

**MINUTES OF  
REGULAR COUNCIL MEETING  
ORANGE BEACH CITY COUNCIL  
JULY 18, 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 Annette Mitchell  
Councilmember Joni Blalock  
Councilmember Jeff Boyd  
Mayor Tony Kennon

Absent: Councilmember Jerry Johnson

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 06/20/17  
Committee of the Whole 06/20/17

The reading was waived and Minutes were approved as written.

**VII. REPORTS OF OFFICERS/COMMITTEES**

A. City Administrator – Ken Grimes

Mr. Grimes announced that the Cotton Bayou Boat Launch is now open.

B. Director, Public Works – Tim Tucker No report.

C. Engineering – Kit Alexander No report.

D. Chief, Police Department – Joe Fierro No report.

E. Chief, Fire Department – Justin Pearce

Chief Pearce recognized the recent promotions of Captain David Gant, Battalion Chief Jon Ed Wells, and Battalion Chief Kevin Lanford.

F. City Clerk – Cathy Constantino No report.

G. Director, Finance – Ford Handley Report attached.

H. Parks & Recreation No report.

I. Director, Utilities – Jeff Hartley No report.

J. Librarian, Public Library – Steven Gillis No report.

K. Director, Municipal Court – Renee Hobbs No report.

L. I. T. Director – Rauf Bolden No report.

M. Mayor/Council No report.

**VIII. AUDITING OF ACCOUNTS**

**Motion made (Mitchell/Boyd) to certify that cash requirements with no related interests are within budget and appropriate for payment.** Vote revealed: Silvers, aye; Mitchell, aye; Blalock, 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; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (4-0-1).**

**IX. PRESENTATIONS**

**X. RECOGNITIONS**

## **XI. UNFINISHED BUSINESS**

### **Resolutions**

1. 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/Boyd) to adopt the resolution.** Discussion followed. Councilmembers all appreciated the new updated coastal design, but some councilmembers noted their continued concerns regarding traffic and noise. In light of the Council's concerns, Bob Broadway, representing the applicant, requested that the Council postpone consideration. **Motion made (Silvers/Boyd) to table the resolution.** 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) Liquor License Application by BayMed, LLC, for Red or White at the Wharf, 4851 Wharf Parkway, Space D128. **Motion made (Silvers/Mitchell) to approve the liquor license.** Vote unanimous in favor.

### **Resolutions**

1. Resolution adopting the provisions of Act 2017-367 and appropriating funds to cover the cost of a one-time lump sum payment to eligible retirees and beneficiaries through the State of Alabama Employees' Retirement System. **Motion made (Boyd) to adopt the resolution.** Motion died for lack of a second.
2. Resolution reappointing Suzanne Laurier to the Library Board. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
3. Resolution authorizing the execution of a Purchasing Program Agreement with Staples Contract & Commercial, Inc. **Motion made (Blalock/Boyd) to adopt the resolution.** Vote unanimous in favor.
4. Resolution declaring fire truck as surplus and authorizing the execution of a brokerage agreement with Brindlee Mountain Fire Apparatus, L.L.C. **Motion made (Silvers/Mitchell) to adopt the resolution.** Vote unanimous in favor.
5. Resolution awarding the bid for Sportsplex Ball Field Improvements to Bay South Limited, Inc., in an amount not to exceed \$610,178.00. **Motion made (Silvers/Blalock) to adopt the resolution.** Vote unanimous in favor.

### **Ordinances**

1. First Reading – Ordinance amending Chapter 54 of the Code of Ordinances for the City of Orange Beach to add a new Article IV to prohibit the operation of unmanned aerial vehicles ("drones"). **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; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (5-0).** **Motion made (Blalock/Silvers) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (5-0).**
2. ADDITION: First Reading – Ordinance granting a nonexclusive franchise to Lyft, Inc., to provide transportation services in the City of Orange Beach and authorizing the execution of a franchise agreement. **Motion made (Boyd/Mitchell) for unanimous consent to suspend the rules to allow for immediate consideration of this ordinance.** Roll call vote revealed: Silvers, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (5-0).** **Motion made (Mitchell/Boyd) to adopt the ordinance.** Roll call vote revealed: Silvers, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (5-0).**

## **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: 5:41 P.M.

**APPROVED** this the 15<sup>th</sup> day of August, 2017.

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Renee Eberly

City Clerk