

**ORANGE BEACH CITY COUNCIL MEETING**  
**Regular Meeting –February 17, 2010**  
**Orange Beach Municipal Complex Council Chambers**  
**5:00 P.M.**

- I. CALL TO ORDER** Mayor Tony Kennon called the meeting to order.
- II. INVOCATION** Joni Blalock gave the invocation.
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL**

Present: Mayor Tony Kennon  
Councilmember Joni Blalock  
Councilmember Pattisue Carranza  
Councilmember Edward H. Carroll, Sr.  
Councilmember Brett Holk  
Councilmember Jeff Silvers

Absent: None

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

- V. CONSIDERATION OF AGENDA Motion made (Blalock/Carroll) to approve the agenda as presented.** Roll Call vote revealed: Silvers, aye; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (6-0)**

**VI. CONSIDERATION OF PREVIOUS MINUTES**

Committee of the Whole	01/26/10
Regular Meeting	02/02/10

The reading of the Minutes was waived and approved as presented.

**VII. REPORTS OF OFFICERS/COMMITTEES**

A. City Administrator – Ken Grimes Mr. Grimes reported the Mardi Gras parades went well. He expressed appreciation to staff and everyone involved in making the Tuesday parade a great success. Mr. Grimes asked the council to consider setting a date for an executive session to discuss city property and real estate offers. The council agreed to place an executive session on the March 2 agenda. Also, on Tuesday, March 9 the Baldwin County School Board will be holding a forum at the Orange Beach Community Center at 6 p.m. to discuss the proposed 1 cent school tax.

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

C. Engineering – Kit Alexander Building Official's report attached.

D. Chief, Police Department – Billy Wilkins Report attached.

E. Chief, Fire Department – Forney Howard Chief Howard reported the State Department of Conservation and Natural Resources has been conducting controlled burns at the Gulf State Park this week. Several local fire departments have participated. In addition, he reported that a debris contract committee has reviewed and made some minor revisions to the debris contract and submitted it to FEMA representatives for review. He advised the committee plans to have the contract ready to let out for bids by May 1<sup>st</sup>. The current contract expires June 19, 2010.

F. City Clerk – Cathy Constantino Report attached.

G. Director, Finance – Clara Myers Report attached.

H. Parks & Recreation Report attached.

I. Director, Utilities – Jeff Hartley No report.

J. Librarian, Public Library – Bonnie Lee Report attached. .

- K. Director, Municipal Court – Renee Hobbs No report.
- L. I. T. Director – Rauf Bolden Report attached.
- M. Mayor/Council Mayor Kennon commended city staff for the excellent job on the Mardi Gras Parade.

Councilmember Silvers reminded everyone of the Orange Beach Seafood Festival on Saturday, February 20 at the Sportsplex from 10 a.m. until 5 p.m.

Councilmember Blalock reported that currently there is approximately \$12,000 in the Dog Park Fund. The goal is \$20,000. She expressed appreciation to everyone for their donations.

## VIII. HEARINGS ON PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, COMMUNICATIONS.

### IX. PRESENTATION(S)

### X. RECOGNITION(S)

### XI. AUDITING OF ACCOUNTS

**Motion made (Blalock/Carroll) to certify that cash requirements with no related interests are within budget and appropriate for payment.** Roll Call vote revealed: Silvers, aye; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (6-0)**

**Motion made (Blalock/Carroll) to certify that cash requirements with related interests in Swift Supply are within budget and appropriate for payment.** Roll Call vote revealed: Silvers, abstain; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (5-0-1)**

### XII. UNFINISHED BUSINESS

### XIII. NEW BUSINESS

#### Miscellaneous

1. Approval of a Special Retail (More than 30 days) Liquor License Application for Sugar Shack, 23044 Perdido Beach Boulevard. **Motion made (Holk/Silvers) to approve the liquor license application.** Roll Call vote revealed: Silvers, aye; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (6-0)**

2. Approval of a Special Events Permit for Parrot Heads. **Motion made (Carroll/Blalock) to approve the special event permit.** Roll Call vote revealed: Silvers, aye; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (6-0)**

