

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
Monday, October 4, 2021
6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

INVOCATION Pastor Rife Stewart, Destiny Church

PLEDGE OF ALLEGIANCE

PRESENTATION: Wayne Dyess – Baldwin County Commission

PRESENTATION: Eastern Shore Children’s Business Fair

PRESENTATION: Governor Ivey video

3. APPROVE MINUTES: September 20, 2021 regular meeting

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Conaway

Review the minutes from the September 20, 2021 meeting.

Treasurer’s Report August 2021:

- Unrestricted Fund Balance - \$19,649,878
- Total Cash Balance - \$30,277,943
- Sales Tax for July 2021 - \$2,128,938.64
- Lodging Tax for July 2021 - \$236,459.70

B. BUILDINGS & PROPERTY COMMITTEE – Phillips

C. PUBLIC SAFETY COMMITTEE – Hughes

Review the minutes from the September 13th 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 August 26th meeting and the report from the September 23rd meeting.

F. RECREATION BOARD – Hughes

City Council Agenda – October 4, 2021

G. UTILITY BOARD – Goodlin

6. PUBLIC PARTICIPATION

7. MAYOR’S REPORT

8. CITY ATTORNEY REPORT

9. DEPARTMENT HEAD REPORTS

10. CITY CLERK’S REPORT

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2021-39 – Application for Recreation Trails

B. 2nd READ ORDINANCES:

2021-48 – Ordinance Amending the City of Daphne, Alabama Land Use and Development Ordinance 2011-54 – Article XIII, Section 13-8(b)(1), Multiple Family Garden Apartments Definition

2021-50 – Daphne Junior City Council

2021-51 – Amending Ordinance 2019-25 Relating to Building Permit, Plan Review, and Re-Inspection Fees

2021-52 – Ordinance Adopting Classification and Compensation Plan

C. 1ST READ ORDINANCES:

2021-53 – Appropriation – Mayday Park Pier Inspection Services - \$7,500

2021-54 – Appropriation for Compliance of Classification and Compensation Plan - \$758,588

2021-55 – Additional Appropriation – Real Property Purchase Parcel C of DISC Subdivision, Daphne, Alabama - \$1,425,000

12. COUNCIL COMMENTS

13. ADJOURN

Story Telling & Reenactment of the *REMOVAL OF THE BALDWIN COUNTY SEAT*

From Daphne to Bay Minette, October 11th, 1901



Thursday, October 7, 2021 5:30 p.m. - 7:30 p.m.

Courthouse Gazebo, Bay Minette

Event Hosts: Baldwin County Department of Archives & History/the City of Bay Minette

Story Tellers: Cliff McCollum and Robert “Bob” Wills

Reenactors: Sheriff Hoss H. Mack, Commissioner James “Jeb” Ball, Chief of Police, Al Tolbert, Jessie Peacock and more!

FREE ADMISSION

Other Attractions Incorporated into this event are:

- Food Vendor
- Old Fashioned Dessert Eating Contest
- Period Attire Contest Age groups : (3-17), (18 & above)
- Games for the kids
- Old Timey Music & More • Bring your lawn chairs & straw hat

For More Information Contact Baldwin County Archives & History

at (251) 580 –1897 E-mail: archivalrecords@baldwincountyal.gov



BALDWIN COUNTY,
ALABAMA

**September 20, 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; Jay Ross, City Attorney; Troy Strunk, City Development; Adrienne Jones, Planning; Chief LeAnn Tacon, Fire; Ange Baggett, Marketing; Tonja Young, Library; Kelli Reid, Finance; Tim White, Environmental Programs Manager; Josh Newman, City Engineer; Ronnie Huskey, Public Works; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Councilman Ron Scott.

PUBLIC HEARING: Public hearing opened at 6:01pm.

Adrienne Jones, Planning Commission, presented on the proposed amendments to Ordinance 2011-54, Land Use and Development Ordinance, Article 13, Section 13-8 Fixed Dwelling (b) R-7(A), Apartment Districts (1), Multiple Family Garden Apartments Definition.

Council asked Mrs. Jones questions regarding the changes and she clarified.

Public hearing closed at 6:06pm.

3. APPROVAL OF MINUTES:

The minutes from the September 7, 2021 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

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

B. BUILDINGS & PROPERTY COMMITTEE

Councilwoman Phillips said the August 2021 new Construction and Building Reports were in the packet. She said the permits issued were 309, new residential home permits were 23, and total fees collected were \$64,715.50.

C. PUBLIC SAFETY COMMITTEE

Councilman Hughes said the next meeting is October 11th at 4:30pm.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Olen said the next meeting is October 4th at 4:00pm.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the next meeting is October 4th at 4:45pm.

MOTION by Councilman Coleman to authorize the Mayor to execute a local contract with Unifirst under the cooperative contract with Sourcewell. Councilman Olen said he found four issues with this contract and after discussing with Unifirst, they are willing to fix three of the issues. Council discussed the contract. Councilman Coleman tabled his motion until the next meeting.
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5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Mrs. Jones said the minutes from the July 1st meeting and the summarization from the September 2nd meeting are in the packet. She said the next meeting is October 7th at 6:00pm.

B. Downtown Redevelopment Authority

Councilwoman Conaway said the next meeting is October 14th at 5:30pm.

C. Industrial Development Board

Councilman Scott said the Board met last week and there were potential items to discuss in an Executive Session.

D. Library Board

Councilwoman Phillips said the next meeting is October 14th at 4:30pm at the Library.

E. Planning Commission

Councilman Olen said the next meeting is September 23rd at 5:00pm.

F. Recreation Board

Councilman Hughes said the next meeting is October 13th at 6:00pm at City Hall.

G. Utility Board

Councilman Goodlin said the next meeting is September 29th at 5:00pm.

6. PUBLIC PARTICIPATION:

Public Participation opened at 6:21pm. No one came forward to speak.

Public Participation closed at 6:22pm.

7. MAYOR'S REPORT:

Mayor LeJeune asked everyone to pray for the family of the Council President from Mobile who recently passed. He said the City staff is working on the comprehensive plan.

8. CITY ATTORNEY REPORT:

City Attorney said there was no report but there was a matter to discuss in Executive Session: the buying and selling of real property.

9. DEPARTMENT HEAD COMMENTS:

Chief Carpenter, Police, said to keep Chief Hempfleng in their prayers as he would be having emergency open heart surgery. He said detectives have arrested individuals from the recent shooting in Daphmont and there has recently been an online challenge where students steal from their schools.

Chief Tacon, Fire, said the Fire Department was happy to assist with Chief Hempfleng recently. She gave an update on Medstar timing and spoke on the recent fire at Ed's Seafood Shed.

Ange Baggett, Marketing, updated the Council on recent events at the Civic Center along with the Museum restoration.

Tonja Young, Library, said there was lots of cross training being done at the Library. She said there have been new activities added and challenged the Council to participate in at least one activity over the next month.

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Adrienne Jones, Planning Commission, gave the mileage acceptance for the upcoming resolutions.

Troy Strunk, City Development, relayed a message from Christ the King School thanking the Mayor and Council for the 6th Street closure during drop offs.

