

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
May 3, 2021
6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

INVOCATION Pastor Jourdain Thrash, 3 Circle Church
PLEDGE OF ALLEGIANCE

RECOGNITION: Beautification Award: Bryant Bank

PROCLAMATION: Mental Health Awareness

PROCLAMATION: Municipal Clerk's Week

3. APPROVE MINUTES: April 19, 2021 regular meeting

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Conaway

Review the minutes from the April 19th meeting.
Treasurer's Report March 2021:

- Unrestricted Fund Balance - \$19,385,122
- Total Cash Balance - \$28,257,413
- Sales Tax for February 2021 - \$1,844,756
- Lodging Tax for February 2021 - \$77,718

B. BUILDINGS & PROPERTY COMMITTEE – Phillips

C. PUBLIC SAFETY COMMITTEE – Hughes

Review the minutes from the April 12th meeting.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Olen

E. PUBLIC WORKS COMMITTEE – Coleman

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

C. INDUSTRIAL DEVELOPMENT BOARD – Scott

D. LIBRARY BOARD –Phillips

E. PLANNING COMMISSION – Olen

Review the minutes from the March 25th meeting and the report from the April 22nd meeting.

F. RECREATION BOARD – Hughes

G. UTILITY BOARD – Goodlin

6. PUBLIC PARTICIPATION

7. MAYOR'S REPORT

City Council Agenda – May 3, 2021

8. CITY ATTORNEY REPORT

MOTION to authorize the Mayor to execute a settlement agreement with Volkert in the amount of \$180,000 in a form to be approved by the City Attorney.

9. DEPARTMENT HEAD REPORTS

10. CITY CLERK'S REPORT

MOTION to approve the publication and set a public hearing on June 21, 2021 for the Gordon and Rosalyn Satterwhite Zoning Amendment located Southeast of Creekbank Drive and Pollard Road.

MOTION to approve the publication and set a public hearing on June 21, 2021 for the Jennifer Lynn Chaffin, Stephen W. and Wanda Milstead and Stephen Patrick Milstead Annexation Petition located Northeast corner of Pollard Road and Well Road.

MOTION to approve the publication and set a public hearing on June 21, 2021 for the Jennifer Lynn Chaffin, Stephen W. and Wanda Milstead and Stephen Patrick Milstead Pre-Zoning Amendment located Northeast corner of Pollard Road and Well Road.

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2021-15 – FY 2022 Tap Grant to ALDOT to Construct Improvements to the Taylor Harper Hiking and Biking Trail

2021-16 – Bid Award – 2021 – D – Plastic Pipe – Evans and Company Inc.

2021-17 – Bid Award – 2021-E- Concrete Material (Negotiated) – Ready Mix USA, LLC

2021-18 – Bid Award – 2021 – F – Park Chemicals – SiteOne Landscape Supply LLC

2021-19 – Partial Redemption of General Obligation Refunding and Improvement Warrants, Series – Bank of New York Mellon

B. 2nd READ ORDINANCES:

2021-18 – Amend and Make Additions to the City of Daphne Handbook

C. 1ST READ ORDINANCES:

2021-20 – Appropriation – South Main Gateway Addition - \$20,000

2021-21 – Appropriation – Employee Classification and Compensation Study Agreement and Authorize the Mayor to enter into the Agreement - \$29,000

2021-22 – Appropriation – Partial Redemption of General Obligation Refunding and Improvement Warrants, Series 2014 - \$800,000

2021- 23 – Appropriation – Additional Engineering Fees – Daphne Sports Complex - \$174,275

12. COUNCIL COMMENTS

13. ADJOURN

City of Daphne Beautification Committee

presents this

Certificate of Recognition

to

Bryant Bank

for your excellence in beautifying the City of Daphne.

Awarded on this 3rd day of May 2021.



Robin LeJeune, Mayor



CITY OF
DAPHNE, ALABAMA
Proclamation

WHEREAS, mental health is essential to everyone's overall health and well-being; and
WHEREAS, all Americans face challenges in life that can impact their mental health; and
WHEREAS, prevention is an effective way to reduce the burden of mental health conditions; and
WHEREAS, there are practical tools that all people can use to improve their mental health and increase resiliency; and
WHEREAS, mental health conditions are real and prevalent in our nation; and
WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and
WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.
NOW,
THEREFORE, I, Robin LeJeune, as the Mayor of the City of Daphne, together with the Daphne City Council, do hereby proclaim May 2021 as

MENTAL HEALTH MONTH

in the City of Daphne, and call upon the citizens, government agencies, public and private institutions, businesses and schools in to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

CITY OF DAPHNE, ALABAMA

Proclamation

WHEREAS, the Office of the Municipal/City Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the Office of the Municipal/City Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal/City Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels; and

WHEREAS, Municipal/City Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal/City Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal/City Clerks continually strive to improve the administration of the affairs of the Office of the Municipal/City Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, provincial, county, and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments and services of the Office of the Municipal/City Clerk.

NOW,
THEREFORE, I, Robin LeJeune, as the Mayor of the City of Daphne, together with the Daphne City Council, do hereby proclaim May 2 through May 8, 2021 as

MUNICIPAL CLERK'S WEEK

in the City of Daphne, and further extend appreciation to our City Clerk, Candace G. Antinarella, CMC and join other communities in honoring all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Robin LeJeune, Mayor

**April 19, 2021
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Doug Goodlin called the meeting to order at 6:00pm.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Tommie Conaway, Benjamin Hughes, Ron Scott, Steve Olen, Doug Goodlin, Joel Coleman and Angie Phillips.

Also Present: Mayor Robin LeJeune; Jay Ross, City Attorney; Chief LeAnn Tacon, Fire Department; Chief David Carpenter, Police Department; Troy Strunk, City Development; Ronnie Huskey, Public Works; Kelli Reid, Finance; Ange Baggett, Marketing; Tonja Young, Library; Charlie McDavid, Recreation; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Pastor Nick Williams, 3 Circle Church.

3. APPROVAL OF MINUTES:

The minutes from the April 5, 2021 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Conaway said the Committee met that afternoon.

**MOTION by Councilwoman Conaway to recommend to Council to authorize the Mayor to sign the MOU with AMIC for the Debris Removal Fund. No second was needed.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway for the Appropriation of Additional Public Works Capital Equipment in the amount of \$64,635 from general fund for the purchase of the equipment to be used by the Public Works Department. No second was needed.
MOTION CARRIED UNANIMOUSLY.**

B. BUILDINGS & PROPERTY COMMITTEE

Councilwoman Phillips said the minutes from the March 8th meeting and the March Building Report were in the packet. She shared the March permits issues were 391, new residential home permits were 27, and the total fees collected totaled \$95,472.42.

C. PUBLIC SAFETY COMMITTEE

Councilman Hughes said the next meeting is May 10th at 4:30pm.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Olen said the next meeting is May 3rd at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the next meeting is May 3rd at 5:15pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Troy Strunk, City Development, said the minutes from the February 4th meeting and the report from the March 4th meeting were in the packet. He said the next meeting is May 6th.

**April 19, 2021
CITY COUNCIL MEETING
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B. Downtown Redevelopment Authority

Councilwoman Conaway said the next meeting is May 20th at 5:30pm.

C. Industrial Development Board

Councilman Scott said the next meeting is tomorrow at 11:30am.

D. Library Board

Councilwoman Phillips said the next meeting is April 15th at 4:30pm.

E. Planning Commission

Councilman Olen said the minutes from the February 25th meeting and the report from the March 25th meeting are in the packet and the next meeting is April 22nd at 5:00pm.

F. Recreation Board

Councilman Hughes said the Board met on April 14th and there was a vacancy. He shared the Board will begin meeting bi-weekly starting June 9th at 6:00pm.

MOTION by Councilman Hughes to appoint Cedric Yelding to the Recreation Board. Seconded by Councilman Scott. MOTION CARRIED UNANIMOUSLY.
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G. Utility Board

Councilman Goodlin said the minutes from the February 24th meeting were in the packet. He said the next meeting is April 28th at 5:00pm. He said from the recent rains some surrounding areas reported discharge, but Daphne Utilities had none.

6. PUBLIC PARTICIPATION:

Public Participation opened at 6:08pm.

Curt Fonger, 1443 Randall Avenue, asked for clarification on the proposed amendments to the Employee Handbook reflected in Ordinance 2021-18.

Public Participation closed at 6:09pm.

7. MAYOR'S REPORT:

Mayor LeJeune said he enjoyed meeting with the new Recreation Board President, Brad Osborne, and the Council Liaison, Councilman Hughes.

8. CITY ATTORNEY REPORT:

Jay Ross said there was a brief matter to discuss with the Council regarding litigation and the buying and selling of real property. He asked the Council to consider going into Executive Session for five minutes at the end of the meeting.

9. DEPARTMENT HEAD COMMENTS:

Chief Carpenter, Police, said Code Enforcement has been busy helping Revenue. He reminded the Council he will start his vacation next week and should they need anything to contact Captain Jud Beedy.

Chief Tacon, Fire, said they will be having a mock car wreck at Daphne High School on April 29th to remind the students of the dangers of distracted driving. She said they have finished the promotion process for lieutenants. She shared there is new equipment on the trucks.

**April 19, 2021
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Ange Baggett, Marketing, said the Civic Center has been busy and will continue to be as they have twenty-two bookings in May. She said the Senior Center will reopen on May 2nd and invites everyone to the Brown Bag Concert series.

Tonja Young, Library, said their drive through spring reading event was a success.

Vickie Hinman, HR, gave details regarding the amendments proposed in Ordinance 2021-18.

Ronnie Huskey, Public Works, said they have been working on the drainage issues that occurred due to last week's storms.

Charlie McDavid, Recreation, said they had a recent tournament cancelled due to rain, but there is an upcoming baseball tournament with 67 teams scheduled.

Troy Strunk, City Development, said there are seven items on the upcoming Planning Commission agenda. He updated the Council on the drop-off at Christ the King.

Kelli Reid, Finance, updated the Council on FEMA.

10. CITY CLERK'S REPORT:

**MOTION by Councilman Coleman to approve the Daphne Witches Ride on October 31, 2021 from 4:00pm – 5:00pm located at 1715 Main Street. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

11. RESOLUTIONS & ORDINANCES:

A. RESOLUTIONS:

2021-11 – Acceptance of Roads and Rights-of-Ways – Jubilee Farms Subdivision, Phase 7, Southeast of Austin Road and Alabama Highway 181

2021-12 – Acceptance of Roads and Rights-of-Ways – Jubilee Farms Subdivision, Phase 8, Southeast of Austin Road and Alabama Highway 181

2021-13 – Declare Certain Property Surplus and Authorize the Mayor to Dispose – 2013 Mack Garbage Truck

2021-14 - Declare Certain Property Surplus and Authorize the Mayor to Dispose – 2015 Gator

**MOTION by Councilman Scott to waive the reading of Resolutions 2021-11, 2021-12, 2021-13 and 2021-14. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2021-11 and Resolution 2021-12. Seconded by Councilwoman Phillips. Councilman Coleman abstained.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2021-13 and Resolution 2021-14. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

April 19, 2021
CITY COUNCIL MEETING
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ORDINANCES:

B. 2nd READ ORDINANCES:

2021-13 – Appropriation: Additional Public Works Capital Equipment: Turbine Blower - \$5,950 and Trailer Mount Pressure Washer - \$19,995

2021-14 – Appropriation: Fire Station #5 Access Control Project - \$15,000

2021-15 – Appropriation: Additional Appropriation: City Hall Parking Lot Addition - \$60,000

2021-16 – Appropriation: Midyear Personnel Adjustments - \$45,529

2021-17 – Re-Zone Property Located South of and adjacent to French Settlement Subdivision; northwest of Parker Lane and County Road 13 – Destiny Church International, Inc.

MOTION by Councilman Scott to suspend the rules to consider adding Ordinance 2021-19 – Appropriation – Additional Public Works Capital Equipment in the amount of \$64,635. Seconded by Councilman Hughes.

Assistant City Clerk called roll.

Councilwoman Conaway	Aye
Councilman Olen	Aye
Councilman Coleman	Aye
Councilman Scott	Aye
Councilman Hughes	Aye
Councilwoman Phillips	Aye
Council President Goodlin	Aye

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Ordinance 2021-19. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to suspend the rules to consider adoption of Ordinance 2021-19. Seconded by Councilman Coleman. Mayor LeJeune explained the urgency behind passing this ordinance quickly.

Assistant City Clerk called roll.

Councilwoman Conaway	Aye
Councilman Olen	Aye
Councilman Coleman	Aye
Councilman Scott	Aye
Councilman Hughes	Aye
Councilwoman Phillips	Aye
Council President Goodlin	Aye

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2021-19. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

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**MOTION by Councilman Coleman to waive the reading of Ordinances 2021-13, 2021-14, 2021-15, 2021-16 and 2021-17. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Ordinance 2021-13. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Ordinance 2021-14. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Ordinance 2021-15. Seconded by Councilman Coleman.
Mayor LeJeune explained how the funds will be spent.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Ordinance 2021-16. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Ordinance 2021-17. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

C. 1ST READ ORDINANCES:

2021-18 – Amend and Make Additions to the City of Daphne Handbook

12. COUNCIL COMMENTS:

Councilman Scott said he was happy that Mr. Yelding will be on the Recreation Board.

Councilwoman Conaway thanked the Mayor for reopening the Fitness Center. She said the Education Advisory Committee will be April 26th at 11:00am.

City Attorney certified that the Council should enter into an Executive Session concerning matters of buying, selling or leasing of real property as well as litigation. He said it should take 5 minutes and no action is needed from the Council and they may adjourn into Executive Session.

MOTION by Councilman Coleman to enter into Executive Session. Seconded by Councilwoman Phillips.

Assistant City Clerk called roll.

Councilwoman Conaway	Aye
Councilman Olen	Aye
Councilman Coleman	Aye
Councilman Scott	Aye
Councilman Hughes	Aye
Councilwoman Phillips	Aye
Council President Goodlin	Aye

MOTION CARRIED UNANIMOUSLY.

**April 19, 2021
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13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 6:40 PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, CMC, City Clerk

Doug Goodlin, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
APRIL 19, 2021
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:30 p.m.

Present were:

Chairperson Mrs. Tommie Conaway
Councilman Mr. Steve Olen
Councilman Mr. Joel Coleman
Councilman Mr. Doug Goodlin

Councilman Mr. Ron Scott
Councilman Mr. Ben Hughes
Councilwoman Mrs. Angie Phillips

Also Present: Mayor Robin LeJeune, Finance Director Mrs. Kelli Reid, Senior Accountant Mrs. Suzânn Henson, Human Resource Director Mrs. Vickie Hinman, Human Resources Deputy Director Hannah Noonan, Human Resources Specialist Tina Bowden, Revenue Officer Mrs. Courtney Coleman, Assistant City Clerk Mrs. Jessica Linne, Executive Director of City Development Troy Strunk, Director of Events and Marketing Mrs. Ange Baggett, Public Works Director Mr. Ronnie Huskey, and City Attorney Mr. Jay Ross and Engineer Andy Bobe, Dewberry.

II. PUBLIC PARTICIPATION

There was no public participation.

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were approved.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Vickie Hinman reviewed the Human Resource Report:

- Posted positions – 2
- Reviewing/Testing/Interviewing/Background check - 13
- Promotion/Internal Transfer - 1
- New Hires – 4
- Open positions - 0

Mrs. Hinman reviewed the monthly Safety Committee meeting topics discussed and other Human Resource projects and events.

- City of Daphne Job Fair March 29
- COVID-19 Leave Tracking
- Employee Performance Evaluations due April 9
- Safety Awards Distributed
- Implementing Virtual New Employee Orientation
- Evaluating Proposals Submitted for Compensation/Classification Study

Mrs. Noonan discussed the American Rescue Plan Act which includes Cobra premium subsidies and the impact on the City. Mrs. Noonan noted that there are currently the four employees eligible for Cobra coverage with the City paying 100% of their insurance premium. She has estimated that the four employees cost to the City would be approximately \$25,000 - \$27,000 if these employees were to choose to enroll in the subsidy program. The eligible timeframe is April 1, 2021 – September 30, 2021. Mrs. Noonan noted that employees that voluntarily left employment with the City are not eligible for the Cobra coverage. Mrs. Noonan stated that any City cost was eligible for reimbursement.

Mrs. Hinman reviewed the proposals for the employee classification and compensation study. Mrs. Hinman noted that the proposals were \$39,500, 34,500, \$75,000, and Archer did not submit any cost. Mrs. Hinman stated that Evergreen Solutions LLC submitted the lowest proposal of \$29,500 and they can start the study on May 1, 2021 and finish by August 1, 2021. Mrs. Hinman discussed that Riviera Utilities is using Evergreen's system and she had viewed their Evergreen setup.

MOTION BY Mr. Scott to recommend to Council to adopt an ordinance appropriating \$29,500 or a lower negotiated cost out of the General Fund for the Employee Comprehensive and Compensation Study and authorize the Mayor to enter into the agreement with Evergreen Solutions LLC. Seconded by Mr. Coleman.
MOTION CARRIED UNANIMOUSLY

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – March, 2021

Mrs. Coleman reviewed the following reports and information:

- Code enforcement issued 18 warnings resulting in businesses becoming compliant and \$16,316.49 in revenue.
- New Businesses with a physical location in Daphne - 21
- Simplified Sellers Use Tax collections - \$91,6886.38 and YTD collections - \$565,714.11

BUSINESS LICENSE COUNT through 03/31/2021	
NEW Licenses	84
RENEWAL Licenses (2021)	428
Total Issued THIS MONTH	512
Total Issued THIS MONTH - PREVIOUS YEAR	343
Net Gain/-Loss Current VS Previous Yr MONTH	169
Total Issued YTD 2021	3,848
Total Issued YTD - PREVIOUS YEAR	3,351
Net Gain/-Loss Current VS Previous Yr YTD	497

Business License Fee Historical Comparison 2020 / 2021				
	FY 20	FY 21	+/- Previous Year	Budget 2021 \$2,390,000
October	\$15,924.77	\$13,897.75	(\$2,027.02)	(\$2,376,102.25)
November	\$3,754.50	\$8,573.66	\$4,819.16	(\$2,367,528.59)
December	\$80,771.34	\$38,677.07	(\$42,094.27)	(\$2,328,851.52)
January	\$1,641,711.72	\$1,084,222.56	(\$557,489.16)	(\$1,244,628.96)
February	\$210,511.03	\$1,174,301.94	\$963,790.91	(\$70,327.02)
March	\$226,661.69	\$203,323.46	(\$23,338.23)	\$132,996.44
Year to Date	\$2,179,335.05	\$2,522,996.44	\$343,661.39	\$132,996.44
All amounts include penalty and interest.				

Mrs. Coleman reviewed the Business License Delinquencies report as of 4/14/21 and stated she is working on collecting the delinquencies. Discussion continued on the process of the delinquency collections.

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: February, 2021

Mrs. Henson reviewed the Sales & Use Tax Reports for February, 2021: \$1,844,756.01 which is up \$414,658.44 from February 2020's collections.

- YTD Variance over Budget - \$1,736,266.18

Mr. Scott noted that sales tax collections are up and that stimulus monies may be part of the reason that collections are up. Mayor LeJeune commented we do need to be cautious but noted that Daphne has sustained many businesses through this last year and the economy has remained strong so he did not think there would be as much decline as one might think next year.

B. Lodging Tax Collections, February, 2021

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for February, 2021 were \$77,718.25 which is up \$24,30.68 from February 2020's collections.

- YTD Variance over Budget - \$34,205.48

Mr. Scott stated that Lodging Tax collections are down for February but commented that Mardi Gras was cancelled this year so that had a big effect for February 2021.

C. Lodging Tax Fund : Statement of Rev over Exp, March, 2021

Mrs. Henson reviewed the Lodging Tax Statement of Revenues over Expenditure report for March, 2021.

- Unreserved balance for Bayfront related purchases - \$1,535,754
- Recreation for related purchases - \$690,863

VII. FINANCIAL SCHEDULES & REPORTS**A. Financial Reports****1. Treasurer's Report: March, 2021**

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT					
As of March 31, 2021					
Account Type/Title	3/31/2021	2/28/2021	Increase (Decrease) from last Month	3/31/2020	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	\$ 13,436,124	\$ 15,162,121	\$ (1,725,996)	\$ 12,943,670	\$ 492,454
CERTIFICATE OF DEPOSIT	-	-	-	505,908	\$ (505,908)
INVESTMENT FUND	5,841,882	5,845,100	(3,218)	5,816,393	\$ 25,489
CREDIT CARD ACCOUNT	107,116	97,291	9,825	20,787	\$ 86,329
Total Unrestricted Cash Balance	19,385,122	21,104,511	(1,719,389)	19,286,758	98,364
SPECIAL REVENUE FUNDS					
4 CENT GAS TAX	215,305	210,704	4,601	159,689	55,616
7 CENT GAS TAX	206,877	201,081	5,796	140,106	66,771
10 CENT GAS TAX	173,782	161,722	12,060	48,097	125,685
TREE & FLOWER	23,926	23,926	-	23,926	(0)
FEDERAL DRUG FORFEITURES	187,921	187,921	-	271,906	(83,985)
LOCAL DRUG FORFEITURES	60,580	58,304	2,277	55,284	5,296
LIBRARY	49,398	52,213	(2,816)	40,532	8,866
COURT TRAINING & EQUIPMENT	40,733	41,337	(604)	38,547	2,186
COURT CORRECTION	397,323	383,959	13,365	430,694	(33,371)
LODGING TAX	2,124,107	2,108,649	15,458	2,241,032	(116,925)
AGENCY FUNDS					
MUNICIPAL COURT	193	159	34	1,068	(875)
SELF INSURANCE	224,975	223,452	1,524	182,676	42,299
FLEX SPENDING	11,830	9,514	2,317	(14,958)	26,788
OPEB TRUST INVESTMENT FUND	793,025	795,350	(2,326)	464,442	328,583
	4,509,976	4,480,746	29,230	4,083,041	426,935
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	3,737,488	3,525,083	212,404	2,668,356	1,069,132
2019 CAPITAL IMPROVEMENTS	-	-	-	539,728	(539,728)
	3,737,488	3,525,083	212,404	3,208,084	529,404
DEBT SERVICE FUNDS					
DEBT SERVICE	624,828	558,011	66,816	1,019,732	(394,904)
Total Restricted Cash Balance	8,872,291	8,563,841	308,450	8,310,857	561,434
Total City Cash Balance	\$ 28,257,413	\$ 29,668,352	\$ (1,410,939)	\$ 27,597,615	\$ 659,798
Encumbrance Total as of			3/31/2021	\$ 799,545.45	

Mrs. Reid noted that the cash balance was down from last month. Mrs. Reid stated part of the reason is the annual insurance premium was paid in February – approximately \$500,000+. The investment account was discussed and Mrs. Reid noted that the City pays approximately \$50,000 in fees annually. Mrs. Reid noted she would be sending a RFQ out for the investment services.

