

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
Tuesday, September 7, 2021
6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

INVOCATION Reverend Thack Dyson, St. Paul's Episcopal Church
PLEDGE OF ALLEGIANCE

PROCLAMATION: Childhood Cancer Awareness – Berry Strong Foundation and Joy of Life Gulf Coast

PROCLAMATION: National Suicide Prevention Week

3. APPROVE MINUTES: August 16, 2021 regular meeting and August 28, 2021 emergency council meeting

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Conaway

Review the minutes from the August 16, 2021 meeting.

Treasurer's Report July 2021:

- Unrestricted Fund Balance - \$20,348,115
- Total Cash Balance - \$30,283,898
- Sales Tax for June 2021 - \$2,183,693
- Lodging Tax for June 2021 - \$201,167

B. BUILDINGS & PROPERTY COMMITTEE – Phillips

C. PUBLIC SAFETY COMMITTEE – Hughes

Review the minutes from the August 9th 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 July 22, 2021 meeting and the report from the August 26, 2021.

F. RECREATION BOARD – Hughes

City Council Agenda – September 7, 2021

- G. UTILITY BOARD – Goodlin**
Review the minutes from the July 2021 meeting.

- 6. PUBLIC PARTICIPATION**

- 7. MAYOR’S REPORT**

- 8. CITY ATTORNEY REPORT**

- 9. DEPARTMENT HEAD REPORTS**

- 10. CITY CLERK’S REPORT**

MOTION to approve the publication and set a public hearing on October 18, 2021 for the Joseph Mancini Pre-Zoning Amendment located Northeast of Alabama Highway 181 and Saint Michael Way.

MOTION to approve the publication and set a public hearing on October 18, 2021 for the Joseph Mancini Annexation Petition located Northeast of Alabama Highway 181 and Saint Michael Way.

- 11. RESOLUTIONS & ORDINANCES**

- A. RESOLUTIONS:**

2021-34 – Resolution Authorizing Master Lease/Purchase Agreement Between the City of Daphne and the First, a National Banking Association

2021-35 – Conversion to Self-Insured Health Insurance Plan

- B. 2nd READ ORDINANCES:**

2021-43 – Additional Appropriation – Labor and Installation for the Daphne Sports Complex Splash Pad - \$25,000

2021-44 - Ordinance of the City of Daphne, Alabama, to Protect the Health, Safety, and General Welfare of its Citizens Relating to Development and the Filing of Site Plan Approval Applications for Any Multiple Family Project Within the Corporate Limits of the City of Daphne

2021-45 - Ordinance of the City of Daphne, Alabama, to Protect the Health, Safety, and General Welfare of Its Citizens Relating to Petitions to Rezone or Pre-Zone Land to Either R-7 (A) Apartment District, R-7 (M) Mid-Rise Condominium, R-7 (T), Townhouse, or PUD, Planned Unit Development Where the Proposed Use Will Include Either Apartments, Mid-Rise Condominiums or Townhouses

- C. 1ST READ ORDINANCES:**

2021-46 – Public Works Administration Vehicle Replacement Appropriation - \$17,315

2021-47 – FY 2021 Excess Funds Appropriation for Future Capital Projects: Justice Center Expansion, Amphitheater at Bayfront Park, and a New Animal Shelter - \$3,000,000

- 12. COUNCIL COMMENTS**

- 13. ADJOURN**

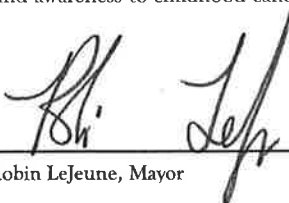
CITY OF
DAPHNE, ALABAMA

Proclamation

WHEREAS, childhood cancer is the leading cause of death by disease in children; and
WHEREAS, one in 285 children in the United States will be diagnosed by their 20th birthday; and
WHEREAS, 46 children per day or 16,790 children per year are diagnosed with cancer in the U.S.; and
WHEREAS, there are approximately 40,000 children on active treatment at any given time; and
WHEREAS, the average age of diagnosis is 6 years old, compared to 66 years for adults' cancer diagnosis; and
WHEREAS, 80% of childhood cancer patients are diagnosed late and with metastatic disease; and
WHEREAS, two-thirds of childhood cancer patients will have chronic health conditions as a result of their treatment toxicity, with one quarter being classified as severe to life-threatening; and
WHEREAS, approximately one half of childhood cancer families rate the associated financial toxicity due to out-of-pocket expenses as considerable to severe; and
WHEREAS, in the last 20 years only four new drugs have been approved by the FDA to specifically treat childhood cancer; and
WHEREAS, the National Cancer Institute recognizes the unique research needs of childhood cancer and the associated need for increased funding to carry this out; and
WHEREAS, researchers and healthcare professionals work diligently dedicating their expertise to treat and cure children with cancer; and
WHEREAS, it is vital that those affected by childhood cancer have access to quality, affordable care, and that research of all forms of childhood cancer continues to be vigorously supported; and
WHEREAS, too many children are affected by this deadly disease and more must be done to raise awareness and find a cure; and
WHEREAS, the determination and bravery with which these children fight their battles against cancer should be recognized and commended by all.
NOW,
THEREFORE, I, Robin LeJeune, as the Mayor of the City of Daphne, along with the Daphne City Council, do hereby proclaim September 2021 as

Childhood Cancer Awareness Month

in the City of Daphne in hopes to bring more education and awareness to childhood cancers and highlight the need for more funding and research.



Robin LeJeune, Mayor

ATTEST:



Candace G. Antinarella, CMC, City Clerk



CITY OF DAPHNE, ALABAMA

Proclamation

WHEREAS, suicide remains the 10th leading cause of death in the United States and the 2nd leading cause of death among individuals between the ages of 10 to 34; and

WHEREAS, in the United States over 47,000 people died by suicide in 2019 (CDC); and

WHEREAS, suicide rates have increased 30% over the last two decades, with suicide rates finally decreasing 2.1% between 2018 and 2019; and

WHEREAS, it is estimated that in 2019, there were 1.38 million suicide attempts; and

WHEREAS, in 2019, suicide was the 12th leading cause of death in Alabama (CDC); and

WHEREAS, in 2019, 804 people died by suicide in Alabama (CDC); and

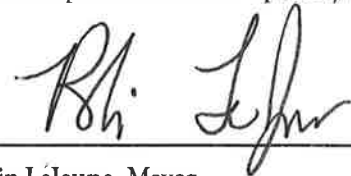
WHEREAS, over 90% of the people who die by suicide have a diagnosable and treatable mental health condition, although often that condition is not recognized or treated; and

WHEREAS, organizations such as the American Foundation for Suicide Prevention are dedicated to saving lives and bringing hope to those affected by suicide, through research, education, advocacy and resources for those who have lost someone to suicide or who struggle.

NOW,
THEREFORE, I, Robin LeJeune, as the Mayor of the City of Daphne, along with the Daphne City Council, do hereby proclaim September 5 - 11, 2021 as

National Suicide Prevention Week

in the City of Daphne, and urge others to recognize suicide as a preventable national and state public health problem and declare suicide prevention to be a priority.



Robin LeJeune, Mayor

ATTEST:



Candace G. Antinarella, CMC, City Clerk



**August 16, 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, Angie Phillips, Benjamin Hughes, Ron Scott, Steve Olen, Joel Coleman and Doug Goodlin.

Also Present: Candace Antinarella, City Clerk; Mayor Robin LeJeune; Patrick Dungan, City Attorney; Troy Strunk, City Development; Adrienne Jones, Planning; Chief LeAnn Tacon, Fire; Chief David Carpenter, Police; Ronnie Huskey, Public Works; Ange Baggett, Marketing; Tonja Young, Library; Josh Newman, City Engineer; Tim White, Environmental Programs Manager; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Daphne Fire Lieutenant Lamar Green.

3. APPROVAL OF MINUTES:

The minutes from the August 2, 2021 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Conaway said the Committee met earlier that day and the report will be given at the next Council meeting.

B. BUILDINGS & PROPERTY COMMITTEE

Councilwoman Phillips said the July 2021 new Construction and Building Reports were in the packet. She said the permits issued were 407, new residential home permits were 25, and total fees collected were \$78,547.74.

C. PUBLIC SAFETY COMMITTEE

Councilman Hughes said the minutes from the July 7th meeting were in the packet and the next meeting is September 13, 2021 at 4:30pm.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Olen said the next meeting is Tuesday, September 7, 2021 at 4:00pm.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the minutes from the July 6th meeting were in the packet and the next meeting is September 7, 2021.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

There was no report.

B. Downtown Redevelopment Authority

**MOTION by Councilwoman Conaway to appoint Sherry-Lea Bloodworth Boto to the Downtown Redevelopment Authority. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**August 16, 2021
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
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6:00 P.M.**

Councilwoman Conaway said the next meeting is August 19, 2021 at 5:30pm.

C. Industrial Development Board

Councilman Scott said the meeting scheduled for tomorrow has been cancelled.

D. Library Board

Councilwoman Phillips said the next meeting is September 9, 2021 at 4:30pm at the Library.

E. Planning Commission

Councilman Olen said the next meeting is August 26, 2021 at 5:00pm.

F. Recreation Board

Councilman Hughes said the next meeting is October 13, 2021 at 6:00pm.

G. Utility Board

Councilman Goodlin said the minutes from the June 30th meeting are in the packet and the next meeting is August 25, 2021 at 5:00pm.

6. PUBLIC PARTICIPATION:

Public Participation opened at 6:09pm.

Curt Fonger, 1443 Randall Avenue, commented on individuals wearing masks and expressed concern about vaccinations amongst employees.

Public Participation closed at 6:11pm.

7. MAYOR'S REPORT:

Mayor LeJeune said school has started and reminded everyone that 6th Street will close for drop-off and pick-up at Christ the King each day between 7:00 – 8:00am and 2:00 – 3:00pm. He encouraged everyone to check out the flags at the front of City Hall representing local schools.

He said employee vaccinations are low and encouraged everyone to get vaccinated. He shared updated numbers from Thomas Hospital and asked citizens to pray for family's who have lost individuals to COVID.

8. CITY ATTORNEY REPORT:

City Attorney said there was a matter of current litigation that he can discuss with the Council should they vote to enter into Executive Session at the end of the meeting. He said the session should last no more than five minutes and does not require a Council vote.

9. DEPARTMENT HEAD COMMENTS:

Chief Carpenter, Police, said there was a bad wreck on Highway 181 earlier in the day as well as a shooting in Lake Forest recently. He reminded everyone to be cautious as schools have started. He shared there are four officers heading to the Police Academy.

Chief Tacon, Fire, said she is fortunate to have Lieutenant Green at the Fire Department. She asked everyone to keep Firefighter McKissack's family in their prayers. She said they have a new hire and four firefighters are starting fire school next week in Orange Beach.

**August 16, 2021
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
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6:00 P.M.**

Ange Baggett, Marketing, shared about upcoming events she'll be attending and let everyone know there have been a few cancellations at the Civic Center due to COVID.

Tonja Young, Library, shared the Library's new hours are Mondays – Thursdays, open until 8:00pm; Fridays, open until 6:00pm; Saturdays open 9:00am – 2:00pm.

10. CITY CLERK'S REPORT:

**MOTION by Councilman Hughes to approve the Daphne AF JROTC Donut Sale Fundraiser at Windsor and Ridgewood in Lake Forest on September 11, 2021, October 16, 2021, November 6, 2021, February 12, 2022, February 23, 2022 and March 19, 2022 from 6:30am – 11:00am. Seconded by Councilman Coleman. Councilman Goodlin abstained.
MOTION CARRIED.**

**MOTION by Councilman Scott to approve the Daphne High School Homecoming Parade on September 30, 2021 from 6:00pm – 7:30pm. Seconded by Councilman Hughes. Councilman Goodlin abstained.
MOTION CARRIED.**

11. RESOLUTIONS & ORDINANCES:

A. RESOLUTIONS:

2021-30 – Declare Property Surplus and Authorize the Mayor to Donate or Dispose – Large Gold Framed Mirror and Lobby Seating

2021-31 – Declare Property Surplus and Authorize the Mayor to Dispose – Writing Tables, Conference Table and Entrance Table

2021-32 – Labor and Installation for the Daphne Sports Complex Splash Pad – Bid Award: Struthers Recreation, LLC

**MOTION by Councilwoman Phillips to waive the reading of Resolutions 2021-30, 2021-31 and 2021-32. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to adopt Resolution 2021-30. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to adopt Resolution 2021-31. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to adopt Resolution 2021-32. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**August 16, 2021
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.**

ORDINANCES:

B. 2nd READ ORDINANCES:

2021-40 – Appropriation – Engineering Fees – Public Works Storage Building - \$29,960

2021-41 – Appropriation – Engineering Fees – Drainage Improvements for North Main St. Fire Station #2 - \$49,630

MOTION by Councilwoman Phillips to waive the reading of Ordinances 2021-40 and 2021-41. Seconded by Councilman Hughes.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2021-40. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2021-41. Seconded by Councilman Hughes.

MOTION CARRIED UNANIMOUSLY.

C. 1ST READ ORDINANCES:

2021-43 – Additional Appropriation – Labor and Installation for the Daphne Sports Complex Splash Pad - \$15,000

2021-44 - Ordinance of the City of Daphne, Alabama, to Protect the Health, Safety, and General Welfare of its Citizens Relating to Development and the Filing of Site Plan Approval Applications for Any Multiple Family Project Within the Corporate Limits of the City of Daphne

2021-45 - Ordinance of the City of Daphne, Alabama, to Protect the Health, Safety, and General Welfare of Its Citizens Relating to Petitions to Rezone or Pre-Zone Land to Either R-7 (A) Apartment District, R-7 (M) Mid-Rise Condominium, R-7 (T), Townhouse, or PUD, Planned United Development Where the Proposed Use Will Include Either Apartments, Mid-Rise Condominiums or Townhouses

12. COUNCIL COMMENTS:

Councilwoman Phillips said she was thankful the area was spared by the storm. She said her heart and prayers are with first responders, healthcare workers and those who have lost loved ones to COVID.

Councilman Hughes agreed with Councilwoman Phillips' comments. He asked everyone to pray for the McKissack family as well as those on the frontlines.

Councilman Coleman echoed the comments of other councilmembers.

Councilman Olen said he agreed with all the comments of the other council.

Councilwoman Conaway said the next Education Advisory Committee meeting is Monday, August 23rd at 11:00am.

**August 16, 2021
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
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6:00 P.M.**

Mayor LeJeune invited everyone to “Coffee with the Mayor” on August 24th at 8:00am at the Senior Center. He shared the 1st Daphne Breeze newsletter was recently mailed out.