10. CITY CLERK'S REPORT:

**MOTION by Councilman Scott to approve the road closure of a portion of 6th Street from College Avenue to the end of Daphne Baptist Church parking lot on October 24, 2021 from 11:00am – 4:00pm during the Christ the King Pumpkin Festival. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

11. RESOLUTIONS & ORDINANCES:

A. RESOLUTIONS:

2021-36 – Acceptance of Streets and Rights-of-Way, Jubilee Farms Subdivision, Phase 9

2021-37 - Acceptance of Streets and Rights-of-Way, Jubilee Farms Subdivision, Phase 10

2021-38 – Resolution Expressing Support and Commitment for a Baldwin County Recycling Cooperative

**MOTION by Councilman Scott to waive the reading of Resolutions 2021-36, 2021-37 and 2021-38.
Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolutions 2021-36 and 2021-37. Seconded by Councilman Olen. Councilman Coleman abstained.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2021-38. Seconded by Councilwoman Phillips.
Mayor LeJeune updated the Council on the resolution.
MOTION CARRIED UNANIMOUSLY.**

ORDINANCES:

B. 2nd 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

**MOTION by Councilwoman Conaway to waive the reading of Ordinances 2021-46 and 2021-47.
Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

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**MOTION by Councilwoman Conaway to adopt Ordinance 2021-46. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Ordinance 2021-47. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

C. 1ST READ ORDINANCES:

2021-48 – Ordinance Amending the City of Daphne, Alabama Land Use and Development Ordinance 2011-54 – Article XIII, Section 13-8(b)(1), Multiple Family Garden Apartments Definition

2021-49 – Adopting the Fiscal Year 2022 Budget

2021-50 – Daphne Junior City Council

2021-51 – Amending Ordinance 2019-25 Relating to Building Permit, Plan Review, and Re-Inspection Fees

2021-52 – Ordinance Adopting Classification and Compensation Plan

MOTION by Councilman Scott to suspend the rules in order to add Ordinance 2021-49 to the agenda to consider adoption. Seconded by Councilman Hughes.

City Clerk called roll.

Councilwoman Conaway	Aye
Councilman Olen	Aye
Councilman Coleman	Aye
Councilman Scott	Aye
Councilman Hughes	Aye
Councilwoman Phillips	Aye
Council President Goodlin	Aye.
MOTION CARRIED UNANIMOUSLY.	

**MOTION by Councilman Scott to waive the reading of Ordinance 2021-49. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Ordinance 2021-49. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

12. COUNCIL COMMENTS:

Councilwoman Phillips thanked Tonja Young for helping keep the Library current.

Councilman Hughes said his thoughts and prayers are with Chief Hempfleng. He thanked the Fire and Police Departments.

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Councilman Scott commended the recreation department and exercise area.

Councilman Coleman said his thoughts and prayers are with Chief Hempfleng. He sent kudos to the Fire and Police Departments.

Councilman Olen gave compliments to Mayor LeJeune and Kelli Reid on the budget. He echoed the compliments to the Fire and Police Departments.

Councilwoman Conaway said the Education Advisory Committee will meet Monday, September 27th at 11:00am.

Mayor LeJeune thanked the Council for passing the budget and the staff for their work. He said he also appreciates the Fire and Police Departments.

City Attorney certified that the Council should enter into an Executive Session concerning matters of buying and selling of real property. He said it should take fifteen to twenty minutes and the Council should have no reason to vote.

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

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 6:48 PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, CMC, City Clerk

Doug Goodlin, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
SEPTEMBER 20, 2021
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

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

Present were:

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

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

Also Present: Mayor Robin LeJeune, Finance Director Mrs. Kelli Reid, Senior Accountant Mrs. Suzânn Henson, Human Resource Director Mrs. Vickie Hinman, Revenue Officer Mrs. Courtney Coleman, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Troy Strunk, Fire Chief Mrs. LeAnn Tacon, Director of Events and Marketing Mrs. Ange Baggett, Public Works Director Mr. Ronnie Huskey, City Engineer Josh Newman, and City Attorney Mr. Jay Ross.

II. PUBLIC PARTICIPATION

There was no public participation.

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were approved.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Vickie Hinman reviewed the Human Resource Report:

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

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

- Input of employee benefit changes
- Flu Vaccinations for Employees – September 15
- COVID Leave Reports
- Evaluating Evergreen Solutions Classification/Compensation Study
- Implementation plans for Telestaff, staffing/scheduling platform for public safety personnel

Mrs. Hinman handed out the report for this year's annual insurance audit of City's buildings/properties. Mrs. Hinman noted the items listed will require minimal work to repair and most can be taken care of by City staff.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – August, 2021

Mrs. Coleman reviewed the following reports and information:

- Code enforcement issued 2 warnings resulting in businesses becoming compliant and \$267.50 in revenue.
- New Businesses with a physical location in Daphne - 7
- Simplified Sellers Use Tax collections - \$101,646.31 and YTD collections - \$1,059,434.07

BUSINESS LICENSE COUNT through 08/31/2021	
NEW Licenses	42
RENEWAL Licenses (2021)	22
Total Issued THIS MONTH	64
Total Issued THIS MONTH - PREVIOUS YEAR	46
Net Gain/-Loss Current VS Previous Yr MONTH	18
Total Issued YTD 2021	4,371
Total Issued YTD - PREVIOUS YEAR	3,783
Net Gain/-Loss Current VS Previous Yr YTD	588

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
August	\$4,527.49	\$9,495.47	\$4,967.98	\$298,733.72
September			\$0.00	\$298,733.72
Year to Date	\$2,399,072.61	\$2,688,733.72	\$289,661.11	\$298,733.72
All amounts include penalty and interest.				

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: July, 2021

Mrs. Henson reviewed the Sales & Use Tax Reports: \$2,128,938.64 was collected for July, 2021 which was up \$411,226.73 from July 2020's collections:

- YTD Variance over Budget - \$3,859,499.04

B. Lodging Tax Collections, July, 2021

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for July, 2021 were \$236,459.70 which is up \$134,878.41 from July 2020's collections.

- YTD Variance over Budget - \$304,937.65

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

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

- Unreserved balance for Bayfront related purchases - \$1,729,012.91
- Recreation for related purchases - \$ 953,654.78

