

Policy Making in Orange Beach

1100 words

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"I am the CEO," said Mayor Tony Kennon in the council chambers. It is true the mayor has vast power, setting the agenda for taxation, budgets and employee benefits. Orange Beach does not have the three separations of powers we learned about in civics class. The executive branch controls legislation and policy in Orange Beach, voting on ordinances and resolutions brought to the floor.

This is defined as a strong mayor and weak council system, having been the city's form of government since founding in 1984, surviving intact through hurricanes and oil spills. It is a system local constituents understand. You have a problem; just call Mayor Kennon, because he is the only one allowed to make any *ad hoc* policy decisions.

Some residents feel the power versus accountability equation is balanced in favor of Mayor Kennon. Others feel there are expenditures on the table that are so large constituents need to be included in the decision making process. For example the \$60 million Wolf Bay Bridge, being paid for exclusively with taxpayer dollars, but no Referendum is offered. Understandably people care about this decision.

"We are very concerned about the economic risk involved in building of this 1.2 mile bridge [Wolf Bay Bridge]. In addition to the astronomical expense for the taxpayers, there is the safety and liability risk of toxic spills [benzene] from barge accidents on extremely busy interstate waterway. The intention to build up the north shore to bring more traffic to Orange Beach seems irrational at this point," said Lucy Hazebrook, a 28-year resident of Orange Beach in an email.

Taxes are the life's blood of a city, paying wages, financing projects, and servicing debt. According to documents on the city's web site (<https://orangebeachal.gov/sites/default/files/2017%20Final%20Audit%20Report.pdf>) Orange Beach is a wealthy community, taking in more revenue than expenses. This surplus is multiplied year in and year out, providing an enviable reserve against disasters both natural and man-made.

Creating a financial return for residents, as if they were stakeholders in the municipal business, is something Mayor Kennon has overlooked. He will not lead the council in eliminating the four-mil property tax in Orange Beach, providing a dividend for his constituents. The property tax generates less than \$4 million per year, and the city has ten times that amount in reserves. Perhaps offsetting this tax cut with sin taxes on tobacco products, alcohol and sugary drinks is an equitable solution.

Republican orthodoxy is tagged to tax cuts, paying for them is the key, but our Republican Council prefers lodging tax increases on tourists to tax cuts for property

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owners. The 2020 candidates for mayor and council should use property tax cuts as a conservative battle cry, growing his or her base.

Budgets are the planners goal-setting tool, controlling capital, investments and debt. Even though the city council tried twice to found their own school system with property tax increases in 2007 and 2014, producing failed referendums both times, Mayor Kennon is still pushing ahead, allocating city funds, subsidizing the newly conceived Orange Beach Middle School/High School on Canal Road.

"Kennon said the city of Orange Beach is invested in the new school [built and run by the Baldwin County Board of Education], estimating the value of a land donation to the school system costs around \$6 million to \$7 million. Another \$8 million for a performing arts center and \$4 million to \$5 million for new athletic facilities rounds out the city's expenses for the new school [approx. \$18 million]," according to a report on al.com (<https://www.al.com/news/2018/12/orange-beach-families-to-state-where-are-we-going-to-school-next-year.html>).

Going against residents' wishes is dangerous for an elected official, unless they are not going to run again, assuming Tony will wish to have the school named after him as a legacy, but naming grants are traditionally carried out with private donations, not taxpayer funds. An example comes to mind where Antonin Scalia left \$20 million to a Virginia law school in a naming grant, changing George Mason to the Antonin Scalia Law School (https://en.wikipedia.org/wiki/Antonin_Scalia_Law_School).

Employee benefits are a key issue, getting more expensive for employees every year. The deductibles and co-pays reflect the management style of the executive. Mayor Kennon is the fifth person to hold the office since the city was founded in 1984, having initiated draconian increases to family insurance premiums, compared to his predecessors. I understand Mayor Kennon wants to run the city like a business, but municipal businesses are tax-free. Perhaps considering this fact when revising insurance premium increases, deductibles and co-pays will help improve employee morale.

The difference in employee insurance benefits now versus earlier administrations is enormous. Other mayors offered their employees health insurance that was fully funded by the city, because wages are lower in the public sector, previously making the City of Orange Beach the most desirable place to work for people with families.

Our mayor is intelligent, god fearing, and passionate about his vision for the city. He enacts what he perceives are the best policies for employees, residents and school children. At this juncture his vision is at odds with several factions, opposing the flyover bridge west of the Foley Beach Express (<https://www.facebook.com/groups/155706324781200/>), opposing the Wolf Bay Bridge by Doc's (<https://www.facebook.com/nobaybridge/>), and those seeking a better benefits package for employees (<https://orangebeachal.gov/departments/human-resources/municipal-employee-benefits>).

Kennon does not like to lose or be challenged, fighting all comers, charging up the hill even if no one else is behind him. These are admirable traits, battling for your beliefs, but local government in a small town needs more consensus than conflict, more compassion than autocracy, more dialogue than fear of reprisals.

Mayor Kennon voices his policies publicly with persuasive vigor, trying to get you to buy into his side of the argument, possibly offending some people with his oratorical style; consequently \$192 million in BP funds (Deepwater Horizon oil spill (https://en.wikipedia.org/wiki/Deepwater_Horizon_oil_spill)) was dispersed by the US

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Treasury and the State of Alabama, but Orange Beach did not have one project approved at this link (<http://altoday.com/archives/27619-u-s-treasury-approves-alabamas-multiyear-implementation-plan-for-gulf-coast-recovery>), not even a boat launch on the south side of the island.

This is a blow, considering Kennon sits on the 10-member decision-making panel (Alabama Gulf Coast Recovery Council (<http://altoday.com/archives/27619-u-s-treasury-approves-alabamas-multiyear-implementation-plan-for-gulf-coast-recovery>)) “which was created when Congress passed, and President Barack Obama signed into law, the RESTORE Act” (<http://altoday.com/archives/27619-u-s-treasury-approves-alabamas-multiyear-implementation-plan-for-gulf-coast-recovery>). Orange Beach’s exclusion is the definition of bare-knuckle politics, leaving our hard-charging campaigner deeply disappointed.

ENDS.