Councilman Goodlin discussed the recent happenings in Afghanistan. He encouraged everyone to pray for all involved.

City Attorney certified that the Council should enter into an Executive Session concerning matters of current litigation. He said it should take no longer than five minutes and the Council should have no reason to vote.

MOTION by Councilman Scott to enter into Executive Session. Seconded by Councilman Olen.

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.

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED INTO EXECUTIVE SESSION AT 6:37 PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, CMC, City Clerk

Doug Goodlin, Council President

August 28, 2021
EMERGENCY CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
4:00 P.M.

1. CALL TO ORDER:

There being a quorum present Council Pro Tem Joel Coleman called the meeting to order at 4:01pm.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Tommie Conaway, Benjamin Hughes, Steve Olen and Joel Coleman.

COUNCIL MEMBERS ABSENT: Doug Goodlin, Angie Phillips and Ron Scott

Also Present: Candace Antinarella, City Clerk; Mayor Robin LeJeune; Patrick Dungan, City Attorney; Troy Strunk, City Development; Vickie Hinman, Human Resources; Chip Martin, Fire Marshal; Chief LeAnn Tacon, Fire; Chief David Carpenter, Police; Ronnie Huskey, Public Works; Ange Baggett, Marketing; BJ Eringman, Public Works; Josh Newman, City Engineer; and Tim White, Environmental Programs Manager.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Daphne Fire Lieutenant Lamar Green.

3. RESOLUTION:

2021 – 33 – Declare a State of Emergency Resulting from Hurricane Ida

Mayor LeJeune stated the Governor and Baldwin County have issued a State of Emergency.

MOTION by Councilwoman Conaway to waive the reading of Resolution 2021-33. Seconded by Councilman Hughes.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to adopt Resolution 2021-33. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

4. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 4:08 PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, CMC, City Clerk

Joel Coleman, Council Pro Tem

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
AUGUST 16, 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 Resources Director Mrs. Vickie Hinman, Human Resources Deputy Director Hannah Noonan, Revenue Officer Mrs. Courtney Coleman, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Troy Strunk, Fire Chief LeAnn Tacon, Director of Events and Marketing Mrs. Ange Baggett, Public Works Director Mr. Ronnie Huskey, and City Attorney Mr. Patrick Dungan.

II. PUBLIC PARTICIPATION

A. Mobile Bay National Estuary Program – Mrs. Roberta Swann

Mrs. Swann reviewed her handout information including information on past projects and she noted that the City has made contributions of over \$326,000 over the last 10 years. Mrs. Swann requested the City continue to contribute to MBNEP for future projects. Mr. Scott reviewed the history of the City's relationship with MBNEP and stated they have done an incredible job.

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 – 3
- Reviewing/Testing/Interviewing/Background check - 12
- Promotion/Internal Transfer - 1
- New Hires – 8
- Open positions - 0

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

- Open Enrollment & Benefits Fair preparations for Aug. 3, 4, and 5
- Classification/Compensation Study continues

Mrs. Hinman stated that Mrs. Sandi Cushway, HR Specialist recently retired. Mrs. Hinman discussed that there would be a Vaccination Clinic on August 25, 2021 for the employees that need the second vaccination and a clinic for flu shots on September 15th & 16th, 2021. Discussion continued on vaccination information for City employees.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – June, 2021

Mrs. Coleman reviewed the following reports and information:

- Code enforcement issued 6 warnings resulting in businesses becoming compliant and \$658 in revenue.
- New Businesses with a physical location in Daphne - 19.
- Simplified Sellers Use Tax collections - \$98,153.73 and YTD collections - \$957,787.76.

BUSINESS LICENSE COUNT through 07/31/2021	
NEW Licenses	57
RENEWAL Licenses (2021)	22
Total Issued THIS MONTH	79
Total Issued THIS MONTH - PREVIOUS YEAR	67
Net Gain/-Loss Current VS Previous Yr MONTH	12
Total Issued YTD 2021	4,307
Total Issued YTD - PREVIOUS YEAR	3,737
Net Gain/-Loss Current VS Previous Yr YTD	570

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
April	\$120,558.73	\$94,667.02	(\$25,891.71)	\$227,663.46
May	\$34,866.11	\$26,245.05	(\$8,621.06)	\$253,908.51
June	\$37,917.88	\$26,364.10	(\$11,553.78)	\$280,272.61
July	\$21,867.35	\$8,965.64	(\$12,901.71)	\$289,238.25
Year to Date	\$2,394,545.12	\$2,679,238.25	\$284,693.13	\$289,238.25
All amounts include penalty and interest.				

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: June, 2021

Mrs. Henson reviewed the Sales & Use Tax Reports: \$2,183,693 was collected for June, 2021 which was up \$341,692 from June 2020's collections:

- YTD Variance over Budget - \$341,692

B. Lodging Tax Collections, June, 2021

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for June, 2021 were \$201,167 which is up \$31,024 from June 2020's collections.

- YTD Variance over Budget - \$224,350

C. Lodging Tax Fund : Statement of Revenues over Expenses, July, 2021

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

- Unreserved balance for Bayfront related purchases - \$1,665,846
- Recreation for related purchases - \$865,088

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: June, 2021

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT					
As of July 31, 2021					
Account Type/Title	7/31/2021	6/30/2021	Increase (Decrease) from last Month	7/31/2020	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	\$ 14,364,428	\$ 13,685,732	\$ 678,696	\$ 11,553,253	\$ 2,811,175
INVESTMENT FUND	5,901,863	5,874,396	27,467	5,927,188	\$ (25,325)
CREDIT CARD ACCOUNT	81,823	105,685	(23,862)	55,616	\$ 26,207
Total Unrestricted Cash Balance	20,348,115	19,665,813	682,301	17,536,057	2,812,058
SPECIAL REVENUE FUNDS					
4 CENT GAS TAX	235,071	229,641	5,430	177,018	58,053
7 CENT GAS TAX	218,605	219,857	(1,252)	158,597	60,008
10 CENT GAS TAX	227,721	213,110	14,611	82,840	144,881
TREE & FLOWER	29,011	29,011	-	23,926	5,086
COVID RELIEF FUND	1,482,002	1,952,272	(470,270)	-	1,482,002
FEDERAL DRUG FORFEITURES	176,907	177,400	(492)	217,473	(40,566)
LOCAL DRUG FORFEITURES	60,580	60,580	-	55,618	4,962
LIBRARY	47,437	51,493	(4,056)	54,188	(6,751)
COURT TRAINING & EQUIPMENT	42,972	42,506	466	39,649	3,323
COURT CORRECTION	452,115	426,253	25,862	400,680	51,435
LODGING TAX	2,446,941	2,278,312	168,630	2,018,130	428,811
AGENCY FUNDS					
MUNICIPAL COURT	242	238	4	1,735	(1,493)
SELF INSURANCE	220,980	223,454	(2,474)	209,642	11,338
FLEX SPENDING	8,548	9,150	(602)	11,350	(2,802)
OPEB TRUST INVESTMENT FUND	824,087	817,557	6,530	521,874	302,213
	6,473,220	6,730,833	(257,613)	3,972,720	2,500,500
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	3,321,357	3,425,575	(104,217)	4,903,648	(1,582,291)
2019 CAPITAL IMPROVEMENTS	-	-	-	57,841	(57,841)
	3,321,357	3,425,575	(104,217)	4,961,489	(1,640,132)
DEBT SERVICE FUNDS					
DEBT SERVICE	141,206	329,710	(188,504)	1,485,897	(1,344,691)
Total Restricted Cash Balance	9,935,783	10,486,118	(550,335)	10,420,106	(484,323)
Total City Cash Balance	\$ 30,283,898	\$ 30,151,931	\$ 131,967	\$ 27,956,163	\$ 2,327,735
Encumbrance Total as of			7/31/2021	\$ 624,737.99	

Mrs. Reid discussed the new investment account.

The Treasurer's Report as of JUNE, 2021 Total Unrestricted Cash Balance - \$20,348,115 and Total City Cash Balance - \$30,283,898 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance is - \$624,738 as of June, 2021.

Mrs. Reid reviewed the Encumbrance Report and noted that at the September meeting she would be discussing removing some of the older line items out of encumbrances.

3. Outstanding Appropriations

Mrs. Reid reviewed the Outstanding Appropriations report and discussed leaving the appropriated funds for the Bayfront Street project until the project is rebid.

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

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), June, 2021
 - o Jubilee Square: Debt payments are currently fully paid.

Monthly Financial Statements – June 2021 Financial Highlights

General Fund:

	<u>FY 2021</u>	<u>FY 2020</u>	<u>Change</u>
• YTD Budgetary Net Income:	\$5,805,698	\$4,355,173	\$1,450,525
• Total sales tax collected year to date is approximately \$3.45 million over budgeted income and prior year to date income			
• Hurricane Sally expenditures YTD are \$4.9 million with the majority of the expenditures relating to debris removal. FEMA will reimburse 75% and the state 12.5%			
• Total investment income including interest and unrealized gain on investment account is approximately \$357,000 less than June 2020			
• Unassigned Fund Balance: \$23,759,289			
• Outstanding Encumbrances: \$659,203			

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of June 30, 2021: \$29,226,883
- Outstanding Capital Lease Balance as of June 30, 2021:
 - o General Fund: \$691,759
 - o Enterprise Fund: \$1,474,920

Capital Project Funds (Capital Reserve):

- The largest capital expenditure totaled \$730,247 for the 2020 Road Repaving Initiative
- Other large expenditures include \$470,000 for the Lott Park Tennis Building, \$273,000 for the completion of Fire Station #5, and \$431,000 for the Pollard Road Sidewalk TAP Grant project

Special Revenue Funds (12 separate funds):

- Lodging Tax Fund –
 - o Bayfront Unreserved Fund Balance: \$1,566,885
 - o Recreation Unreserved Fund Balance: \$800,552
 - o Total lodging tax collected was \$224,000 over budgeted income and \$389,000 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	\$ 92,097	\$ 433,736	\$ (341,639)
Civic Center Fund	\$ 110,195	\$ 215,747	\$ (105,552)

June 2020 represented the second month of a waiver of garbage fees in response to the COVID-19 pandemic

Mrs. Phillips applauded the City departments for using their operating budgets wisely.

5. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary. Mr. Scott asked about adding information for projects with grants. Mrs. Reid noted once the grant is awarded for the projects on this list the grant money is shown as a funding source on the report. Discussion continued on adding some information to help track grants. Mr. Coleman asked about getting an updated conceptual plan for the Amphitheater if there was a later version available. Mayor LeJeune stated he would send Council the latest conceptual drawing for review. Discussion

continued on the project and it was recommended the project and drawing be placed on the next Building and Property Meeting.

6. Summary of Budgetary Amendments

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

- Total Appropriations Year to Date – \$ 3,042,814
- Adjusted Expenses over Revenue – (\$3,014,536)

B. Bills Paid Reports – June, 2021

The Bills Paid Report was previously presented electronically.

VIII. BIDS (Resolution) & APPROPRIATION REQUESTS: (Ordinance)

A. 2021-I-Labor and Installation for Sports Complex Splash Pad

The labor and installation for Daphne Sports Complex splash pad was previously discussed at the Building and Property Committee meeting and forwarded back to the Finance Committee for award and appropriation of additions funds needed. The recommendation was to award to the low bidder, Struthers Recreation, LLC, in the amount of \$133,224. Mrs. Reid discussed that additional funding was needed for the bid which includes site work and electrical access installation in the amount of \$25,000.

MOTION BY Mr. Goodlin to recommend to Council to award the 2021-I-Labor and Installation for Daphne Sports Complex Splash Pad bid to Struthers Recreation, LLC. in the amount of \$133,224 as bid. Seconded by Mr. Olen.

MOTION CARRIED UNANIMOUSLY

MOTION BY Mr. Goodlin to recommend to Council to adopt the Ordinance amending the budget to appropriate \$25,000. Seconded by Mr. Coleman.

MOTION CARRIED UNANIMOUSLY

A. Public Works Administration Vehicle - \$17,315

A request was made for a replacement for a Public Works vehicle that was totaled in a recent accident. Additional funding in the amount of \$17,315 is needed for the vehicle.

MOTION BY Coleman to recommend to Council to adopt an ordinance appropriating \$17,315 out of the General Fund for the Public Works Administration vehicle. Seconded by Mrs. Phillips.

MOTION CARRIED UNANIMOUSLY

B. Replacement of Main Street Fencing Maintained by ALDOT - \$60,000

The Main Street fencing replacement project was discussed by Mrs. Reid. Mr. Strunk recommended waiting for ALDOT to bid the project out and then see what funding is needed. Mr. Scott asked if the Lodging Tax Funds could be used for this project. Discussion continued that the City attorney would research the City's ordinance and report back to Council.

IX. NEW BUSINESS

A. Authorization to enter into a lease for a new Fire Pumper Truck - \$540,000

The lease proposals were presented in the packet for review. Mrs. Reid noted that Mrs. Henson had requested lease proposals from several banks and that First Bank had the lowest interest rate of 1.18%.

MOTION BY Mr. Hughes to recommend to Council to authorize the Mayor to enter into a lease agreement with First Bank in the amount of \$540,000 for the new Fire Pumper Truck. Seconded by Mr. Olen.

MOTION CARRIED UNANIMOUSLY

B. Use of Projected Current Year Excess Funds (Ordinance)

Mrs. Reid discussed the current year excess funds and the option to transfer some monies out to reduce the net change in fund balance. Mrs. Reid referred to the City's Statement of Revenues, Expenditures, and Changes in Fund Balance report. The Mayor discussed two projects that monies could be used for: 1) \$1.5 million for the Animal Shelter project and 2) \$1.5 million for the Justice Center improvements project. Mrs. Phillips asked what were the proposed improvements for the Justice Center building. The Mayor reviewed a few of the needed changes: the courtroom needs to be expanded and the department would like to bring the patrol division back to the Justice Center so that all divisions are in one location. The Mayor noted

that a new recycling building/station has been on the list but noted that the County has invested \$3 million into a new recycling facility and once their program is in place the City can start taking their recycling to the County instead of having to store it then travel to Florida to take the recycling materials.

Mr. Coleman asked about splitting the monies into \$1 million each and adding a third project: the Bayfront Amphitheater project. Discussion continued on the three projects proposed. The Mayor stated he is good with splitting the monies into the three projects.