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: August, 2021

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT					
As of August 31, 2021					
Account Type/Title	8/31/2021	7/31/2021	Increase (Decrease) from last Month	8/31/2020	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	\$ 13,699,447	\$ 14,364,428	\$ (664,981)	\$ 11,572,135	\$ 2,127,312
INVESTMENT FUND	5,891,684	5,901,863	(10,179)	5,925,500	\$ (33,816)
CREDIT CARD ACCOUNT	58,746	81,823	(23,077)	78,054	\$ (19,308)
Total Unrestricted Cash Balance	19,649,878	20,348,114	(698,236)	17,575,689	2,074,189
SPECIAL REVENUE FUNDS					
4 CENT GAS TAX	239,935	235,071	4,864	181,681	58,254
7 CENT GAS TAX	185,302	218,605	(33,303)	164,458	20,844
10 CENT GAS TAX	241,630	227,721	13,909	93,042	148,588
TREE & FLOWER	25,885	29,011	(3,127)	23,926	1,959
COVID RELIEF FUND	1,482,002	1,482,002	-	-	1,482,002
FEDERAL DRUG FORFEITURES	176,907	176,907	-	214,103	(37,196)
LOCAL DRUG FORFEITURES	60,580	60,580	-	55,618	4,962
LIBRARY	28,987	47,437	(18,450)	52,646	(23,659)
COURT TRAINING & EQUIPMENT	43,452	42,972	480	39,994	3,458
COURT CORRECTION	445,476	452,115	(6,639)	394,873	50,603
LODGING TAX	2,603,969	2,446,941	157,028	2,048,430	555,539
AGENCY FUNDS					
MUNICIPAL COURT	246	242	4	1,868	(1,622)
SELF INSURANCE	216,582	220,980	(4,398)	212,561	4,021
FLEX SPENDING	9,581	8,548	1,033	21,832	(12,251)
OPEB TRUST INVESTMENT FUND	828,678	824,087	4,591	528,654	300,024
	6,589,213	6,473,220	115,993	4,033,686	2,555,527
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	3,766,278	3,321,357	444,921	4,579,927	(813,649)
	3,766,278	3,321,357	444,921	4,579,927	(813,649)
DEBT SERVICE FUNDS					
DEBT SERVICE	272,574	141,206	131,368	1,746,533	(1,473,959)
Total Restricted Cash Balance	10,628,065	9,935,783	692,282	10,360,146	267,919
Total City Cash Balance	\$ 30,277,943	\$ 30,283,897	\$ (5,954)	\$ 27,935,835	\$ 2,342,108
Encumbrance Total as of			8/31/2021	\$ 618,706.80	

Discussion continued on when the Riviera PILOT check would be received. Mayor LeJeune noted that Riviera is waiting on the audit to be final and anticipates the check will be received next week.

The Treasurer's Report as of AUGUST, 2021 Total Unrestricted Cash Balance - \$19,649,878 and Total City Cash Balance - \$30,277,943 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance is - \$618,706.80 as of August, 2021.

Mrs. Reid reviewed the Encumbrance Report and noted a couple line items will come off the report including the camera and entrance signs. Mrs. Reid also noted she would be requesting a few more line items be removed at the next Finance Committee meeting.

3. Outstanding Appropriations

Mrs. Reid reviewed the outstanding appropriations report and noted that the new Fire truck is expected to be delivered soon so that lease will be added to the report.

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

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), August, 2021
 - o Jubilee Square: Debt payments were paid off in July 2021.

Monthly Financial Statements – July 2021 Financial Highlights

General Fund:

	<u>FY 2021</u>	<u>FY 2020</u>	<u>Change</u>
• YTD Budgetary Net Income:	\$7,822,770	\$2,994,498	\$4,828,272
• Total sales tax collected year to date is approximately \$3.86 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 \$335,000 less than July 2020			
• Charges for services includes a one-time settlement fee for the BP Oil Spill in the amount of \$215,229			
• Unassigned Fund Balance: \$25,753,342			
• Outstanding Encumbrances: \$624,738			

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of July 31, 2021: \$29,210,000
- The Jubilee Square Limited Obligation Warrants were paid off in July 2021
- Outstanding Capital Lease Balance as of July 31, 2021:
 - o General Fund: \$672,632
 - o Enterprise Fund: \$1,365,326

Capital Project Funds (Capital Reserve):

- The largest capital expenditure totaled \$788,274 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 \$438,000 for the Pollard Road Sidewalk TAP Grant project

Special Revenue Funds (12 separate funds):

- Lodging Tax Fund –
 - o Bayfront Unreserved Fund Balance: \$1,665,846
 - o Recreation Unreserved Fund Balance: \$865,088
 - o Total lodging tax collected was \$305,000 over budgeted income and \$524,000 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	\$ 126,951	\$ 244,575	\$ (117,624)
Civic Center Fund	\$ 124,196	\$ 568,806	\$ (444,610)

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

5. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary.

6. Summary of Budgetary Amendments

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

- Total Appropriations Year to Date – (\$3,147,404)
- Adjusted Expenses over Revenue – (\$3,119,126)

B. Bills Paid Reports – August, 2021

The Bills Paid Report was previously presented electronically.

VIII. APPROPRIATION REQUESTS: (Ordinance)

A. May Day Pier Inspection - \$7,500

Mr. Newman handed out information and pictures showing the May Day pier deterioration and damage that needs to be repaired. Mr. Newman discussed that the City needs a professional inspection of the Mayday Park pier and has received a proposal from Neel – Schaffer. Mr. Newman requested that monies appropriated in the amount of \$7,500 for this inspection cost.

MOTION BY Mr. Hughes to recommend to Council to adopt the Ordinance amending the budget to appropriate \$7,500 for the Mayday Park pier inspection to be done by Neel-Schaffer, Inc. and to authorize the Mayor to enter into the agreement for the pier inspection. Seconded by Mr. Scott.

Discussion was made and Mr. Hughes amended his motion for the \$7,500 funds to come out of the Lodging Tax Fund. Seconded by Mr. Scott.

MOTION CARRIED UNANIMOUSLY

X. NEW BUSINESS

A. FY2022 Budget

Mr. Scott stated that Mrs. Reid and staff did a good job preparing the budget. Discussion continued on the FY2022 Budget. Mr. Hughes discussed moving some monies from Lott Park to Centennial Park for improvements. Mrs. Phillips discussed her concerns on the effect on the budget for the cost from the new personnel request and changes from the pay study but does feel these changes are needed. Mayor LeJeune stated the pay study changes are still being reviewed and will not be completed in time to for the adoption of the FY2022 Budget but will be presented later. Mr. Huskey reviewed the new personnel requested by the Public Works Department. Discussion continued on the FY2022 Budget. Mayor LeJeune noted that if Council wanted to pass the budget at the Council meeting following the Finance Committee meeting they would need to suspend the rules to adopt the ordinance.

XI. OLD BUSINESS

There was no new business discussed.

XII. ADJOURN

The meeting adjourned at 5:21p.m.

September 13, 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, Recording Secretary; Christina Brazell

3. PUBLIC PARTICIPATION:

Sandy Robinson: Questions regarding any updates on crosswalk changes.

Adam Sack: 210 Beale Ln. Traffic Hazard with the lack of signage in the area. Problem with speeders.

Andy Citrin: 811 Captain O'Neal Dr. Debris pile up causing obstruction of view in the area of his driveway. Pictures provided.

Jennifer Lyons: 803 Captain O'Neal, spoke on the same debris pile issue and the accident that occurred due to the obstruction of the drivers view, which was her daughter.

Eve Gray: 114 Malibu Cir. Spoke on the speeding issues in Lake Forest, looking for guidance and solution. Notes provided.

4. APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from August 9, 2021 Public Safety meeting were approved as presented.

5. POLICE DEPARTMENT:

Old Business:

Captain Gulsby: Spoke on the status of the newly hired officers at the academy.

New Business:

None

September 13, 2021
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

6. FIRE DEPARTMENT:

Old Business:

Chief Tacon: Gave status of the truck for the new station (Engine 5).