2. Encumbrance Report

- Encumbrance balance is - \$799,545.45 as of March, 2021.

Mrs. Reid reviewed the Encumbrance Report and discussed releasing the encumbered monies for Lavender Lane once the sale is finalized.

3. Outstanding Appropriations Report

Mrs. Reid reviewed the outstanding appropriations report.

4. Financial Overview: Debt Summaries & Monthly Financial Statements, February, 2021

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), March, 2021
 - Jubilee Square: Debt payments are currently fully paid through December 2020. The loan matured 1/1/2021 and has been extended for up to five years per the agreement. Only the remaining principle balance remains.

Monthly Financial Statements – February 2021 Financial Highlights

General Fund:

	<u>FY 2021</u>	<u>FY 2020</u>	<u>Change</u>
• YTD Budgetary Net Income:	\$6,516,561	\$5,428,392	\$1,088,169
• Total sales tax collected year to date is approximately \$1.7 million over budgeted income and prior year to date income			
• Hurricane Sally expenditures YTD are \$4.8 million with the majority of the expenditures relating to debris removal. FEMA will reimburse 75% and the state 12.5%			
• The recorded contingent liability for the Fannon lawsuit settlement was reversed resulting in approximately \$576,000 of revenue being recorded as miscellaneous revenue			
• Unassigned Fund Balance: \$24,471,282			
• Outstanding Encumbrances: \$855,228			

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of February 28, 2021: \$30,666,881
- Outstanding Capital Lease Balance as of February 28, 2021:
 - General Fund: \$907,719
 - Enterprise Fund: \$881,653

Capital Project Funds (Capital Reserve):

- No significant activity

Special Revenue Funds (11 separate funds):

- Lodging Tax Fund –
 - Bayfront Unreserved Fund Balance: \$1,525,084
 - Recreation Unreserved Fund Balance: \$686,360
 - Total lodging tax collected was \$34,205 over budgeted income and \$93,205 over prior year to date income.

Enterprise Funds (Solid Waste and Civic Center):

- Year to date transfers for each of the enterprise funds were as follows:

	<u>FY 2021</u>	<u>FY 2020</u>	<u>Change</u>
Solid Waste Fund	\$ -0-	\$ 29,091	\$ (29,091)
Civic Center Fund	\$ 30,605	\$ 103,421	\$ (72,816)

5. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary and noted that she had updated amounts for the Animal Shelter - \$5 million and Olde Town underground utilities - \$3 million. Mr. Scott asked if the Civic Center and Solid Waste could be removed from the Enterprise fund. Mrs. Reid noted she would research the request.

6. Summary of Budgetary Amendments

Mrs. Reid reviewed the General Fund budgetary amendments made to the FY2021 Budget.

- Total Appropriations Year to Date – \$1,327,589
- Adjusted Expenses over Revenue – (\$1,299,311)

B. Bills Paid Reports – March, 2021

The Bills Paid Report was previously presented electronically.

VIII. BIDS (Resolution)

A. 2021-D-Plastic Pipe

Mrs. Henson reviewed the plastic pipe bid and noted there was only one bid submitted. Mrs. Henson noted that there are 2-3 companies in the area but it is common to only receive one bid for this pipe. Mrs. Henson noted that the current contract vendor did not elect to extend this bid so a new bid had to be put out. The packet includes a recommendation letter from Mr. Huskey, Public Works Director, to award the contract to Evans and Company, Inc.

MOTION BY Mr. Coleman to recommend to Council to award the 2021-D-Plastic Pipe bid to Evans and Company, Inc. for unit cost as bid. Seconded by Mr. Scott.
MOTION CARRIED UNANIMOUSLY

B. 2021-E-Concrete Material (Negotiated)

Mrs. Henson reviewed the annual negotiated bid and noted that there were no bids submitted and according to Alabama state bid law the City could negotiate the contract. Mrs. Henson explained that even though there are 3-4 concrete companies in the area it is common to only receive one bid or no bids and for the City to award a negotiated contract. Mr. Goodlin asked about the cost for smaller loads being the same as larger loads. Mrs. Henson noted that the bid submittals for the last few years have included a delivery fee for 0-5CY orders and no delivery fee for larger loads. The packet includes a recommendation letter from Mr. Huskey to award the negotiated contract to Ready Mix USA Cemex.

MOTION BY Mrs. Phillips to recommend to Council to award the negotiated Concrete Materials bid to Ready Mix USA Cemex for unit cost bid. Seconded by Mr. Coleman..
MOTION CARRIED UNANIMOUSLY

C. 2021-F-Park Chemicals

Mrs. Henson reviewed the Park Chemicals bid and noted there was only one bid submitted by SiteOne Landscape. Mrs. Henson noted that SiteOne had the previous contract but did not elect to extend for the third year due to cost increases. Mrs. Henson noted that a recommendation letter from Mr. Charlie McDavid, Recreation and Parks Director to award to SiteOne Landscape Supply was included in the handout. Mrs. Henson noted Mr. McDavid had a few questions on some cost submitted but all questions were resolved.

MOTION BY Mr. Scott to recommend to Council to award the bid to SiteOne Landscape Supply for unit cost bid. Seconded by Mr. Goodlin.
MOTION CARRIED UNANIMOUSLY

IX. APPROPRIATION REQUESTS: (Ordinance)

A. Additional Public Works Capital Equipment - \$64,635

Mr. Huskey reviewed the need to purchase the John Deere Gator (\$12,835) and the Vermeer CTX160 Compact Utility Equipment (\$51,800) and noted the equipment is on backorder so the earlier the equipment can be purchased the better. Discussion was made on why the items were not included in the budget. Mayor LeJeune responded that Mr. Huskey was not here when the budget was adopted so he is addressing now.

Mr. Coleman asked if the appropriation ordinance for the equipment could be a first read on tonight's Council agenda. Discussion continued that the rules would need to be suspended to add the ordinance to the Council agenda.

MOTION BY Mr. Coleman to suspend the rules to allow the appropriation Ordinance to be placed on the April 19, 2021 Council agenda and to recommend to Council to adopt the Ordinance amending the budget to appropriate \$64,635 for the John Deere Gator and a Vermeer CTX160 Compact Utility Equipment. Seconded by Mr. Scott.

MOTION CARRIED UNANIMOUSLY

B. South Main Gateway Addition - \$20,000 (\$5,000 encumbered funds)

Mrs. Reid reviewed the appropriation request for the South Main Gateway Addition. This will be the entrance sign on Main Street near the old Judge Roy Bean site. Discussion was made that \$5,000 is available from encumbered funds. Mr. Scott recommended the City plant flowers to compliment the new sign.

MOTION BY Mr. Scott to recommend to Council to adopt an ordinance appropriating \$15,000 for the South Main Gateway Addition out of the General Fund. Seconded by Mrs. Phillips.

MOTION CARRIED UNANIMOUSLY

X. NEW BUSINESS

A. AMIC Municipal Debris Removal Fund - MOU

Mrs. Reid discussed the MOU from the Alabama Municipal Insurance Corporation concerning a new program to help offset some of the debris removal costs associated with natural disasters. Mrs. Reid noted that each municipality will have the option to contribute an amount to the fund and be eligible to receive monies on a pro rata basis for unreimbursed eligible clean-up cost. Each member will contribute to the program based on the member's incorporated square mileage. The City of Daphne's share would be \$4,872 and the City would pay a fee annually. Mrs. Reid noted that 100 cities are needed to sign up to create the fund and so far only 50 have signed up. Mayor LeJeune noted that AMIC will be contributing \$500,000 to set up the fund. Discussion continued on how the distribution would be made to affected municipalities/counties.

MOTION BY Mr. Scott to recommend to Council authorize the Mayor to sign the MOU with AMIC for the Municipal Debris Removal Fund. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

B. Public Works Personnel Request

Mrs. Reid reviewed the request to remove the Facilities Manager position and add two Building Maintenance Technician positions to the FY2021 payroll budget. Mrs. Reid reviewed the personnel changes for the year were adding an Engineer, reduction of the Public Works Director to Grade 37, removing the Facilities Director and Facilities Manager, and adding two Building Maintenance Technicians. Mrs. Reid noted through the changes and vacancies no monies need to be appropriate to add the two building maintenance technicians.

MOTION BY Mr. Scott to recommend to Council to approve the removal of the Facility Director and addition of two (2) Building Maintenance Technicians. Seconded by Mr. Coleman .

MOTION CARRIED UNANIMOUSLY

XI. OLD BUSINESS

A. Partial Redemption Of General Obligation Refunding And Improvement Warrants, Series 2014

Mrs. Reid reviewed City's option to pay off some debt and stated the debt with the highest interest rate should be paid off first. Mrs. Reid noted the City can pay off any amount in increments of \$5,000. Discussion continued on the monies available in the Debt Service Fund and paying off some of the capital leases.

MOTION BY Mr. Olen to recommend to Council to adopt an ordinance appropriating \$800,000, for principal and interest, out of the Debt Service Fund authorizing the partial redemption of General Obligation Refunding And Improvement Warrants, Series 2014. Seconded by Mr. Scott.

MOTION CARRIED UNANIMOUSLY

A. Bayfront Street Scape & Parking Improvements Project

Mrs. Reid discussed that the project has been delayed due to Hurricane Sally damages and utility relocation issues and the City is ready for the project to proceed. The awarded bidder has communicated that they could not start the project for at least six months and has asked for a change order to be approved for the increase in cost as a result of the delay. Mrs. Reid said due to this response that legal is checking to see if the City can award the bid to the second lowest bidder so the project can begin. Mrs. Reid said once more information is obtained it would come back before Council.

XII. ADJOURN

The meeting adjourned at 5:53 p.m.

April 12, 2021
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

1. CALL TO ORDER:

There being a quorum present Councilman Benjamin Hughes called the meeting to order at 4:30pm.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Tommie Conaway, Steve Olen, Ron Scott, Benjamin Hughes, Angie Phillips, Mayor LeJeune, Doug Goodlin, Joel Coleman

ABSENT:

Also Present: Patrick Dungan, City Attorney; Troy Strunk, City Development; Chief Tacon, Fire Department; Lt. Ardis & Sgt. Mitchell, Police Department; and Recording Secretary, Christina Brazell.

3. PUBLIC PARTICIPATION: None

4. APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from March 8th, 2021 Public Safety meeting were approved as presented.

5. POLICE DEPARTMENT:

Old Business:

Lt. Ardis addressed council, thanking them for recognizing the Telecommunicators for the Police Department last week. They were very appreciative.

Currently have 5 open positions within the patrol division. We are working on backgrounds for 6 applicants. One Corrections Officer position remains open, working on filling that at this time. Dispatcher written test will be this week to fill 3 open positions. Lieutenant position will be filled on the 29th of this month to replace the position in which Lt. Ardis holds, as he transfers over to the CID division.

New Business:

Investigations going on regarding fatality on the interstate as well as other death investigations, possibly involving drug related incidents. Lastly, investigation going on regarding Daphmont shooting, not a lot of cooperation from the victim.

There was another incident that began in the county's jurisdiction that prompted our involvement in making contact with their subject at a residence in Daphne. The Sheriff's department attempted to get the female to surrender outside the home. She took her own life before any further action was taken.

6. FIRE DEPARTMENT:

Old Business:

Chief Tacon wanted to add that she personally went out to the scene on Windsor and commended the Police Department on how they handled the scene, it went very well.

So far things are going really great with Medstar response. We gave written test for Lieutenant, of the 9, 7 are moving forward Friday with the oral board.

April 12, 2021
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

This week Chief Tacon will be working with her staff on the Hurricane OG for Daphne Fire to see if there are needs for updates or discussion in order to be better prepared.

Council added they were aware that she played a huge part in improvement plans for Mobile Fire, they would like her input and to know her visions for our city as well.

New Business: None

7. OTHER BUSINESS:

Golf Carts: Inquiries have been made about whether or not the golf carts are allowed on the city streets. Use of the golf carts has escalated, especially by the young people.

Lt. Ardis: Golf carts can be permitted under state law to drive on the city streets if they meet the mechanical requirements and must have been licensed by the DMV. At the end of the day, the city must pass an ordinance recognizing the state law. The Police Department has no objection to a proposed ordinance

Mayor: No instruction has been given to do anything or enforce the laws against those that are licensed. We have been enforcing the laws regarding the kids that are not permitted to drive golf carts.

Patrick: City ordinance states that no motorized vehicles are allowed on city sidewalks other than a motorized wheelchair.

Medstar Operation Update: Chad Jones, new director of strategic operations, covering an allotment of services. There was a discovery period study, 10-14 days showed there was blatant need for improvement.

The immediate need was for more trucks in two areas. This was addressed immediately.

The second need was for a better response time. For urban areas the time needs to be ten minutes or less. We are getting all of the data pulled regarding the specific areas and their needs. Starting next week we will be separating emergency versus non-emergency dispatch and our staff and trucks. Our sister company is going to let go of some other business to help us accomplish this. This will help with being efficient, leads to decrease in frustration and better response times. The last thing we will do is be able to get trucks added to the areas that them the most.

Also we are working on quality. The average years of experience was less than 3 years. Paramedics need beyond time frame to mature.

We have been doing shift change education, critical care class that's starting, and have invited fire department to come as well. The next issue to work on is personnel. We are going to have to research and go outside of the box. We are doing a salary survey, how can we get more people in. Possibly looking at shift differential. The very last thing we have talked about with the Chief is that there are some alternative delivery methods we can do. In Daphne you have the people, we can provide the truck, and we can pay back for the personnel that are provided. This has been successful in areas across the country. How we as a whole manage this is part of the solution.

Council Question: How many ambulances do you have on the road in a given shift, in a given day?

April 12, 2021
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

Mr. Jones: 14-15 but there is some confusion there, what are they supposed to be doing, where are they? Next week we will be starting the emergency piece with about 9 trucks, just for emergencies. We are adding trucks for just emergency calls. We are only cutting personnel from 2 trucks for the non-emergency trucks. They will pick up that slack on the other side. We feel like we can have 10 trucks on at a time for emergency calls only. 5-7 trucks will be for the non-emergency calls. The sister company will handle all the non-emergency calls. As far as trucks with paramedics, today we had 9 out of 14/15. The average has been 8-10 paramedics. Not every emergency trucks will have a paramedic on it. However, there are multiple types of care that can be provided to emergency calls without having a paramedic on that particular truck. The county is looking at priority dispatch, which allows the call to be screened to see what type of response is needed. There has been a significant reduction in transportation needed by Daphne Fire. More paramedic trucks have been added to the area. Truck 5 is stationed in Daphne around the clock. 2 other trucks have been conducting shift change in the area as well. Target response time: Guessing around 10 minutes or less, hoping to get better answers after the data is looked at. We plan to have the 10 trucks, but data will reveal how many are actually needed at a given time. Council thanked Mr. Jones for sticking up for what is right, having a handle on all of the different aspects of fixing what needs to be done.

Council Question: Where will we be where we need to be as far as response times?

Mr. Jones: I feel like by the end of the year. We have to get more paramedics. We need to keep them long term. Exit interviews are being conducted, we hired a recruiter, questioning those employees that left to find out why they left.

Goodlin: Should we consider an agreement down the road?

Mr. Jones: The problem with city agreements is that you start allotting resources where the volume is not. Not saying there is not a need in Daphne. All this information is coming into us next week. We have to evaluate where the needs are. I really believe the data when pulled will help us look at things better and be able to respond to these issues. I don't think this is a smart move, but you as a city could sit down and look at that.

Mayor: We had another meeting with a company outside of Medstar. There is a fee associated with this type of contract. We could work with other cities to lessen the fee amount.

Mr. Jones: Optimal Delivery of Service should be acceptable towards the end of the year. I think we need to work on quality. Some classes lasting 12 weeks, plus additional training could last up to 24 weeks. We want to fill the seats right to take care of our county. Will keep the council updated as the data comes in and changes are made.

05:04 p.m. **ADJOURNMENT**

The City of Daphne
Planning Commission Minutes
Regular Meeting of March 25, 2021
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:04 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Steve Olen
John Peterson
Andrew Prescott, Vice Chairman
Ronnie Huskey
Kevin Spriggs
Adam Manning
Marybeth Bergin, Chairman
Phillip Hodgson, Secretary

Staff Present:

Troy Strunk, Executive Director, City Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney

The first order of business is the approval of the minutes.

Chairman asked for questions, comments or corrections to the minutes ***of the regular meeting of February 25, 2021. There being none, minutes are approved as submitted.***

The next order of business is Planning Commission approval, site plan review and request for sidewalk exemption.

An introductory presentation was given by Montchai and Amanda Marino, owners, and Joe Harper, representative of Element 3 Engineering, requesting consideration of a proposed commercial use in a B-2 zone and site plan review of a self-storage facility located southeast of the intersection of County Road 64 and Pollard Road.

Ms. Marino provided an overview of a proposed two-phased, four-building, quiet indoor storage facility consisting of associated drainage, parking, utilities, and landscaping. This will be a low traffic, quiet commercial business located along County Road 64. The site plan revisions include a fifteen-foot buffer and eight-foot privacy fence along the south property line abutting the Palladian of Daphne and improvements to the façade of the first buildings.

Chairman asked for Commission questions or comments.

Mr. Prescott asked about staff comment regarding the landscape islands.

Mr. Strunk responded there are some islands shown on the landscape plan that do not meet the criteria of the requirements with regard to the separation of parking spaces and landscaped islands at the terminus and advised that issue can be addressed by staff.

Mr. Olen asked about the staff comment about suitable façade along County Road 64. Mr. Strunk advised that staff and the owners are working toward minor modifications to architectural renderings so that the façade of the buildings is suitable with the characteristics of and is in harmony with the neighborhood.

Chairman advised of the agenda items associated with this application which are Planning Commission approval, site plan review, and sidewalk exemption request. She explained that the Commission will hold a public hearing because a storage facility is not allowed by right in a B-2 zone.

Chairman advised of staff's recommendation to align the main access of this development with Winged Foot Subdivision and to limit secondary access to a right in/right out only. Mr. Marino responded that would be a consideration after review to see the effect on the site to ensure the driveways will remain to address traffic concerns and fire safety. Mr. Harper noted that consideration should be given that a storage facility is not a high traffic volume business.

Mr. Spriggs advised that he would not be inclined to approve a sidewalk exemption because of the number of subdivisions, apartment complexes and because this is a high-density developing part of the city.

Mr. Peterson expressed concern about the distance between the first two buildings. Mr. Harper responded that is one-way, thirty-foot drive.

Chairman asked for Commission questions or comments and opened the floor to public participation. No one came forth. She closed public participation.

Chairman asked for Commission questions or comments and for a motion on the associated applications.

A Motion was made by Mr. Prescott and Seconded by Mr. Hodgson to grant planning approval of a warehouse and/storage facility in a B-2 zone, contingent upon the presentation of a suitable architectural façade along County Road 64, and the addition of planted islands in the parking lot. There was no discussion on the motion. The Motion carried. Mr. Olen dissented.

Chairman asked for Commission questions or comments and a motion.

A Motion was made by Mr. Spriggs to approve Daphne Secure Storage site plan as presented.

During discussion, Mr. Hodgson asked if the motion should include the conditions outlined by staff. There was no further discussion on the motion.

A Motion was made by Mr. Spriggs and Seconded by Mr. Prescott *to approve Daphne Secure Storage site plan, contingent upon the alignment of the entrance/exit on County Road 64 with Winged Foot Subdivision and secondary entrance is a right-in/right-out only. The Motion carried. Mr. Olen dissented.*

A Motion was made by Mr. Spriggs and Seconded by Mr. Hodgson *to deny the sidewalk exemption. There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is preliminary/final plat review for Ilina Subdivision.

An introductory presentation was given by Thomas Hock, the owner, requesting preliminary/final plat review of a two-lot subdivision consisting of four point seven-seven acres located East of Sedona Drive and County Road 54.

Chairman asked for Commission questions or comments and opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A Motion was made by Mr. Prescott and Seconded by Mr. Hodgson *to approve Ilina preliminary/final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is final plat review and street acceptance for Jubilee Farms Subdivision, Phase Seven.

An introductory presentation was given by Al Finley, representative of Dewberry, requesting final plat review of Jubilee Farms Subdivision, Phase Seven located southeast of Austin Road and Alabama Highway 181. He stated this phase is located south of Jubilee Farms Subdivision, Phase Six.

Chairman asked for Commission questions or comments and asked about staff comments. Mr. Finley advised that outstanding deficiencies have been addressed.

Chairman asked for a motion for the associated applications.

A Motion was made by Mr. Prescott and Seconded by Mr. Spriggs *to approve Jubilee Farms Subdivision, Phase Seven final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.*

A Motion was made by Mr. Prescott and Seconded by Mr. Olen *to set forth a favorable recommendation to the City Council to accept the streets and rights-of-way in Jubilee Farms Subdivision, Phase Seven. There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is final plat review and street acceptance for Jubilee Farms Subdivision, Phase Eight.

The City of Daphne
Planning Commission Minutes
Regular Meeting of March 25, 2021
Council Chamber, City Hall - 5:00 P.M.