MOTION BY Mr. Scott to recommend to Council to adopt an ordinance appropriating the current year excess funds to be allocated as follows: 1) Justice Center Expansion project - \$1.5 million be appropriated from the General Fund and transferred to the Capital Reserve Fund and 2) Animal Shelter - \$1.5 million from the General Fund and transferred to the Animal Shelter Fund . Councilwoman Conaway called for a Second.
MOTION FAILED DUE TO LACK OF SECOND

MOTION BY Mr. Coleman to recommend to Council to adopt an ordinance appropriating the current year excess funds to be allocated as follows: 1) Justice Center Expansion project - \$1 million be appropriated from the General Fund and transferred to the Capital Reserve Fund, 2) Amphitheater at Bayfront Park - \$1 million from the General Fund and transferred to the Lodging Tax Fund, and 3) Animal Shelter - \$1 million from the General Fund and transferred to the Animal Shelter Fund . Seconded by Mr. Coleman.
MOTION CARRIED UNANIMOUSLY

X. OLD BUSINESS

There was no old business discussed.

XI. ADJOURN

The meeting adjourned at 6:05 p.m.

August 9, 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: Mayor LeJeune, Steve Olen, Ron Scott, Benjamin Hughes, Angie Phillips, Doug Goodlin, Joel Coleman, Tommie Conaway.

ABSENT:

Also Present: Candace Antinarella, City Clerk; Patrick Dungan, City Attorney; Troy Strunk, City Development; Chief Tacon, Fire Department; Captain Gulsby, Police Department

3. PUBLIC PARTICIPATION:

None:

4. APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from July 12, 2021 Public Safety meeting were approved as presented.

5. POLICE DEPARTMENT:

Old Business:

Captain Gulsby- emailed reports on traffic complaints. Speeding is not the problem that people think it is. Data collected revealed that in the report.

Council advised traffic sign at 64/US Hwy 98 needs attention, Public works is responsible for this sign.

Councilman Scott: Need for speed demonstration.

Mayor LeJeune: Requests showing of the police force has been made for the general areas of the schools to help with traffic law enforcement.

Captain Gulsby: Very impressed with the results of the sign regarding speeding.

Councilman Olen: Questions regarding monthly numbers: (Total Accidents), (DUI's), (Motorist Assists), (Security Checks). There has been an increase on these numbers since last month.

Captain Gulsby: Only 10 B&E incidents for this reporting month.

Captain Gulsby: Four new officers will be starting the academy soon, one new officer has experience, will be attending the refresher course.

Captain Gulsby: Answered questions regarding the Animal Shelter report to include the tortoise, chicken, and bird.

New Business:

August 9, 2021
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

6. FIRE DEPARTMENT:

Old Business:

Chief Tacon: Six employees with Covid, starting new procedure with shifts and spraying down. Majority of runs are related to Covid. This will affect response times.

Chief Tacon: Medstar Issues: Several crews were not wearing gloves and mask on calls. They advised they would handle it.

Chief Tacon: Want to get the programs started such as explorers but Covid is delaying this.

New Business:

Chief Tacon: Physician spoke at training conference in Orange Beach, Al. They spoke on the new variant of Covid that is expected to be coming from Europe to the United States in the next few months. It is supposed to be 4 times as contagious.

7. OTHER BUSINESS:

Mayor LeJeune: Memorandum coming out regarding those who are vaccinated that are out due to Covid, will be paid for the use of their sick time. There will be details to follow.

Mayor LeJeune: Thomas Hospital: ICU is full. Our own number of cases has increased. Total positives cases in Baldwin County: 143, 33 of these are in ICU, 24 are on ventilators, and 3 were vaccinated.

Councilman Olen: Recommendation due to the Covid numbers, we should move these meetings back to the big room. Everyone agreed. Affective one week from this date.

Councilwoman Phillips asked if we should go back to wearing masks in the buildings.

Mayor LeJeune: We will follow suit of the state mandates. Right now compared to the area, we are doing good.

Councilman Scott: Can we put out the signs that say we strongly recommend that you wear a mask while in the buildings?

Mayor Lejeune: Yes we will be putting out something of that nature after we meet tomorrow and discuss these matters further.

Councilman Scott: Fire Station # 5, when will it be open?

Mayor LeJeune: Due to Covid delays and truck issues, we will have to see how that goes.

5:00 p.m. **ADJOURNMENT**

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: August 31, 2021
TO: Office of the City Clerk
FROM: Adrienne D. Jones, AICP, Community Development Director
SUBJECT: Planning Commission Minutes and Report

A handwritten signature in blue ink, appearing to be "ADJ", written over the "FROM:" line of the memorandum.

Attached please find a copy of the approved minutes for the City of Daphne Planning Commission regular meeting of July 22, 2021 and the report of the regular meeting of August 26, 2021 for placement on the September 7, 2021 City Council agenda for review.

Should you have any questions or comments in this regard, please do not hesitate to call.

ADJ/jv

**The City of Daphne
Planning Commission Minutes
Regular Meeting of July 22, 2021
Council Chamber, City Hall - 5:00 P.M.**

Call to Order:

Chairwoman called the regular meeting of the City of Daphne Planning Commission to order at 5:02 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

James "Bo" White
John Peterson
Adam Manning
Phillip Hodgson, Secretary
Marybeth Bergin, Chairwoman
Andrew Prescott arrived @ 5:02 p.m.
Ronnie Huskey
Kevin Spriggs was excused @ 5:30 p.m.
Steve Olen was excused @ 5:41 p.m.

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development

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

Chairwoman asked for questions, comments or corrections to the minutes ***of the regular meeting of June 24, 2021. There being none, minutes are approved as submitted.***

Chairwoman stated that the order of the agenda has been rearranged to accommodate the Commissioners who must be excused early.

The next order of business is an administrative presentation for Winged Foot Commercial Site C-1.

An introductory presentation was given by Kyle Strachan, representative of Dewberry, requesting Planning Commission consideration of a partial sidewalk exemption as outlined in Section 11-11(f) of the Land Use Ordinance.

Chairwoman advised the developer is requesting a partial sidewalk exemption due to the inability to install the sidewalk along the front of the property.

Mr. Strunk advised that the developer is requesting a waiver to the sidewalk requirement and to contribute ten thousand dollars for the City to construct a sidewalk, install a drainage pipe and for fill.

Chairwoman asked for Commission questions or comments.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of July 22, 2021
Council Chamber, City Hall - 5:00 P.M.**

Mr. Huskey asked for clarification about the party that would be responsible for the installation of the drainage pipe on private property.

Chairwoman asked for Commission questions or comments and a motion.

A Motion was made by Mr. Hodgson and **Seconded** by Mr. Prescott **to approve an option to allow the developer to pay to the City of Daphne ten thousand dollars for the future installation of a sidewalk along County Road 64 and for the City to incur the cost of the associated drainage improvements.**

During discussion, Mr. Olen questioned whether or not the cost estimate provided by the developer was sufficient to cover the cost and proposed an amendment to the cost to fifteen thousand dollars. Mr. Prescott asked about his amendment. Mr. Olen advised that his amendment was proposed due to his concern about the City incurring the cost of the installation of the drainage pipe and sidewalk.

Mr. Strunk advised that the City will construct the sidewalk and install the drainage pipe during the right-of-way improvements to County Road 64 proposed by the MPO and advised that the City Attorney was agreeable. Mr. Dungan advised that the developer may contribute funds for work to occur during the improvement of the right-of-way on County Road 64.

An Amendment to the main motion was made by Mr. Olen and **Seconded** by Mr. Peterson **to approve an option to allow the developer to pay to the City of Daphne fifteen thousand dollars for the future installation of a sidewalk along County Road 64 and for the City to incur the cost of the associated drainage improvements.**

During discussion, Mr. Peterson commented that he supported the motion to ensure that there is funding to construct the crosswalk. Mr. Prescott stated the crosswalk is a part of the original subdivision and not a part of this development. Ms. Jones clarified that Predazzer Lane is a city street and any improvements would be addressed at the time of the review and issuance of a right-of-way permit or for the City to make the improvement itself.

The Chair called for a roll call vote on the motion to amend.

Upon roll call vote, **the Motion to amend carried.**

Mr. White	Aye
Mr. Peterson	Aye
Mr. Manning	Nay
Mr. Hodgson	Nay
Ms. Bergin	Aye
Mr. Prescott	Nay
Mr. Huskey	Aye
Mr. Olen	Aye

The Chair called for a roll call vote on the motion as amended.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of July 22, 2021
Council Chamber, City Hall - 5:00 P.M.**

Upon roll call vote, **the Motion as amended carried.**

Mr. White	Aye
Mr. Peterson	Aye
Mr. Manning	Nay
Mr. Hodgson	Nay
Ms. Bergin	Aye
Mr. Prescott	Nay
Mr. Huskey	Aye
Mr. Olen	Aye

The next order of business is site plan review for Radney Baldwin County Funeral Home.

Ms. Jones advised that the applicant has requested that the application be tabled until the regular meeting of August 26, 2021.

The next order of business is preliminary/final plat review for Wade Lott Property into ALDI Tract Subdivision and site plan review for ALDI Grocery Store.

An introductory presentation was given by Nikolas Melancon, and representatives of Duplantis Design Group, requesting preliminary/final plat review of a one-lot subdivision consisting of six point seven acres located northeast of Whispering Pines Road and U.S. Highway 98. He noted that the purpose of the subdivision is to carve out a parcel for ALDI Grocery Store and to provide access to U.S. Highway 98 for signage.

Chairwoman asked for Commission questions or comments.

Mr. Huskey asked about the Public Work comments. Mr. Melancon advised that staff comments have been addressed.

Mr. White asked about the crosswalk and the cemetery. Mr. Melancon responded that the crosswalk is located on each side of the flared drive on Whispering Pines Road and a note was added to site plan that states that the contractor must install temporary construction fencing to ensure that no disturbance occurs to the cemetery adjacent to the ALDI parcel.

Chairwoman asked about the installation of the fencing. Mr. Melancon responded that the fencing is temporary; landscaping will be installed as a permanent buffer along the property line.

Chairwoman opened the floor to public participation.

Dr. Pam Henson, 810 Juniper Street Court, commented and expressed her concerns about traffic congestion at this intersection. Mr. Melancon advised that the traffic impact study recommended an extension of the right turn lane at U.S. Highway 98 and Whispering Pines Road that must be reviewed and approved by ALDOT.

Chairwoman closed public participation and asked for a motion on the associated applications.

The City of Daphne
Planning Commission Minutes
Regular Meeting of July 22, 2021
Council Chamber, City Hall - 5:00 P.M.

A **Motion** was made by Mr. Prescott and **Seconded** by Mr. Huskey **to approve Wade Lott Property into ALDI Tract preliminary/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. Hodgson **to approve the site plan for ALDI Grocery Store with the condition that all staff comments be resolved. There was no discussion on the motion. The Motion carried unanimously.**

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

An introductory presentation was given by Hunter Smith, representative of Smith, Clark & Associates, requesting preliminary/final plat review of a two-lot subdivision consisting of approximately two-point five eight acres located southwest of Main Street and War Eagle Drive for the purpose of the construction of a residential home.

Chairwoman asked for Commission questions or comments and opened the floor to public participation.

Paul Soutullo, 6584 Haley Lane, commented regarding an existing drainage issue at Main Street and Haley Lane.

Chairwoman closed public participation and asked for a motion.

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

The next order of business is an administrative presentation.

Ms. Jones presented a proposed amendment to the Land Use Ordinance requesting Planning Commission consideration to allow multi-family structures which contain twenty-four dwelling units in lieu of twenty dwelling units per building; structures will not exceed two hundred feet in length.

A **Motion** was made by Mr. Prescott and **Seconded** by Mr. Peterson **to set forth a favorable recommendation to the City Council to amend the Land Use and Development Ordinance to allow up to twenty-four dwelling units per building in the multiple family garden apartment definition in lieu of twenty dwelling units per building. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is public participation.

Chairwoman 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 July 22, 2021
Council Chamber, City Hall - 5:00 P.M.**

The next order of business is commissioner's comments.

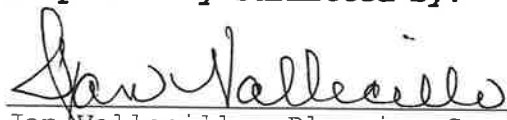
None presented.

The next order of business is director's comments.

Director presented the upcoming meeting dates. Site Preview is August 18, and the Regular Meeting is August 28. She welcomed Josh Newman, City Engineer. She advised that the City Council approved the appropriation for the Comprehensive Plan

There being no further business, the meeting was adjourned at 6:05 p.m.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: August 28, 2021



Marybeth Bergin, Chairwoman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF AUGUST 26, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

1. **CALL TO ORDER:** 5:02 p.m.
2. **CALL OF ROLL:** Marybeth Bergin, Steve Olen, Kevin Spriggs, John Peterson, Phillip Hodgson, and Andrew Prescott
3. **APPROVAL OF MINUTES:** Review of minutes of the regular meeting of July 22, 2021. (**Approved**)
4. **OLD BUSINESS:**
 - A. **SITE PLAN REVIEW AND REQUEST FOR MODIFICATION TO THE WETLAND BUFFER REQUIREMENT:**
 1. File SP21-07: (**Approved modification to the wetland buffer subject to further staff review; and, approved site plan with a partial sidewalk exemption**)

Site: Radney Baldwin County Funeral Home

Zoning: *B-2, General Business*

Location: Northwest of U.S. Highway 90 and Renaissance Boulevard

Area: 2.57 Acres $\pm$

Owner: SCI Alabama Funeral Services, L.L.C.

Developer: SCI Shared Resources, L.L.C. - Michael Decell

Agent: Anchor Engineering - Dwayne Smith

Engineer: Anchor Engineering - Tim Lawley
5. **NEW BUSINESS:**
 - A. **DOWN BY THE BAY, L.L.C. BOAT & RV STORAGE PLANNING APPROVAL, MASTER PLAN REVIEW AND SITE PLAN REVIEW:**
 1. Planning Commission approval of a warehouse and/storage facility in a B-2(a) zone. (**Tabled until the regular meeting of September 23, 2021**)
 2. **MASTER PLAN REVIEW:**

File MPR21-04: (**Tabled until the regular meeting of September 23, 2021**)

Presentation to be given by Chris Lieb, representative of Lieb Engineering, requesting a master plan review of Down by the Bay, L.L.C.
 3. File SDPF21-15: (**Approved conditioned upon the provision of shared access to County Road 13**)

Subdivision: Down by the Bay, L.L.C.