Chief Tacon: Will provide stats regarding Medstar at next meeting.

New Business:

None

7. OTHER BUSINESS:

City of Daphne Engineer: Josh Newman, spoke on the traffic calming project and will be getting the City Council more information regarding the plan of action with specific areas to include Lake Forest Subdivision.

5:17 p.m. **ADJOURNMENT**

**The City of Daphne
Planning Commission Minutes
Regular Meeting of August 26, 2021
Council Chamber, City Hall - 5:00 P.M.**

Call to Order:

Chairwoman Bergin 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:

John Peterson
Phillip Hodgson, Secretary
Marybeth Bergin, Chairwoman
Andrew Prescott
Kevin Spriggs
Steve Olen

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development
Josh Newman, City Engineer
Tim White, Environmental Programs Manager

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 July 22, 2021. There being none, minutes are approved as submitted.***

The next order of business is site plan review and request for modification to the wetland buffer for Radney Baldwin County Funeral Home.

An introductory presentation was given by Tim Lawley, representative for Anchor Engineering, of a site plan review and request for modification to the wetland buffer for a funeral home with associated parking, drainage, and landscaping located northwest of U.S. Highway 90 and Renaissance Boulevard. He stated that earlier in the week he met with the City Engineer and Environmental Programs Manager to discuss the various options to stabilize the area near the stream.

Chairwoman asked for Commission questions or comments and asked about staff comments.

Mr. Newman advised that he would like to find a better option to armor the slope, protect the wetlands and prevent erosion.

Mr. Olen asked Mr. White to comment regarding the waiver to the wetland buffer.

The City of Daphne
Planning Commission Minutes
Regular Meeting of August 26, 2021
Council Chamber, City Hall - 5:00 P.M.

Mr. White responded it has always been the City's position not to grant a waiver to the wetland buffer to prevent erosion and an adverse effect to wetlands or a stream and stated that almost ten million dollars spent to return the stream to its natural state.

Mr. Peterson asked about directing stormwater to U.S. Highway 90 and acquiring a permit from ALDOT. Mr. Lawley responded that stormwater does not flow to U.S. Highway 90; ALDOT will not accept maintenance of stormwater from a private detention pond.

Mr. Olen asked about the request for the modification to the wetland buffer. Mr. Newman responded you run the risk of an encroachment during construction.

Chairwoman asked about a partial exception to a sidewalk requirement. Ms. Jones responded it would require a waiver because the sidewalk does not extend to the northern property line. Mr. Lawley commented that the sidewalk stops at the wetland buffer line because the topography does not allow it to go farther.

Mr. Olen asked about the waiver to the sidewalk requirement. Ms. Jones responded you must approve a partial waiver or reflect in the minutes the conditions for the approval of the site plan.

Mr. Olen stated there is an issue with the overall design because they are requesting a modification to the wetland buffer and a partial sidewalk exemption.

Mr. Spriggs stated if there is a conflict in the ordinance, which would apply. Ms. Jones stated the more stringent of the two would prevail. Mr. Dungan agreed.

Mr. Spriggs commented that developer would not be able to encroach into the wetlands.

Mr. Peterson asked when the property to the west develops who would be responsible to bridge the sidewalks. He stated there are sidewalks in the City that cross the wetlands by a pedestrian walkway or bridge and asked are we limited to sidewalks or can it be achieved by other means. Ms. Jones responded that an ADA compliant crosswalk or bridge would satisfy our sidewalk requirement because the purpose is to ensure connectivity along the rights-of way.

Mr. Spriggs asked would the City be bound by those requirements. Ms. Jones advised if the City designed a project, they would be bound by the same rules and should go above and beyond to set an example.

Chairwoman noted that the sidewalk is being proposed on private property and not on the right-of-way. Ms. Jones responded there is still a requirement for a sidewalk.

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

**The City of Daphne
Planning Commission Minutes
Regular Meeting of August 26, 2021
Council Chamber, City Hall - 5:00 P.M.**

A **Motion** was made by Mr. Hodgson and **Seconded** by Mr. Prescott **to approve the modification to the wetland buffer subject to further staff review.**

During discussion, Mr. Peterson expressed his concern about the extension into the wetland buffer of a priority watershed.

The Motion carried. Mr. Peterson and Mr. Olen dissented.

A **Motion** was made by Mr. Spriggs and **Seconded** by Ms. Bergin **to approve Radney Baldwin County Funeral Home site plan as designed and a partial sidewalk exemption. The Motion carried. Mr. Peterson and Mr. Olen dissented.**

Chairwoman advised that the applicant has requested that the Down by the Bay, L.L.C. applications for Planning Commission approval, master plan and site plan review be tabled until the regular meeting of September 23, 2021.

The next order of business is preliminary/final plat review for Down by the Bay, L.L.C.

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 eight point seven four acres located northeast of County Road 64 and County Road 13, southeast of Rand Avenue and County Road 13.

Chairwoman asked for Commission questions or comments.

Mr. Peterson stated there should be an easement for the lots to access County Road 13 north at the access drive for the storage facility.

Chairwoman commented there should be an easement provided for both lots to have access and advised that the wetlands are noted on the plat. She also commented that a traffic study is currently being prepared for this property.

Chairwoman opened the floor to public participation.

Joyce Lundy, Pine Grove Church, stated that she is not opposed to this development. She commented about the approximately eighty-eight years of drainage and erosion issues with no flooding and traffic. She also expressed concerns about the proposed location of the turn lane and its impact on the church property.

Jewel Lawson, 1001 Johnson Road, also spoke on behalf of Leroy Jackson, stated that she concurred with Ms. Lundy's comments and expressed her concerns about the wetlands.

Raymond Jackson, 9070 Jackson Way, commented and expressed his concerns about traffic, drainage and flooding.

Chairwoman closed public participation and asked for a motion.

The City of Daphne
Planning Commission Minutes
Regular Meeting of August 26, 2021
Council Chamber, City Hall - 5:00 P.M.

A **Motion** was made by Mr. Peterson and **Seconded** by Mr. Prescott **to approve Down by the Bay, L.L.C. preliminary/final subdivision plat conditioned upon the provision of a shared access to County Road 13. There was no discussion on the motion. The Motion carried unanimously.**

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

An introductory presentation was given by Al Finley, representative of Dewberry, requesting final plat review and street acceptance for Jubilee Farms Subdivision, Phase Nine located southeast of Austin Road and Alabama Highway 181. He stated this phase is located southeast of Jubilee Farms Subdivision, Phase Five and consists of thirty-one lots.

Chairwoman asked for Commission questions or comments and asked about staff comments. Mr. Finley responded the inspector advised that all outstanding deficiencies have been addressed.

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

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

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

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

An introductory presentation was given by Al Finley, representative of Dewberry, requesting final plat review and street acceptance for Jubilee Farms Subdivision, Phase Ten located southeast of Austin Road and Alabama Highway 181. He stated this phase is located north of Jubilee Farms Subdivision, Phases Six and consists of fifty-seven lots.