An introductory presentation was given by Al Finley, representative of Dewberry, requesting final plat review of Jubilee Farms Subdivision, Phase Eight located southeast of Austin Road and Alabama Highway 181. He stated this phase is west of Jubilee Farms Subdivision, Phase Seven.

Chairman asked for Commission questions or comments and advised of a revision to Public Works comments requesting final plat approval contingent upon placement of riprap along the toe wall of structure as recommended by the bridge inspector. Mr. Finley responded his client is agreeable to that.

Chairman asked for a motion for the associated applications.

A Motion was made by Mr. Prescott and Seconded by Mr. Olen to approve Jubilee Farms Subdivision, Phase Eight final subdivision plat, contingent upon placement of riprap along the toe wall of bridge structure. There was no discussion on the motion. The Motion carried unanimously.

A Motion was made by Ms. Bergin and Seconded by Mr. Olen to set forth a favorable recommendation to the City Council to accept the streets and rights-of-way in Jubilee Farms Subdivision, Phase Eight. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is a petition for vacation of easement for Wayne Champeaux and Marcene Lake.

An introductory presentation was given by Wayne Champeaux and Marcene Lake, owners, requesting a vacation of the easement along the common property line to allow for a re-plat of the lots for the construction of an addition to a residential home.

Chairman asked for Commission questions or comments.

Chairman opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A Motion was made by Mr. Olen and Seconded by Mr. Prescott to set forth a favorable recommendation to City Council of the vacation of the easements along the common property line of Lots 91 and 92, Lake Forest Subdivision, Unit 7. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is an administrative presentation of a modification to the PUD Standards for Jubilee Farms Subdivision.

Tucker Dorsey, representative of Forestar "USA" Real Estate Group, Inc., presented an overview of the phases of the development, as well as, the improvements, amenities and walking trails. He also requested consideration of a modification to Jubilee Farms PUD Standards associated with Ordinance 2017-39 for a reduction of the lot sizes of two phases, Twelve and Thirteen, to accommodate the rise in construction costs and the demand for affordable homes.

The City of Daphne
Planning Commission Minutes
Regular Meeting of March 25, 2021
Council Chamber, City Hall - 5:00 P.M.

Mr. Dorsey stated the number of overall lots remains the same; the increase in the number of lots will be offset by an increase in open space and reduction of impervious area; also, the elimination of the cul-de-sac in Phase Twelve will provide for a more usable space for the detention pond resulting in an improved drainage design.

Chairman opened the floor to public participation. No one came forth. She closed public participation.

Chairman asked for Commission questions or comments and a motion.

Mr. Spriggs commented on the proposed changes in the narrative and stated the effect on the remainder of the development is minimal. He also noted concerns about parking on the right-of-way. Mr. Dorsey advised that is outlined and enforced in the covenants.

Mr. Hodgson commented on the changes.

Mr. Strunk asked if the lot dimensions have changed also. Mr. Dorsey responded that originally there were eighty-nine, seventy-foot lots, and eighty-nine, fifty-two foot lots, and advised that the original master plan was designed based on drainage and topography. The modification provides for fifty-two, fifty-two by one hundred and twenty-five foot lots, and fifty-two, seventy-four by one hundred and forty foot lots.

Mr. Olen asked the number of phases affected in the subdivision. Mr. Dorsey responded two.

Mr. Strunk stated staff would recommend that forty-nine percent of the lots are seventy feet, but not less than that. He noted that this development is an asset to the community and to the city.

Commissioners discussed a proposed twenty-five foot setback for those lots. Ms. Currie recommended a thirty-foot setback with twenty-five feet as the minimum. Mr. Dorsey advised that a reduction in the setback would require further review.

Chairman asked for Commission questions or comments and a motion.

A Motion was made by Mr. Peterson and Seconded by Mr. Spriggs to set forth a favorable recommendation to amend the Jubilee Farms PUD Standards as submitted. There was no discussion on the motion. The Motion carried. Mr. Olen dissented.

The next order of business is public participation.

Chairman asked for public participation.

None presented.

The next order of business is the attorney's report.

Mr. Dungan stated no report.

The City of Daphne
Planning Commission Minutes
Regular Meeting of March 25, 2021
Council Chamber, City Hall - 5:00 P.M.

The next order of business is commissioner's comments.

None presented.

The next order of business is director's comments.

Mr. Strunk presented that the Comprehensive Plan Committee released the RFQ for the Comprehensive Plan. He stated staff preparation is preparing an amendment to the Land Use Ordinance for the creation of a DISC Overlay District and a Medical Overlay District. He advised that the RFQ Committee consisted of the Mayor, Planning Commission, City Council members and staff.

Chairman presented the upcoming meeting dates. Site Preview is April 14, and the Regular Meeting is April 22, 2021.

There being no further business, the meeting was adjourned at 6:09 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: April 22, 2021


Marybeth Bergin, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 22, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

1. **CALL TO ORDER:** 5:11 p.m.
2. **CALL OF ROLL:** Marybeth Bergin, Andrew Prescott, Ronnie Huskey, Steve Olen, Kevin Spriggs, John Peterson, and James "Bo" White
3. **APPROVAL OF MINUTES:** Review of minutes of the regular meeting of March 25, 2021. **(Approved)**
4. **NEW BUSINESS:**
 - A. **SITE PLAN REVIEW:**
 1. **File SP21-05: (Approved)**

Site: No Off Season Expansion

Zoning: B-2, General Business

Location: Southeast of the intersection of County Road 64 and Friendship Road, Lot 10, Italian Settlement Subdivision

Area: 3.18 Acres $\pm$

Owner: AJD Family Limited Partnership, Iris Patricia Defilippi, & No Off Season - Gavin Willisson

Engineer: Element 3 Engineering - Steve Fisher
 - B. **PRELIMINARY/FINAL PLAT REVIEW:**
 1. **File SDPF21-05: (Approved)**

Subdivision: Highway 90 Business Park, Unit Two

Zoning: R-7(A), Apartment, and GC, Golf Course

Location: Southwest of the intersection of County Road 13 and U.S. Highway 90

Area: 28.59 Acres $\pm$, (1) lot

Owner: John White-Spunner, ETAL

Agent: White-Spunner Realty - Matt White

Surveyor: McCrory & Williams - Merlin Miller
 2. **File SDPF21-06: (Approved)**

Subdivision: Resubdivision of Lot 1A, Columbus Way

Zoning: R-2, Medium Density Single Family Residential

Location: Northeast of the intersection of Ryan Avenue and Main Street

Area: 0.77 Acres $\pm$, (2) lots

Owner: Burris-Warner, L.L.C. - John Warner

Surveyor: GeoSurveying - Matt Kountz
- C. **FRENCH SETTLEMENT SUBDIVISION MASTER PLAN REVISION, PRELIMINARY/FINAL PLAT AND PRELIMINARY PLAT REVIEW:**

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 22, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

1. **File MPA21-04: (Approved contingent upon amendment to the island along Rosedowne Lane)**

Presentation to be given by Casey Hill or Melissa Currie, representative of Dewberry, requesting a master plan revision of French Settlement Subdivision.

2. **File SDPF21-07: (Approved)**

Subdivision: French Settlement, Phase 4

Zoning: R-6(G), Patio/Garden Home

Location: South of and adjacent to French Settlement Subdivision; northwest of Parker Lane and County Road 13

Area: 19.45 Acres $\pm$, (2) lots

Owner: Destiny Church International Inc. - Rife Stewart

Developer: 68V Pay Dirt, L.L.C. - Nathan Cox

Agent: Dewberry - Casey Hill or Melissa Currie

3. **PRELIMINARY PLAT REVIEW:**

- a. **File SDP21-02: (Approved contingent upon satisfactory review of revised construction plans by Public Works)**

Subdivision: French Settlement, Phase 4A

Zoning: R-6(G), Patio/Garden Home

Location: South of and adjacent to French Settlement Subdivision; northwest of Parker Lane and County Road 13

Area: 10.6 Acres $\pm$, (25) lots

Owner: Destiny Church International Inc. - Rife Stewart

Developer: 68V Pay Dirt, L.L.C. - Nathan Cox

Agent: Dewberry - Casey Hill or Melissa Currie

Surveyor: Dewberry - Victor Germain

Engineer: Dewberry - Jason Estes

- b. **File SDP21-03: (Approved contingent upon amendment to the island along Rosedowne Lane and satisfactory review of revised construction plans by Public Works)**

Subdivision: French Settlement, Phase 4B

Zoning: R-6(G), Patio/Garden Home

Location: South of and adjacent to French Settlement Subdivision; northwest of Parker Lane and County Road 13

Area: 8.85 Acres $\pm$, (37)

Owner: Destiny Church International Inc. - Rife Stewart

Developer: 68V Pay Dirt, L.L.C. - Nathan Cox

Agent: Dewberry - Casey Hill or Melissa Currie

Surveyor: Dewberry - Victor Germain

Engineer: Dewberry - Jason Estes

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 22, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

Report

D. JUBILEE FARMS SUBDIVISION, PHASE FIFTEEN AND STREET ACCEPTANCE:

1. File SDF21-03: (Approved contingent upon submission of passing inspection reports from all plan reviewers to Community Development)

Subdivision: Jubilee Farms, Phase Fifteen

Present Zoning: PUD, Planned Unit Development

Location: Southeast of Austin Road and Alabama Highway 181

Area: 11.28 ± Acres, (31) lots

Owner: Forestar "USA" Real Estate Group, Inc. - Tucker Dorsey

Agent: Dewberry - Al Finley

Surveyor: Dewberry - Victor Germain

Engineer: Dewberry - Jason Estes

2. File AP21-05: (Favorable recommendation to the City Council contingent upon submission of passing inspection reports from all Plan Reviewers to Community Development)

Presentation to be given by Al Finley, representative of Dewberry, recommending acceptance of all right-of-ways contained within Jubilee Farms Subdivision, Phase Fifteen. Said right-of-ways being Turfway Park Avenue (384 linear feet) and Alamitos Trace Drive (921 linear feet).

E. GORDON AND ROSALYN SATTERWHITE ZONING AMENDMENT:

1. File ZA21-02: (Favorable recommendation to the City Council)

Applicant: Gordon & Rosalyn Satterwhite

Present Zoning: B-3, Professional Business

Proposed Zoning: R-3, High Density Single Family Residential

Location: Southeast of Creekbank Drive and Pollard Road

Area: 1.22 Acres ±

Owner: Gordon & Rosalyn Satterwhite

Agent: McCrory & Williams - Don Whittington

Surveyor: McCrory & Williams - Merlin Miller

F. JENNIFER LYNN CHAFFIN, STEPHEN W. & WANDA MILSTEAD, AND STEPHEN PATRICK MILSTEAD PRE-ZONING AMENDMENT(S):

1. File PZA21-04, PZA21-05 and PZA21-06, respectively: (Favorable recommendation to the City Council)

Present Zoning: RSF-2, Single Family District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

Proposed Zoning: PUD, Planned Unit Development

Applicant(s)/Area: Jennifer Lynn Chaffin/4.96 acres; Stephen W. & Wanda Milstead/8 acres; Stephen Patrick Milstead/4.96 acres

Location: Northeast corner of Well Road and Pollard Road

Engineer: Jade Consulting - Max Dearing or Trey Jinright

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 22, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

G. JENNIFER LYNN CHAFFIN, STEPHEN W. & WANDA MILSTEAD, AND STEPHEN PATRICK MILSTEAD ANNEXATION(S):

1. ANX21-04, ANX21-05 and ANX21-06, respectively: (Favorable recommendation to the City Council)

A presentation to be given by Max Dearing or Trey Jinright, representative of Jade Consulting, requesting annexation of three parcels (a four-point nine-six acre parcel owned by Jennifer Lynn Chaffin); (an eight-acre parcel owned by Stephen W. & Wanda Milstead); and (a four-point nine-six acre parcel owned by Stephen Patrick Milstead) into the City of Daphne located at the northeast corner of Well Road and Pollard Road. The subject properties are currently zoned, RSF-2, Single Family District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne.

5. PUBLIC PARTICIPATION: None presented
6. ATTORNEY'S REPORT: No report
7. COMMISSIONER'S COMMENTS: Kevin Spriggs asked for the Commission to work on planning issues to address traffic congestion and connectivity in the city.
8. DIRECTOR'S COMMENTS: Director presented the upcoming meeting dates. Site Preview is May 19, and the Regular Meeting is May 27, 2021.
9. ADJOURNMENT: 6:50 p.m.

From: Adrienne D. Jones, AICP,
Director of Community Development

Subject: Gordon & Rosalynn Satterwhite
Zoning Amendment

Date: April 26, 2021

Adrienne D. Jones

PRESENT ZONING: B-3, Professional Business

PROPOSED REZONING: R-3, High Density Single Family Residential

LOCATION: Southeast of Creekbank Drive and Pollard Road

RECOMMENDATION: At the Thursday, April 22, 2021, regular meeting of the Daphne Planning Commission, seven members were present, and the motion carried unanimously for a favorable recommendation for the above captioned zoning amendment.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,
ADJ/jv

Attachment(s):

1. Community Development Report and Supplemental Documents
2. Zoning Amendment Application
3. Legal Description (Exhibit A)
4. Boundary Survey (Exhibit B)
5. Adjacent property owners list

FILE
04/26/21
10:10am



GORDON & ROSALYN SATTERWHITE

Zoning Amendment

Zoning Classification:

B-3, Professional Business

Surrounding Zonings/Uses:

- **North**— R-3, High Density Single Family/Residences
- **South**— B-3, Professional Business/Offices
- **East**— R-3, High Density Single Family/Residences
- **West**—C/I, Commercial/Industrial/Industrial

Existing Utility Service Providers: Daphne Utilities, Riviera Utilities

Affected City Service Providers: Fire Station 2, Police Beat 1

Staff Recommendation to PC: Favorable recommendation to City Council (to combine with lots to the north).

Proposed Zoning:

R-3, High Density Single Family Residential

Development Concept:

- a. Rezone subject property
- b. Combine subject property with the three lots to the north.

Council District:

4

Existing Conditions:

1.22 ac

Planning Commission Recommendation:

Pending

What is R-3 zoning? R-3, High Density Single Family Residential District:

This district is provided to afford the opportunity for moderately higher density of single family residences on smaller lots than those allowed in the R-1, Low Density Single Family Residential, and R-2, Medium Density Family Residential, districts.

What is allowed in R-3 districts?

According to Article 35-3 Permitted Uses & Conditions, of the Land Use & Development Ordinance the following are permissible uses by right and/or by Planning Commission approval:

By Right: Dwelling, one family, home occupation, library, radio and tv antenna

By Planning Commission Approval: tennis courts, riding stables, park, playground, boat dock, water or sewage pump station, water storage, telephone exchange, racquetball, public utility station, post office, natural preserve area, manufactured home, laundry, innovative design development, business school or college, college or university, college sorority or frat house, electric power substation, gas regulator station, hospital, clinic, extended care facility, police substation, post office, public utility substation with proper screening, telephone exchange, water storage.

RECOMMENDATION:

Staff recommends that the Planning Commission set forth a favorable recommendation to City Council with the condition that the subject property shall be combined with the adjacent lots to the north; and the rezoning shall not be subject to the reversionary clause.

13-4 Minimum Lot Requirements

	Minimum Lot Area Square feet (sq ft)	Minimum Lot Width at Setback Line (ft)	Maximum Lot Coverage Percent (%) ^a	Maximum Density^b (units/acre)	Maximum Height^e (stories) (ft)
R-1, Low Density Single Family	20,000	100	25	2.0	2.5 stories 35 ft
R-2, Medium Density Residential	15,000	90	25	2.5	2.5 stories 35 ft
R-3, High Density Single Family	12,000	80	30	3.5	2.5 stories 35 ft
R-4, High Density Single Family-- Multi-Family--	5,000 7,500 ^c	50 85	38 35	8.0 14.0	3 stories 50 ft
R-5, Mobile Homes	See	Articles	25 & 26	for	Details
R-6(G) Garden/Patio Homes	5,000	50	38	8	2.5 stories 35 ft
R-6(D), Duplex, R-7(A), R-7(M), R-7(T) respectively: Apartments, Mid Rise Condominium, Townhouses	See	Section	13-9	for	Details
B-1, B-1(a), B-2, B-3 Business Districts and Mixed Use Districts	N/A	N/A	N/A	N/A	4 stories 50 ft
Extra-territorial Planning Jurisdiction	12,000 ^d	80	30	3.5	2.5 stories 35 ft

a. Maximum lot coverage percentages do not apply to lots of record smaller than required in the district in which they are located. **b.** Maximum density = total number of dwelling units per gross acre to be developed. **c.** Minimum lot area determined by adding 7,500 square feet for one (1) unit plus two thousand five hundred (2,500) square feet for each additional unit. **d.** Applies to unzoned lots contained within any subdivision located in the extraterritorial planning jurisdiction where the size of the development exceeds ten (10) acres. **e.** Maximum height does not apply to overlay districts (see specific applicable overlay districts. Structures up to seventy-five (75) feet may be permitted on sites zoned B-2 or R-7 upon approval by the Planning Commission. In no case shall such building exceed seventy-five feet in height

13-6 Minimum Zoning District Setback Requirements

The following setback requirements shall apply in districts as outlined below, except in a Planned Unit Development, the Olde Towne Daphne District, the Village Overlay District, the Eastern Shore Park Overlay District, or the Jubilee Retail Overlay District, unless otherwise provided in said overlay district.

SETBACKS

Zoning District	Front Yard				Rear Yard	Side Yard	Corner Lot Side Yard	
	Arterial & Collector Streets	Local Streets & Service Roads	U.S. Highway 98 ^e	U.S., State or County Roads			Arterial & Collector Streets	Local Streets & Service Roads
R-1	40	40	50	e	40	15	40	25
R-2	35	35	50	e	35	10	35	20
R-3	30	30	50	e	30	10	30	20



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816	Date Submitted <u>March 8, 2021</u>
Application Number: ZA- <u>21-02</u> or PZA-	Planning Commission Public Hearing Date: <u>April 22, 2021</u>

Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection): East side of Pollard Rd. Approx. 240' South of Creekbank Dr.		PPIN#(s): 210882
Gross Site Area (acreage): 1.22	Requested Zoning or Pre-Zoning: R-3	
Current Zoning Designation(s): B-3	Amended Request: Initials: _____ Date: _____	
Current Land Use: Undeveloped	Anticipated Land Use: Combine w/ Lots 1, 2 & 3 Unit 3, Creekside Sub.	
Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":		

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).

Annexation Subdivision Site Plan Special Exception Variance Specify Other

APPLICANT & AGENT INFORMATION

<i>*If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent and provide a copy of Articles of Incorporation.</i>		
Name of Current Owner: Gordon Satterwhite & Rosalyn Satterwhite		
Mailing Address: 8052 Creekbank Drive, Daphne AL		Phone/Fax: 251-625-2812 E-mail: gasatter@bellsouth.net
Name of Authorized Agent: McCrorry & Williams		
Mailing Address: 3607 International Dr. Suite G Mobile AL, 36606		Phone/Fax: 251-476-4720 E-mail: dwhitt@mcwinc.com
Name of Developer*:		Phone/Fax: E-mail:
Other:		Phone/Fax: E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature: <u>Gordon Satterwhite</u>	Date: <u>3-8-2021</u>
Agent's Signature: <u>[Signature]</u>	Date: <u>3/8/2021</u>



REVERSIONARY CLAUSE ACKNOWLEDGEMENT

SKIP THIS PAGE IF REQUESTING PRE-ZONING OR PLANNED UNIT DEVELOPMENT ZONING

Pursuant to Article 22-2 of the Land Use & Development Ordinance, zoning and rezoning may revert back to prior designation if certain conditions are not met. Said conditions are specified in Article 22 of the Land Use Ordinance. Legibly sign and print/type responses below. Indicate N/A or an "X" where item is not applicable. **Submit with rezoning request where applicable.**

CURRENT OWNER'S ACKNOWLEDGEMENT

I, Gordon Satterwhite & Rosalyn Satterwhite, acknowledge that I am aware that this rezoning request is subject to a reversionary clause as noted in Article 22-2 of the Land Use & Development Ordinance. Date: 3-8-2021

Gordon Satterwhite & Rosalyn Satterwhite

PRINTED NAME OF CURRENT OWNER/PETITIONER

DEVELOPER'S ACKNOWLEDGEMENT

I, _____, acknowledge that I am aware that this rezoning request is subject to a reversionary clause as noted in Article 22-2 of the Land Use & Development Ordinance. Date: _____

