen Warehouse & Boat/RV Storage Addition Conditional Use Approval.

Griffin Powell, Planner II, presented the case overview.

Councilmember Blalock asked about drainage and runoff.

There being no additional comments or opposition, the public hearing adjourned.

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0408-CU-23, Liberty Linen Warehouse & Boat/RV Storage Addition Conditional Use Approval. **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; Kennon, aye. **Passed. (5-0).** **Motion made (Silvers/Johnson) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Kennon, aye. **Passed. (5-0).**
2. First Reading – Ordinance amending Chapter 70, Article II, Section 70-22 of the Code of Ordinances for the City of Orange Beach, Alabama, to change the speed limit on portions of Canal Road and State Highway 180. **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; Kennon, aye. **Passed. (5-0).** **Motion made (Blalock/Johnson) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Kennon, aye. **Passed. (5-0).**

XIII. PUBLIC COMMENTS

None

XIV. ADJOURN

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

Time: 5:23 P.M.

APPROVED this the 20th day of June, 2023.

Renee Eberly
City Clerk