#### Resolutions

1. Resolution concerning the retirement of police canine “Bullet” and authorizing the mayor to execute the documents necessary to transfer ownership of “Bullet” to Jay Dempsey. **Motion made (Silvers/Holk) to adopt the resolution.** Roll Call vote revealed: Silvers, aye; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (6-0)**

2. Resolution declaring property located at 4173 Oak Circle as a public nuisance and further authorizing the city to take appropriate action to abate said nuisance. **Motion made (Silvers/Carroll) to adopt the resolution.** Roll Call vote revealed: Silvers, aye; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (6-0)**

3. Resolution establishing the City of Orange Beach Community Garden. **Motion made (Carroll/Silvers) to adopt the resolution.** Roll Call vote revealed: Silvers, aye; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (6-0)**

4. Resolution to reject bids for Used Trackhoe for Refuse. **Motion made (Carroll/Holk) to adopt the resolution.** Roll Call vote revealed: Silvers, aye; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (6-0)**

#### Public Hearing

1. Proposed amendment to Ordinance No. 172, the Zoning Ordinance, #0103-PUDA-10, Twin Lakes Planned Unit Development Major Modification. Mayor Kennon stated the purpose of the public hearing was to receive public input regarding a proposed amendment to the Zoning Ordinance, Twin Lakes PUD Major Modification.

Griffin Powell, Planner II, explained that the proposed modification entails rezoning Lindsay Lane from General Business to PUD and adding it to Twin Lakes PUD and allowing Twin Lakes to convert duplexes into 33 townhouse lots with platted private right-of-way and platted private common areas. The project objective is to go from condominium ownership to townhouse ownership. The Planning Commission voted unanimously to recommend approval.

Kit Alexander, Engineering & Environmental Services Director, advised that the reason this proposed modification was brought about was because currently there is difficulty in finding financing for condominiums. Platting this development into fee simple ownership allows for a potential owner to utilize an existing program that provides low interest financing through a workforce housing program. In addition, it will bring the 5 non-conforming lots located to the north of the development into conforming status by having a platted road and not just an ingress/egress easement. Staff supports the proposed amendment. There is no construction association with the modification. It is strictly a platting mechanism to change the type of ownership and establish a private roadway.

There was no opposition present and no further comments.

### Ordinances

1. First Reading - Ordinance further amending Ordinance 172, the Zoning Ordinance, Twin Lakes Planned Unit Development Major Modification (#0103-PUDA-10). **The council took no action. The ordinance will move forward to the next council meeting for second reading.**

2. Second Reading - An Ordinance to repeal Ordinance No. 2006-974, The Homestead at Orange Beach Planned Unit Development, Rezoning and Preliminary Master Plan Approval - #0203-PUD-06. **Motion made (Blalock/Silvers) to adopt the ordinance.** Roll Call vote revealed: Silvers, aye; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (6-0)**

3. Second Reading - An Ordinance to repeal Ordinance No. 2008-1057, The Blue Luxe Hotel and Condominium Planned Unit Development, Rezoning and Preliminary Master Plan Approval - #0302-PUD-08. **Motion made (Silvers/Holk) to adopt the ordinance.** Roll Call vote revealed: Silvers, aye; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (6-0)**

4. Second Reading - An Ordinance amending Chapter 2, Article IV of the Code of Ordinances, City of Orange Beach, to add a new section entitled "Office of the City Attorney". **Motion made (Holk/Silvers) to adopt the ordinance.** Roll Call vote revealed: Silvers, aye; Holk, aye; Carranza, aye; Blalock, aye; Carroll, aye; Kennon, aye. **Passed (6-0)**

### XIV. ADJOURN

**Motion made (Carroll/Holk) to adjourn. Vote unanimous in favor.**

Time: 5:25 p.m.

**APPROVED** this the 2<sup>nd</sup> day of March, 2010.

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Cathy Constantino, MMC  
City Clerk

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Anthony T. Kennon  
Mayor