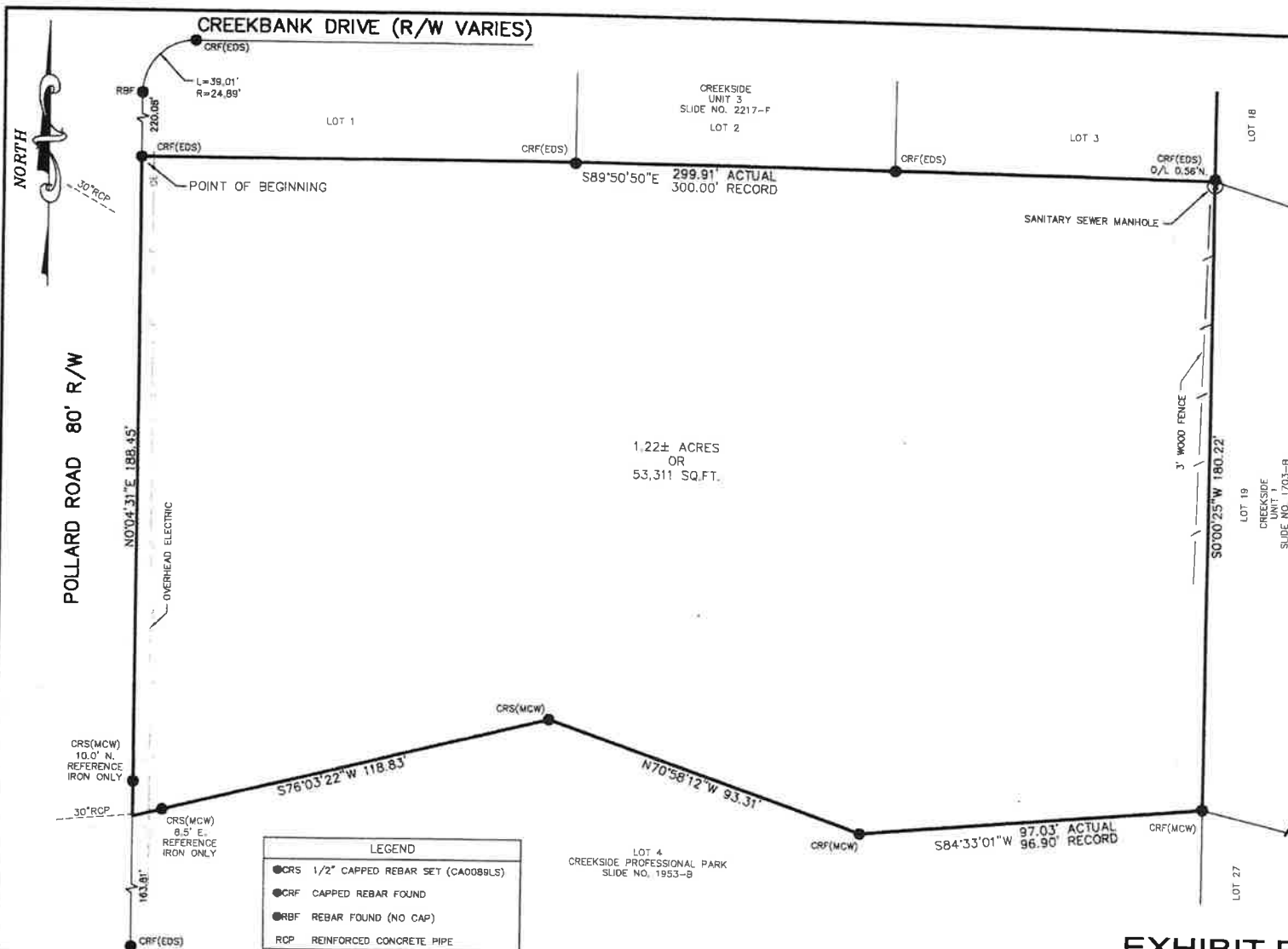
PRINTED NAME OF DEVELOPER

PROPERTY ADDRESS OR PPIN#(s): 210882

EXHIBIT A

{\H0.91667x;DESCRIPTION:

BEGINNING AT THE SOUTHWEST CORNER OF CREEKSIDE, UNIT 3, AS PER PLAT RECORDED ON SLIDE NO. 2217-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF POLLARD ROAD; THENCE RUN S 89° 50' 50" E ALONG THE SOUTH LINE OF SAID CREEKSIDE, UNIT 3, 299.91 FEET TO THE SOUTHEAST CORNER OF SAID CREEKSIDE, UNIT 3, SAID POINT BEING ON THE WEST LINE OF CREEKSIDE, UNIT 1, AS PER PLAT RECORDED ON SLIDE NO. 1703-B OF SAID PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA; THENCE RUN S 00° 00' 25" W ALONG SAID WEST LINE OF CREEKSIDE, UNIT 1, 180.22 FEET TO THE NORTHEAST CORNER OF LOT 4, CREEKSIDE PROFESSIONAL PARK, AS PER PLAT RECORDED ON SLIDE NO. 1953-B OF SAID PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA; THENCE ALONG THE NORTH LINE OF SAID LOT 4, CREEKSIDE PROFESSIONAL PARK RUN AS FOLLOWS: S 84° 33' 01" W, 97.03 FEET; THENCE RUN N 70° 58' 12" W, 93.31 FEET; THENCE RUN S 76° 03' 22" W, 118.83 FEET TO THE NORTHWEST CORNER OF SAID LOT 4, CREEKSIDE PROFESSIONAL PARK, SAID POINT BEING ON THE AFOREMENTIONED EAST RIGHT OF WAY LINE OF POLLARD ROAD; THENCE DEPARTING SAID NORTH LINE OF LOT 4, CREEKSIDE PROFESSIONAL PARK RUN N 00° 04' 31" E, ALONG SAID EAST RIGHT OF WAY LINE OF POLLARD ROAD 188.45 FEET TO THE POINT OF BEGINNING. CONTAINING 53,311 SQUARE FEET OR 1.22 ACRES MORE OR LESS.



NOTES:

F.E.M.A. FLOOD INSURANCE RATE MAP NO. 0100300832 M, COMMUNITY NO. 010005, DATED APRIL 19, 2019 INDICATES THAT THIS PROPERTY IS LOCATED IN "ZONE X" (UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. FLOOD ZONE(S) SCALED FROM THE AFOREMENTIONED FLOOD INSURANCE RATE MAP.

THIS SURVEY WAS PREPARED FOR THE CLIENT'S USE AND PURPOSE AS SHOWN. USAGE FOR ANY OTHER PURPOSE, REPRODUCTIONS (IN WHOLE OR IN PART) SHALL NOT BE MADE WITHOUT THE EXPLICIT WRITTEN PERMISSION OF THE SURVEYOR.

THE RELATIVE ERROR OF CLOSURE OF THIS SURVEY & PLAT IS WITHIN THE ALLOWABLE TOLERANCE FOR SUBURBAN SURVEYS (1" IN 7,500') ACCORDING TO THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF LICENSURE OF THE STATE OF ALABAMA.

THIS DRAWING DOES NOT REFLECT ANY TITLE, EASEMENT OR RIGHT-OF-WAY RESEARCH OTHER THAN WHAT IS READILY VISIBLE ON THE SURFACE OR PROVIDED BY THE CLIENT.

NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY.

PROPERTY IS SUBJECT TO ZONING SETBACKS AND RESTRICTIONS OF RECORD.

EFFORT WAS MADE TO LOCATE UNDERGROUND UTILITIES. HOWEVER, NO WARRANTY IS GIVEN THAT ALL UTILITIES ARE SHOWN.

THERE ARE NO CEMETERIES OR BURIAL GROUNDS OBSERVED ON THE SUBJECT PROPERTY OR DISCLOSED TO MCCRORY & WILLIAMS, INC AT THE TIME OF SURVEY.

BEARINGS BASED ON RECORD PLAT OF CREEKSIDE, UNIT 3 (SLIDE NO. 2217-F).

THIS SURVEY WAS BASED ON FIELD WORK COMPLETED ON FEBRUARY 17, 2021.

DESCRIPTION:

BEGINNING AT THE SOUTHWEST CORNER OF CREEKSIDE, UNIT 3, AS PER PLAT RECORDED ON SLIDE NO. 2217-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF POLLARD ROAD, THENCE RUN S 69° 50' 50" E ALONG THE SOUTH LINE OF SAID CREEKSIDE, UNIT 3, 299.91 FEET TO THE SOUTHEAST CORNER OF SAID CREEKSIDE, UNIT 3, SAID POINT BEING ON THE WEST LINE OF CREEKSIDE, UNIT 1, AS PER PLAT RECORDED ON SLIDE NO. 1703-B OF SAID PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA, THENCE RUN S 00° 00' 25" W ALONG SAID WEST LINE OF CREEKSIDE, UNIT 1, 180.22 FEET TO THE NORTHEAST CORNER OF LOT 4, CREEKSIDE PROFESSIONAL PARK, AS PER PLAT RECORDED ON SLIDE NO. 1953-B OF SAID PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA, THENCE ALONG THE NORTH LINE OF SAID LOT 4, CREEKSIDE PROFESSIONAL PARK AS FOLLOWS: S 84° 33' 01" W, 97.03 FEET; THENCE RUN N 70° 58' 12" W, 93.31 FEET; THENCE RUN S 76° 03' 22" W, 118.83 FEET TO THE NORTHEAST CORNER OF SAID LOT 4, CREEKSIDE PROFESSIONAL PARK, SAID POINT BEING ON THE AFOREMENTIONED EAST RIGHT OF WAY LINE OF POLLARD ROAD; THENCE DEPARTING SAID NORTH LINE OF LOT 4, CREEKSIDE PROFESSIONAL PARK RUN N 00° 04' 31" E, ALONG SAID EAST RIGHT OF WAY LINE OF POLLARD ROAD 188.45 FEET TO THE POINT OF BEGINNING, CONTAINING 53,311 SQUARE FEET OR 1.22 ACRES MORE OR LESS.

STATE OF ALABAMA:
COUNTY OF BALDWIN:

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

MERLIN J. MILLER, P.E.
ALABAMA REGISTRATION NUMBER 14586



GRAPHIC SCALE



(IN FEET)
SCALE: 1" = 30'

EXHIBIT B

McCrory Williams
Engineers Surveyors

3207 INTERNATIONAL DR, SUITE G
MOBILE, ALABAMA 36606
PHONE: (251) 476-4720
FAX: (251) 476-4721
EMAIL: mail@mcwinc.com

JOB NO.
S7701-2001

**BOUNDARY SURVEY
FOR GORDON SATTERWHITE**

SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA

SCALE: 1" = 30'

DATE: Mar. 1, 2021

DRAWN BY: RAT

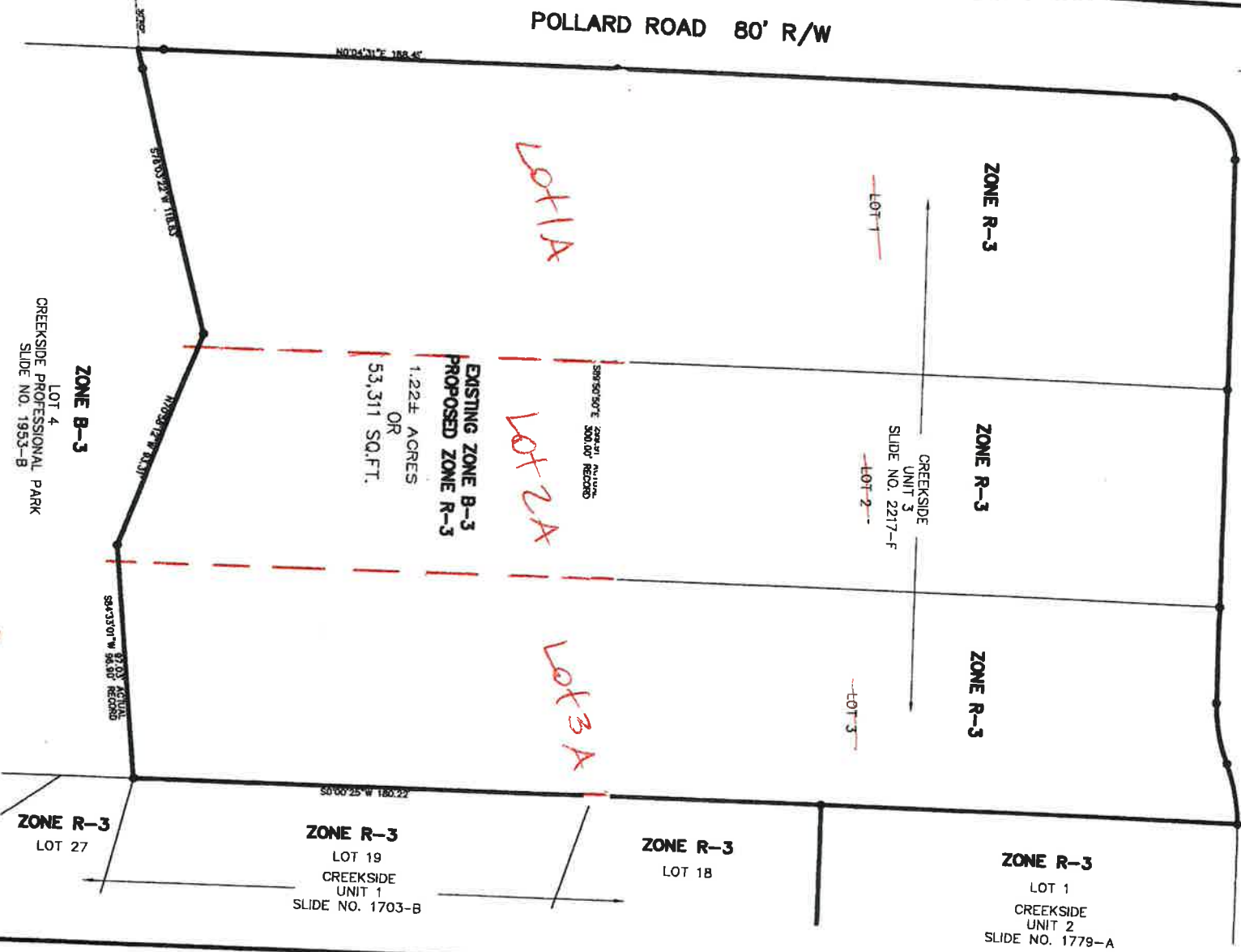
APPROVED BY: MJM

SHEET 1 OF 1



CREEKBANK DRIVE (R/W VARIES)

*Conceptual Replat
Described by the
applicant*



McCrosby Williams
ENGINEERS SURVEYORS

3207 INTERNATIONAL DR. SUITE C
MOBILE, ALABAMA 36608
PHONE (251) 478-4720
FAX (251) 478-4721
EMAIL mobile@mcwilliams.com

JOB NO.
S7701-2002

**EXISTING
ZONING MAP**

SEC. 9, T-5-S R-2-E BALDWIN COUNTY, ALABAMA
SCALE: N.T.S. DATE: 03/01/2021 DRAWN BY: D.W.

GORDAN SUTTERWHITE
PROPERTY ON POLLARD ROAD
REZONE FROM B-3 TO R-3

BELEN, DORJEE JAMES
P O BOX 82084
MOBILE, AL 36670

RIVIERA UTILITIES
P O BOX 1750
FOLEY, AL 36536

DAVIS & FIELDS INVESTMENTS
L L C
P O BOX 2925
DAPHNE, AL 36526

SMITH, ROBERT M ETAL SMITH,
KATHRYN
8088 MAJORS CT
DAPHNE, AL 36526

RAMSLAND, JEFFREY ETAL
RAMSLAND, BARBARA
7910 CREEKBANK DRIVE
DAPHNE, AL 36526

PECK, WILLIAM THOMPSON III 8036
CREEKBANK DRIVE
MOBILE, AL 36608

SATTERWHITE, GORDON A JR ETAL
SATTERWHIT
CREEKBANK DRIVE
MOBILE, AL 36608

ROBIN LEJEUNE
MAYOR

ADRIENNE D. JONES, AICP,
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
STEVE OLEN
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
BENJAMIN HUGHES
DISTRICT 6
ANGIE PHILLIPS
DISTRICT 7

April 9, 2021

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission. Gordon and Rosalyn Satterwhite propose to rezone 1.22 acres +/- located southeast of Creekbank Drive and Pollard Road from B-3, Professional Business, to R-3, High Density Single Family Residential.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, April 14, 2021 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, April 22, 2021 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, or by representation.

Sincerely,
Adrienne D. Jones, AICP,
Director of Community Development

Gordon & Rosalyn Satterwhite Zoning Amendment

P. O. Box 400 - Daphne, Alabama 36526
Phone: 251.620.1700

EXHIBIT A

DESCRIPTION:

BEGINNING AT THE SOUTHWEST CORNER OF CREEKSIDE, UNIT 3, AS PER PLAT RECORDED ON SLIDE NO. 2217-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF POLLARD ROAD; THENCE RUN S 89° 50' 50" E ALONG THE SOUTH LINE OF SAID CREEKSIDE, UNIT 3, 299.91 FEET TO THE SOUTHEAST CORNER OF SAID CREEKSIDE, UNIT 3, SAID POINT BEING ON THE WEST LINE OF CREEKSIDE, UNIT 1, AS PER PLAT RECORDED ON SLIDE NO. 1703-B OF SAID PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA; THENCE RUN S 00° 00' 25" W ALONG SAID WEST LINE OF CREEKSIDE, UNIT 1, 180.22 FEET TO THE NORTHEAST CORNER OF LOT 4, CREEKSIDE PROFESSIONAL PARK, AS PER PLAT RECORDED ON SLIDE NO. 1953-B OF SAID PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA; THENCE ALONG THE NORTH LINE OF SAID LOT 4, CREEKSIDE PROFESSIONAL PARK RUN AS FOLLOWS: S 84° 33' 01" W, 97.03 FEET; THENCE RUN N 70° 58' 12" W, 93.31 FEET; THENCE RUN S 76° 03' 22" W, 118.83 FEET TO THE NORTHWEST CORNER OF SAID LOT 4, CREEKSIDE PROFESSIONAL PARK, SAID POINT BEING ON THE AFOREMENTIONED EAST RIGHT OF WAY LINE OF POLLARD ROAD; THENCE DEPARTING SAID NORTH LINE OF LOT 4, CREEKSIDE PROFESSIONAL PARK RUN N 00° 04' 31" E, ALONG SAID EAST RIGHT OF WAY LINE OF POLLARD ROAD 188.45 FEET TO THE POINT OF BEGINNING. CONTAINING 53,311 SQUARE FEET OR 1.22 ACRES MORE OR LESS.

To: Office of the City Clerk
From: Adrienne D. Jones, AICP
Director of Community Development
Subject: Jennifer Lynn Chaffin, Stephen W. &
Wanda Milstead, & Stephen Patrick
Milstead Annexation Petition
Date: April 26, 2021

MEMORANDUM

PRESENT ZONING: RSF-2, Single Family District,
Baldwin County District 15,
Exterritorial Planning Jurisdiction

LOCATION: Northeast corner of Pollard Road and
Well Road

RECOMMENDATION: At the Thursday, April 22, 2021
regular meeting of the Daphne
Planning Commission, seven members
were present and the motion carried
for a favorable recommendation for
the above mentioned annexation
petition.

Attached please find the appropriate documentation and
action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an
ordinance for placement on the City Council agenda for
placement on the City Council agenda to set a public
hearing.

Thank you,
ADJ/jv

attachment(s)

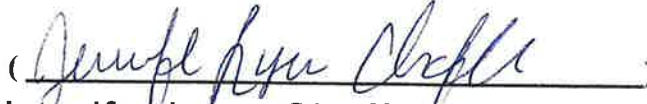
1. Petition for Annexation
2. Legal Description (Exhibit A)
3. Boundary Survey (Exhibit B)

FILE
04/26/21
10:10 am

STATE OF ALABAMA

COUNTY OF BALDWIN

**PETITION FOR ANNEXATION OF CERTAIN PROPERTY
INTO THE CORPORATE LIMITS OF THE MUNICIPALITY
OF THE CITY OF DAPHNE, ALABAMA**


Jennifer Lynn Chaffin

The undersigned, Jennifer Lynn Chaffin, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, 05-043-05-16-0-000-005.000, to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of its petition:

1. **Description of Property:** The description of the property which the petitioner requests to be annexed into the City of Daphne is described in **Exhibit "A"** attached hereto and made a part of this petition as fully set out herein (**the "Property"**).

2. **Map of Property:** Attached hereto as **Exhibit "B"** and made a part of this petition, is a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne.

3. **Owner:** The petitioner, Jennifer Lynn Chaffin, is the owner of the property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. **Specific Conditions:** This petition is conditioned upon the adoption of an ordinance, which shall specifically include the conditions requested below upon annexing the property into the corporate limits of the City of Daphne.

Requested zoning, if other than R-1: PUD

Any other conditions which may apply upon annexation:

5. **Code:** This Petition is filed pursuant to the provisions of Article 21, Chapter 42, Title 11, Code of Alabama, 1975, as amended.

DATED this 20th day of March, 2021

Respectfully submitted by,

Jennifer Lynn Chaffin

Name of Owner (Print)

Jennifer Lynn Chaffin
Name of Owner (Signature)

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Jacob Burkhardt, the undersigned Notary Public in and for said county and state, hereby certify that Jennifer Chaffin has signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 20 day of March, 2021

Jacob Burkhardt
NOTARY PUBLIC

My commission expires: 10/22/2024

Owner's Address

26682 Pollard Rd.

Daphne, AL 36526



Exhibit A

PARCEL "B"

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-05'-12" WEST A DISTANCE OF 30.00 FEET; THENCE RUN NORTH 89°-59'-11" EAST A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (WATTIER) AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WELL ROAD (60' R/W) AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' R/W); THENCE RUN SOUTH 89°-40'-53" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 554.62 FEET TO A CAPPED REBAR (GEO) AT THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE RUN NORTH 00°-18'-07" EAST A DISTANCE OF 627.59 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 89°-44'-12" EAST A DISTANCE OF 344.26 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 00°-19'-01" WEST A DISTANCE OF 627.58 FEET TO A CAPPED REBAR (GEO) ON THE NORTH RIGHT-OF-WAY LINE OF SAID WELL ROAD; THENCE RUN NORTH 89°-44'-19" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 344.09 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 4.96 ACRES, MORE OR LESS.

**PETITION FOR ANNEXATION OF CERTAIN PROPERTY
INTO THE CORPORATE LIMITS OF THE MUNICIPALITY
OF THE CITY OF DAPHNE, ALABAMA**

(Stephen W. Milstead)

The undersigned, Stephen W. & Wanda Milstead, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, 05-43-05-16-0-000-005.002, to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of its petition:

1. **Description of Property:** The description of the property which the petitioner requests to be annexed into the City of Daphne is described in **Exhibit "A"** attached hereto and made a part of this petition as fully set out herein (**the "Property"**).

2. **Map of Property:** Attached hereto as **Exhibit "B"** and made a part of this petition, is a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne.

3. **Owner:** The petitioner, Stephen W. & Wanda Milstead, is the owner of the property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. **Specific Conditions:** This petition is conditioned upon the adoption of an ordinance, which shall specifically include the conditions requested below upon annexing the property into the corporate limits of the City of Daphne.

Requested zoning, if other than R-1: PUD

Any other conditions which may apply upon annexation:

5. **Code:** This Petition is filed pursuant to the provisions of Article 21, Chapter 42, Title 11, Code of Alabama, 1975, as amended.