Chairwoman asked for Commission questions or comments and asked about staff comments. Mr. Finley responded the inspector advised that all outstanding deficiencies have been addressed.

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

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

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

The next order of business is a master plan revision, preliminary/final plat review, and preliminary plat review for Savannah Estates Subdivision.

Ms. Jones advised that this property is located in Baldwin County in our extraterritorial planning jurisdiction and the County Commission voted unanimously to approve the zoning in May 2020. Subsequent to their approval, the zoning, master plan, and preliminary plat were presented to the City to ensure that they meet our regulations.

An introductory presentation was given by Joe Rector and Todd Wheeler, representatives of Mullins, L.L.C., of a request for master plan review and preliminary plat review of a forty-four acre parcel located northeast of County Road 64 and County Road 54 West. He presented an overview of the process of rezoning from industrial zoning, an open field and dirt pit to RSF-2, Residential Single Family Development, and approval of the Planned Residential Development by Baldwin County. He advised that thirty percent of the subdivision is usable active open space.

Chairwoman asked for Commission questions or comments and about the secondary access. Mr. Rector responded the access shown is in compliance as stated in the memorandum from the Fire Marshal.

Chairwoman asked if the access will be paved. Mr. Wheeler advised that the Fire Marshal agreed to the use of gravel now and pavement in a future phase.

Chairwoman asked how do we deal with issues that are beyond the scope of the subdivision. Mr. Dungan responded that Ms. Jones addressed it in her preface; the only role of the Planning Commission tonight is a review to see if the preliminary plat meets our regulations.

Chairwoman asked is the secondary access a part of the subdivision regulations or fire code. Mr. Dungan responded it is part of the fire code.

Chairwoman asked if Baldwin County has approved the revised master plan. Ms. Jones responded that the PRD document is not changing; we asked them to use it as a guide to create a master plan consistent with what they are proposing.

Chairwoman clarified that the plat is consistent, but the PRD is their zoning document.

Mr. Peterson asked if the master plan is relevant to the plat. Chairwoman responded a master plan is required because the subdivision will be developed in phases.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of August 26, 2021
Council Chamber, City Hall - 5:00 P.M.**

Mr. Peterson commented that he has concerns with the practicality of the lots as depicted on the master plan. Mr. Rector responded those lots are in future phases and by the time the lots are being developed, the dirt pit will no longer be in operation.

Mr. Olen questioned the correlation between approval of a master plan and the existing pit. Mr. Rector responded there is a transition period from a mining operation to a residential subdivision.

Mr. Olen asked what is to prevent the owner from developing phase one adjacent to a dirt pit. Mr. Rector responded nothing because it is in operation today.

Mr. Spriggs asked about the dirt used to fill the dirt pit. Mr. Rector responded it comes from the remaining dirt after the reshaping of the property.

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

Ms. Jones noted that we are in receipt of sixteen documents presented in opposition with comments regarding traffic impact, population and the dirt pit.

Chairwoman asked about improvements on County Road 64. Mr. Rector responded that according to the traffic impact study, a traffic signal is required at County Road 64 and 54.

Mr. Olen asked about a staff recommendation. Ms. Jones responded because staff found no issues with the subdivision provisions and Baldwin County provided a review, therefore, staff recommends approval because they meet our subdivision regulations.

Chairwoman asked for a motion for the associated applications.

A Motion was made by Mr. Hodgson and **Seconded** by Mr. Prescott **to approve Savannah Estates Subdivision master plan.**

During discussion, Mr. Spriggs commented that a master plan of the development is required and beneficial to see the progression of the development.

The Motion carried. Mr. Olen and Mr. Peterson dissented.

A Motion was made by Mr. Prescott and **Seconded** by Mr. Hodgson **to approve Savannah Estates preliminary subdivision plat. There was no discussion on the motion. The Motion carried. Mr. Olen dissented.**

The next order of business is a pre-zoning and annexation request for Joseph Mancì.

The City of Daphne
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An introductory presentation was given by Jason Wooten, Wooten Engineering, of a request to pre-zone and annex a fifty-three point four-six acre parcel from RA, Rural Agricultural, Baldwin County District 15, to a PUD, Planned Unit Development, located northeast of Alabama Highway 181 and Saint Michael Way. The proposed residential development consists of approximately one hundred and four lots that abut Dunmore Subdivision and Saint Michael Way.

Ms. Jones provided her recommendation to amend the proposed zoning designation of the commercial use to B-2(a). Mr. Wooten expressed his client's concern about the inclusion of a grocery and pet store in the allowed uses. Ms. Jones advised that a modification could be made to the PUD narrative to include those uses.

Mr. Wooten commented that he met with the President of the Dunmore POA and advised him that there will be zero effect on their subdivision from this development.

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

Joanne Vicich, 10010 Dunmore Drive, spoke in opposition with concerns about lighting directed into a residential neighborhood, hours of the deliveries, buffer requirements of commercial development abutting an existing residential subdivision, location of entrances, traffic, quality of life and private nuisance.

Cecilia Bailey, 10218 Dunmore Drive, spoke in opposition with concerns about traffic, noise and light pollution, and drainage.

Fred Moore, 10046 Dunmore Drive, spoke in opposition with concerns about flooding.

Roy Vicich, 10010 Dunmore Drive, spoke in opposition with the same concerns expressed by Joanne Vicich.

Sharon Lynn, Secretary of the Dunmore Subdivision POA, spoke in opposition to the pre-zoning with concerns about stormwater issues caused by the open ditch in Dunmore Subdivision.

Chairwoman closed public participation and asked if Mr. Wooten would like to address the Commission to respond to the comments.

During rebuttal, Mr. Wooten responded that the development would not affect storm water drainage or traffic. He noted that the development would consist of single-family residential homes consistent with the neighborhood and have an adequate buffer for the commercial development. He stated there is a forty-foot buffer along the northern property line and along Saint Michael Way, a fifteen-foot for storm water drainage, and an internal access will be provided from the residential to the commercial site.

The City of Daphne
Planning Commission Minutes
Regular Meeting of August 26, 2021
Council Chamber, City Hall - 5:00 P.M.

A **Motion** was made by Mr. Olen and **Seconded** by Mr. Spriggs **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.**

During discussion, Mr. Spriggs stated that the developer has provided a significant buffer and commented on his willingness to accommodate the Planning Commission suggestions. Mr. Hodgson expressed concern about the commercial aspect.

The Motion did not carry as it did not receive six affirmative votes. The vote was five in favor. Mr. Hodgson dissented.

A **Motion** was made by Mr. Olen and **Seconded** by Mr. Prescott **to set forth a favorable recommendation to the City Council to annex the fifty-three point four-six acres parcel into the Daphne city limits. There was no discussion on the motion. The Motion carried unanimously.**

Chairwoman stated the next order of business is a request for Planning Commission approval of indoor volleyball courts in a C/I, Commercial/Industrial, zone. She explained that the Commission will hold a public hearing because the ordinance does not specifically address this use in the Land Use and Development Ordinance.

An introductory presentation was given by Pratt Thomas, representative of Merrill P. Thomas Company, Inc., requesting consideration of a proposed indoor volleyball courts at 7650 Stanton Road and presented an overview of the services provided.