Zoning(s): *B-2(a), General Business Alternate District*

Location: Northeast of County Road 64 and County Road 13, southeast of Rand Avenue and County Road 13

Area: 8.74 Acres $\pm$, (2) lots

Owner(s): Down by the Bay, L.L.C. - Ryan Fields

Surveyor: Smith, Clark & Associates - Hunter Smith

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF AUGUST 26, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

4. File SP20-04: (Tabled until the regular meeting of September 23, 2021)

Site: Down by the Bay, L.L.C. Boat & RV Storage

Zoning: *B-2(a), General Business Alternate District*

Location: Northeast of County Road 64 and County Road 13, southeast of Rand Avenue and County Road 13

Area: 7.54 Acres $\pm$

Owner(s): Down by the Bay, L.L.C. - Ryan Fields

Engineer: Lieb Engineering - Chris Lieb

B. JUBILEE FARMS SUBDIVISION, PHASE NINE AND STREET ACCEPTANCE:

1. File SDF21-05: (Approved)

Subdivision: Jubilee Farms, Phase Nine

Present Zoning: *PUD, Planned Unit Development*

Location: Southeast of Austin Road and Alabama Highway 181

Area: 10.75 $\pm$ 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 AP21-11: (Approved)

Presentation to be given by Al Finley, representative of Dewberry, recommending acceptance of all right-of-ways contained within Jubilee Farms Subdivision, Phase Nine. Said right-of-ways being Winning Colors (958 linear feet) and Native Dancer Way (300 linear feet).

C. JUBILEE FARMS SUBDIVISION, PHASE TEN AND STREET ACCEPTANCE:

1. File SDF21-06: (Approved)

Subdivision: Jubilee Farms, Phase Ten

Present Zoning: *PUD, Planned Unit Development*

Location: Southeast of Austin Road and Alabama Highway 181

Area: 22.14 $\pm$ Acres, (57) lots

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

Agent: Dewberry - Al Finley

Surveyor: Dewberry - Victor Germain

Engineer: Dewberry - Jason Estes

2. File AP21-12: (Approved)

Presentation to be given by Al Finley, representative of Dewberry, recommending acceptance of all right-of-ways contained within Jubilee Farms Subdivision, Phase Ten. Said right-of-ways being Winning Colors (1,268 linear feet), Native Dancer Way (1,301 linear feet), California Chrome Trail (166 linear feet) and Sunday Silence Avenue (495 linear feet).

D. SAVANNAH ESTATES SUBDIVISION MASTER PLAN AND PRELIMINARY PLAT:

1. MASTER PLAN REVIEW:

File MPR21-03: **(Approved)**

Presentation to be given by Todd Wheeler, representative of Mullins, L.L.C., requesting a master plan review of Savannah Estates Subdivision.

2. File SDP21-04: **(Approved)**

Subdivision: Savannah Estates

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

Location: Northeast of County Road 64 and County Road 54 West

Area: 44.18 ± Acres, (96) lots

Owner: Kevin Kirchharr, Triple K Mining, L.L.C. & J & S Land, L.L.C.

Surveyor: Mullins, L.L.C. - Kevin Gardner

Engineer: Mullins, L.L.C. - Todd Wheeler

E. JOSEPH MANCI PRE-ZONING AMENDMENT(S):

1. File PZA21-10: (The vote was five in favor and one opposed to set forth a recommendation to the City Council to pre-zone fifty-three point four-six acres to a PUD, Planned Unit Development, with B-2(a), standards and uses, except for a grocery store and pet store may be permitted by right on the commercial portion)

Present Zoning: RA, Rural Agricultural, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

Proposed Zoning: PUD, Planned Unit Development

Applicant(s)/Area: Joseph Mancini

Area: 53.46 Acres ±

Location: Northeast of Alabama 181 and Saint Michael Way

Engineer: Wooten Engineering - Jason Wooten

F. JOSEPH MANCI ANNEXATION:

1. ANX21-10: (Favorable recommendation to the City Council)

A presentation to be given by Jason Wooten, representative of Wooten Engineering, requesting annexation of a fifty-three and forty-six acre parcel owned by Joseph Mancini into the City of Daphne located northeast of Alabama 181 and Saint Michael Way as a PUD, Planned Unit Development. The subject property is currently RA, Rural Agricultural, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne.

G. BALDWIN COUNTY VOLLEYBALL CLUB PLANNING COMMISSION APPROVAL:

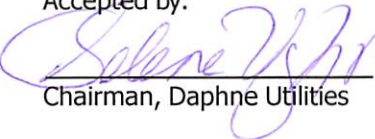
1. Planning Commission approval of Planning Commission approval of indoor volleyball courts, office and warehouse at 7650 Stanton Road in a C/I, Commercial/Industrial, District. Business owner: Jesaj Daphne, L.L.C. **(Approved)**

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF AUGUST 26, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

5. **PUBLIC PARTICIPATION:** None presented
6. **ATTORNEY'S REPORT:** No report
7. **COMMISSIONER'S COMMENTS:** None presented
8. **DIRECTOR'S COMMENTS:** None presented
9. **ADJOURNMENT:** 7:32 p.m.

Accepted by:


Chairman, Daphne Utilities



APPROVED MINUTES

Utilities Board Meeting

Council Chambers, Daphne City Hall ♦ July 28, 2021 ♦ 5:00 p.m.

I. Call to Order

The regular July 2021 Board meeting for the Utilities Board of the City of Daphne was held on July 28, 2021, in the Council Chambers at Daphne City Hall and called to order at 5:01 p.m. by Chairwoman Selena Vaughn, followed by the Roll Call:

II. Roll Call

Members Present: Selena Vaughn, Chairwoman
Tim Patton, Vice Chairman
Billy Mayhand, Secretary/Treasurer
Mayor Robin LeJeune, Board Member
Councilman Doug Goodlin, Board Member

Members Absent:

Others Present: Jerry Speegle – Board Attorney
Scott Polk – General Manager
Bobby Purvis – Operations Manager
Drew Klumpp – Administrative Services Manager
Samantha Coppels – Communications Manager
Rebecca Williamson – Accounting Assistant
Lori Wilson – Executive Assistant

Others Absent: Teresa Logiotatos – Finance Manager

III. Pledge of Allegiance

The Chairwoman led the Board and meeting attendees in the Pledge of Allegiance.

IV. Approval of Minutes

A. Utilities Board Meeting Minutes June 30, 2021

The Chairwoman requested any additions, corrections, or deletions for the submitted minutes for the June 30, 2021, Daphne Utilities Board meeting.

With no additions, deletions, or corrections, the Chairwoman declared that the submitted June 30th minutes would stand approved.

V. OLD BUSINESS – None

VI. NEW BUSINESS –

A. **Presentation** by Michelle Harrod with Duke's 360 – Precision I&I Microdetection Study, Manhole Inspections and SL RAT Acoustic Pipeline Inspection

Ms. Michelle Harrod with Duke's Root Control Inc. introduced herself and gave a presentation to the Board of the results of the SSES Study, which is a different approach to identifying sources of groundwater infiltration and inflow into the sewer collection systems, and also gave a high-level overview of this program. She also answered questions from the Board at the conclusion of her presentation.

B. **COVID-Premium Pay Discussion**

Mr. Scott Polk stated that discussion with legal counsel, as long as Daphne Utilities remained under budget that the General Manager has the authority to give [COVID-Premium Pay] to everyone but himself; the Board would have to take action if they chose to give this to the General Manager. He advised that there is a budget surplus in personnel this year and this premium pay would be under the budget and would also mimic the program the City of Daphne provided for their employees through the American Rescue Plan Act. He explained the reason for the surplus in the personnel budget is due to numerous departments working short-staffed throughout the pandemic, haven't replaced employees or the employee turn-over is greater than expected, and the managers have done a great job managing with what they have. He answered questions from the Board relating to this proposal.

MOTION by Tim Patton to approve the Incentive Pay and to include the General Manager; Motion was Seconded by Billy Mayhand.

AYE: Goodlin, LeJeune, Mayhand, Patton, Vaughn **NAY:** **ABSENT:** **ABSTAIN:** **MOTION CARRIED**

VII. BOARD ATTORNEY'S REPORT

Mr. Speegle had no new or remaining matters to report, although he answered questions from the Board.

VIII. FINANCIAL REPORT

Rebecca Williamson, Accounting Technician, substituted for Finance Manager Teresa Logiotatos; Mr. Polk mentioned that we were over budget for revenue as well as under budget for expenses.

IX. GENERAL MANAGER'S REPORT

A. **GM Report**

General Manager Scott Polk updated the Board on: the production water well at Diamante and the legal easement with Alabama Power; the Daphmont area natural gas line upgrade and replacements is nearly complete; the issues at the WRF with the reduced size of the UV chamber has caused some problems during some of the rains; the grit study has been paid for and close to being complete; no changes with the Rigsby Road Sewer Expansion; an August start date for the Douglas Road Water Tank Expansion project is planned.

He also mentioned, in regard to the Diamante well, that the well-drillers are backed up and not sure when this will be accomplished.

Mr. Polk pointed out in the Areas of Focus the importance of finding a solution to the water quality in Olde Towne Daphne area and gave an update of on-going treatments. He also answered questions from Board members.

Lastly, he noted that he has had no further communication with D.R. Horton regarding any opportunity to push gas mains through at Jubilee Farms.

B. Operations Report

Operations Manager, Mr. Bobby Purvis, recognized Larry English, [Daphne Utilities] water quality manager, for his hard work that he commits to our water quality, and Goeff Wilkins, [Daphne Utilities water reclamation facility manager] for discovering the Dukes' study and recognizing the benefits Daphne Utilities could gain from it. He also recognized Antonio Winston, [Daphne Utilities' maintenance manager] and his valuable support of the entire Utility.

C. Engineering & Consulting Reports

Mrs. Melinda Immel with Volkert gave an update on the Douglas Road Tank Expansion regarding material delays. She also confirmed Mr. Polk's statement that well-drillers' availability is booked through the end of the year, also resulting in a delay of project bids.

Mr. Robbie Strom with GMC gave a further update of projects: the bid package and design for Well #15; and the Grit Study Removal at the WRF.

X. PUBLIC PARTICIPATION – at 6:01 pm the Chairwoman opened the floor for Public Participation.

Mr. Steve Olen, (Daphne City) Councilman for District 2, addressed the Board to reiterate his comments at the previous Board meeting that Daphne Utilities says that the root cause of the brown water problem was Well #13 and noted that the long-term solution was to take Well #13 offline. He stated that the obvious problem with that solution is that the brown water problem existed for a number of years prior to Well #13 came on-line in 2017, which Daphne Utilities and many District 2 citizens are aware of this fact.

He noted all kinds of comments posted on Facebook, which he perceived that Daphne Utilities is aware of those comments. He quoted a Facebook comment from Daphne Utilities as "if we don't receive calls, crews are under the impression that the projects in Olde Town Daphne are working." He remarked that Daphne Utilities is 100% responsible for the brown water these customers are getting and continue to get, and suggested that Daphne Utilities is attempting to lay the responsibility to the customers, calling them victims, only by being made aware of a problem if they [customers] tell Daphne Utilities about it. He stated that these customers have complained and complained for years and years and years to Daphne Utilities with no resolution and no change and they are worn out, likening Daphne Utilities' position that if the Utilities' doesn't hear about it, the problem doesn't exist, and that is comparable to sticking your head in the sand like they [Utilities] did before a certain councilman started coming to these meetings several months ago and pointing out that there were many complaints. He stated that he thought it was "ridiculous for Daphne Utilities to try to flip this on these victims and say it's their responsibility to tell y'all about a problem that you're having".

Lastly Mr. Olen commented, even after mentioning this on several different occasions, on the lack of Daphne Utilities to implement any kind of relief, assistance or program to help these Oldes

Towne Daphne customers that are getting the brown water in their home while working on a solution, long-term or otherwise.

Chairwoman Vaughn invited any other attendees to address the Board.

With no additional participants, Chairwoman Vaughn closed Public Participation at 6:05 pm.

XI. BOARD ACTION – Previously addressed.

XII. BOARD COMMENTS –

Councilman Goodlin had no comments.

Mr. Billy Mayhand had no comments.

Mr. Tim Patton had no comments.

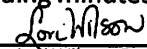
Mayor LeJeune commented that he appreciated Daphne Utilities assisting in the July 10th Daphmont and Olde Towne Daphne Community Spirit Day and cooking hotdogs for the community. He conveyed it was a good event.

XIII. ADJOURNMENT

With no further discussions, the Chairwoman called for adjournment at 6:06pm.

The meeting adjourned at 6:06pm.

Preceding minutes submitted to the Daphne Utilities Board by:



Lori Wilson, Executive Assistant, Daphne Utilities



COMMUNITY DEVELOPMENT INTERNAL MEMORANDUM

DATE: August 30, 2021
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Joseph Mancini Pre-Zoning Amendment

PRESENT ZONING: RA, Rural Agricultural, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction

PROPOSED PRE-ZONING: PUD, Planned Unit Development

LOCATION: Northeast of Alabama Highway 181 and Saint Michael Way

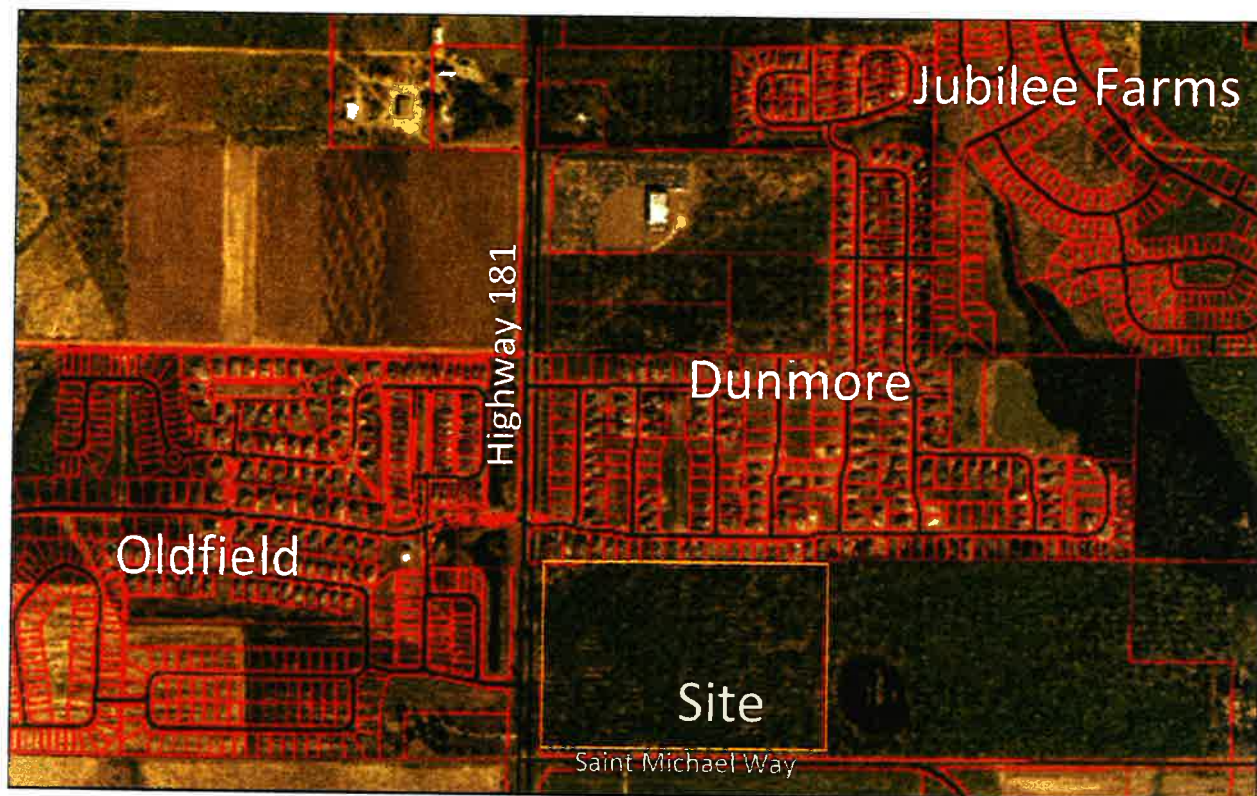
RECOMMENDATION: At the August 26, 2021 regular meeting of the City of Daphne Planning Commission, six members were present. The vote was five in favor and one opposed to set forth a recommendation to the City Council to pre-zone fifty-three point four-six acres to a PUD, Planned Unit Development, with B-2(a), standards and uses, except for a grocery store and pet store may be permitted by right on the commercial portion.