DATED this 20 day of march, 2021

Respectfully submitted by,

Stephen W. Milstead

Name of Owner (Print)

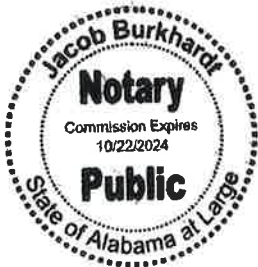
Stephen W. Milstead

Name of Owner (Signature)

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Jacob Burkhardt, the undersigned Notary Public in and for said county and state, hereby certify that Stephen W. Milstead has signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 20 day of march, 2021.



Jacob Burkhardt
NOTARY PUBLIC

My commission expires: 10/22/2024

Owner's Address

26560 Pollard Rd.

Daphne, AL 36526

DATED this 20 day of March 2021

Respectfully submitted by,

Name of Owner (Print) Wanda Milstead

Name of Owner (Signature) Deceased

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, the undersigned Notary Public in and for said county and state, hereby certify that Wanda Milstead has signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the ____ day of _____, 20__.

NOTARY PUBLIC _____

My commission expires: _____

Owner's Address

26680 Pollard Rd.

Daphne, AL 36526

Exhibit A

PARCEL "A"

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH $00^{\circ}-05'-12''$ WEST A DISTANCE OF 30.00 FEET; THENCE RUN NORTH $89^{\circ}-59'-11''$ EAST A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (WATTIER) AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WELL ROAD (60' R/W) AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' R/W), SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE RUN NORTH $00^{\circ}-14'-41''$ EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 627.60 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH $89^{\circ}-40'-49''$ EAST A DISTANCE OF 555.25 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH $00^{\circ}-18'-07''$ WEST A DISTANCE OF 627.59 FEET TO A CAPPED REBAR (GEO) ON THE NORTH RIGHT-OF-WAY LINE OF SAID WELL ROAD; THENCE RUN NORTH $89^{\circ}-40'-53''$ WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 554.62 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 8.00 ACRES, MORE OR LESS.

**PETITION FOR ANNEXATION OF CERTAIN PROPERTY
INTO THE CORPORATE LIMITS OF THE MUNICIPALITY
OF THE CITY OF DAPHNE, ALABAMA**

(Stephen Patrick Milstead)

The undersigned, Stephen Patrick Milstead, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, 05-043-05-16-0-000-005.003, to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of its petition:

1. **Description of Property:** The description of the property which the petitioner requests to be annexed into the City of Daphne is described in **Exhibit "A"** attached hereto and made a part of this petition as fully set out herein (**the "Property"**).

2. **Map of Property:** Attached hereto as **Exhibit "B"** and made a part of this petition, is a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne.

3. **Owner:** The petitioner, Stephen Patrick Milstead, is the owner of the property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. **Specific Conditions:** This petition is conditioned upon the adoption of an ordinance, which shall specifically include the conditions requested below upon annexing the property into the corporate limits of the City of Daphne.

Requested zoning, if other than R-1: PUD

Any other conditions which may apply upon annexation:

5. **Code:** This Petition is filed pursuant to the provisions of Article 21, Chapter 42, Title 11, Code of Alabama, 1975, as amended.

DATED this 20 day of March, 2021

Respectfully submitted by,

Stephen Patrick Milstead

Name of Owner (Print)

Stephen P. Milstead
Name of Owner (Signature)

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Jacob Burkhardt, the undersigned Notary Public in and for said county and state, hereby certify that Stephen P. Milstead has signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 20 day of March, 2021



Jacob Burkhardt
NOTARY PUBLIC

My commission expires: 10/22/2024

Owner's Address

26560 Pollard Rd.

Daphne, AL 36526

Exhibit A

PARCEL "C"

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-05'-12" WEST A DISTANCE OF 30.00 FEET; THENCE RUN NORTH 89°-59'-11" EAST A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (WATTIER) AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WELL ROAD (60' R/W) AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' R/W); THENCE RUN SOUTH 89°-40'-53" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 554.62 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 89°-44'-19" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 344.09 FEET TO A CAPPED REBAR (GEO) AT THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE RUN NORTH 00°-19'-01" EAST A DISTANCE OF 627.58 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 89°-46'-00" EAST A DISTANCE OF 385.57 FEET TO A CRIMP TOP PIPE AT THE NORTHWEST CORNER OF TERRI SUBDIVISION, AS RECORDED ON SLIDE 2506-C OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°-16'-16" WEST ALONG THE WEST LINE OF SAID TERRI SUBDIVISION A DISTANCE OF 512.75 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-37'-35" WEST A DISTANCE OF 225.36 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 00°-10'-54" WEST A DISTANCE OF 115.46 FEET TO A CAPPED REBAR (GEO) ON THE NORTH RIGHT-OF-WAY LINE OF SAID WELL ROAD; THENCE RUN NORTH 89°-44'-19" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 160.89 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 4.96 ACRES, MORE OR LESS.

05-43-05-16-0-000-005.000 – CHAFFIN, JENNIFER LYNN

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-05'-12" WEST A DISTANCE OF 30.00 FEET; THENCE RUN NORTH 89°-59'-11" EAST A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (WATTIER) AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WELL ROAD (60' R/W) AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' R/W); THENCE RUN SOUTH 89°-40'-53" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 554.62 FEET TO A CAPPED REBAR (GEO) AT THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE RUN NORTH 00°-18'-07" EAST A DISTANCE OF 627.59 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 89°-44'-12" EAST A DISTANCE OF 344.26 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 00°-19'-01" WEST A DISTANCE OF 627.58 FEET TO A CAPPED REBAR (GEO) ON THE NORTH RIGHT-OF-WAY LINE OF SAID WELL ROAD; THENCE RUN NORTH 89°-44'-19" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 344.09 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 4.96 ACRES, MORE OR LESS.

05-43-05-16-0-000-005.002 – MILSTEAD, STEPHEN W ETAL & MILSTEAD, WANDA

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-05'-12" WEST A DISTANCE OF 30.00 FEET; THENCE RUN NORTH 89°-59'-11" EAST A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (WATTIER) AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WELL ROAD (60' R/W) AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' R/W), SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE RUN NORTH 00°-14'-41" EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 627.60 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 89°-40'-49" EAST A DISTANCE OF 555.25 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 00°-18'-07" WEST A DISTANCE OF 627.59 FEET TO A CAPPED REBAR (GEO) ON THE NORTH RIGHT-OF-WAY LINE OF SAID WELL ROAD; THENCE RUN NORTH 89°-40'-53" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 554.62 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 8.00 ACRES, MORE OR LESS.

05-43-05-16-0-000-005.003 – MILSTEAD, STEPHEN PATRICK

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-05'-12" WEST A DISTANCE OF 30.00 FEET; THENCE RUN NORTH 89°-59'-11" EAST A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (WATTIER) AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WELL ROAD (60' R/W) AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' R/W); THENCE RUN SOUTH 89°-40'-53" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 554.62 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 89°-44'-19" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 344.09 FEET TO A CAPPED REBAR (GEO) AT THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE RUN NORTH 00°-19'-01" EAST A DISTANCE OF 627.58 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 89°-46'-00" EAST A DISTANCE OF 385.57 FEET TO A CRIMP TOP PIPE AT THE NORTHWEST CORNER OF TERRI SUBDIVISION, AS RECORDED ON SLIDE 2506-C OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°-16'-16" WEST ALONG THE WEST LINE OF SAID TERRI SUBDIVISION A DISTANCE OF 512.75 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-37'-35" WEST A DISTANCE OF 225.36 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 00°-10'-54" WEST A DISTANCE OF 115.46 FEET TO A CAPPED REBAR (GEO) ON THE NORTH RIGHT-OF-WAY LINE OF SAID WELL ROAD; THENCE RUN NORTH 89°-44'-19" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 160.89 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 4.96 ACRES, MORE OR LESS.

To: Office of the City Clerk
From: Adrienne D. Jones, AICP,
Director of Community Development
Subject: Jennifer Lynn Chaffin, Stephen W. &
Wanda Milstead, & Stephen Patrick
Milstead Pre-Zoning Amendment
Date: April 26, 2021

PRESENT ZONING: RSF-2, Single Family District,
Baldwin County District 15,
Exterritorial Planning Jurisdiction

PROPOSED PRE-ZONING: PUD, Planned Unit Development

LOCATION: Northeast corner of Pollard Road and
Well Road

RECOMMENDATION: At the Thursday, April 22, 2021,
regular meeting of the Daphne
Planning Commission, seven members
were present and the motion carried
for a favorable recommendation for
the above mentioned pre-zoning
amendment.

Attached please find the appropriate documentation and
action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an
ordinance for placement on the City Council agenda for
placement on the City Council agenda to set a public
hearing.

Thank you,
ADJ/jv

attachment(s)

1. Community Development Report and Supplemental
Documents
2. Pre-Zoning Application
3. Legal Description (Exhibit A)
4. Boundary Survey (Exhibit B)
5. Adjacent property owners list

FILE
04/26/21
10:00am



Zoning Classification:
Baldwin County - RSF-2

Surrounding Zonings/Uses:

- **North**— ETJ
- **South**— B-2, General Business/Offices
- **East**— R-1, Low Density Single Family/Residences
- **Southwest**—Utility
- **West**—R-1, Low Density Single Family Residential

Existing Utility Service Providers: Daphne Utilities, Riviera Utilities

Affected City Service Providers: Fire Station 1, Police Beat 1

Staff Recommendation to PC: Favorable recommendation to City Council

Proposed Zoning:
Planned Unit Development

Development Concept:
Townhouses

Council District:
4

Existing Conditions:
17.92 ac

Planning Commission Recommendation:
Pending

The Comprehensive Plan

The comprehensive plan's overarching policy regarding land development encourages harmony and compatibility. The following are some Land Use Goals and Objectives from the Plan.

Goal: Provide a land use plan for the City of Daphne, which supports the City's economic development, housing, transportation, and open space, recreation and education goals in a manner that maintains and promotes Daphne's unique image and quality of life. Objective: Encourage development of sound and cohesive residential areas which meet the housing needs of current and potential residents.

Goal: Grow sensibly by anticipating land use needs. Objective: Promote and manage growth on undeveloped lands in a manner that will be compatible with, and complementary to, existing adjacent developed properties. Objective: Encourage planned unit developments which are beneficial to residents and which creatively take advantage of available properties that otherwise would not be developed. Objective: Protect and preserve the character of Daphne through review of new developments, the encouragement of growth that enhances the community spirit, and through aesthetic considerations. Objective: Integrate recreational resources with residential neighborhoods to insure that all portions of Daphne's population have convenient access to parks and open space. Promote clustered commercial development in defined areas.

PROPOSAL:

The applicants propose to prezone the subject properties to a Planned Unit Development and annex the land into the city limits for a 140 unit townhouse development. See attached displays for further details.

Zoning		
Current Zoning	ET- Jurisdiction	
Proposed Zoning	PUD	
Site		
Net Lot Area	780660 SF	17.92 AC
Development		
Proposed Building Height	2 stories	25 FT
Proposed Dwelling Units	140	
Front-Loaded	16	
Rear-Loaded	124	
Proposed Dwelling Units per Acre	7.8	
Proposed Yard Setback (min.)		
Front		
Pollard Road/Well Road	30 FT	
Internal Street	7 FT	
Perimeter Setback (not adjacent to ROW)	20 FT	
Proposed Floor Area Ratio		
	0.20	
Proposed impervious Coverage	219703 SF	28.1%
Proposed Building Coverage	200614 SF	25.7%
Proposed Landscape Area*	252861 SF	32.4%
Proposed Number of Parking Spaces		
Garage Spaces + Parking Pad Spaces	280	
Surface and On-street Spaces	77 *	
Total	357	

*Landscape area calculation includes detention area.

**Includes 4 ADA parking spaces

RECOMMENDATION:

Staff recommends that the Planning Commission set forth a favorable recommendation to City Council to prezone the property and annex it into the City.



City of Daphne
Planning Department
Attn: Adrienne Jones
1705 Main St.
Daphne, AL 36526

To whom it may concern:

Daphne Cottages is a proposed 137-unit, class A, market rate rental townhome community. The property is 17.9 acres located at 26560, 26682, and 26680 Pollard Road. Proposed floor plans will include master on main, single story two-bedroom units and family-friendly, three-bedroom units with a master bedroom upstairs. Units will range from 969 to 1,312 square feet. Project amenities will include a clubhouse with resort style swimming pool, walking paths throughout the community and pocket parks. Starting rents are expected to be \$1,500 to \$1,700 per month.

The attached site plan includes predominantly alley loaded homes with front yards, street parking and pedestrian connectivity to create a more livable and outdoor oriented setting for residents. Renters will enjoy front yards and patios that front landscaped common areas and pocket parks that serve as a place to gather or as an area for children to play. Ample resident and guest parking in close proximity to all units ensures that driveways and alleys remain clear for city services, guests and emergency services. The proposed amenities will include an approximate 2,000 square foot pool and 2,000 square foot clubhouse with additional covered outdoor space for pool-side fun and grilling. Onsite management ensures a strong resident experience. The proposed aesthetic is based on contemporary farmhouse intended to embrace the projects setting and the areas history while still incorporating modern materials and colors.



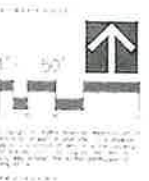
We are seeking conditional annexation that would be contingent on rezoning to Planned Unit Development (PUD). The proposed PUD offers a density of 7.65 units per acre, less than the 10 units to the acres permitted under R-7(T) zoning. Max height for proposed residences is 25 ft, 10 feet less than the R7T max height of 35ft. The proposed site plan also offers 28% impervious coverage, less than the 30% maximum required under R-7(T) zoning. While not finalized the layout does contemplate emergency service access to all units. Storm water analysis, traffic studies and a full landscape plan will be provided in accordance with City of Daphne's Land Development code during site plan approval.

Daphne Cottages is being developed by Atlanta based developer DevLab Partners, who specializes in residential communities throughout the southeast. Their collective portfolio includes rental townhome, age targeted for-sale residential and condominium. DevLab is active on other innovative residential projects that marry the benefits of thoughtful design and proximity to established cities that offer a strong family experience.

Sincerely,

A handwritten signature in blue ink, appearing to read "LR" or "Luke Rozanski".

Luke Rozanski
Principal
DEVLAB Partners, LLC



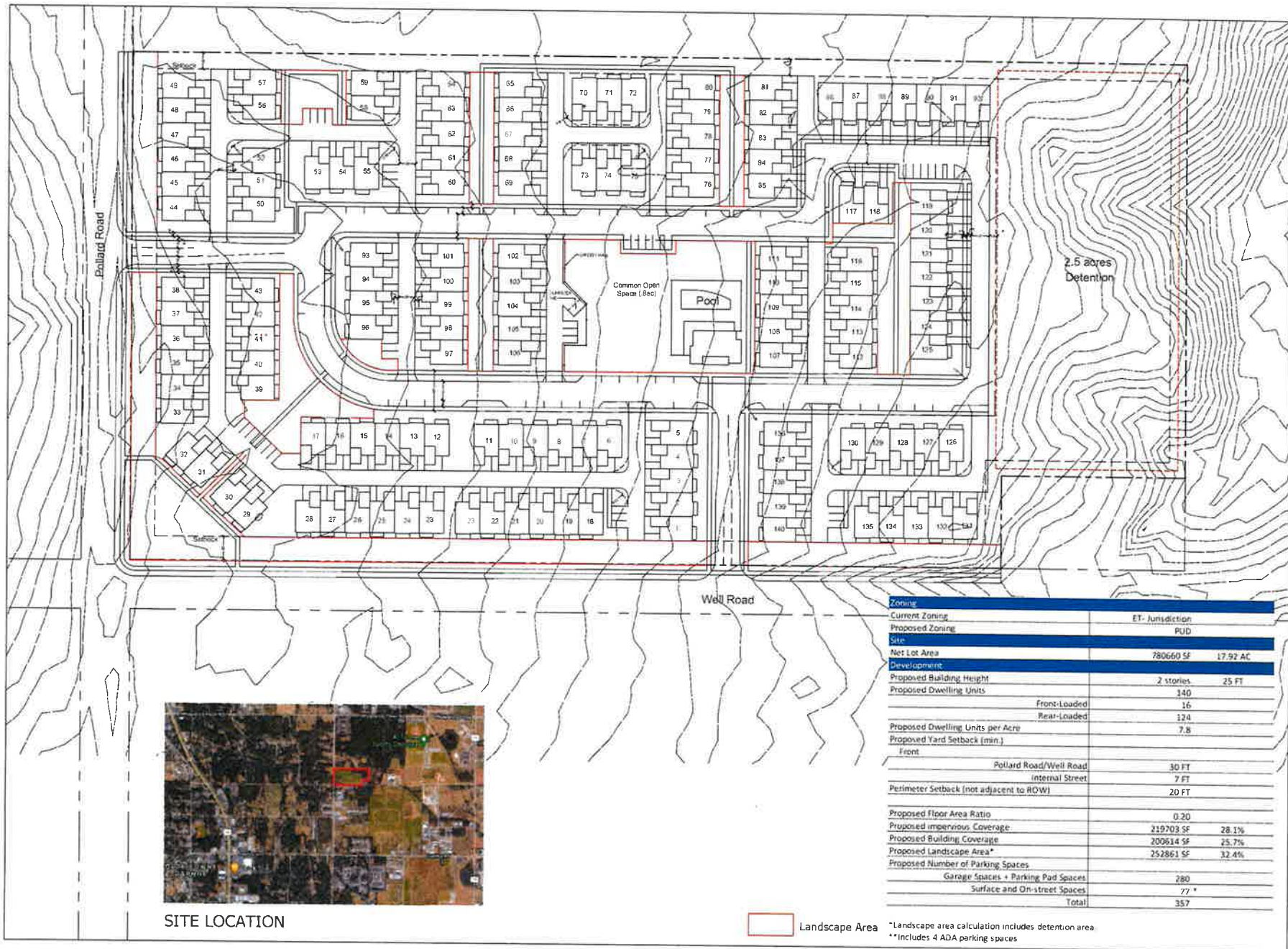
PROJECT: DAPHNE COTTAGES
LOCATION: DAPHNE, ALABAMA
DATE: 10/24/2021
SCALE: 1/8" = 1'-0"

OWNER	DAKOTA DEVELOPMENT, LLC
DESIGNER	TSW
DATE	10/24/2021
SCALE	1/8" = 1'-0"
PROJECT	DAPHNE COTTAGES
LOCATION	DAPHNE, ALABAMA
DATE	10/24/2021
SCALE	1/8" = 1'-0"



LEGEND

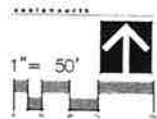
- Front Loaded Cottage 16
- Rear Loaded Cottage 124
- Amenity Building
- Common Open Space
- Other Open Space



1447 Peachtree Street NE,
Suite 850
Atlanta, Georgia 30309
phone: 404.873.8730

www.tsw-design.com

DAPHNE
COTTAGES
Zoning Plan
Daphne, ALABAMA



1" = 50'

PROJECT TITLE

DAPHNE COTTAGES
Zoning Plan
Daphne, AL
Devlab

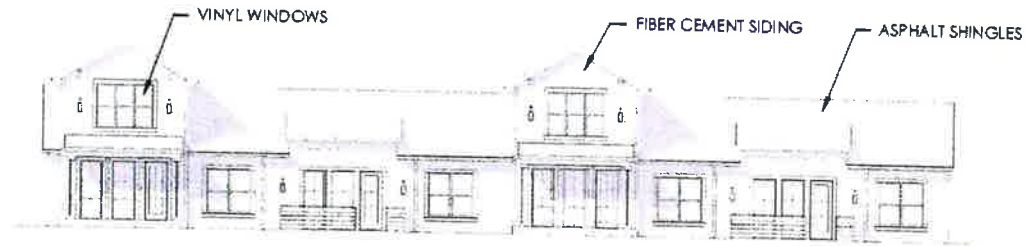
DRAWING INFORMATION
PROJECT NUMBER
AUTHOR
DRAWN BY
CHECKED BY
DATE
SCALE
1" = 50'

DRAWING DATE
March 24, 2021

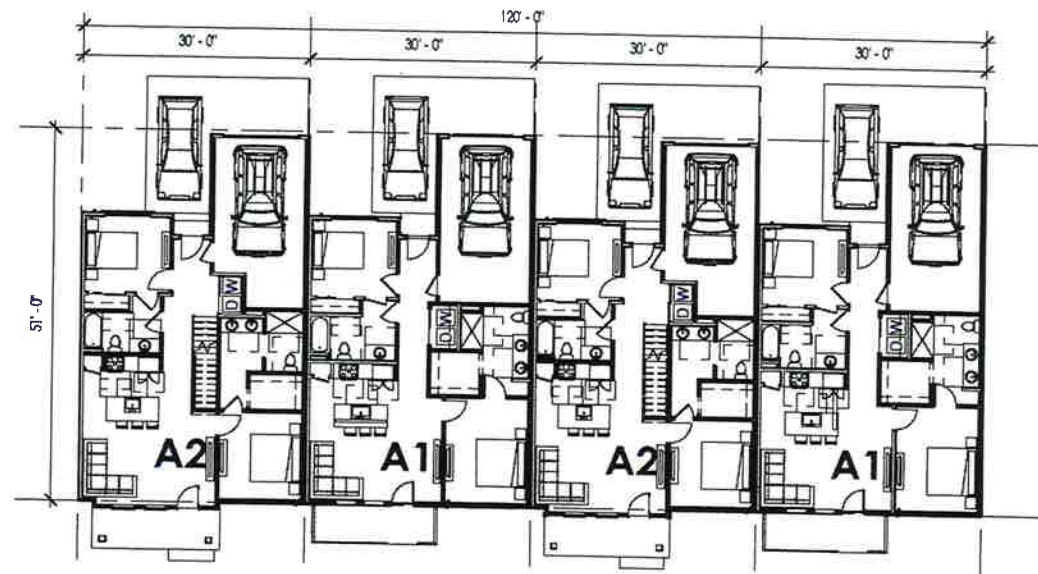
SHEET TITLE

SHEET NUMBER

*Landscape area calculation includes detention area
**Includes 4 ADA parking spaces



