

**MINUTES OF
COMMITTEE OF THE WHOLE MEETING
ORANGE BEACH CITY COUNCIL
FEBRUARY 19, 2019 – 5:23 P.M.
CITY HALL – COUNCIL CHAMBERS**

The Orange Beach City Council met to review potential items for the March 12, 2019, agenda.

The following members were present:

Councilmember Jeff Silvers
Councilmember Jerry Johnson
Councilmember Annette Mitchell
Councilmember Jeff Boyd
Mayor Tony Kennon

The following members were absent:

Councilmember Joni Blalock Costo

The following items were discussed:

1. Approval to publish Amendment 750 notice regarding the Wharf. The Developer has asked for a delay until the next meeting on March 12, 2019. Mayor and Council expressed their wishes that this be the last postponement.
2. Discuss collaboration with Auburn University and University of Alabama for tarball sampling.
3. Resolution authorizing the execution of a professional services agreement with Paul Henning, M.D., for medical director services.
4. Resolution authorizing the purchase of a backhoe for the Utilities Department through the National Joint Purchasing Alliance in the amount of \$109,008.16.
5. Resolution authorizing the execution of a task order with Sawgrass Consulting, LLC, to provide professional surveying and design services for the force main connection and road crossing at the Canal Road/Foley Beach Express intersection in an amount not to exceed \$10,000.
6. Resolution authorizing the Mayor to execute an Implementation Agreement with the Alabama Department of Conservation and Natural Resources for the Coastal Alabama Sea Turtle Triage Restoration Project.
7. Resolution awarding the bid for two UTVs for the Fire Department.
8. Ordinance amending Chapter 42, Article III of the Code of Ordinances for the City of Orange Beach, Alabama, entitled "Flood Damage Prevention" to adopt the State of Alabama model ordinance with revisions. Lannie Smith, Building Official, presented the ordinance and pointed out the voluntary clauses.
9. Reminder: Public hearing and first reading for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0102-PUD-19, Broken Sound PUD on March 12, 2019.
10. Reminder: Public hearing and first reading for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0103-RZ-19, Lauder Pelican Rezoning on March 12, 2019.
11. Reminder: Public hearing and first reading for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0105-ZT-19, Section 4.03, Canal Road Setbacks on March 12, 2019.

Cecil Young, resident, asked for Mayor and Council to be fair and change lots Citywide if an exception is made for the three or four applicable Canal Road lots. Kit Alexander, Community Development Director, explained that these corner lots with 30' setbacks on both road-fronting sides are unique within the City, and victim to outdated zoning regulations. Ms. Alexander stated

that the intent of maintaining right-of-way for future Canal Road widening will never be needed for the aforementioned lots, and reducing the setback requirements is needed to make those lots usable for development. Councilmember Boyd questioned whether the City should give up right-of-way land, because the future is unknown. Councilmember Boyd also stated his reluctance to improve the value of parcels after developers have purchased knowing the restrictions.

12. Reminder: Public hearing and first reading for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0202-PUDA-19, Wharf PUD Overflow Parking Areas on March 12, 2019.
13. Reminder: Public hearing and first reading for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0203-PUDA-19, Emerald Coast Marine at The Wharf on March 12, 2019.

Executive Session:

1. Executive session to discuss threatened and pending litigation. Wanda Cochran, City Attorney, stated that a declaration is required by the Open Meetings Act for an Executive Session and, therefore, stated for the record that she is duly qualified and has the personal knowledge to provide the requisite declaration for the stated purpose of the Executive Session authorized by the Act. **Motion made (Mitchell/Silvers) to enter executive session to discuss threatened and pending litigation.** Vote unanimous in favor.

Time in: 5:52 P.M.

Time out: 6:48 P.M.

There being no further business, the meeting adjourned.

Time: 6:48 P.M.

APPROVED this 19th day of March, 2019.

Renee Eberly
City Clerk