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

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



JOSEPH MANCI

Prezoning Amendment & Annexation

Zoning Classification:

Baldwin County – RA, Rural Agricultural

Surrounding Zonings/Uses:

- **North**— R-3, High Density Single Family Residential
- **South**— RA, Rural Agricultural (ETJ)
- **East**— RA, Rural Agricultural (ETJ)
- **West**— RA, Rural Agricultural (ETJ)

Existing Utility Service Providers: Daphne Utilities, Riviera Utilities

Affected City Service Providers: Fire Station 5, Police Beat 1

Staff Recommendation to PC: Favorable recommendation to City Council as a PUD w/ B-2(A)* rather than B-2 on commercial portion.

Proposed Zoning:

Planned Unit Development

Development Concept:

Garden/Patio Home Development

Council District:

4

Existing Conditions:

53.46 ac

Planning Commission

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.

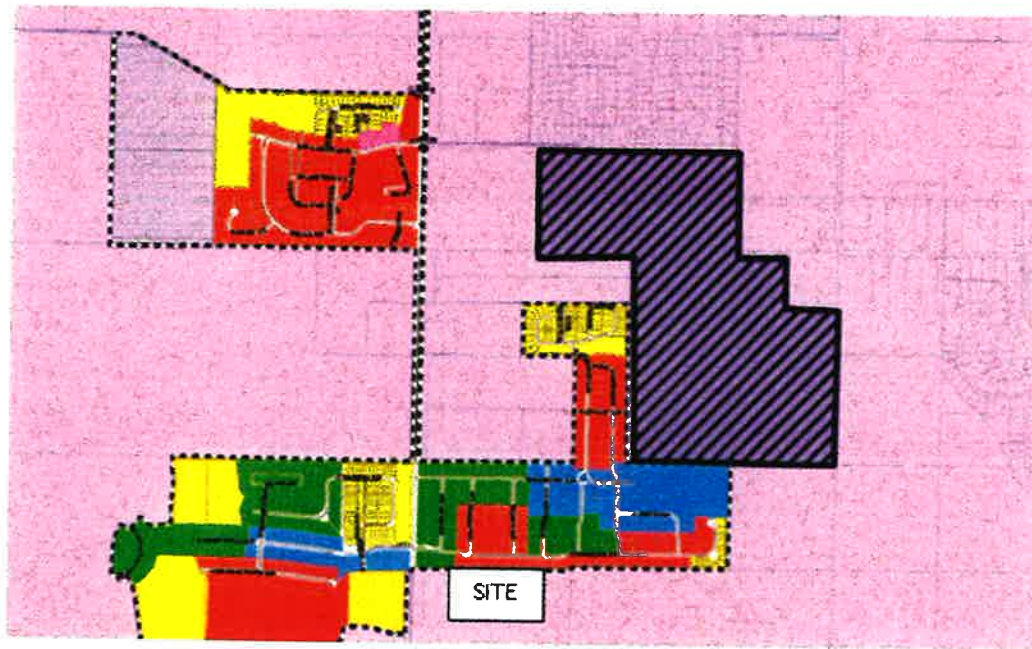
Goal: Provide a land use plan for the City of Daphne, which supports the City's economic development, housing, transportation, and open space, recreation and education goals in a manner that maintains and promotes Daphne's unique image and quality of life. Objective: Encourage development of sound and 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 applicant proposes to pre-zone the subject property to Planned Unit Development in order to develop a single family residential subdivision (see conceptual subdivision layout) with commercial frontage along Highway 181. There are two lot sizes proposed within the residential development. Traffic calming measures and amenities have been included in the design. The commercial portion would be consistent with B-2 zoning and associated land uses. Staff has posed a question asking the agent to determine what uses the owner desires that would not be allowed in B-2(A) district. B-2(A) would be more appropriate than B-2; *however additional information from the agent will help with staff's final determination regarding appropriateness.

Excerpt from Daphne Zoning Map



Zoning Key

	Daphne City limits
	R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL
	R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL
	R-3 HIGH DENSITY SINGLE FAMILY RESIDENTIAL
	R-4 HIGH DENSITY SINGLE MULTIFAMILY RESIDENTIAL
	R-5 MOBILE HOME RESIDENTIAL
	R-6(D) DUPLEX - TWO FAMILY
	R-6(G) GARDEN OR PATIO HOME
	R-7(A) APARTMENT
	R-7(M) MID-RISE CONDOMINIUM
	R-7(T) TOWNHOUSE
	B-1 LOCAL BUSINESS
	B-2 GENERAL BUSINESS
	B-2(M) GENERAL BUSINESS ALTERNATE
	B-3 PROFESSIONAL BUSINESS
	C-1 COMMERCIAL/INDUSTRIAL
	MU MIXED USE
	PUD PLANNED UNIT DEVELOPMENT
	C-2 OUTDOOR AMUSEMENT
	GC GOLF COURSE
	ET JURISDICTION

Excerpt from County's Online map





APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted September 24, 2021

Application Number:

Planning Commission Public

ZA- or PZA- 21-10

Hearing Date:

August 24, 2021

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):

North side of St. Michael Way at intersection with AL 181

27123

Gross Site Area (acreage): 53.46

Requested Zoning or Pre-Zoning: PUD

Current Zoning Designation(s):

Amended Request:

Baldwin County Zone RA

Initials:

Date:

Current Land Use: Undeveloped

Anticipated Land Use: Mixed Use - Residential Sub. & Commercial/Retail

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

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: Joseph Mancini

Mailing Address: 307 Belrose Ave, Daphne, AL 36526

Phone/Fax: 251-626-2232
E-mail:

Name of Authorized Agent: Jason W. Wooten, P.E.

Mailing Address: 1249 Pencarro Blvd, Foley, AL 36535

Phone/Fax: 251-269-8696
E-mail: jww@wooteneng.com

Name of Developer*: 181 Venture, LLC

Phone/Fax: 251-422-7090
E-mail: bcm5580@bellsouth.net

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: Joseph Mancini

Date 07/24/2021

Agent's Signature: Jason W. Wooten

Date 07/26/2021

EXHIBIT A
LEGAL DESCRIPTION

BALDWIN COUNTY
ALABAMA

A PORTION OF LOTS OR FARMS 22, 23, 24, 25, 26, AND 27, SECTION 35, TOWNSHIP 5 SOUTH, RANGE 2 EAST, HIGHLAND FARMS, AS RECORDED IN MISCELLANEOUS BOOK 1, PAGES 290- 291, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNIY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 207, DUNMORE, PHASE TWO, PART "C", PHASE II, AS RECORDED ON SLIDES 2482-B & C IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNIY, ALABAMA; THENCE ALONG THE SOUTH MARGIN OF SAID SUBDIVISION SOUTH $89^{\circ}57'50''$ WEST A DISTANCE OF 10.58 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; CONTINUE THENCE ALONG SAID SOUTH MARGIN AND ALONG THE SOUTH MARGIN OF DUNMORE, PHASE ONE, SOUTH $89^{\circ}57'50''$ WEST A DISTANCE OF 1855.16 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) ON THE EAST MARGIN OF STATE HIGHWAY 181; THENCE DEPARTING SAID SOUTH MARGIN SOUTH $00^{\circ}46'23''$ WEST ALONG SAID EAST MARGIN A DISTANCE OF 1203.56 FEET TO A POINT MARKED BY A CONCRETE MONUMENT; THENCE ALONG SAID EAST MARGIN SOUTH $24^{\circ}15'11''$ EAST A DISTANCE OF 54.52 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) ON THE NORTH MARGIN OF ST MICHAEL WAY; THENCE DEPARTING SAID EAST MARGIN $89^{\circ}54'18''$ EAST ALONG SAID NORTH MARGIN A DISTANCE OF 1833.21 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE DEPARTING SAID NORTH MARGIN, NORTH $00^{\circ}43'11''$ EAST A DISTANCE OF 1257.47 FEET TO THE POINT OF BEGINNING; CONTAINING 2328818 SQUARE FEET (53.46 ACRES) MORE OR LESS.

**RE: PLANNED UNIT DEVELOPMENT STANDARDS
ST MICHAEL'S PLACE
ST MICHAEL WAY
DAPHNE, ALABAMA**

St Michael's Place is a Planned Unit Development (PUD) sited on 53.46 acres located at the northeast corner of the intersection of Alabama Highway 181 and St Michael Way in Baldwin County near Daphne, Alabama. The property is presently in the extraterritorial jurisdiction of the City of Daphne and is zoned RA (Rural Agriculture) in Baldwin County Planning District 15. Application is currently being made to the City of Daphne to Pre-zone this property as a PUD and a petition of annexation has been made.

The proposed development shall have mixed residential and commercial use. The commercial portion consists of 21.40 acres adjacent to the eastern right-of-way of Alabama Highway 181. The residential portion shall occupy the eastern 32.06 acres of the total site.

The residential portion (32.06 acres) consists of 104 single family lots, with 86 lots at 52 to 70 feet wide and a minimum of 7,000 square feet and 18 lots at minimum 80' wide and a minimum of 11,200 square feet. The proposed density of the development is 3.24 units per acre. There are 3.58 acres, or 11.2% of the total site, proposed as common area. These common areas consist of 0.67 acre of formal open space and 2.91 acres of passive open space.

The residential lots shall have the following standards:

52 to 70 Ft Wide Lots

Front and Rear Setbacks = 25 feet
Side Setback = 6 feet
Side Street Setback = 20 feet

80 Ft Minimum Width Lots

Front and Rear Setbacks = 25 feet
Side Setback = 10 feet
Side Street Setback = 20 feet

The maximum building heights for all residential lots are to be 35 feet (2.5 stories) per the City's R-3 zoning district. The maximum building coverage of each residential lot is 38% per the City's R-6(G) zoning district.

The commercial portion (21.40 acres) shall conform to the City's B-2(A) General Business Alternate District, and specifically as follows:

The building setback from Alabama Highway 181 shall be 100 feet, measured from the right-of-way centerline. The rear and side building setbacks shall be 30 feet. Where adjacent to residential properties, a 15-foot buffer zone will be required. Each buffer zone shall be designed in compliance with the provisions established in Article 19, Landscape Standards & Tree Protection.

The maximum building heights for all commercial development shall be 50 feet (4 stories) per the City's B-2(A) zoning district.

Parking and service areas for shall be in general conformance with Article 16, Parking Requirements for All Districts.

The two noted exceptions to the B-2(A) zoning/land use code for this PUD are the following permitted uses shall be by right (per Articles 12 and 35):

Grocery Store Retail

Pet Shop

The following standards shall apply to the PUD as a whole:

All utilities will be constructed underground and water, sewer, electric, and telephone are all available to the site. All roadways within the development will be public, and sidewalks will be located along both sides of roadways within the planned rights-of-way. Sidewalks will be installed by the home builder at the time of house construction and will be required to be ADA compliant. All construction will be in general accordance with the standards of the City of Daphne.

The stormwater management system will be designed in accordance with the standards of the City of Daphne. All stormwater facilities and structures outside of public rights-of-way will be maintained by the P.O.A. and not the City of Daphne.

A landscape plan will be provided as part of the residential subdivision and commercial/site planning process. The required landscaping will be provided in the common areas and installed during construction of the infrastructure adjacent to those common areas. Any additional landscaping will be provided by the home builders and/or the lot owners.

St. Michael's Place is to be a neighborhood offering varying lot sizes and a community hub for shopping and boutique services. As a public benefit the developer proposes internal sidewalks along planned roadways, a common area park, and a multi-use path connecting the residential subdivision to the planned retail development. Also, as a public service, the shopping center will provide immediate access to retail services for the surrounding neighborhoods. Finally, the developer has elected to bring this development within the corporate limits of Daphne as opposed to staying in the County.

Covenants and Restrictions will provide for the formation of a Property Owner's Association for the St Michael's Place development whereby maintenance responsibilities of the common areas and drainage infrastructure outside of public rights-of-way will be established.