① FRONT ELEVATION - REAR LOADED
1/16" = 1'-0"



② FIRST FLOOR PLAN - REAR LOADED
1/16" = 1'-0"

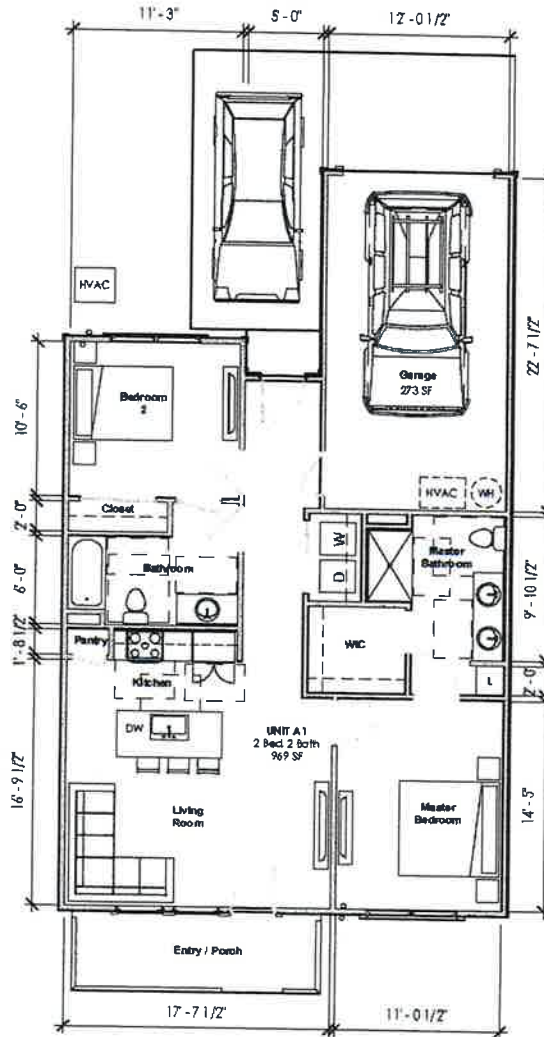
Daphne Cottages

Scale 1/16" = 1'-0" Copyright © All rights reserved. Reproduction in whole or in part is prohibited. This drawing as an instrument of service is the property of TSW Inc. and may not be used in any way without the written permission of TSW Inc.
March 17, 2021

for: Devlab Partners, LLC
by: TSW



Heated Space	969 SF
Un-Heated Space	273 SF
Total Space	1,242 SF



① UNIT A1 - FIRST FLOOR
1/8" = 1'-0"

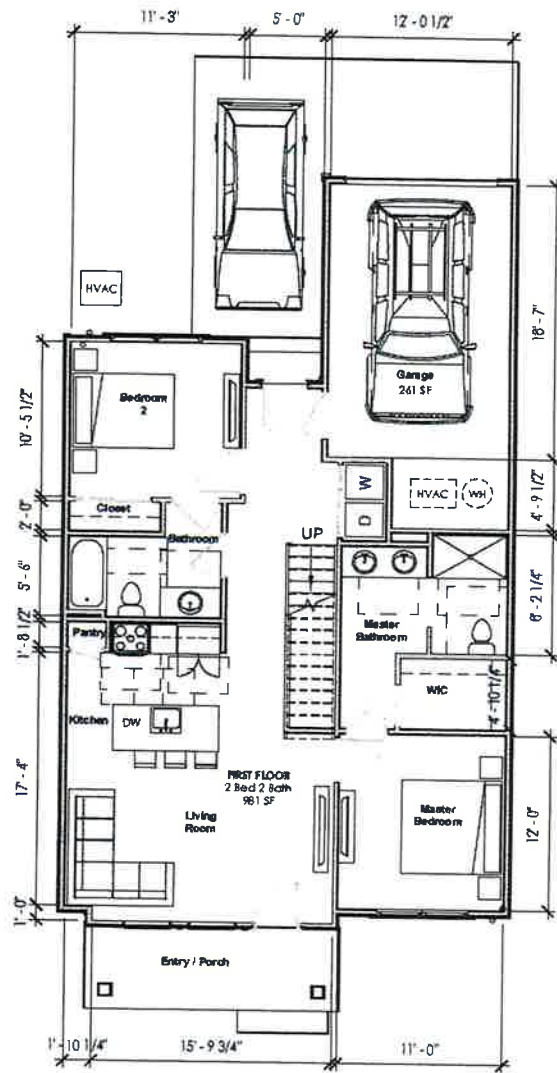
Daphne Cottages

Scale 1/8" = 1'-0" Copyright: © All rights reserved. Reproduction in whole or in part is prohibited. This drawing as an instrument of service is the property of TSW Inc. and may not be used in any way without the written permission of TSW Inc.
March 17, 2021

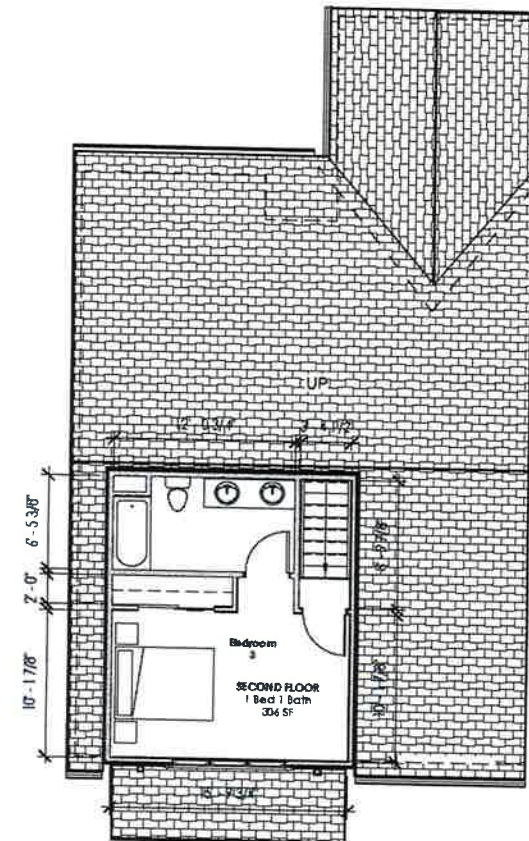
for: Devlab Partners, LLC
by: TSW



Heated Space	981 SF
Heated Space	306 SF
Un-Heated Space	261 SF
Total Space	1,548 SF



① UNIT A2 - FIRST FLOOR
1/8" = 1'-0"



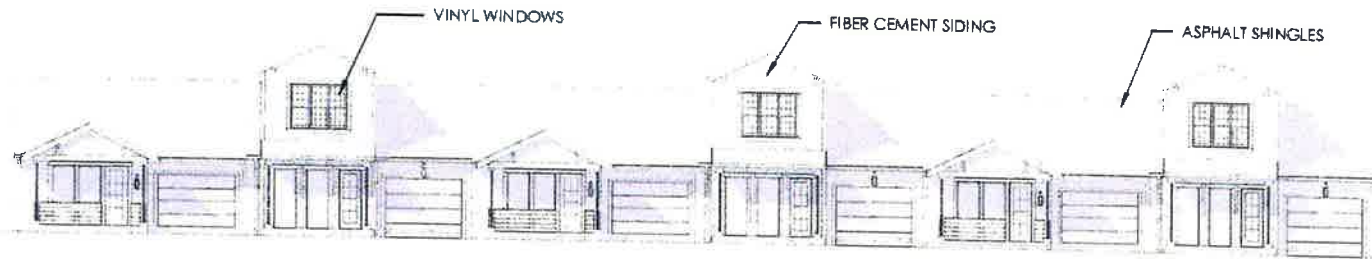
② UNIT A2 - SECOND FLOOR
1/8" = 1'-0"

Daphne Cottages

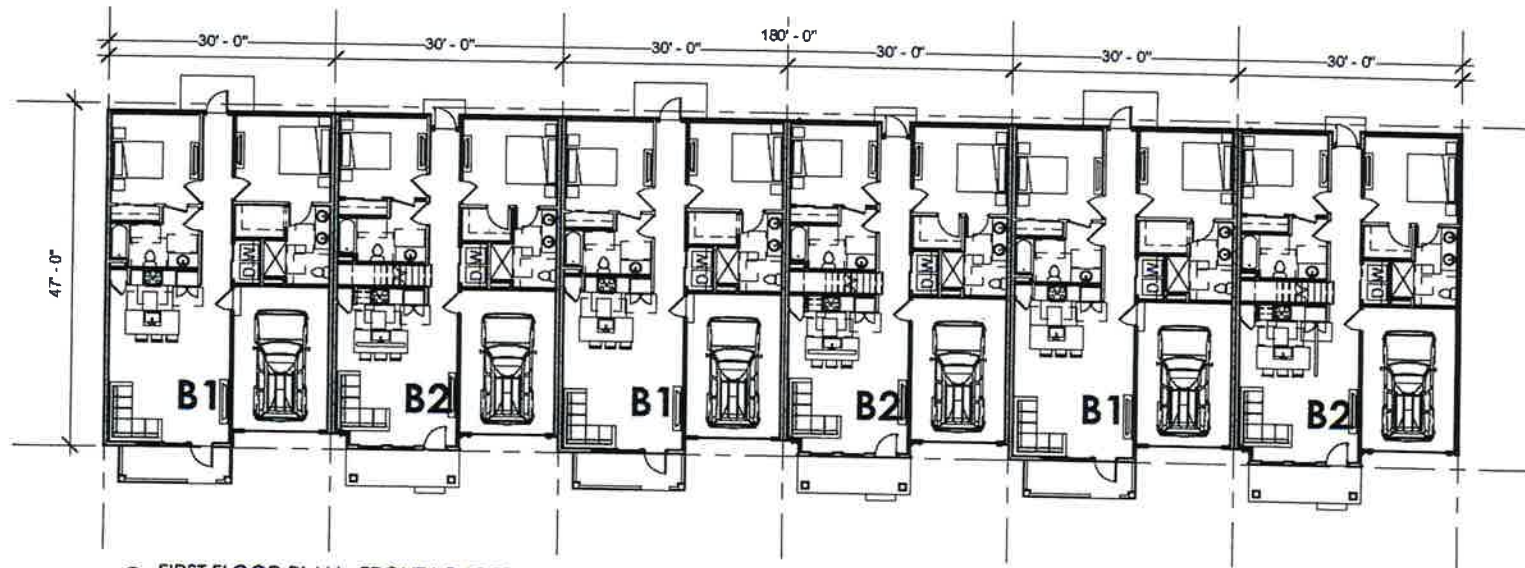
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March 17, 2021

for: Devlab Partners, LLC
by: TSW





① FRONT ELEVATION - FRONT LOADED
1/16" = 1'-0"



② FIRST FLOOR PLAN - FRONT LOADED
1/16" = 1'-0"

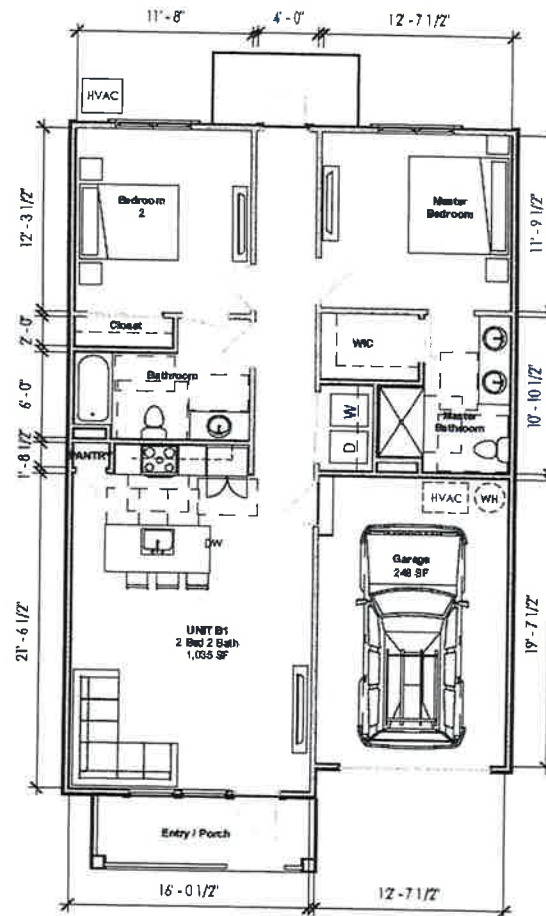
Daphne Cottages

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March 17, 2021

for: Devlab Partners, LLC
by: TSW



Heated Space	1,035 SF
Un-Heated Space	248 SF
Total Space	1,283 SF



① UNIT B1 - FIRST FLOOR PLAN
1/8" = 1'-0"

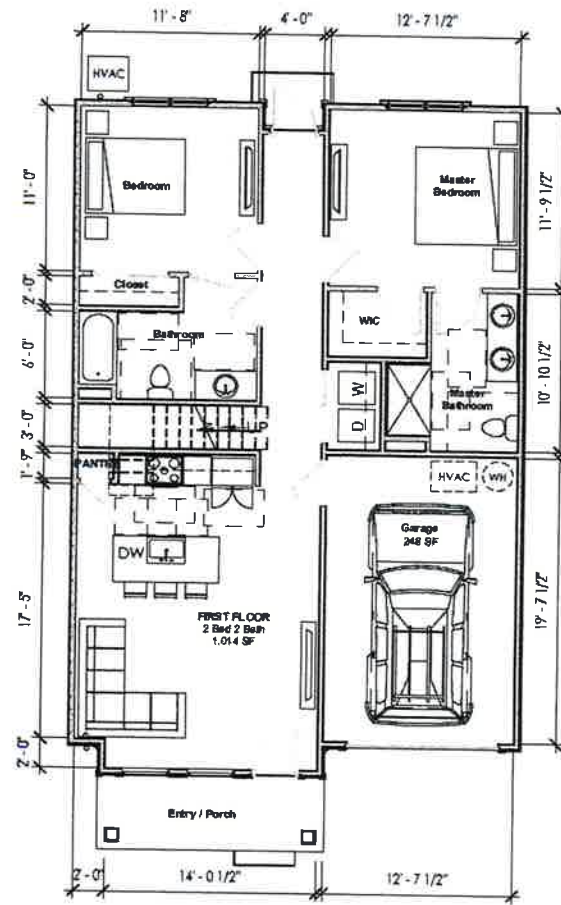
Daphne Cottages

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March 17, 2021

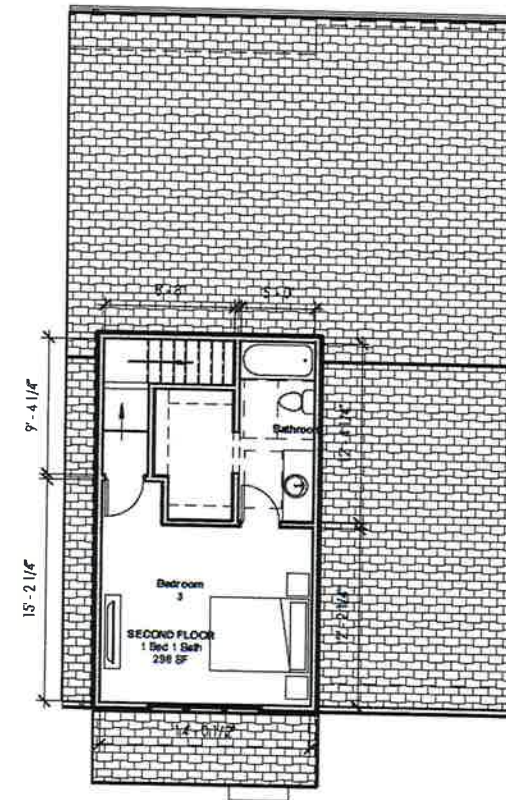
for: Devlab Partners, LLC
by: TSW



Heated Space	1,014 SF
Heated Space	298 SF
Un-Heated Space	248 SF
Total Space	1,560 SF



① UNIT B2 - FIRST FLOOR PLAN
1/8" = 1'-0"



② UNIT B2 - SECOND FLOOR PLAN
1/8" = 1'-0"

Daphne Cottages

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March 17, 2021

for: Devlab Partners, LLC
by: TSW





TSW
PLANNING
ARCHITECTURE
LANDSCAPE ARCHITECTURE



JINRIGHT & ASSOCIATES DEVELOPMENT ENGINEERS
208 Green Road N., Ste. C Fairhope, Alabama 36532
P.O. Box 1929 Fairhope, Alabama 36533
Phone: (251) 928-3443 Fax: (251) 928-3665
jadengineers.com

DATE: 3/24/2021



POLLARD ROAD
87' R/W

05-43-05-16-0-000-005.002
MILSTEAD, STEPHEN W ETAL & MILSTEAD, WANDA
ZONED: BALDWIN COUNTY RSF-2
PROPOSED ZONING: CITY OF DAPHNE PUD

PARCEL "A"
8.00+ ACRES
INST 1076230

05-43-05-16-0-000-005.000
CHAFFIN, JENNIFER LYNN
ZONED: BALDWIN COUNTY RSF-2
PROPOSED ZONING: CITY OF DAPHNE PUD

PARCEL "B"
8.96+ ACRES
INST 1429035

05-43-05-16-0-000-005.003
MILSTEAD, STEPHEN PATRICK
ZONED: BALDWIN COUNTY RSF-2
PROPOSED ZONING: CITY OF DAPHNE PUD

PARCEL "C"
4.9+ ACRES
INST 1429530

CD File References: PZA-21-05

PZA-21-04

PZA-21-06

WELL ROAD
60' R/W

PROPOSED ZONING MAP - EXHIBIT B2
APPROX. 17.92 ACRES
POLLARD ROAD
AND
WELL ROAD
DAPHNE, AL



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted **March 22, 21**

Application Number:

Planning Commission Public

ZA- or PZA- **21-04**

Hearing Date: **April 22, 21**

Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection):

PPIN#(s): **040316**

Pollard Rd. & Well Rd.

Gross Site Area (acreage): **4.96**

Requested Zoning or Pre-Zoning: **Townhouse-R-7(T)**
PUD

Current Zoning Designation(s):

RSF-2

Amended Request:

Initials:

Date:

Current Land Use: **Vacant**

Anticipated Land Use: **Townhomes**

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).

Annexation Subdivision Site Plan Special Exception Variance Specify Other

APPLICANT & AGENT INFORMATION

If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent **and provide a copy of Articles of Incorporation.*

Name of Current Owner: **Jennifer Lynn Chaffin**

Mailing Address: **26682 Pollard Rd. Daphne, AL 36526**

Phone/Fax:

E-mail:

Name of Authorized Agent: **JADE Consulting, LLC**

Mailing Address: **208 N. Greeno Rd., Ste. C, Fairhope, AL 36532**

251-928-3443

Phone/Fax: **tjinright@jadengineer**
E-mail: **s.com**

Name of Developer*: **DevLab Partners**

Phone/Fax: **850-559-5600**
E-mail: **luke@propdevlab.com**

Other:

Phone/Fax:

E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature: **Jennifer Lynn Chaffin**

Date **3-20-21**

Agent's Signature:

Date

ADDITIONAL INFORMATION

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file this written petition asking and requesting that our property as described be annexed to the City of Daphne, Alabama, under the authority of Section 11-42-20 through 11-42-24, Code of Alabama 1975.

Initials: JLC

We further certify that said property is contiguous to the city limits of Daphne, Alabama. A map and written legal description of said property is hereto attached.

Initials: JLC

We certify that the property is a single or multiple parcels under single or multiple ownership.

Initials: JLC

We certify that we fully understand that upon annexation, the subject property shall be subject to all laws and codes administered by the City of Daphne, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Daphne.

Initials: JLC

Option# 1: We do hereby request pre-zoning of the subject property to the following zoning classification(s): PUD, and certify that a petition for rezoning, associated fees and documents have been submitted prior to or concurrently with this petition.

Initials: JLC

Or

Option# 2: We do hereby certify that we understand fully that upon annexation the subject property will be zoned R-1, Low Density Single Family Residential.

Initials: JLC

We do hereby request that the Planning Commission and City Council give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Daphne, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this, the 20th day of March, 2021.

Legal Description Attached (Exhibit A)? YES Map or Survey Attached (Exhibit B)? YES
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission
Attached (Exhibit C)? YES Acreage 4.96
Subdivision Name NA Lot Number(s) NA

Names and Signature of ALL property owners:

Signature: Jennifer Lynn Chaffin Signature: _____

Printed Name: Jennifer Lynn Chaffin Printed Name: _____

Mailing Address: 26682 Pollard Rd. Daphne, AL 36526 Mailing Address: _____

Exhibit A

PARCEL "B"

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-05'-12" WEST A DISTANCE OF 30.00 FEET; THENCE RUN NORTH 89°-59'-11" EAST A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (WATTIER) AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WELL ROAD (60' R/W) AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' R/W); THENCE RUN SOUTH 89°-40'-53" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 554.62 FEET TO A CAPPED REBAR (GEO) AT THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE RUN NORTH 00°-18'-07" EAST A DISTANCE OF 627.59 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 89°-44'-12" EAST A DISTANCE OF 344.26 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 00°-19'-01" WEST A DISTANCE OF 627.58 FEET TO A CAPPED REBAR (GEO) ON THE NORTH RIGHT-OF-WAY LINE OF SAID WELL ROAD; THENCE RUN NORTH 89°-44'-19" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 344.09 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 4.96 ACRES, MORE OR LESS.