Ms. Jones commented that she is opposed to placing a recreation facility in a commercial and industrial zone because of exposure to children and/or young adults to the commercial uses in this area.

Chairwoman opened the floor to public participation.

Ericka Markioli, 153 Pier Avenue, spoke in favor of the application and stated that an indoor children's amusement business currently exists in the commercial park and that her children have attended birthday parties at the facility.

Chairwoman commented that this type of business and location is a trend in Mobile.

Christin Boggs, Spanish Fort teacher, spoke in favor of the application because it would be beneficial for the students.

Freddie Johnson, 3996 Stanton Road South, spoke in opposition and expressed concerns about traffic, parking and emergency vehicle access for senior citizens and handicapped adults.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of August 26, 2021
Council Chamber, City Hall - 5:00 P.M.**

Mr. Johnson noted that Stanton Road South is not the access for this facility and that the residential street is not of sufficient size to support large delivery vehicles and heavy traffic.

Chairwoman advised if Stanton Road South is a city street into a residential neighborhood where Public Works may consider installing the appropriate signage to prohibit commercial traffic. Ms. Vallecillo advised it is a city street.

Chairwoman closed public participation and asked for a motion.

A Motion was made by Mr. Olen and Seconded by Mr. Prescott to grant Planning Commission approval of indoor volleyball courts in a C/I, Commercial/Industrial, zone at 7650 Stanton Road for Baldwin County Volleyball Club. 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 next order of business is commissioner's comments.

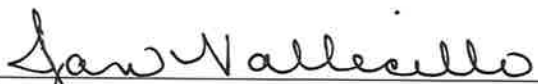
None presented.

The next order of business is director's comments.

None presented.

There being no further business, the meeting was adjourned at 7:32 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: September 23, 2021


Andrew Prescott, Vice Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF SEPTEMBER 23, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

1. **CALL TO ORDER:** 5:03 p.m.
2. **CALL OF ROLL:** Andrew Prescott, Ronnie Huskey, Steve Olen, Kevin Spriggs, John Peterson, Phillip Hodgson, and Adam Manning
3. **APPROVAL OF MINUTES:**

Review of minutes of the regular meeting of August 26, 2021. (**Approved**)
4. **OLD 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. (**Approved**)
 2. **MASTER PLAN REVIEW:**

File MPR21-04: (**Approved**)

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 SP21-09: (**Approved contingent upon the owner/developer increasing the turn lane as offered and configure the turn lane to the City Engineer's satisfaction**)

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
5. **NEW BUSINESS:**
 - A. **SITE PLAN REVIEW:**
 1. File SP21-10: (**Tabled at the request of the applicant until the regular meeting of October 28, 2021**)

Site: The Noble at Daphne

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

Location: Southwest of the intersection of County Road 13 and U.S. Highway 90
Area: 28.59 Acres $\pm$
Owner: John White-Spunner, ETAL
Developer: Adcock Properties - John Adcock
Agent: White-Spunner Realty - Matt White
Engineer: Wooten Engineering - Jason Wooten

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF SEPTEMBER 23, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

2. File SP21-11: (Approved)

Site: New Office for TBS

Zoning: *B-2, General Business*

Location: Northwest of the intersection of Kettig Square and Pollard Road

Area: 0.28 Acres $\pm$

Owner: Olde Towne Daphne Developments, Inc. - Starke Irvine

Developer: Shenandoah Holdings, L.L.C. - Patrick Folan

Engineer: Barton & Shumer Engineers - David Shumer

3. File SP21-13: (Approved)

Site: Jubilee Family Dentistry

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: 1.2 Acres $\pm$

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

Developer: Jubilee Dentistry - Telka Barberi

Engineer: Lieb Engineering - Chris Lieb

4. File SP21-14: (Approved with contingencies as follows: all required parking shall be paved (not gravel); provide revised floor plan and architectural drawings for the hardware store only (excluding lease space and drive thru); and submitting a revised landscape plan to include the appropriate number of frontage trees)

Site: Ace Hardware

Zoning: *B-1(a), Limited Local Business*

Location: Southeast of Belgrove Avenue and Alabama Highway 181

Area: 1.55 Acres $\pm$

Owner: Danny & Donna Parks

Developer: Steve Ascik

Engineer: Anchor Engineering - Tim Lawley

B. 24/7 COIN LAUNDRY MASTER PLAN REVIEW AND SITE PLAN REVIEW:

1. MASTER PLAN REVIEW:

File MPR21-05: (Approved master plan submitted at the 09/23/21 regular Planning Commission meeting)

Presentation to be given by Justin Jordan or Michael Gibson, representative of Vision Consulting, requesting a master plan review of 24/7 Coin Laundry.

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF SEPTEMBER 23, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

2. File SP21-12: (Approved contingent upon adding sidewalks along Highway 98 as shown on the master plan submitted at the 09/23/21 regular Planning Commission meeting)

Site: 24/7 Coin Laundry

Zoning: B-2, General Business

Location: Southwest of Randall Avenue and U. S. Highway 98

Area: 0.61 Acres $\pm$

Owner(s): Phil & Michelle Broadus

Agent: Vision Consulting - Justin Jordan

Engineer: Vision Consulting - Michael Gibson

C. PRELIMINARY/FINAL PLAT REVIEW:

1. File SDPF21-16: (Approved)

Subdivision: Fast Time

Zoning(s): B-1, Local Business

Location: Southwest of U.S. Highway 98 and Santa Rosa Avenue

Area: 1.04 Acres $\pm$, (2) lots

Owner(s): Jay Devalk

Surveyor: Goodwyn, Caywood & Mills - Stuart Smith

D. THE RESERVE AT DAPHNE:

1. MASTER PLAN AMENDMENT:

File MPA21-05: (Approved)

Presentation to be given by Melissa Currie, representative of Dewberry, requesting a master plan amendment of the Reserve at Daphne.

2. GCOF RESERVE OF DAPHNE, L.L.C., JAMES & BARBARA CONAWAY, JOSEPH LAZZARI, JR. & TANIA LAZZARI, AND JOSEPH LAZZARI PRE-ZONING AMENDMENT:

File PZA21-11: (Tabled at the request of the applicant until the regular meeting of October 28, 2021)

Applicant: GCOF Reserve of Daphne, L.L.C., James & Barbara Conaway, Joseph Lazzari, Jr. & Tania Lazzari, and Joseph Lazzari

Present Zoning: RSF-2, Residential Single Family District, Baldwin County District 15, and Unzoned, Baldwin County District 7, in the Extraterritorial Planning Jurisdiction of Daphne

Proposed Zoning: R-2, Medium Density Single Family Residential, and R-6, Garden/Patio Home

Area: 186.65 Acres $\pm$

Location: North of the intersection of County Road 64 and Montelucia Way

Engineer: Dewberry - Melissa Currie

E. THE RESERVE AT PLANTATION HILLS:

1. MASTER PLAN REVIEW:

File MPR21-06: (Tabled at the request of the applicant until the regular meeting of October 28, 2021)

Presentation to be given by Melissa Currie, representative of Dewberry, requesting a master plan review of the Reserve at Plantation Hills.