CURRENT ZONING	COUNTY RA
TOTAL PUD ACREAGE	53.46 AC
PLANNED B-2, GENERAL BUSINESS	21.40 AC
PLANNED RESIDENTIAL, R-3 & R-6(A) LOT SIZES	32.06 AC

CONCEPTUAL - COMMERCIAL TO VARY BASED ON PROSPECTIVE TENANT NEEDS

WOOTEN
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Foley, Alabama 36535
(251) 269-8689
www.wootenengineering.com



DRAWING DATA

PROJECT NUMBER:	WEZ1-013-050
DRAWING FILE:	WEZ1-013 PLAT_REV 3.DWG
DATE:	August 30, 2021
DRAWN BY:	JMM
REVISIONS:	
	08-30-2021

CONCEPTUAL MASTER PLAN

ST MICHAEL'S PLACE
SAINT MICHAEL WAY
BALDWIN COUNTY NEAR DAPHNE, ALABAMA

SHEET NUMBER:

C-01 OF

COMMUNITY DEVELOPMENT



August 13, 2021

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for Joseph Mancini containing 53.46 acres +/- located northeast of Alabama Highway 181 and Saint Michael Way, zoned RA, Rural Agricultural, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction, to be pre-zoned as 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, August 18, 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, August 26, 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

Joseph Mancini Pre-Zoning Amendment

ADJACENT PROPERTY OWNERS

	Parcel Number	Owner Name	Address	City	State	Zip Code
1	05-43-08-34-0-000-001.003	OLDFIELD PROPERTY OWNERS ASSOCIATION	25366 PROFIT DRIVE	DAPHNE	AL	36526
2	05-43-07-35-0-000-002.031	DUNMORE RESIDENTIAL HOMEOWNERS ASSOCIATION	29891 WOODROW LANE SUITE 300	SPANISH FORT	AL	36527
3	05-43-07-35-0-000-002.032	MCKINNEY, LONNY SHANE ETAL MCKINNEY, AUD	9994 DUNMORE DR	DAPHNE	AL	36526
4	05-43-07-35-0-000-002.033	VICICH, ROY G JR ETAL VICICH, JOANNE M	10010 DUNMORE DRIVE	DAPHNE	AL	36526
5	05-43-07-35-0-000-002.034	MAURER, WILLIAM ETAL MAURER, KATHY R	23837 KILKENNY LN	DAPHNE	AL	36526
6	05-43-07-35-0-000-002.035	MOORE, CHERYL SOUDER	10046 DUNMORE DR	DAPHNE	AL	36526
7	05-43-07-35-0-000-002.232	PATEL, NILESH ETAL PATEL, MITAL	2101 BOURBON ST	FOLEY	AL	36535
8	05-43-07-35-0-000-002.231	DAMHAVE, KARL ETAL DAMHAVE, KATHARINA	3489 ORCHID MEADOW WAY	BUFORD	GA	30519
9	05-43-07-35-0-000-002.230	FORD, TAYLOR RUSSELL ETAL FORD, SARA LEE	10096 DUNMORE DR	DAPHNE	AL	36526
10	05-43-07-35-0-000-002.229	PARFAIT, JESSIE MARIE	10114 DUNMORE DR	DAPHNE	AL	36526
11	05-43-07-35-0-000-002.228	CRANDALL, JAMES BRUCE ETAL CRANDALL, BLA	10136 DUNMORE DR	DAPHNE	AL	36526
12	05-43-07-35-0-000-002.227	DUNMORE RESIDENTIAL HOMEOWNERS ASSOCIATION	SEE LINE ITEM #1			
13	05-43-07-35-0-000-002.226	CARMINATI, JAMES MICHAEL ETAL CARMINATI,	10166 DUNMORE DR	DAPHNE	AL	36526
14	05-43-07-35-0-000-002.225	LACOSTE, KERI D ETAL LACOSTE, RICHARD LE	10180 DUNMORE DR	DAPHNE	AL	36526
15	05-43-07-35-0-000-002.224	KERSTETTER, MARK EUGENE ETAL KERSTETTER,	10194 DUNMORE DR	DAPHNE	AL	36526

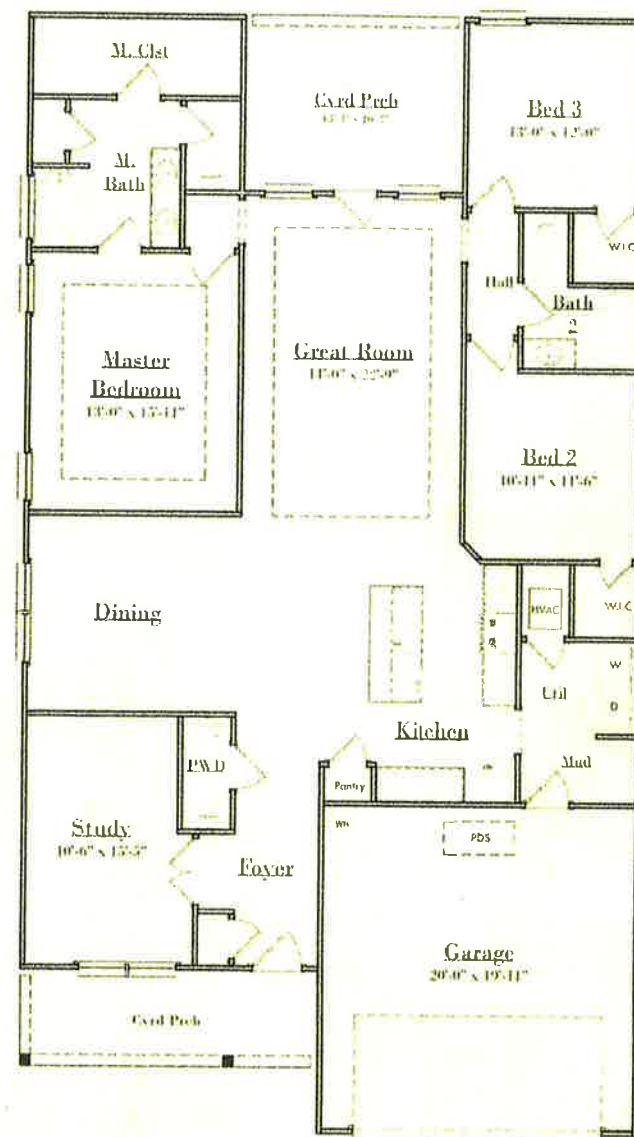
ADJACENT PROPERTY OWNERS

	Parcel Number	Owner Name	Address	City	State	Zip Code
16	05-43-07-35-0-000-002.223	STEWART, THOMAS JACKSON	10206 DUNMORE DR	DAPHNE	AL	36526
17	05-43-07-35-0-000-002.222	BAILEY, MICHAEL JACOB ETAL BAILEY, CECIL	10218 DUNMORE DR	DAPHNE	AL	36526
18	05-43-07-35-0-000-002.221	GIBSON, CHASTITY C	10234 DUNMORE DR	DAPHNE	AL	36526
19	05-43-07-35-0-000-002.220	VINGER, RICKEY D ETAL VINGER, NANCY S	10242 DUNMORE DR	DAPHNE	AL	36526
20	05-43-07-35-0-000-002.219	BAUER, RONALD L ETAL BAUER, CAROL C	10256 DUNMORE DR	DAPHNE	AL	36526
21	05-43-07-35-0-000-002.218	SMITH, JUSTIN G ETAL SMITH, BRITTANY	10270 DUNMORE DR	DAPHNE	AL	36526
22	05-43-07-35-0-000-002.217	ROBERTS, JAMES S III	10296 DUNMORE DR	DAPHNE	AL	36526
23	05-43-07-35-0-000-002.216	RHODE, JAERIS CARL JR ETAL RHODE, MICHEL	10318 DUNMORE DR	DAPHNE	AL	36526
24	05-43-07-35-0-000-002.215	IRTH, ALBERT ETAL IRT, LAUREN	10322 DUNMORE DR	DAPHNE	AL	36526
25	05-43-07-35-0-000-002.214	MACKINAW, DENIS E JR ETAL MACKINAW, EMMA	10338 DUNMORE DR	DAPHNE	AL	36526
26	05-43-07-35-0-000-001.001	HIGBEE, RICHARD S (HIGBEE, RICHARD E ATT	11844 CANEY CREEK DR	DAPHNE	AL	36526
27	05-43-07-35-0-000-005.000	A&A CORTE FAMILY LIMITED PARTNERSHIP	23100 ST HWY 181	FAIRHOPE	AL	36532
28	05-43-08-34-0-000-002.002					
29	05-43-08-34-0-000-001.001	BIERSTER, THOMAS J ETAL BIERSTER, JULIA	23325 ST HWY 181	DAPHNE	AL	36526
30	05-43-08-34-0-000-001.000	RED BARN L L C	24311 ST HWY 181	DAPHNE	AL	36526

ADJACENT PROPERTY OWNERS

	Parcel Number	Owner Name	Address	City	State	Zip Code
31	05-43-08-34-0-000-001.194	OLDFIELD FUTURE PHASES OWNERS ASSOCIATION	30820 CO RD 49	LOXLEY	AL	36551
32	05-43-07-35-0-000-004.000 (APPLICANT)	MANCI, JOSEPH A ETUX BARBARA SAWYER	307 BELROSE AVE	DAPHNE	AL	36526

Plan #2033

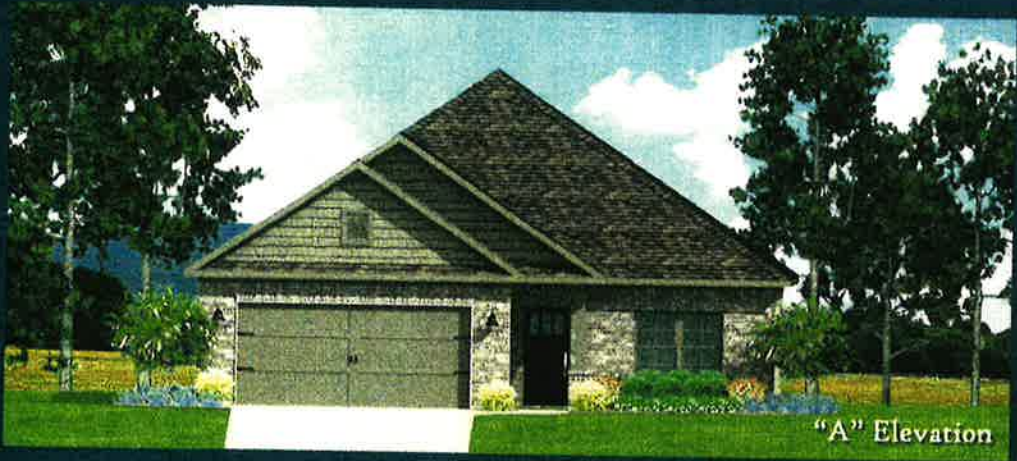


BRELAND HOMES

Less Money... Live Better...[®]

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Plan #2117



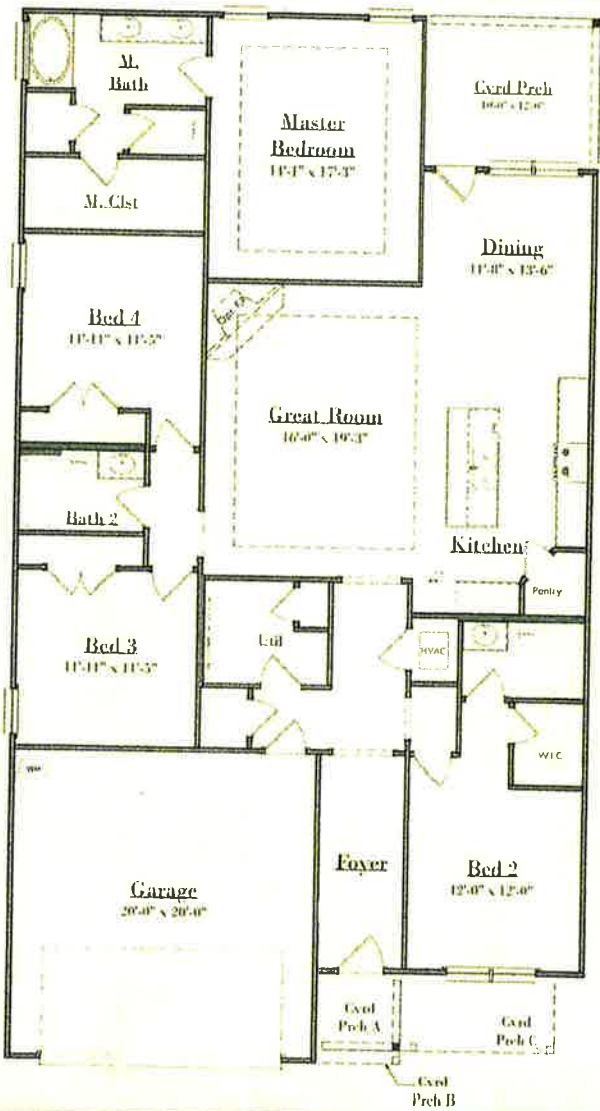
"A" Elevation



"B" Elevation



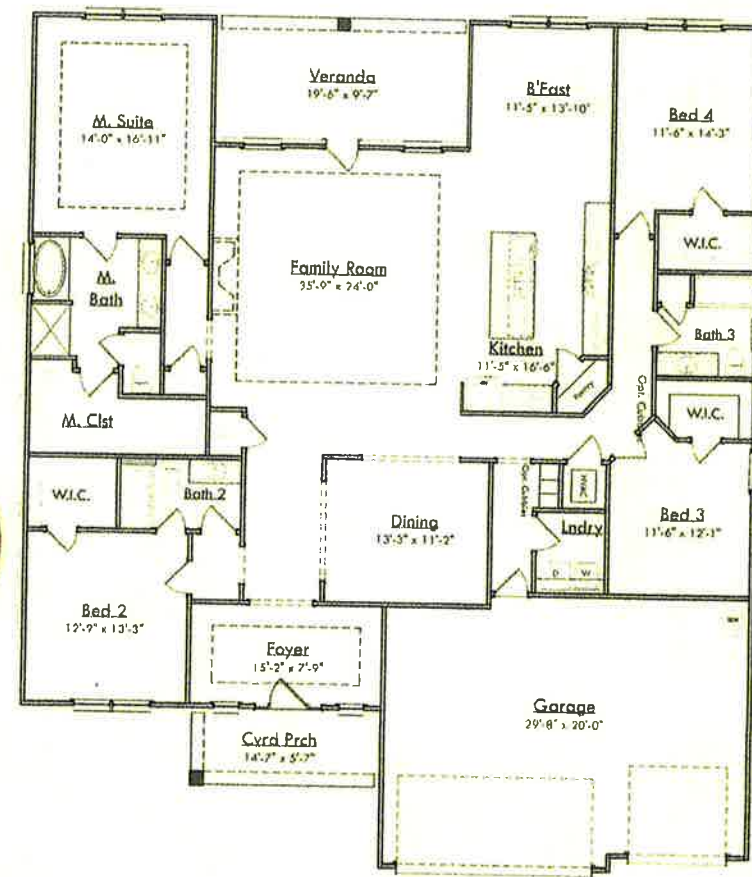
"C" Elevation



BRELAND HOMES

Less Money... Live Better...