Adjacent Property Owners

Parcel Number	Pin	Owner Name	Address	City	State	Zip
05-43-05-16-0-000-005.000	40316	CHAFFIN, JENNIFER LYNN MILSTEAD	26682 POLLARD RD	DAPHNE	AL	36526
05-43-05-16-0-000-028.015	104016	EASTERN SHORE RECOVERY FOUNDATION INC	P O BOX 1796	DAPHNE	AL	36526
05-43-05-16-0-000-028.006	4426	EMPIRE CONSTRUCTION L L C	P O BOX 1786	DAPHNE	AL	36526
05-43-05-16-0-000-004.002	285506	MILSTEAD, STEPHEN PATRICK	26560 POLLARD RD	DAPHNE	AL	36526
05-43-05-16-0-000-005.003	272526					
05-43-05-16-0-000-004.003	285507	MILSTEAD, STEPHEN W ETAL MILSTEAD, WANDA	26680 POLLARD RD	DAPHNE	AL	36526
05-43-05-16-0-000-005.002	272528					

ROBIN LEJEUNE
MAYOR

ADRIENNE D. JONES, AICP,
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
STEVE OLEN
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
BENJAMIN HUGHES
DISTRICT 6
ANGIE PHILLIPS
DISTRICT 7

April 9, 2021

NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for Jennifer Lynn Chaffin containing 4.96 acres +/- located at the northeast corner of Well Road and Pollard Road, zoned RSF-2, Single Family District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction, to be pre-zoned as a PUD, Planned Unit Development. A petition to annex said property has also been submitted.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Thursday, April 14, 2021 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, April 22, 2021 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, or by representation.

Sincerely,
Adrienne D. Jones, AICP,
Director of Community Development

Jennifer Lynn Chaffin Pre-Zoning Amendment

P. O. Box 400 - Daphne, Alabama 36526
Phone: 251.620.1700



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted **March 22, 21**

Application Number:

Planning Commission Public

ZA- or PZA- **21-05**

Hearing Date: **April 22, 21**

Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection):

PPIN#(s): **272528**

Pollard Rd. & Well Rd.

Gross Site Area (acreage): **8**

Requested Zoning or Pre-Zoning: **PUD**

Current Zoning Designation(s):

Amended Request:

RSF-2

Initials:

Date:

Current Land Use: **Vacant**

Anticipated Land Use: **Townhomes**

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).

Annexation Subdivision Site Plan Special Exception Variance Specify Other

APPLICANT & AGENT INFORMATION

If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent **and provide a copy of Articles of Incorporation.*

Name of Current Owner: **Stephen W. & Wanda Milstead**

Mailing Address: **26680 Pollard Rd. Daphne, AL 36526**

Phone/Fax:

E-mail:

Name of Authorized Agent: **JADE Consulting, LLC**

Mailing Address: **208 N. Greeno Rd., Ste. C, Fairhope, AL 36532**

251-928-3443

tjinright@jadengineer

s.com

Name of Developer*:

DevLab Partners

Phone/Fax: 850-559-5600

E-mail: luke@propdevlab.com

Other:

Phone/Fax:

E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature: **Stephen W. Milstead**

Date **3/20/21**

Agent's Signature:

Date

ADDITIONAL INFORMATION

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file this written petition asking and requesting that our property as described be annexed to the City of Daphne, Alabama, under the authority of Section 11-42-20 through 11-42-24, Code of Alabama 1975.

Initials: S M

We further certify that said property is contiguous to the city limits of Daphne, Alabama. A map and written legal description of said property is hereto attached.

Initials: S M

We certify that the property is a single or multiple parcels under single or multiple ownership.

Initials: S M

We certify that we fully understand that upon annexation, the subject property shall be subject to all laws and codes administered by the City of Daphne, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Daphne.

Initials: S M

Option# 1: We do hereby request pre-zoning of the subject property to the following zoning classification(s): PUD, and certify that a petition for rezoning, associated fees and documents have been submitted prior to or concurrently with this petition.

Initials: S M

Or

Option# 2: We do hereby certify that we understand fully that upon annexation the subject property will be zoned R-1, Low Density Single Family Residential.

Initials: S M

We do hereby request that the Planning Commission and City Council give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Daphne, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this, the 20 day of March, 2021.

Legal Description Attached (Exhibit A)? YES Map or Survey Attached (Exhibit B)? YES
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission
Attached (Exhibit C)? YES Acreage ⁸ _____
Subdivision Name NA Lot Number(s) NA

Names and Signature of ALL property owners:

Signature: Stephen W. Milstead Signature: Deceased

Printed Name: Stephen W. Milstead Printed Name: Wanda Milstead

Mailing Address: 26680 Pollard Rd. Daphne, AL 36526 Mailing Address: 26680 Pollard Rd. Daphne, AL 36526

Exhibit A

PARCEL "A"

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-05'-12" WEST A DISTANCE OF 30.00 FEET; THENCE RUN NORTH 89°-59'-11" EAST A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (WATTIER) AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WELL ROAD (60' R/W) AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' R/W), SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE RUN NORTH 00°-14'-41" EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 627.60 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 89°-40'-49" EAST A DISTANCE OF 555.25 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 00°-18'-07" WEST A DISTANCE OF 627.59 FEET TO A CAPPED REBAR (GEO) ON THE NORTH RIGHT-OF-WAY LINE OF SAID WELL ROAD; THENCE RUN NORTH 89°-40'-53" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 554.62 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 8.00 ACRES, MORE OR LESS.

Adjacent Property Owners

Parcel Number	Pin	Owner Name	Address	City	State	Zip
05-43-04-17-1-000-068.006	1334	AUTRY, JERRY C/O CHRISTINA NETTLES	2207 POLLARD RD	DAPHNE	AL	36526
05-43-05-16-0-000-005.000	40316	CHAFFIN, JENNIFER LYNN MILSTEAD	26682 POLLARD RD	DAPHNE	AL	36526
05-43-05-16-0-000-027.002	208314	COMMUNITY ACTION AGENCY OF BALDWIN, ESCA	26440 POLLARD RD	DAPHNE	AL	36526
05-43-05-16-0-000-028.015	104016	EASTERN SHORE RECOVERY FOUNDATION INC	P O BOX 1796	DAPHNE	AL	36526
05-43-04-17-1-000-068.000	1328	GIBSON, MALAWI B	P O BOX 762	DAPHNE	AL	36526
05-43-05-16-0-000-027.000	13114	GRANT, PATRICIA MAYO	24533 KIPLING CT	DAPHNE	AL	36526
05-43-04-17-1-000-025.000	20924	HOULSEN, ANNIE BELLE C/O PAUL HOULSEN	P O BOX 1443	DAPHNE	AL	36526
05-43-04-17-4-000-001.000	25683	LETT-COLEMAN, EUNICE	73 LOZIER ST	ROCHESTER	NY	14611
05-43-04-17-4-000-001.000	25683					
05-43-04-17-1-000-067.002	59095					
05-43-04-17-1-000-067.002	59095					
05-43-05-16-0-000-004.002	285506	MILSTEAD, STEPHEN PATRICK	26560 POLLARD RD	DAPHNE	AL	36526
05-43-05-16-0-000-005.002	272528	MILSTEAD, STEPHEN W ETAL MILSTEAD, WANDA	26680 POLLARD RD	DAPHNE	AL	36526

ROBIN LEJEUNE
MAYOR

ADRIENNE D. JONES, AICP,
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
STEVE OLEN
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
BENJAMIN HUGHES
DISTRICT 6
ANGIE PHILLIPS
DISTRICT 7

April 9, 2021

NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for Stephen W. & Wanda Milstead containing 8 acres +/- located at the northeast corner of Well Road and Pollard Road, zoned RSF-2, Single Family District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction, to be pre-zoned as a PUD, Planned Unit Development. A petition to annex said property has also been submitted.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Thursday, April 14, 2021 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, April 22, 2021 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, or by representation.

Sincerely,
Adrienne D. Jones, AICP,
Director of Community Development

Stephen W. & Wanda Milstead Pre-Zoning Amendment

P. O. Box 400 - Daphne, Alabama 36526
Phone: 251.620.1700



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted: March 22, 21

Application Number:

Planning Commission Public

ZA- or PZA- 21-06

Hearing Date: April 22, 21

Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection):

PPIN#(s): 272526

Pollard Rd. & Well Rd.

Gross Site Area (acreage): 4.96

Requested Zoning or Pre-Zoning: **PUD**

Current Zoning Designation(s):

Amended Request:

RSF-2

Initials:

Date:

Current Land Use: **Vacant**

Anticipated Land Use: **Townhomes**

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).

Annexation **Subdivision** **Site Plan** **Special Exception** **Variance** **Specify Other**

APPLICANT & AGENT INFORMATION

If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent **and provide a copy of Articles of Incorporation.*

Name of Current Owner: **Stephen Patrick Milstead**

Mailing Address: **26560 Pollard Rd. Daphne, AL 36526**

Phone/Fax:

E-mail:

Name of Authorized Agent: **JADE Consulting, LLC**

Mailing Address: **208 N. Greeno Rd., Ste. C, Fairhope, AL 36532**

251-928-3443

Phone/Fax: **tjinright@jadengineer**
E-mail: **s.com**

Name of Developer*:

DevLab Partners

Phone/Fax: **850-559-5600**
E-mail: **luke@propdevlab.com**

Other:

Phone/Fax:

E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature: Stephen Patrick Milstead

Date: 3-20-21

Agent's Signature:

Date

ADDITIONAL INFORMATION

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file this written petition asking and requesting that our property as described be annexed to the City of Daphne, Alabama, under the authority of Section 11-42-20 through 11-42-24, Code of Alabama 1975.

Initials: SPM

We further certify that said property is contiguous to the city limits of Daphne, Alabama. A map and written legal description of said property is hereto attached.

Initials: SPM

We certify that the property is a single or multiple parcels under single or multiple ownership.

Initials: SPM

We certify that we fully understand that upon annexation, the subject property shall be subject to all laws and codes administered by the City of Daphne, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Daphne.

Initials: SPM

Option# 1: We do hereby request pre-zoning of the subject property to the following zoning classification(s): PUD, and certify that a petition for rezoning, associated fees and documents have been submitted prior to or concurrently with this petition.

Initials: SPM

Or

Option# 2: We do hereby certify that we understand fully that upon annexation the subject property will be zoned R-1, Low Density Single Family Residential.

Initials: SPM

We do hereby request that the Planning Commission and City Council give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Daphne, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this, the 20 day of March, 2021.

Legal Description Attached (Exhibit A)? YES Map or Survey Attached (Exhibit B)? YES
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission
Attached (Exhibit C)? YES Acreage 4.96
Subdivision Name NA Lot Number(s) NA

Names and Signature of ALL property owners:

Signature: Stephen P. Milstead Signature: _____

Printed Name: Stephen Patrick Milstead Printed Name: _____

Mailing Address: 26560 Pollard Rd. Daphne, AL 36526 Mailing Address: _____

Exhibit A

PARCEL "C"

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-05'-12" WEST A DISTANCE OF 30.00 FEET; THENCE RUN NORTH 89°-59'-11" EAST A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (WATTIER) AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WELL ROAD (60' R/W) AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' R/W); THENCE RUN SOUTH 89°-40'-53" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 554.62 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 89°-44'-19" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 344.09 FEET TO A CAPPED REBAR (GEO) AT THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE RUN NORTH 00°-19'-01" EAST A DISTANCE OF 627.58 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 89°-46'-00" EAST A DISTANCE OF 385.57 FEET TO A CRIMP TOP PIPE AT THE NORTHWEST CORNER OF TERRI SUBDIVISION, AS RECORDED ON SLIDE 2506-C OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°-16'-16" WEST ALONG THE WEST LINE OF SAID TERRI SUBDIVISION A DISTANCE OF 512.75 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-37'-35" WEST A DISTANCE OF 225.36 FEET TO A CAPPED REBAR (GEO); THENCE RUN SOUTH 00°-10'-54" WEST A DISTANCE OF 115.46 FEET TO A CAPPED REBAR (GEO) ON THE NORTH RIGHT-OF-WAY LINE OF SAID WELL ROAD; THENCE RUN NORTH 89°-44'-19" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 160.89 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 4.96 ACRES, MORE OR LESS.

Adjacent Property Owner List

Parcel Number	Pin	Owner Name	Address	City	State	Zip
05-43-05-16-0-000-005.000	40316	CHAFFIN, JENNIFER LYNN MILSTEAD	26682 POLLARD RD	DAPHNE	AL	36526
05-43-05-16-0-000-028.012	98868	MCBRIDE, ROBERT L ETAL MCBRIDE, LISSA C;	3701 CALDERWOOD DR	MOBILE	AL	36608
05-43-05-16-0-000-028.006	4426	EMPIRE CONSTRUCTION L L C	P O BOX 1786	DAPHNE	AL	36526
05-43-05-16-0-000-005.001	73472	DAPHNE, CITY OF UTILITIES BOARD	P O BOX 2550	DAPHNE	AL	36526
05-43-05-16-0-000-004.003	285507	MILSTEAD, STEPHEN W ETAL MILSTEAD, WANDA	26680 POLLARD RD	DAPHNE	AL	36526
05-43-05-16-0-000-006.002	354462	WILSON, TERRI D	8365A WELL RD	DAPHNE	AL	36526
05-43-05-16-0-000-006.003	354464	WILSON, TERRI D	8365A WELL RD	DAPHNE	AL	36526
05-43-05-16-0-000-006.000	40329	WILSON, TERRI D	8365A WELL RD	DAPHNE	AL	36526
05-43-05-16-0-000-006.000	40329	WILSON, JUSTIN C ETUX MORGAN L	8365-A WELL RD	DAPHNE	AL	36526
05-43-05-16-0-000-005.003	272526	MILSTEAD, STEPHEN PATRICK	26560 POLLARD RD	DAPHNE	AL	36526

ROBIN LEJEUNE
MAYOR

ADRIENNE D. JONES, AICP,
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
STEVE OLEN
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
BENJAMIN HUGHES
DISTRICT 6
ANGIE PHILLIPS
DISTRICT 7

April 9, 2021

NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for Stephen Patrick Milstead containing 4.96 acres +/- located at the northeast corner of Well Road and Pollard Road, zoned RSF-2, Single Family District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction, to be pre-zoned as a PUD, Planned Unit Development. A petition to annex said property has also been submitted.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Thursday, April 14, 2021 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, April 22, 2021 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, or by representation.

Sincerely,
Adrienne D. Jones, AICP,
Director of Community Development

Stephen Patrick Milstead Pre-Zoning Amendment

P. O. Box 400 - Daphne, Alabama 36526
Phone: 251.620.1700



City of Daphne
Planning Department
Attn: Adrienne Jones
1705 Main St.
Daphne, AL 36526

To whom it may concern:

Daphne Cottages is a proposed 137-unit, class A, market rate rental townhome community. The property is 17.9 acres located at 26560, 26682, and 26680 Pollard Road. Proposed floor plans will include master on main, single story two-bedroom units and family-friendly, three-bedroom units with a master bedroom upstairs. Units will range from 969 to 1,312 square feet. Project amenities will include a clubhouse with resort style swimming pool, walking paths throughout the community and pocket parks. Starting rents are expected to be \$1,500 to \$1,700 per month.

The attached site plan includes predominantly alley loaded homes with front yards, street parking and pedestrian connectivity to create a more livable and outdoor oriented setting for residents. Renters will enjoy front yards and patios that front landscaped common areas and pocket parks that serve as a place to gather or as an area for children to play. Ample resident and guest parking in close proximity to all units ensures that driveways and alleys remain clear for city services, guests and emergency services. The proposed amenities will include an approximate 2,000 square foot pool and 2,000 square foot clubhouse with additional covered outdoor space for pool-side fun and grilling. Onsite management ensures a strong resident experience. The proposed aesthetic is based on contemporary farmhouse intended to embrace the projects setting and the areas history while still incorporating modern materials and colors.



We are seeking conditional annexation that would be contingent on rezoning to Planned Unit Development (PUD). The proposed PUD offers a density of 7.65 units per acre, less than the 10 units to the acres permitted under R-7(T) zoning. Max height for proposed residences is 25 ft, 10 feet less than the R7T max height of 35ft. The proposed site plan also offers 28% impervious coverage, less than the 30% maximum required under R-7(T) zoning. While not finalized the layout does contemplate emergency service access to all units. Storm water analysis, traffic studies and a full landscape plan will be provided in accordance with City of Daphne's Land Development code during site plan approval.

Daphne Cottages is being developed by Atlanta based developer DevLab Partners, who specializes in residential communities throughout the southeast. Their collective portfolio includes rental townhome, age targeted for-sale residential and condominium. DevLab is active on other innovative residential projects that marry the benefits of thoughtful design and proximity to established cities that offer a strong family experience.

Sincerely,

Luke Rozanski
Principal
DEVLAB Partners, LLC

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2021-15**

**AUTHORIZING THE SUBMISSION OF AN FY 2022 TRANSPORTATION
ALTERNATIVES SET-ASIDE PROGRAM GRANT APPLICATION TO THE
ALABAMA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF
IMPROVEMENTS TO THE TAYLOR HARPER HIKING AND BIKING TRAIL**

WHEREAS, the Alabama Department of Transportation (ALDOT) is accepting applications from municipalities for FY 2022 Transportation Alternatives Set-Aside Program (TAP) Grants; and

WHEREAS, the City of Daphne has identified the need to construct infrastructure to install a new pedestrian path consisting of 3,300 linear feet along a very busy stretch of US Highway 98;

WHEREAS, the total project cost is estimated at \$533,887.50, and if funded, the grant will pay 80% or \$427,110.00 and the City of Daphne will be responsible for providing 20% or \$106,77.50 in addition to design and engineering fees; and

WHEREAS, if funded, the City will see this project through to completion and will be responsible for providing long-term maintenance of the new facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the submission of a TAP Grant application to ALDOT requesting funds to construct new pedestrian facilities is hereby authorized; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign all required grant application documents on behalf of the City.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, on the _____ of _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2021-16**

2021-D-PLASTIC PIPE

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for PLASTIC PIPE will exceed this amount; and

WHEREAS, Staff has reviewed the bids for PLASTIC PIPE and determined that the bid as presented by Evans and Company, Inc. is reasonable; and

WHEREAS, Staff recommends the bid for PLASTIC PIPE be awarded to Evans and Company, Inc.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the bid submitted by Evans and Company, Inc. for unit cost listed in BID SPECIFICATION NO. 2021-D-PLASTIC PIPE, as set forth below, is hereby accepted.

<i>Size - (Pipe Unit Cost by the Foot)</i>	Unit Cost \$
8" HDPE	4.99
10" HDPE	6.99
12" HDPE	7.95
15" HDPE	9.80
18" HDPE	12.65
24" HDPE	22.73
30" HDPE	32.27
36" HDPE	39.90
42" HDPE	53.53
48" HDPE	65.45
60" HDPE	115.54
12" HPPP	10.19
15" HPPP	12.71
18" HPPP	16.77
24" HPPP	28.27
30" HPPP	44.03
36" HPPP	47.17
42" HPPP	62.93
48" HPPP	82.49
60" HPPP	129.30
Geotech Filter Cloth, Heavyweight, 15' x 300' / Roll	545.00
Straw-Coconut Erosion Control Standard Blanket, 8'x113'/Roll	45.00
Anchor Staples, 11 gauge, 500 per box	20.00

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, THIS _____ day of _____, 2021**

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2021-17**

2021-E-CONCRETE MATERIAL - NEGOTIATED

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for CONCRETE MATERIAL will exceed this amount; and

WHEREAS, no bids were received and therefore the cost of such items can be negotiated; and

WHEREAS, Staff has reviewed the negotiated bid for CONCRETE MATERIAL and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the negotiated bid for the CONCRETE MATERIAL be awarded to Ready Mix USA, LLC.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that the bid submitted by Ready Mix USA, LLC for unit cost, as set forth below, is hereby accepted.

Materials	Unit	2021 Contract Ready Mix USA Cost Per CY-Negotiated Cost
Type 1 - Mix "A". Minimum PSI strength at 28 days 3,000 Lbs. concrete.		
Short Load +\$150/fee	0-5 CY	\$ 109.00
Regular Load	5-10 CY	\$ 109.00
Large Project (100+CY)	100-300 CY	\$ 109.00
Large Project (300+CY)	300-500 CY	\$ 109.00
Large Project (500+CY)	500+ CY	\$ 109.00
Pervious 4,000 PSI Mix – Minimum PSI strength at 28 days 4,000 Lbs.		
Short Load +\$150/fee	0-5 CY	\$ 195.00
Regular Load	5-10 CY	\$ 195.00
Large Project (100+CY)	100-300 CY	\$ 195.00
Large Project (300+CY)	300-500 CY	\$ 195.00
Large Project (500+CY)	500+ CY	\$ 195.00
ADDITIONAL OPTIONS: MAY BE CONSIDERED IN BID AWARD - AT THE CITY'S DISCRETION:		
Surcharge per cubic yard to add Fiber Reinforcement to any of the above referenced mixes	CY	N/A
COLORS:		
Candy Apple, Straw, Khaki, Mint or other colors w/ 5lbs / CY	CY	N/A-color on demand by volume ordered
Dove Gray, Canyon Dove, Gray, Canyon Rust, Camel or other colors w/ 10lbs / CY	CY	N/A-color on demand by volume ordered
Augusta Gold, Dark Augusta, Dark Alabama Ochre or other colors w/ 15lbs / CY	CY	N/A-color on demand by volume ordered
Aztec Red, Old Brick, Charcoal, Chocolate Lab or colors w/ 20lbs / CY	CY	N/A-color on demand by volume ordered
Bristol Brown, Talladega Tan, Grape Ape or other colors w/ 25lbs per CY	CY	N/A-color on demand by volume ordered

Delivery is included in CY cost bid

as specified in the Negotiated BID SPECIFICATION NO. 2021-E-CONCRETE MATERIAL.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, THIS _____ day of _____, 2021.**

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2021-18**

2021-F-PARK CHEMICALS

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for PARK CHEMICALS will exceed this amount; and

WHEREAS, Staff has reviewed the bids submitted for PARK CHEMICALS and determined that the bid submitted by SiteOne Landscape Supply, LLC is reasonable; and

WHEREAS, Staff recommends the bid for PARK CHEMICALS be awarded to SiteOne Landscape Supply, LLC.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the bid submitted by SiteOne Landscape Supply, LLC, for unit cost as set forth below, is hereby accepted.

