

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
JULY 11, 2017 – 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 Kim Vanbrimmer, Orange Beach Presbyterian Church

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

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

V. CONSIDERATION OF AGENDA: Motion made (Silvers/Johnson) to approve the agenda as written. Vote unanimous in favor.

VI. CONSIDERATION OF PREVIOUS MINUTES

Regular Council Meeting	06/06/17
Committee of the Whole	06/06/17

The reading was waived and Minutes were approved as written.

VII. REPORTS OF OFFICERS/COMMITTEES

- | | | |
|----|-----------------------------------------------|------------|
| A. | <u>City Administrator – Ken Grimes</u> | |
| B. | <u>Director, Public Works – Tim Tucker</u> | No report. |
| C. | <u>Engineering – Kit Alexander</u> | No report. |
| D. | <u>Chief, Police Department – Joe Fierro</u> | No report. |
| E. | <u>Chief, Fire Department – Justin Pearce</u> | |

Announced delivery of the new aerial fire truck and thanked Council for their support.

- | | | |
|----|--------------------------------------------------|------------------|
| F. | <u>City Clerk – Cathy Constantino</u> | No report. |
| G. | <u>Director, Finance – Ford Handley</u> | Report attached. |
| H. | <u>Parks & Recreation</u> | No report. |
| I. | <u>Director, Utilities – Jeff Hartley</u> | No report. |
| J. | <u>Librarian, Public Library – Steven Gillis</u> | No report. |
| K. | <u>Director, Municipal Court – Renee Hobbs</u> | No report. |
| L. | <u>I. T. Director – Rauf Bolden</u> | No report. |
| M. | <u>Mayor/Council</u> | |

Councilmember Johnson announced that an Orange Beach business, the Orange Beach Store, is competing for the Alabama Retailers Association’s Retailer of the Year and encouraged citizens to support the local business in this competition by liking them on Facebook.

VIII. AUDITING OF ACCOUNTS

Motion made (Mitchell/Blalock) 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. PRESENTATION(S)

1. Update on “Beach Express Go” program by Neal Belitsky, CEO, American Roads.

Mr. Belitsky discussed the reduction of tolls on the Beach Express Bridge for Orange Beach residents and all users beginning June 29th through the end of Labor Day week. He stated that he would be working with Mayor Kennon on two primary goals: (1) to lower rates, and (2) to move traffic more efficiently and more quickly. He is working on a proposal to accomplish these two tasks. Mr. Belitsky also announced the beginning of engineering work for a project valued at \$5M to widen the Beach Express just north of the toll plaza, to add two additional tollbooths, and to create a “fast lane” for Orange Beach Residents, with hopeful completion by mid-2018. There are also plans to widen the two-lane bridge to three lanes, with the center lane being reversible depending on the flow of traffic

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

Resolutions

1. Resolution Establishing Costs for Health and Dental Insurance for Employees and Repealing Resolution No. 14-083. **Motion made (Silvers/Blalock) to adopt the resolution.** Discussion followed. Mayor and Council stated their reasons for extending the current plan one more year, including hopes of finding better alternatives, retention of employees, empathy for unforeseen catastrophic health issues affecting the insurability of the City’s pool of employees, and Affordable Care Act regulations that would cause the City to lose its current grandfathered-in coverage if changes are made. Mayor and Council made it clear that this is a two-way street, and employees are to be proactive in using the City’s employee clinic and wellness program in order to reduce healthcare costs. Mayor Kennon opened the floor to public comments. The President of the Fire Association stated that the Fire Department employees are committed to improving personal health. Cecil Young, resident, reiterated the Council’s plea for employees to use the employee clinic. Mayor Kennon called for the vote. All opposed. **Motion failed.**
2. Resolution approving a Conditional Use Permit for Dollar General #5705 to be located at 4225 Orange Beach Boulevard (Case No. 0105-CU-17). **Motion made (Silvers/Blalock) to postpone consideration to the next Council Meeting on July 18th at the request of the applicant.** Vote unanimous in favor.

XII. NEW BUSINESS

Miscellaneous

1. ADDITION: Approval of a Retail Beer (On or Off Premises) and Retail Table Wine (On or Off Premises) by Buns in the Sun, Inc., for Buns in the Sun, 3099 Loop Road, Suite 2. **Motion made (Blalock/Silvers) to approve the liquor license.** Vote unanimous in favor.

Resolutions

1. Resolution authorizing the purchase of the 1937 vintage vessel, "Sea Duster," from Earl R. Callaway in the amount of \$6,500. **Motion made (Johnson/Silvers) to adopt the resolution.** Vote unanimous in favor.
2. Resolution authorizing the execution of a Facility Cleaning Service Agreement with TTB, Inc., dba ServiceMaster Action Cleaning, for the Coastal Arts Center. **This item was pulled from the agenda by City staff.**
3. Resolution authorizing the execution of a Task Order with Lucido Engineering & Surveying to perform a survey of the mean high tide and riparian lines for the Sail Camp and Senior Center Property in an amount not to exceed \$1,420. **Motion made (Silvers/Boyd) to adopt the resolution.** Vote unanimous in favor.
4. Resolution awarding the bid for Traffic Signal Preemption System equipment to Temple, Inc., per unit pricing for a maximum term of three years. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.
5. Resolution awarding the bid for Pole Lighting to Graybar Electric Company, Inc., in an amount not to exceed \$72,510.04 and per unit pricing for a maximum term of three years.

Motion made (Johnson/Silvers) to adopt the resolution. Council briefly discussed the specifications of the pole lighting and site plan. Vote unanimous in favor.

6. ADDITION: Resolution authorizing execution of a professional services agreement with Braxton Counts for lobbying services. **Motion made (Mitchell/Blalock) to adopt the resolution.** Vote unanimous in favor.

Public Hearings

1. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0602-RZ-17, Ready Mix Site Development Rezoning.

Motion made (Silvers/Johnson) to postpone the public hearing to the Council Meeting on August 1st at the request of the applicant. Vote unanimous in favor.

2. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0604-ZT-17, Section 5.03, Good Neighbor Fencing.

Griffin Powell, Planner II, presented the staff's recommendation to amend the Zoning Ordinance to require the finished part of a fence to face the outside.

Councilmember Boyd stated his feelings that regulating how owners put up fencing on private property is an overstep of government authority.

Kit Alexander, Engineering and Environmental Services Director, stated that staff receives a lot of complaints from residents regarding the aesthetic effect in their neighborhoods when fencing is unfinished on the outside.

There being no further comments, the public hearing adjourned.

Ordinances

1. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0602-RZ-17, Ready Mix Site Development Rezoning. **Motion made (Silvers/Johnson) to postpone consideration to the Council Meeting on August 1st at the request of the applicant.** Vote unanimous in favor
2. First Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0604-ZT-17, Section 5.03, Good Neighbor Fencing. **Motion made (Blalock/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, nay; Kennon, aye. **Unanimous consent failed. (5-1).** Discussion followed regarding whether or not Councilmember Boyd wanted to postpone the vote due to his objection regarding this ordinance. **Motion made (Boyd/Blalock) to reconsider and 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 (Mitchell/Johnson) 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

XIV. ADJOURN

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

Time: 6:01 P.M.

APPROVED this the 1st day of August, 2017.

Renee Eberly
City Clerk