Plan #2828



BRELAND HOMES

Less Money... Live Better...[®]

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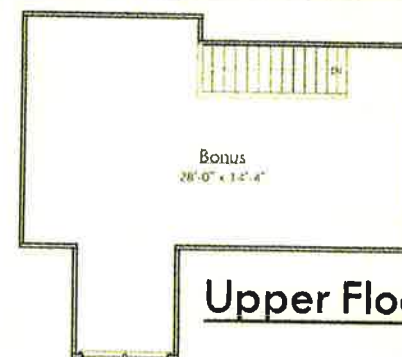
Plan #3296



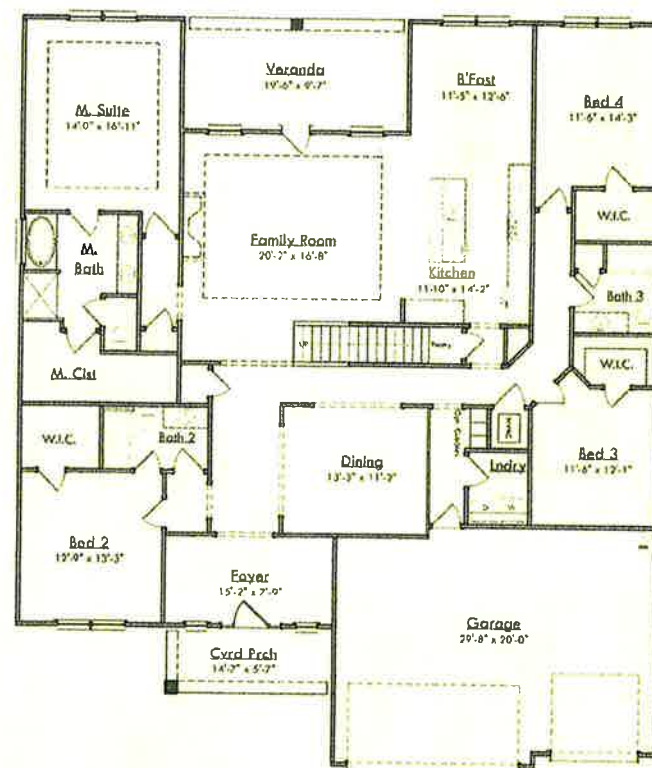
"A" Elevation



"B" Elevation



Upper Floor



Main Floor

BRELAND HOMES

Less Money... Live Better...[®]

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SCALE: 1"=20'

LOT #12 SCHEMATIC
ST MICHAEL'S PLACE
BALDWIN COUNTY NEAR DAPHNE, ALABAMA

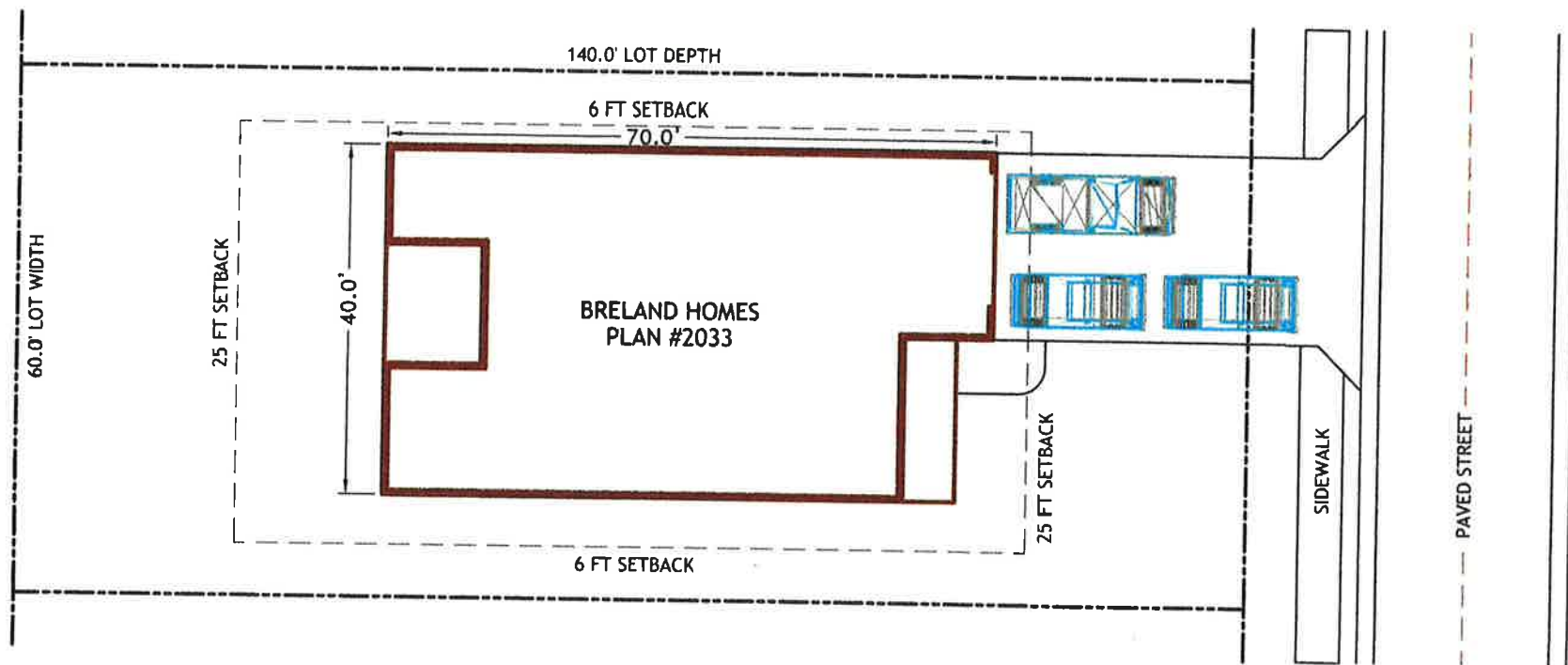


EXHIBIT A
LEGAL DESCRIPTION

BALDWIN COUNTY
ALABAMA

A PORTION OF LOTS OR FARMS 22, 23, 24, 25, 26, AND 27, SECTION 35, TOWNSHIP 5 SOUTH, RANGE 2 EAST, HIGHLAND FARMS, AS RECORDED IN MISCELLANEOUS BOOK 1, PAGES 290- 291, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNIY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 207, DUNMORE, PHASE TWO, PART "C", PHASE II, AS RECORDED ON SLIDES 2482-B & C IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNIY, ALABAMA; THENCE ALONG THE SOUTH MARGIN OF SAID SUBDIVISION SOUTH 89°57'50" WEST A DISTANCE OF 10.58 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; CONTINUE THENCE ALONG SAID SOUTH MARGIN AND ALONG THE SOUTH MARGIN OF DUNMORE, PHASE ONE, SOUTH 89°57'50" WEST A DISTANCE OF 1855.16 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) ON THE EAST MARGIN OF STATE HIGHWAY 181; THENCE DEPARTING SAID SOUTH MARGIN SOUTH 00°46'23" WEST ALONG SAID EAST MARGIN A DISTANCE OF 1203.56 FEET TO A POINT MARKED BY A CONCRETE MONUMENT; THENCE ALONG SAID EAST MARGIN SOUTH 24°15'11" EAST A DISTANCE OF 54.52 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) ON THE NORTH MARGIN OF ST MICHAEL WAY; THENCE DEPARTING SAID EAST MARGIN 89°54'18" EAST ALONG SAID NORTH MARGIN A DISTANCE OF 1833.21 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE DEPARTING SAID NORTH MARGIN, NORTH 00°43'11" EAST A DISTANCE OF 1257.47 FEET TO THE POINT OF BEGINNING; CONTAINING 2328818 SQUARE FEET (53.46 ACRES) MORE OR LESS.

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: August 30, 2021
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Joseph Mancini Annexation Petition

PRESENT ZONING: RA, Rural Agricultural, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction

LOCATION: Northeast of Alabama Highway 181 and Saint Michael Way

RECOMMENDATION: At the August 26, 2021 regular meeting of the City of Daphne Planning Commission, six members were present and the motion carried for a favorable recommendation for the above mentioned annexation petition.

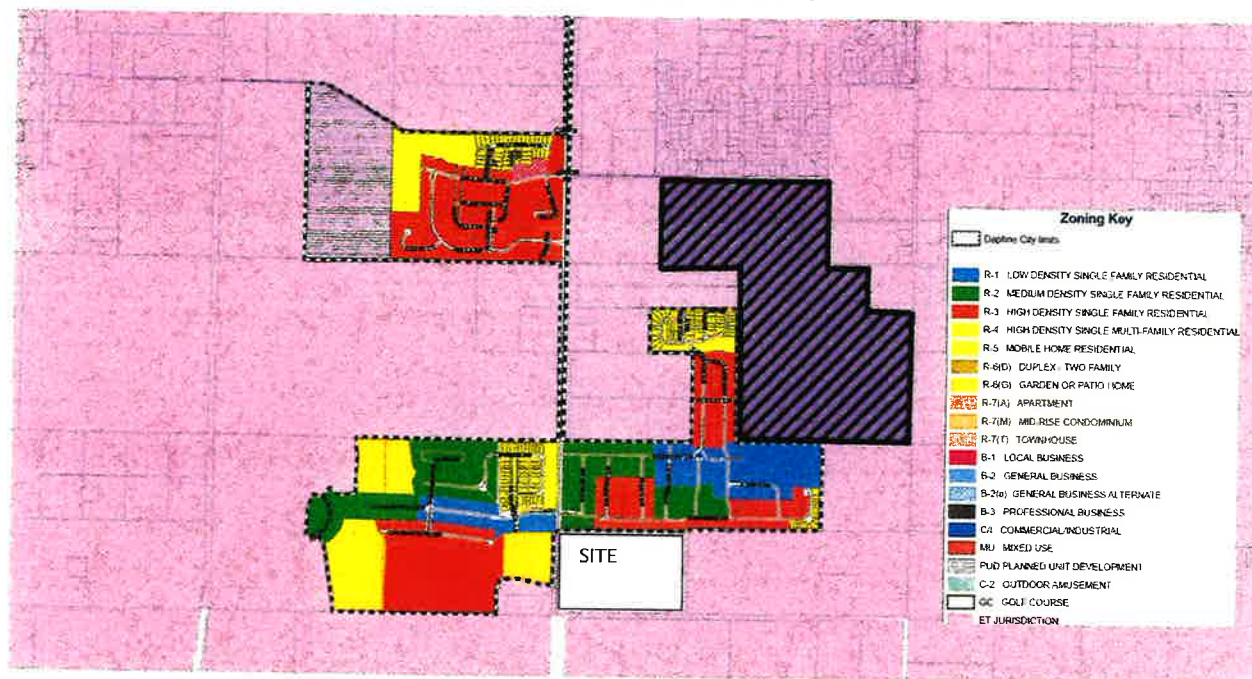
Attached please find the appropriate documentation and action of the Daphne Planning Commission.

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

Thank you,
ADJ/jv

1. Community Development Report and Supplemental Documents
2. Petition for Annexation
3. Legal Description (Exhibit A)
4. Boundary Survey (Exhibit B)

ANNEXATION REQUEST



Joseph Mancini Property (53.46 acres)
Southeast of the Intersection of Alabama Highway 181 and Saint Michael Way

REQUEST

The applicant proposes to annex the subject property into the corporate limits. The site meets the contiguity requirement because it is adjacent the Dunmore Subdivision.

RECOMMENDATION

The Comprehensive Plan encourages expansion and annexation of land contiguous to the existing corporate limits. Staff recommends approval of the request to annex this land into the City of Daphne.

Excerpt from Article 23-1 Procedure [for Annexation Requests]

The application shall be reviewed by the Planning Commission at its next regular meeting and said Commission shall have thirty (30) calendar days from said regular meeting within which to submit a recommendation to the City Council. If the Commission fails to submit a recommendation to the City Council within the thirty (30) calendar day period, it shall be deemed to have approved the proposed amendment...Before enacting any amendment to this Ordinance, a public hearing thereon shall be held by the City Council with proper notice as

required by law. Said public hearing shall be held at the earliest possible time to consider the proposed annexation, and the Council shall take action on said proposed annexation within forty-five (45) calendar days from the date of the public hearing except in the case where the tentative action is not in accordance with the Planning Commission's certified recommendation.

23-2 PROCEDURE FOR ZONING NEWLY ANNEXED LAND

Any land annexed to the City of Daphne hereafter shall be classified as an R-1, Low Density Single Family Residential District unless otherwise recommended by the Planning Commission through the zoning amendment procedure provided in Article 22-1, Zoning Amendment Procedures. In such case, City Council may consider, after due process of publication and hearing as required by law, specific applications to zone newly annexed land into one or more existing or proposed new zoning classifications recommended by the Planning Commission.

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**

(Manci Property)

The undersigned, Joseph Manci, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, St Michael's Place, 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, Joseph Manci, 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 24 day of July, 2021

Respectfully submitted by,

Joseph Mancini

Name of Owner (Print)

Joseph Mancini
Name of Owner (Signature)

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Olivia Bronk, the undersigned Notary Public in and for said county and state, hereby certify that Joseph Mancini 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 24 day of July, 2021.



Olivia Bronk
NOTARY PUBLIC

My commission expires: 05/09/2023

Owner's Address

307 Belrose Avenue
Daphne, AL 36526

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: JM

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: JM

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

Initials: JM

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: JM

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: JM

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: JM

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 24 day of July, 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)? Acreage
Subdivision Name St Michael's Place Lot Number(s)

Names and Signature of ALL property owners:

Signature: Joseph Mancini Signature:

Printed Name: Joseph Mancini Printed Name:

Mailing Address: 307 Belrose Avenue Mailing Address:
Daphne, AL 36526

EXHIBIT A
LEGAL DESCRIPTION

BALDWIN COUNTY
ALABAMA

A PORTION OF LOTS OR FARMS 22, 23, 24, 25, 26, AND 27, SECTION 35, TOWNSHIP 5 SOUTH, RANGE 2 EAST, HIGHLAND FARMS, AS RECORDED IN MISCELLANEOUS BOOK 1, PAGES 290- 291, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 207, DUNMORE, PHASE TWO, PART "C", PHASE II, AS RECORDED ON SLIDES 2482-B & C IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE ALONG THE SOUTH MARGIN OF SAID SUBDIVISION SOUTH $89^{\circ}57'50''$ WEST A DISTANCE OF 10.58 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; CONTINUE THENCE ALONG SAID SOUTH MARGIN AND ALONG THE SOUTH MARGIN OF DUNMORE, PHASE ONE, SOUTH $89^{\circ}57'50''$ WEST A DISTANCE OF 1855.16 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) ON THE EAST MARGIN OF STATE HIGHWAY 181; THENCE DEPARTING SAID SOUTH MARGIN SOUTH $00^{\circ}46'23''$ WEST ALONG SAID EAST MARGIN A DISTANCE OF 1203.56 FEET TO A POINT MARKED BY A CONCRETE MONUMENT; THENCE ALONG SAID EAST MARGIN SOUTH $24^{\circ}15'11''$ EAST A DISTANCE OF 54.52 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) ON THE NORTH MARGIN OF ST MICHAEL WAY; THENCE DEPARTING SAID EAST MARGIN $89^{\circ}54'18''$ EAST ALONG SAID NORTH MARGIN A DISTANCE OF 1833.21 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE DEPARTING SAID NORTH MARGIN, NORTH $00^{\circ}43'11''$ EAST A DISTANCE OF 1257.47 FEET TO THE POINT OF BEGINNING; CONTAINING 2328818 SQUARE FEET (53.46 ACRES) MORE OR LESS.



**CITY OF DAPHNE, ALABAMA
RESOLUTION 2021-34**

**A RESOLUTION AUTHORIZING MASTER LEASE/PURCHASE AGREEMENT
BETWEEN THE CITY OF DAPHNE AND THE FIRST, A NATIONAL BANKING
ASSOCIATION**

BE IT RESOLVED by the City Council of the City of Daphne, Alabama (the “City”), as follows:

SECTION 1. Findings. The Council has determined and hereby finds and declares that the following facts are true and correct:

(a) The City has determined that in the interest of public welfare and in order to provide the necessary equipment for public safety and public services it is necessary that the City acquire a fire pumper truck and related equipment, as more particularly described on Exhibit A presented herewith and attached to the minutes of the meeting of the City Council at which this Resolution is adopted (the “Equipment”), and that the City enter into a financing lease constituting an “alternative financing contract” under Chapter 16A of Title 41, Code of Alabama 1975, in order to finance the acquisition of the Equipment.

(b) The Council is of the opinion that it is necessary, desirable and in the public interest that the City lease the Equipment from The First, A National Banking Association (the “Lessor”).

(c) Neither the City nor any "subordinate entity" or “on behalf of issuer”, as such terms are used in Section 265(b) of the Internal Revenue Code of 1986, as amended, has issued in 2021, or expects to issue within the remainder of 2021, tax-exempt obligations in an amount in excess of \$10,000,000.

SECTION 2. Authorization to Lease Equipment. The Mayor is hereby authorized and directed to lease the Equipment in the name and on behalf of the City pursuant to the terms of a Master Lease/Purchase Agreement (the “Master Lease”) between the City and the Lessor, in substantially the form presented at the meeting at which this Resolution is adopted, and a schedule defining the amount, interest rate and payment terms for the financing for the Equipment as provided in the Master Lease. With respect to the Equipment, the Supplement shall provide: (i) that the principal amount to be financed is an amount not to exceed \$540,000; (ii) that the interest rate is 1.18% per annum, calculated on the basis of actual days elapsed and a 360-day year; (iii) that the final maturity shall be not later than six (6) years from the date of the Supplement; and (iv) that the amortization schedule shall provide for substantially level debt service throughout the term.

SECTION 3. Other Documents. The Mayor and City Clerk are further authorized and directed to execute and attest, respectively, and to deliver the other certificates and documents necessary and appropriate to the lease transaction, including without limitation: (a) such documents as may be required to demonstrate that the obligation evidenced by the Master Lease and Supplement is “tax-exempt” and is a “qualified tax-exempt obligation” under federal income

tax law; and (b) an agreement providing for escrow of all or a portion of the proceeds of the Lease pending payment of the full purchase price for the Equipment.

SECTION 4. Nature of Obligation. The payment of the rentals required under the Master Lease shall be a general obligation of the City and the full faith and credit of the City are hereby irrevocably pledged to the payment of such rentals.

SECTION 5. Designation as Qualified; Covenant as to Tax-Exempt Obligation. (a) The City hereby authorizes and directs the Mayor to act on behalf of the City to designate the Master Lease as supplemented by the Supplement as a qualified tax-exempt obligation for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). In addition, the City acknowledges and agrees that the Master Lease and Supplement are to be entered into in compliance with the conditions necessary for the interest income thereon to be exempt from federal income taxation pursuant to the relevant provisions of the Code and covenants and agrees that it will not in any way cause or permit the proceeds of the Master Lease to be used in a manner which would cause the interest on the Master Lease to lose the exemption from federal income taxation as provided under the Code and the applicable regulations thereunder and will comply with all applicable provisions of the Code (including, without limitation, the provisions relating to post-issuance actions affecting tax exemption) to the extent necessary for interest on the Master Lease to be excludable from gross income of the holders thereof.

SECTION 6. Further Acts. From and after the execution and delivery of the documents hereinabove authorized, the proper officers, directors, agents and employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Master Lease and related agreements as executed and are further authorized to take any and all further actions and execute and deliver any and all other documents as may be necessary in the execution and delivery of the Master Lease as contemplated by this Resolution.

SECTION 7. Provisions of Resolution Severable. The provisions of this Resolution are hereby declared to be severable. In the event any provision hereof shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect any other portion of this Resolution.

ADOPTED this the ____ day of August, 2021.

_ Mayor

[SEAL]

ATTEST:

City Clerk

EXHIBIT A

Description of Equipment Fire Pumper Truck

CLERK'S CERTIFICATE

I, Candace G. Antinarella, as City Clerk of the CITY OF DAPHNE, ALABAMA, hereby certify the following:

- 1) The attached Resolution No. _____ constitutes a true and correct copy of the Resolution which was adopted by the City Council of the City of Daphne at its regular meeting held on August ____, 2021.
- 2) The attached Resolution has not been amended or repealed.

Given under my hand and the seal of the City of Daphne, Alabama, this __ day of _____, 2021.

[SEAL]

City Clerk of the
City of Daphne, Alabama

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2021-35**

CONVERSION TO SELF-INSURED HEALTH INSURANCE PLAN

WHEREAS, The City of Daphne's health insurance plan for its employees is up for renewal for the 2021-2022 fiscal year; and

WHEREAS, Blue Cross-Blue Shield of Alabama ("BCBS") has announced a premium increase of 11.53%; and

WHEREAS, The City has been enrolled in a fully-insured health plan administered by BCBS for several years; and

WHEREAS, Staff has reviewed the noteworthy projected cost savings if the BCBS plan were to be converted to a self-insured plan,

WHEREAS, converting to a self-insured health plan with BCBS will not change any of the City's employee's BCBS health insurance benefits; and

WHEREAS, Staff recommends that the City convert its health insurance plan with BCBS to a self-insured beginning in FY 2021-2022.

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

1. That the City shall convert its employee health insurance plan with BCBS to a self-insured plan, beginning with FY 2021-2022;
2. That Staff shall monitor the costs to the City of participating in the self-insured plan and provide the City Council with regular updates on the costs of such plan compared to historical costs associated with the fully-insured plan; and
3. The Mayor is hereby authorized to execute any documents necessary to convert the City's employee health insurance plan with BCBS to a self-insured plan.

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 2021-43**

**ADDITIONAL APPROPRIATION: LABOR AND INSTALLATION FOR THE DAPHNE
SPORTS COMPLEX SPLASH PAD**

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 of Daphne has been constructing and making improvements to its Sport Parks; and

WHEREAS, the City desires to include a Splash Pad area for the citizens of Daphne at the Daphne Sports Complex; and

WHEREAS, \$250,000 was included in the FY2021 Budget for equipment, labor, and installation of the project; and

WHEREAS, the Splash Pad equipment was purchased from the Sourcewell cooperative contract in the amount of \$125,446; and

WHEREAS, bids were received for the labor and installation of the Daphne Sports Complex splash pad with a recommended award amount of \$133,224; and

WHEREAS, an additional appropriation is needed in the amount of \$25,000 for the labor and installation phase of the project including additional site work as required.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that funds in the amount of \$25,000 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2021 Budget for the labor and installation of the Daphne Sports Complex splash pad 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

ORDINANCE 2021-44

An Ordinance of the City of Daphne, Alabama, to Protect the Health, Safety, and General Welfare of its Citizens Relating to Development and the Filing of Site Plan Approval Applications for Any Multiple Family Project Within the Corporate Limits of the City of Daphne

WHEREAS, there has been rapid and considerable development in and around the City of Daphne; and,

WHEREAS, the City of Daphne continues to review and revise its planning efforts to continue to enhance the quality of life for its citizens considering unprecedented growth the City is experiencing; and,

WHEREAS, the City of Daphne has adopted the City of Daphne Land Use and Development Ordinance that regulates land use, zoning, and subdivisions; and,

WHEREAS, the City has commissioned a Comprehensive Master Plan for the corporate limits and extra-territorial planning jurisdiction for 2020-2040; and,

WHEREAS, the City Council desires to review existing subdivision and zoning ordinances regarding multifamily developments, density, ratios, and related access management, traffic impacts, and associated issues; and,

WHEREAS, placing a moratorium of limited duration and scope would be in the public interest and promote orderly land development by allowing the City to review its existing ordinances relating to multifamily developments in conjunction with the pending Comprehensive Master Plan.

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

1. A temporary moratorium is established. Except as hereafter set forth, a moratorium is imposed on the acceptance of applications for rezoning, pre-zoning, master plan, or site plan review for any project that would result in the development of multi-family dwelling units, whether in a complex or in any other such unified development, whether in whole or part of a development scheme. This includes apartments, townhouses, condominiums, duplexes, mid-rise condominiums, and high-rise condominiums within the corporate limits of the City of Daphne.

2. Exemption of current projects. Applications which were submitted and accepted as complete applications prior to the effective date of this ordinance, applications now under review by the Planning Commission, and applications already approved by the Planning Commission are exempted from this moratorium.

3. Effective period. The moratorium shall be effective immediately upon passage and publication as required by law, and shall continue for a period of one hundred and eighty (180) days unless terminated sooner or extended by action of the Daphne City Council.

4. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any provision of this Ordinance be pre-empted by State or Federal law or regulation, such decision

of pre-emption shall not affect the validity of the remaining provisions of this Ordinance or its application to other persons or circumstances.

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

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE
ORDINANCE 2021-45**

An Ordinance of the City of Daphne, Alabama, to Protect the Health, Safety, and General Welfare of Its Citizens Relating to Petitions to Rezone or Pre-Zone Land to Either R-7 (A) Apartment District, R-7 (M) Mid-Rise Condominium, R-7 (T), Townhouse, or PUD, Planned United Development Where the Proposed Use Will Include Either Apartments, Mid-Rise Condominiums or Townhouses

WHEREAS, there has been rapid and considerable development in and around the City of Daphne; and,

WHEREAS, the City of Daphne continues to review and revise its planning efforts to continue to enhance the quality of life for its citizens considering unprecedented growth the City is experiencing; and,

WHEREAS, the City of Daphne has adopted the City of Daphne Land Use and Development Ordinance that regulates land use, zoning, and subdivisions; and,

WHEREAS, the City has commissioned a Comprehensive Master Plan for the corporate limits and extra-territorial planning jurisdiction for 2020-2040; and,

WHEREAS, the City Council desires to review existing subdivision and zoning ordinances regarding multifamily developments, density, ratios, and related access management, traffic impacts, and associated issues; and,

WHEREAS, placing a moratorium of limited duration and scope would be in the public interest and promote orderly land development by allowing the City to review its existing ordinances relating to multifamily developments in conjunction with the pending Comprehensive Master Plan.

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

1. A temporary moratorium is established. Except as hereafter set forth, a moratorium is imposed on the acceptance of applications for rezoning or pre-zoning that would result in the development of multi-family dwelling units, whether in a complex or in any other such unified development, whether in whole or part of a development scheme. This includes apartments, townhouses, condominiums, duplexes, mid-rise condominiums, and high-rise condominiums within the corporate limits of the City of Daphne.

2. Exemption of current applications for apartments, townhouses, condominiums, mid-rise condominiums, and high-rise condominiums. Applications which were submitted and accepted as complete applications prior to the effective date of this ordinance, applications now under review by the Planning Commission, and applications already approved by the Planning Commission are exempted from this moratorium.

3. Effective period. The moratorium shall be effective immediately upon passage and publication as required by law, and shall continue for a period of one hundred and eighty (180) days unless terminated sooner or extended by action of the Daphne City Council.

4. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any provision of this Ordinance be pre-empted by State or Federal law or regulation, such decision of pre-emption shall not affect the validity of the remaining provisions of this Ordinance or its application to other persons or circumstances.

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

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-46**

**PUBLIC WORKS ADMINISTRATION VEHICLE
REPLACEMENT APPROPRIATION**

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, Public Works vehicle # 1532 was involved in an accident and the City's insurance carrier has deemed the 2014 Ford Edge vehicle to be "totaled" as a result of such collision; and

WHEREAS, the City's insurance carrier has determined the value of the vehicle to be \$16,637, and will issue a check net of the \$500 insurance deductible to the City in the amount of \$16,137; and

WHEREAS, such vehicle is required in order for public works administration needs and total cost of a new vehicle is \$33,452.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that funds in the amount of \$17,315 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2021 Budget for the Public Works administration vehicle replacement.

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 2021-47**

**FY 2021 EXCESS FUNDS APPROPRIATION FOR FUTURE CAPITAL PROJECTS:
JUSTICE CENTER EXPANSION, AMPHITHEATER AT BAYFRONT PARK, AND A
NEW ANIMAL SHELTER**

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 has experienced significant tax and revenue growth in FY 2021 and currently has projected significant revenues over expenses in the General Fund for FY 2021; and

WHEREAS, the City of Daphne has several large capital projects throughout the City that are planned in the upcoming near future and desires to appropriate monies to help fund these projects with the excess funds; and

WHEREAS, the City has determined that the projects it wishes to begin funding are the construction of a new animal shelter, expansion of the Justice Center, and construction of an amphitheater at Bayfront Park.

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

1. Funds in the amount of **\$1,000,000** are appropriated from the **General Fund and transferred to the Capital Reserve Fund** and made a part of the Fiscal Year 2021 Budget for the expansion of the Justice Center.
2. Funds in the amount of **\$1,000,000** are appropriated from the **General Fund and transferred to the Lodging Tax Fund** and made a part of the Fiscal Year 2021 Budget for the construction of an amphitheater at Bayfront Park.
3. An Animal Shelter special revenue fund is created and funds in the amount of **\$1,000,000** are appropriated from the **General Fund and transferred to the Animal Shelter Fund** and made a part of the Fiscal Year 2021 Budget for the construction of a new Animal Shelter.

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