PRODUCT	UNIT	UNIT PRICE
Fertilizer		
18-24-12 50%MOP	50 pound	\$ 21.90
24-2-11 40% PPSCU 6FE	50 pound	\$ 20.99
Insecticide		
Acephate 90 Prill	5 pound	\$ 38.10
Top Choice ***	50 pound	\$ 79.99
Herbicide		
Revolver ***	87 OZ	\$ 605.12
Monument ***	5 X 5 packets	\$ 250.00
Drive 75DF	1/2 Gal	\$ 73.15
MSMA 6.6	2.5 gallon	\$ 78.51
Prosecutor Pro	2.5 gallon	\$ 59.77
Three Way Selective	2.5 gallon	\$ 60.96
Miscellaneous		
Turface	50 pound	\$ 8.94
Spreader Sticker, Non-ionic	2.5 gallon	\$ 55.61
Tracker Dye	2.5 gallon	\$ 48.00
Athletic Field Marking Chalk	50 lb	\$ 6.95

Fertilizer		
18-0-18 50%PPSCU	50 pound	\$ 19.63
Insecticide		
Advion	15 pound	\$ 298.46
Crosscheck Plus	96 oz	\$ 55.68
Herbicide		
M & M	8 ounce	\$ 45.81
Supter	1 pint	\$ 125.00
Certainty	1.25 ounce	\$ 75.08
Tribute Total WDG	6 oz	\$ 276.15
Marsion	2 oz	\$ 21.47
Quin-Way 1.5 L	64 oz	\$ 73.15
Fusilade II	32 oz	\$ 87.04
Quinclorac 1.5L	64 oz	\$ -
Stonewall 65 WDG	10 pound	\$ 160.00
Pre-M Aquacup	2.5 gallon	\$ 90.00
Princep Simazine	2.5 gallon	\$ 60.45
Fungicide		
Subdue	1 gallon	\$ 538.00
Miscellaneous		
Double Eagle Blend Rye Grass Seed	50 pound	\$ 64.93
Chelated Iron Liquid	2.5 gallon	\$ 26.67
Dolomitic Lime (pelletized)	50 pound	\$ 8.00
Recede Antifoam	1 gallon	\$ 44.88

As specified in BID SPECIFICATION NO. 2021-F-PARK CHEMICALS.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2021-19**

**A RESOLUTION CALLING FOR THE REDEMPTION OF \$755,000.00 IN AGGREGATE
INITIAL PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING AND
IMPROVEMENT WARRANTS, SERIES 2014 OF THE CITY**

WHEREAS, the City issued its General Obligation Refunding and Improvement Warrants, Series 2014 in the amount of \$10,000,000 in November 2014 to fully refund the outstanding balance of the General Obligation Refunding and Improvement Warrants, Series 2003 and partially refund the outstanding balance of the General Obligation Refunding and Improvement Warrants, Series 2006; and

WHEREAS, Section 5.1 of Ordinance 2014-52 authorizing the warrant issuance provides that any or all of the warrants maturing on or after April 1, 2022, may be redeemed on any date after April 1, 2021; and

WHEREAS, the City wishes to use excess funds in the Debt Service fund to partially redeem these outstanding warrants; and

WHEREAS, the City is not in default in the payment of the principal of or interest on any of the warrants to be redeemed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

1. The City has on deposit in the Debt Service Fund for its outstanding General Obligation Refunding and Improvement Warrants, Series 2014 (the "Series 2014 Warrants") sufficient funds to pay a portion of the outstanding amount of such warrant issue.

2. The City shall redeem \$755,000 in principal amount of the Series 2014 Warrants on July 9, 2021, consisting of \$755,000 of the \$965,000 2029 maturity.

3. The City Clerk shall give notice of such redemption as required by law and the ordinance authorizing the issuance of the Series 2014 Warrants.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE
ORDINANCE 2021 – 18**

AN ORDINANCE TO
AMMEND AND MAKE ADDITIONS TO
THE CITY OF DAPHNE EMPLOYEE HANDBOOK

WHEREAS, the City Council of the City of Daphne, after due consideration, believes it appropriate to amend several sections of the City of Daphne Employee Handbook and to adopt one new policy to add to the Employee Handbook;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:

SECTION I:

That the following Sections of the Employee Handbook be amended:

Section 4.2 Recruiting Guidelines
Section 9.1 Responsibility for Attendance at Work
Section 10.6 Additional Pay During City Emergencies (and revised title)

The specific revisions to these sections are set forth in Exhibit A to this Ordinance.

That the current Employee Handbook Sections 9.7 to 9.13 be re-numbered as Sections 9.8 to 9.14.

That the Employee Handbook be amended to include one new policy to be numbered Section 9.7:

Section 9.7 Substitution Time (Shift Swaps)

The specific text of the new section is set forth in Exhibit B to this Ordinance.

SECTION II: REPEALER

That any Ordinance, or parts thereof, heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance be and is hereby repealed to the extent of such conflict.

SECTION III: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION IV: EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ DAY OF _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

EXHIBIT A

AMENDMENTS
OF
EXISTING POLICIES

AMENDMENT OF SECTION 4.2 RECRUITING GUIDELINES

Amend the existing policy to include this revision:

Duration of Advertisement All advertisements and notices will remain open for receipt of applications for at least fourteen (14) calendar days from the date of the notice. However, the Mayor may define a longer or shorter time period, but no less than a minimum of seven (7) days.

AMENDMENT OF SECTION 9.1 RESPONSIBILITY FOR ATTENDANCE AT WORK

Amend the existing policy to insert this provision from Section 10.6 ADDITIONAL PAY DURING CITY EMERGENCIES

Inclement Weather – Use of Vacation Pay. When inclement weather prevents an employee who works outdoors from performing work outside, the employee usually will be assigned other duties that can be performed indoors. An employee who does not wish to perform the alternate work may request vacation leave (or time off without pay if the employee has no accrued vacation); however, the City may deny the request and require the employee to work if deemed necessary.

AMENDMENT OF SECTION 10.6 ADDITIONAL PAY DURING EMERGENCIES

Emergency Administrative Pay. In the event of a state of emergency affecting the City as declared by Federal, State, County, or City government and ratified by the Mayor and/or such other competent authority, the Mayor may order the total or partial closure of a single City worksite or multiple City worksites or the total or partial cancelation of a City activity or multiple activities. If an employee is unable to work or instructed not to work due to the declared emergency closing of the employee's worksite or cancelation of City activity, the City will provide emergency administrative pay to the employee for each day (or partial day) not worked. For employees who are typically expected to work 2080 hours or 2184 hours in a year, the maximum emergency administrative pay will be eight (8) hours for the day. For employees who are typically expected to work 2808 hours in a year, the maximum emergency administrative pay will be 10.8 hours for the day. Part-time employees will receive the equivalent of a single shift (e.g. four hours). Emergency administrative pay will be paid at the employee's usual rate of pay applicable at the time of payment. Emergency administrative pay will not count as hours worked for purposes of any non-exempt employee's overtime premium pay eligibility determination. This policy does not apply to exempt employees, unless the exempt employee is off work due to an emergency closing for an entire workweek.

Additional Emergency Duty Pay For Exempt Employees. In the event of a state of emergency affecting the City as declared by Federal, State, County, or City government and ratified by the Mayor and/or such other competent authority, the Mayor may utilize exempt employees to aid the City's emergency response during extended work hours beyond the employees' usual schedules. In the event of such a declared state of emergency, beginning when such state of emergency is declared and ending when such state of emergency is lifted, or as authorized by the Mayor, an exempt employee required to work beyond the employee's usual scheduled hours or to attend work at times not ordinarily required of the employee will receive additional emergency duty pay for hours worked in response to the emergency beyond the usual schedule or outside of times not ordinarily required. The total amount of emergency duty pay for exempt employees is capped at eight (8) hours for each 24-hour period for employees who are typically expected to work 2080 hours or 2184 hours in a year, and capped at 10.8 hours in a 24-hour period for employees who are typically expected to work 2808 hours in a year. The pay for this additional emergency duty will be equal to the exempt employee's "calculated hourly rate" which will be determined by dividing the exempt employee's annual salary by 2080, or 2184, or 2808, depending on the employee's typical annual schedule. Depending on the severity of the state of emergency or the amount of time needed for the exempt employee to remain at their normal work site, the Mayor may also allow the exempt employee to accrue vacation hours at the rate of one hour for each hour worked in excess of the capped, paid eight (8) hours in a 24-hour period. However, the vacation hours accrued may not exceed eight (8) hours in a 24-hour period and must be used within 180 days or be forfeited.

Additional Hazardous Weather/Emergency Duty Pay for Non-Exempt Employees. Depending on the circumstances, under conditions described in and during the time frame designated in Section 9.1, two types of hazardous weather/emergency premium pay for non-exempt employees may be provided, if the hazardous weather or emergency conditions affect multiple City worksites and/or multiple City activities. If the hazardous weather or emergency affects only a single City worksite

or activity, and employees are instructed to work at an alternative worksite or provided alternative duties, no additional premium will be paid for such work. For example, if fire damages the Library, and Library employees are relocated to work at City Hall, no additional premium pay will be provided. If a non-exempt employee is required to work as previously scheduled or required to report for unscheduled work or required to report earlier than scheduled or depart work later than scheduled despite hazardous weather or emergency conditions affecting multiple City worksites or activities as provided in Section 9.1, the non-exempt employee will be paid (1) an additional premium equal to one-half ($\frac{1}{2}$) times the employee's pay rate for time actually worked during the employee's regularly scheduled shift, and (2) an additional premium equal to the employee's pay rate for time worked beyond the hours previously scheduled for the employee. For example, a non-exempt employee paid at \$15.00 per hour who is scheduled to work an eight (8) hour shift and who is required to actually work ten (10) hours will be paid \$22.50/hour during the regularly scheduled eight (8) hours and \$30/hour for the two (2) additional hours worked. The overtime pay rate for any hours worked over forty (40) during the same workweek will be adjusted accordingly.

EXHIBIT B

ADOPTION OF NEW POLICY

ADOPT NEW SECTION 9.7

9.7 SUBSTITUTION TIME (SWAP SHIFTS)

Special rules concerning regular and overtime pay apply if employees voluntarily agree to substitute shifts. These rules are exceptions to the general rule in Section 9.6. The non-working employee will be paid for the scheduled time as if the employee had worked, at the employee's regular pay rate/type; but no additional premium pay will be provided (such as emergency duty pay under Policy 10.6). The hours scheduled but not worked by this employee will be counted for purposes of determining whether a non-exempt employee is eligible for overtime pay under Policy 9.4. (40 hours in seven-day workweek for most employees, 84 hours in a 14-day work period for police officers and corrections officers, and 212 hours in a 28-day work period for firefighters).

Shift substitutions are permissible only if the employees' decisions to substitute for one another are freely made and without coercion, direct or implied. Each employee must be free to refuse to perform such work without sanction and without being required to explain or justify the decision. An employee's decision to substitute must be exclusively for the employee's own convenience. The substitution shall be between members of equal rank or qualifications so as not to leave the staffing in detriment. Shift substitutions are not allowed when the two shifts are more than 56 days apart. Shifts may only be substituted within four consecutive pay periods, or 56 days.

The working/non-scheduled employee will not receive the regular pay rate/type for the worked hours, but will be eligible for any premium pay (such as Emergency Duty Pay under Policy 10.6) for those unscheduled hours. The hours worked by the employee not originally scheduled will not be counted for purposes of determining whether a non-exempt employee is eligible for overtime pay under Policy 9.4 (40 hours in seven-day workweek for most employees, 84 hours in a 14-day work period for police officers and corrections officers, and 212 hours in a 28-day work period for firefighters).

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-20**

APPROPRIATION: SOUTH MAIN STREET GATEWAY SIGN

WHEREAS, Ordinance 2020-32 approved and adopted the Fiscal Year 2021 Budget on September 21, 2020; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2021 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2021 budget; and

WHEREAS, over the past few years, the City has been constructing new gateway signs for the main entrances into the City; and

WHEREAS, previous capital budgets included capital funds for the construction of these gateway signs, and this money has been fully expended; and

WHEREAS, quotes have been obtained in the amount of \$20,000 for materials and labor to install a white brick signage panel with the City of Daphne logo to complete the gateway sign into the City on South Main Street.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that

- 1) Funds in the amount of \$20,000 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2021 Budget for the completion of the South Main Street gateway sign; and
- 2) The Mayor is hereby authorized to execute any and all documents required for the South Main Street gateway sign project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-21**

APPROPRIATION: EMPLOYEE CLASSIFICATION AND COMPENSATION STUDY

WHEREAS, Ordinance 2004-52 as adopted on January 3, 2005, established the City of Daphne Job Classification Schedule; and

WHEREAS, Ordinance 2020-32 approved and adopted the Fiscal Year 2021 Budget on September 21, 2020; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2021 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2021 budget; and

WHEREAS, recent evaluations of the current pay plan that was initially implemented in 2004 have shown that the City's current pay plan job descriptions and salary tables need to be updated to be in line with the current market salary rates; and

WHEREAS, the Human Resources Department prepared a RFQ for an Employee Classification and Compensation Study; and

WHEREAS, having reviewed all proposals and references submitted, the Human Resources Department has recommended that Evergreen Solutions LLC be retained by the City to perform the Employee Classification and Compensation Study at a cost of **\$29,000**; and

WHEREAS, after further review, the City Council recommends that the proposed Consulting Services Agreement by and between the City and Evergreen Solutions, LLC be implemented.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that

- 1) Funds in the amount of **\$29,000** from the **General Fund** are hereby appropriated and made a part of the Fiscal Year 2021 Budget for the Employee Classification and Compensation Study.
- 2) The Mayor is hereby authorized to execute any and all documents required for the Employee Classification and Compensation Study.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk



Consulting Services Agreement

By and Between

City of Daphne, Alabama

and

Evergreen Solutions, LLC

This Agreement (the "Agreement"), dated as of **INSERT DATE**, is made by and between Evergreen Solutions, LLC, a Florida corporation ("Evergreen"), and the City of Daphne (the "Client").

WHEREAS, Evergreen Solutions and the Client desire to enter into an agreement whereby Evergreen will provide certain management consulting services for the Client on the terms and conditions hereinafter set forth; and

WHEREAS, Evergreen Solutions is willing to provide such management consulting services for the Client.

NOW, THEREFORE, the parties hereto agree as follows:

1. Engagement. Evergreen Solutions hereby agrees to provide such management consulting services for the Client as may be reasonably requested by the Client in connection with the Request for Proposals and Proposal submitted by Evergreen Solutions on April 5, 2021.

2. Extent of Services. Evergreen Solutions agrees to perform such services to the best of its ability and in a diligent and conscientious manner and to devote appropriate time, energies and skill to those duties called for hereunder during the term of this Agreement and in connection with the performance of such duties to act in a manner consistent with the primary objective of completing the engagement.

Evergreen Solutions agrees to devote such time as is reasonably required to fulfill its duties hereunder. Throughout the duration of this agreement, Evergreen Solutions will serve as an independent contractor of the Client, as such; Evergreen Solutions will obey all laws relating to federal and state income taxes,



associated payroll and business taxes, licenses and fees, workers compensation insurance, and all other applicable state and federal laws and regulations.

In the successful completion of this engagement, Evergreen Solutions may utilize subcontractors, but Evergreen Solutions shall remain completely responsible to the Client for performance under this Agreement.

3. Term. The engagement of the Consultant hereunder by Client shall commence as of the date hereof and shall continue through September 30, 2021, unless earlier terminated, pursuant to Section 5 hereof.

4. Compensation.

(a) As compensation for the services contemplated herein and for performance rendered by Evergreen Solutions of its duties and obligations hereunder, the Client shall pay to Evergreen Solutions an aggregate fee equal to **\$29,000** (the "Consulting Fee"), earned and payable according to the following invoice/payment schedule:

- 25% - upon completion of Tasks 1 – 2
- 25% - upon completion of Tasks 3 – 4
- 25% - upon completion of Tasks 5 – 7
- 25% - upon completion of Tasks 8 – 12

(b) The Client's sole obligation shall be to pay Evergreen Solutions the amounts described in Section 4(a) of this Agreement, and the Consultant is not and shall not be deemed an employee of the Client for any purpose.

5. Termination. This Agreement shall be terminated as follows:

(a) 30 days after written notice of termination is given by either party at any time after **INSERT DATE**, provided however, that if the Client shall terminate this Agreement pursuant to this Section 5(a) for any reason other than Consultant's material breach of this Agreement (having given prior notice of, and reasonable opportunity for Consultant to cure, any such breach), Client shall pay to consultant in one lump sum an amount equal to that portion of the aggregate Consulting Fee which has not been paid to Consultant as of the effective date of such termination.

(b) On such date as is mutually agreed by the parties in writing.

(c) Upon expiration of the Term as set forth in Section 3.

If Client elects to terminate for material breach then Client shall pay to consultant in one lump sum an amount equal only to that for which services have been rendered.

Upon termination of this Agreement pursuant to this Section 5, except as contemplated by Section 5(a) in the event Client terminates this Agreement in the absence of continuing material breach hereof by Consultant, Consultant shall be entitled to payment of only that portion of the Consulting Fee earned through the effective date of such termination and any portion of the Lump Sum Payment which has not been paid to Consultant as of the effective date of such termination.

6. Confidential Information. Evergreen Solutions shall not, at any time during or following expiration or termination of its engagement hereunder (regardless of the manner, reason, time or cause thereof) directly



or indirectly disclose or furnish to any person not entitled to receive the same for the immediate benefit of the Client any trade secrets or confidential information as determined by the Client in writing.

7. Covenants. Evergreen Solutions agrees to (a) faithfully and diligently do and perform the acts and duties required in connection with its engagement hereunder, and (b) not engage in any activity which is or likely is contrary to the welfare, interest or benefit of the business now or hereafter conducted by the Client.

8. Binding Effect. This Agreement will inure to the benefit of and shall be binding upon the parties hereto and their respective successors or assigns (whether resulting from any re organization, consolidation or merger of either of the parties or any assignment to a business to which all or substantially all of the assets of either party are sold).

9. Entire Agreement. This Agreement, including the aforementioned RFP and proposal, contains the entire agreement and understanding of the parties with respect to the subject matter hereof, supersedes all prior agreements and understandings with respect thereto and cannot be modified, amended, waived or terminated, in whole or in part, except in writing signed by the party to be charged.

10. Notices. All notices required to be given under the terms of this Agreement or which any of the parties desires to give hereunder shall be in writing and personally delivered or sent by registered or certified mail, return receipt requested, or sent by facsimile transmission, addressed as follows:

(a.) If to Evergreen Solutions addressed to:

Evergreen Solutions, LLC
Attention: Dr. Jeff Ling, President
2878 Remington Green Circle
Tallahassee, Florida 32308

(b.) If to the Client addressed to:

City of Daphne
Attention: Ms. Vickie Hinman, Human Resources Director
City Hall, 1705 Main Street
Daphne, Alabama 36526

Any party may designate a change of address at any time by giving written notice thereof to the other parties.

11. Miscellaneous. This Agreement:

(a) shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted assigns;

(b) may not (except as provided in Section 9 hereof) be assigned by either party hereto without the prior written consent of the other party (any purported assignment hereof in violation of this provision being null and void);

(c) may be executed in any number of counterparts, and by any party on separate counterparts, each of which as so executed and delivered shall be deemed an original but all of which together shall constitute



one and the same instrument, and it shall not be necessary in making proof of this Agreement as to any party hereto to produce or account for more than one such counterpart executed and delivered by such party;

(d) may be amended, modified or supplemented only by a written instrument executed by all of the parties hereto; and

(e) embodies the entire agreement and understanding of the parties hereto in respect of the transactions contemplated hereby and supersedes all prior agreements and understandings among the parties with respect thereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

Evergreen Solutions, LLC

Jeff Ling, President

City of Daphne

Enter Client Signatory Name and Title



**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-22**

**PARTIAL REDEMPTION OF GENERAL OBLIGATION REFUNDING AND
IMPROVEMENT WARRANTS, SERIES 2014**

WHEREAS, Ordinance 2020-32 approved and adopted the Fiscal Year 2021 Budget on September 21, 2020; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2021 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2021 budget; and

WHEREAS, the City issued its General Obligation Refunding and Improvement Warrants, Series 2014 in the amount of \$10,000,000 in November 2014 to fully refund the outstanding balance of the General Obligation Refunding and Improvement Warrants, Series 2003 and partially refund the outstanding balance of the General Obligation Refunding and Improvement Warrants, Series 2006; and

WHEREAS, Section 5.1 of Ordinance 2014-52 authorizing the warrant issuance provides that any or all of the warrants maturing on or after April 1, 2022, may be redeemed on any date after April 1, 2021; and

WHEREAS, the City wishes to use excess funds in the Debt Service fund to partially redeem these outstanding warrants; and

WHEREAS, an additional appropriation of \$800,000 is needed for the partial redemption and payment of outstanding interest of the General Obligation Refunding and Improvement Warrants, Series 2014.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that funds in the amount of **\$800,000** from the **Debt Service Fund** are hereby appropriated and made a part of the Fiscal Year 2021 Budget for the partial redemption and payment of outstanding interest of the General Obligation Refunding and Improvement Warrants, Series 2014.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-23**

**APPROPRIATION – ADDITIONAL ENGINEERING FEES – DAPHNE SPORTS
COMPLEX**

WHEREAS, Ordinance 2020-32 approved and adopted the Fiscal Year 2021 Budget on September 21, 2020; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2021 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2021 budget; and

WHEREAS, there are outstanding unpaid invoices for engineering services performed during Phase II of the construction of Daphne Sports Complex and an additional appropriation is needed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that funds in the amount of \$174,275 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2021 Budget for engineering services performed during the construction of Phase II of the Daphne Sports Complex.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk