

**MINUTES OF  
REGULAR COUNCIL MEETING  
ORANGE BEACH CITY COUNCIL  
FEBRUARY 19, 2019 – 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** 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 Costo

There being a quorum present, the meeting was opened for the transaction of business.

Mayor Kennon presented special guests from the Alabama Gulf Coast Zoo. Tracy Holiday, resident and local animal activist, introduced Dr. Adam Langston, Interim Zoo Director, and Cindy Johnson, Curator. Dr. Langston thanked the Mayor and City Council for their support of the zoo and gave an update on the relocation progress. Dr. Langston had with him Jasper, a Madagascar lemur, and Ms. Johnson showed off Happy, a milk snake. The audience was invited to join in supporting the zoo's relocation by purchasing tickets to "A Night on the Wild Side," a jungle/safari-themed fundraiser, on March 9, 2019 to be held in a hangar at Gulf Shores Airport. Musical entertainment will feature the Chevy 6 Band.

**V. CONSIDERATION OF AGENDA: Motion made (Silvers/Mitchell) to approve the agenda with the following additions:**

1. Approval of a Special Events Retail Liquor License Application by Event Concessions, Inc., for the 2019 Wharf Boat Show to be held on the Marina Lawn located at 4665 Wharf Parkway.
2. Approval of a Lounge Retail Liquor Class I License Application by Sandshaker at the Wharf, LLC, for Sandshaker at the Wharf, 4851 Wharf Parkway, Space D130.
3. Approval of a Retail Beer (On or Off Premises) and Retail Table Wine (On or Off Premises) Liquor License Application by McClure Holdings, L.L.C., for McClure's New York Bagel and Sandwich Shoppe at 4575 Orange Beach Boulevard, Suite 106.
4. Resolution authorizing the execution of a memorandum of understanding with the CoachSafely Foundation for youth athletic coach training.
5. Resolution authorizing the execution of an automatic aid agreement with the City of Gulf Shores for structure fire response.
6. Resolution appropriating funds to the Alabama Gulf Coast Zoo for "A Night on the Wild Side" fundraiser sponsorship in the amount of \$5,000.
7. Resolution appropriating funds to Boy Scout Troop 49 for Bennett Reetz's Eagle Scout Project in the amount of \$500.

Vote unanimous in favor.

**VI. CONSIDERATION OF PREVIOUS MINUTES**

|                         |          |
|-------------------------|----------|
| Work Session            | 01/15/19 |
| Regular Council Meeting | 01/15/19 |
| Committee of the Whole  | 01/15/19 |

The reading was waived and Minutes were approved as written.

## VII. REPORTS OF OFFICERS/COMMITTEES

### A. City Administrator – Ken Grimes

Mr. Grimes announced the 2019 Mardi Gras parade schedule.

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|---|------------------|
| 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 – Joe Fierro</u>           | No report.       |
| E. <u>Chief, Fire Department – Justin Pearce</u>          | No report.       |
| F. <u>City Clerk – Renee Eberly</u>                       | No report.       |
| G. <u>Director, Finance – Ford Handley</u>                | Report attached. |
| H. <u>Parks &amp; Recreation</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 – Steven Gillis</u>       | No report.       |
| L. <u>Director, Municipal Court – Renee Gardner</u>       | No report.       |
| M. <u>Mayor/Council</u>                                   |                  |

Councilmember Silvers reminded the audience that the 27<sup>th</sup> Annual Orange Beach Seafood Festival and Car Show would be on Saturday, February 23, 2019, at the Wharf with its first ever pet parade.

Councilmember Boyd recognized Brady, a long time visitor of Orange Beach in the audience.

Councilmember Mitchell reminded the audience that the Orange Beach Garden Club's 32<sup>nd</sup> Annual Game Day and Salad Luncheon would be at noon on Wednesday, February 20, 2019, at the Orange Beach Event Center.

## VIII. AUDITING OF ACCOUNTS

**Motion made (Mitchell/Blalock Costo) 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

1. Proclamation to declare February 23, 2019, as Arbor Day. Ken Grimes, City Administrator, read the proclamation aloud and presented it to Woody Speed, City Arborist. Mr. Speed stated that the City's tree giveaway would take place on Saturday, February 23, 2019, from 8:00 AM to 10:00 AM in front of Community Development.

**X. RECOGNITIONS**

**XI. UNFINISHED BUSINESS**

**XII. NEW BUSINESS**

**Miscellaneous**

1. ADDITION: Approval of a Special Events Retail Liquor License Application by Event Concessions, Inc., for the 2019 Wharf Boat Show to be held on the Marina Lawn located at 4665 Wharf Parkway. **Motion made (Johnson/Silvers) to approve the liquor license.** Vote unanimous in favor.
2. ADDITION: Approval of a Lounge Retail Liquor Class I License Application by Sandshaker at the Wharf, LLC, for Sandshaker at the Wharf, 4851 Wharf Parkway, Space D130. **Motion made (Silvers/Boyd) to approve the liquor license.** Vote unanimous in favor.
3. ADDITION: Approval of a Retail Beer (On or Off Premises) and Retail Table Wine (On or Off Premises) Liquor License Application by McClure Holdings, L.L.C., for McClure's New York Bagel and Sandwich Shoppe at 4575 Orange Beach Boulevard, Suite 106. **Motion made (Mitchell/Silvers) to approve the liquor license.** Vote unanimous in favor.

**Resolutions**

1. Resolution to update the list of volunteer firefighters and reserve police officers covered under workers' compensation insurance. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing the execution of a contract for law enforcement services with Baldwin County. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
3. Resolution authorizing the execution of a voluntary cooperation agreement with the Escambia County Sheriff's Office. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor.
4. Resolution awarding the bid for a Magnesium Hydroxide Feed System for the Utilities Department to Aqua Products, Inc., in the amount of \$83,995. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
5. Resolution awarding the bid for the Art Center Shoreline Stabilization and Boardwalk project to MD Thomas Construction, LLC, in an amount not to exceed \$64,727. **Motion made (Boyd/Silvers) to postpone consideration of the resolution until the next Council Meeting on March 12, 2019.** Vote unanimous in favor.
6. Resolution awarding the bid for two vehicles for the Police Department to Donohoo Chevrolet, LLC, in the amount of \$48,268.54. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
7. Resolution authorizing reimbursement of the General Fund in the event a General Obligation Warrant is issued. **Motion made (Mitchell/Silvers) to adopt the resolution.** Vote unanimous in favor.
8. Resolution authorizing the purchase of a vehicle for the Administration Department from State Bid in the amount of \$17,068. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
9. Resolution authorizing the execution of a task order with Burk-Kleinpeter, Inc., for

- professional engineering services for the design, construction engineering and inspection of Lauder Lane intersection improvements at Canal Road. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor.
10. Resolution in support of protecting local control over public streets and public assets and a call on Congress to reaffirm such local control by reversing recent FCC actions related to wireless facilities by enacting H.R. 530. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
  11. Resolution authorizing execution of a lease agreement for the Police Department with Williams Scotsman, Inc., for a modular office in the amount of \$57,410.72 for a term of 24 months. **Motion made (Boyd/Silvers) to adopt the resolution.** Vote unanimous in favor.
  12. Resolution authorizing the purchase of a Debris Vacuum for the Landscape Department through the National Intergovernmental Purchasing Alliance in the amount of \$23,892.86. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
  13. Resolution authorizing the purchase of a Bunker Rake for the Landscape Department through the National Intergovernmental Purchasing Alliance in the amount of \$23,165.01. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
  14. ADDITION: Resolution authorizing the execution of a memorandum of understanding with the CoachSafely Foundation for youth athletic coach training. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor.
  15. ADDITION: Resolution authorizing the execution of an automatic aid agreement with the City of Gulf Shores for structure fire response. **Motion made (Silvers/Johnson) to adopt the resolution.** Vote unanimous in favor.
  16. ADDITION: Resolution appropriating funds to the Alabama Gulf Coast Zoo for "A Night on the Wild Side" fundraiser sponsorship in the amount of \$5,000. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
  17. ADDITION: Resolution appropriating funds to Boy Scout Troop 49 for Bennett Reetz's Eagle Scout Project in the amount of \$500. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor.

#### **Ordinances**

1. First Reading – Ordinance amending Chapter 18 of the Code of Ordinances for the City of Orange Beach, Alabama, entitled "Courts" to add a new Article III, entitled "Pre-Trial Diversion Program." No action taken. Ordinance will move to a second reading.

#### **XIII. ADJOURN**

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

Time: 5:23 P.M.

**APPROVED** this the 19<sup>th</sup> day of March, 2019.

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Renee Eberly  
City Clerk