2. GCOF RESERVE OF DAPHNE, L.L.C AND 68V RESERVE AT PLANTATION HILLS 2021, L.L.C. PRE-ZONING AMENDMENT:

File PZA21-12: (Tabled at the request of the applicant until the regular meeting of October 28, 2021)

Applicant: GCOF Reserve of Daphne, L.L.C. and 68V Reserve at Plantation Hills 2021, L.L.C.

Present Zoning: RSF-2, Residential Single Family District, Baldwin County District 28, and Unzoned, Baldwin County District 7, in the Extraterritorial Planning Jurisdiction of Daphne

Proposed Zoning: R-1, Low Density Single Family Residential, R-3, High Density Single Family Residential, and R-6, Garden/Patio Home

Area: 258.44 Acres ±

Location: East and southeast of Robbins Boulevard and Ashbury Hill Road

Engineer: Dewberry - Melissa Currie

3. GCOF RESERVE OF DAPHNE, L.L.C, 68V RESERVE AT PLANTATION HILLS 2021, L.L.C, JAMES & BARBARA CONAWAY, JOSEPH LAZZARI, JR. & TANIA LAZZARI, AND JOSEPH LAZZARI ANNEXATIONS:

(Tabled at the request of the applicant until the regular meeting of October 28, 2021)

ANX21-11, ANX21-12, ANX21-13, ANX-14 and ANX21-15 respectively:

A presentation to be given by Al Finley, representative of Dewberry, requesting annexation of a four hundred and forty-four point nine-seven acres owned by GCOF Reserve of Daphne, L.L.C., 68V Reserve at Plantation Hills 2021, L.L.C., James & Barbara Conaway, Joseph Lazzari, Jr. & Tania Lazzari, and Joseph Lazzari into the City of Daphne located north of the intersection of County Road 64 and Montelucia Way, and east and southeast of Robbins Boulevard and Ashbury Hill Road. The subject properties are currently zoned RSF-2, Residential Single Family District, Baldwin County District 15 and District 28, and Unzoned, Baldwin County District 7, in the Extraterritorial Planning Jurisdiction of Daphne.

F. ADMINISTRATIVE PRESENTATIONS:

1. File AP21-13: (Approved)

Planning Commission approval of a tattoo parlor in a B-1, Local Business, zone located at 28850 U.S. Highway 98, Suite 203. Business owner/operator: Billy Jordan, Red Tide Tattoo.

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF SEPTEMBER 23, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

2. File AP21-14: (Tabled until the regular meeting of October 28, 2021)

Presentation to be given by Adrienne Jones, Director of Community Development, regarding a proposed amendment to the Land Use and Development Ordinance.

6. **PUBLIC PARTICIPATION:** None presented
7. **ATTORNEY'S REPORT:** No report
8. **COMMISSIONER'S COMMENTS:** None presented
9. **DIRECTOR'S COMMENTS:** Director presented the upcoming meeting dates. Site Preview is October 20, and the Regular Meeting is October 28, 2021.
10. **ADJOURNMENT:** 6:46 p.m.

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2021-39**

Application for Recreation Trails

WHEREAS, the City of Daphne intends to submit an application to the Alabama Department of Economic and Community Affairs (ADECA) requesting grant assistance from the Recreational Trails Program (RTP) to continue the elevated wooden boardwalk walking trail at Village Point Park; and

WHEREAS, the grant funds requested are \$200,000 (80%) and the local match provided by the City of Daphne is \$50,000 (20%) for a total project cost of \$250,000; and

NOW, THEREFORE IT BE RESOLVED that the City Council of Daphne authorizes the submission of an application to ADECA requesting \$200,000 in FY 2022 RTP Funds; and

BE IT FURTHER RESOLVED that the City of Daphne agrees to hold in reserve \$50,000 of the proposed project cost for the purpose of matching funds; and

BE IT FURTHER RESOLVED that in the event a grant is awarded, the City will sign assurances to comply with all applicable Federal and State laws, rules and regulations.

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

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE
ORDINANCE 2021-48**

**AN ORDINANCE AMENDING THE CITY OF DAPHNE, ALABAMA
LAND USE AND DEVELOPMENT ORDINANCE 2011-54, AS ADOPTED BY THE
CITY COUNCIL ON JULY 18, 2011**

**ARTICLE XIII, SECTION 13-8 (b)(1),
MULTIPLE FAMILY GARDEN APARTMENTS DEFINITION**

WHEREAS, the City Council of the City of Daphne, after due consideration, believes that certain revisions to the City of Daphne Land Use & Development Ordinance are necessary for the proper administration of said Ordinance; and

WHEREAS, at the City of Daphne Planning Commission regular meeting on July 22, 2021, the Commission considered a proposed amendment to the City of Daphne Land Use & Development Ordinance, Ordinance 2011-54, as previously amended, and set forth a unanimous favorable recommendation to the City Council of the City of Daphne to approve said proposed amendment to Section 13-8(b)(1), Multiple Family Garden Apartments Definition, to increase the maximum number of dwelling units per building from twenty (20) to twenty-four (24) for properties zoned R-7(A), Apartment District; and

WHEREAS, due notice of said proposed amendment has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on September 20, 2021; and

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

SECTION I: AMENDMENT OF THE LAND USE AND DEVELOPMENT ORDINANCE, ARTICLE VIII, SECTION 13-8 FIXED DWELLINGS, SUBSECTION (b) R-7(A), APARTMENT DISTRICT, SUBSECTION (1) MULTIPLE FAMILY GARDEN APARTMENTS DEFINITION.

Section 13-8(b)(1) of the City of Daphne's Land Use Ordinance is hereby amended to state the following:

(b) R-7(A), APARTMENT DISTRICT:

(1) Multiple Family Garden Apartments Definition:

One or more two or three story, multi-family structures containing 8 to 24 (eight to twenty-four) dwelling units and including related off-street parking, open space and recreation facilities, and not exceeding fifty (50) feet in height. Structures shall not exceed two hundred (200) feet in length. Access may be from a common hall or individual entrance. Dwelling units may be located back to back, adjacent, and on top of one another.

SECTION II: CONFLICT WITH OTHER ORDINANCES

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

SECTION III: SEVERABILITY

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

SECTION IV: EFFECTIVE DATE

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

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

ATTEST:

Robin LeJeune, Mayor

Candace G. Antinarella, CMC, City Clerk



**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**

DATE: July 26, 2021
TO: Office of the City Clerk
FROM: Adrienne D. Jones, AICP, Community Development Director
SUBJECT: Proposed Amendments to Ordinance 2011-54, Land Use and Development Ordinance, Article 13, Section 13-8 Fixed Dwellings (b) R-7(A), Apartment Districts (1), Multiple Family Garden Apartments Definition

Adrienne D. Jones

At the July 22, 2021 regular meeting of the City of Daphne Planning Commission, seven members were present. The motion carried for a unanimous **favorable recommendation** to approve a proposed amendment to the Land Use and Development Ordinance, Article 13, Section 13-8 Fixed Dwellings (b), R-7(A), Apartment Districts (1), Multiple Family Garden Apartments definition to allow up to 24 dwelling units per building in lieu of 20 dwelling units per building.

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

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

Thank you,
ADJ/jv

attachment(s)

cc: file

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-50**

DAPHNE JUNIOR CITY COUNCIL

WHEREAS, many municipalities use youth councils to inject fresh ideas and youth perspectives into local decision-making; and

WHEREAS, youth councils can promote community service and foster a better understanding among young people of how municipal government works; and

WHEREAS, youth councils are an excellent means of promoting regular and active civic engagement among young people, which is vitally important to provide the knowledge, skills, and abilities to the next generation of local leaders; and

WHEREAS, the City Council of the City of Daphne desires to create a Junior City Council.

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

SECTION 1: CREATION OF DAPHNE JUNIOR CITY COUNCIL

There is hereby created a board to be known as the Daphne Junior City Council, which shall consist of eight (8) members from Daphne area high schools. The members will be City residents who are actively enrolled in public, private or home schooling in grades 10,11 or 12. The members shall be appointed by the Daphne City Council and each member will serve a term of one academic year (August through May).

SECTION 2: ELECTION OF OFFICERS

The Junior City Council shall elect a chairperson to conduct meetings and a vice-chairperson to conduct meetings in the absence of the chairperson. In addition, a secretary shall be elected. Elections shall be held at the first regular meeting after annual appointments are made by the City Council.

SECTION 3: VACANCIES

Irregular vacancies on the Junior City Council shall be filled as they occur.

SECTION 4: MEETINGS/RECORDS

The Junior City Council shall hold at least one (1) regular meeting per month, with option to meet more often as needed or desired. Public record of such meetings shall be kept by the Office of the City Clerk. All meetings shall be conducted pursuant to the rules proscribed by the Alabama Open Meetings Act.

SECTION 5: ABSENCES FROM MEETINGS

Absences from three (3) consecutive meetings of the Junior Council shall cause a member to be removed from their seat, unless such absence is excused by a majority vote of the board, with such excuse duly entered upon its minutes.

SECTION 6: DUTIES AND RESPONSIBILITIES

The Junior City Council shall have the duty and responsibility to:

- a) Evaluate and review issues facing youth in the City.
- b) Meet regularly with the Mayor and City Council to share ideas and discuss issues, concerns and improvements
- c) Attend City Council meetings and participate in work sessions, as able.
- d) Assist in planning city youth activities.

SECTION 7: EFFECTIVE DATE

This Ordinance shall become effective immediately and be in full force after final passage and publication as required by law.

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 2021-51**

**AN ORDINANCE TO AMEND ORDINANCE NO. 2019-25 RELATING TO
BUILDING PERMIT, PLAN REVIEW, AND RE-INSPECTION FEES**

WHEREAS, the City Council of the City of Daphne (the “City”) desires to promote the health, safety, and welfare of the citizens of the City by establishing uniform rules and regulations for the building, constructing, and all other related activities within the City of Daphne; and

WHEREAS, the City Council recognizes that the procedures set forth hereafter will protect both the City and its citizens and the owners of properties coming under the jurisdiction of this ordinance and made the subject of these procedures; and

WHEREAS, the City Council has determined that it is wise and prudent that certain sections of the City’s Building Permit, Plan Review, and Re-Inspection Fee Table be updated.

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

SECTION I: Section II of Ordinance No. 2019-25 is hereby repealed in its entirety and replaced as follows:

BUILDING PERMIT FEE SCHEDULE & RE-INSPECTION FEES

(a) Residential Permits

For single family, duplex, and townhome new residential construction, the permit valuation shall be calculated on a square foot basis utilizing standardized construction cost data published periodically in the ICC Building Valuation Data (“BVD”) as published by the ICC as follows:

- i. Heated and Cooled Spaces: 85% of the Square Foot Construction Costs set forth in the BVD using the “R-3 Residential, one- and two-family” ICC Group classification and the “VB” ICC construction type column.
- ii. Unheated/Uncooled Spaces: 100 % of the Square Foot Construction Costs set forth in the BVD using the “U Utility, miscellaneous” ICC Group classification and the “VB” ICC construction type column.

The initial ICC BVD in effect as of the effective date of this Ordinance is the February, 2021, edition attached hereto as Appendix A. Said BVD shall remain in effect for purposes of this Ordinance through and until March 1, 2022, on which date the most recently published February edition of ICC BVD valuation rates shall take effect through and until March 1st of the following year. Valuation rates shall renew each year thereafter on March 1st of each year using the most recently published February edition of ICC BVD valuation rates as of March 1st of each said year.

Any new residential construction that is not single family, duplex, or townhome construction shall be subject to the Commercial Permits valuation methodology set forth in subsection (c) “Commercial Permits” below.

Plan Review	\$75.00 flat fee
Land Disturbance	\$100.00 flat fee

Building	\$30.00 for 1st \$1,000.00 of valuation, \$5 for each additional \$1,000 thereafter
Mechanical	\$110.00 flat fee
Plumbing	\$110.00 flat fee
Electrical	\$110.00 flat fee
Gas	\$35.00 flat fee

(b) Miscellaneous Residential Permits

(Additions, Remodels, Repairs, Carports, Garages, Pools, Decks, Fences, Sunrooms, Accessory Structures, etc.)

Plan Review	\$30.00
Building	\$30.00 for 1st \$1,000 of contract amount, \$5 for each additional \$1,000 thereafter
Electrical	\$30.00 for 1st \$1,000 of contract amount, \$5 for each additional \$1,000 thereafter
Mechanical	\$30.00 for 1st \$1,000 of contract amount, \$5 for each additional \$1,000 thereafter
Plumbing	\$30.00 for 1st \$1,000 of contract amount, \$5 for each additional \$1,000 thereafter
Well Permit	\$50.00 flat fee
Gas	\$35.00 flat fee
Demolition	\$75.00 flat fee

(c) Commercial Permits

(i) New Construction, Additions, Alterations, Repairs, Accessory Structures, Re-Roofings, Demolition

A Building Plan Review Fee shall be assessed for all new construction, additions, alterations, repairs, and accessory structures in accordance with the following table:

Construction Contract Amount	Building Plan Review Fees
\$0.00 - \$500,000.00	\$500.00 <u>or</u> 50% of the building permit fee (whichever is less)
\$500,000.01 – \$5,000,000.00	\$500.00 <u>plus</u> \$0.50 per \$1,000.00 of contract amount for each \$1,000.00 in excess of \$500,000.00
Over \$5,000,000.00	\$2,750.00 <u>plus</u> \$0.40 per \$1,000.00 of contract amount for each \$1,000.00 in excess of \$5,000,000.00

Building \$6.00 per \$1,000.00 of contract amount (minimum \$50.00) plus an additional \$1.00 per \$1,000.00 of the contract amount for the Construction Industry Craft Training Fee mandated by the State of Alabama for nonresidential permits (Act 2015-308). (Permit applicant must also provide proof of site fee payment from City of Daphne Community Development office.)

Mechanical	1.5% of subcontractor's total contract amount (minimum \$110.00)
Plumbing	1.5% of subcontractor's total contract amount (minimum \$110.00)
Electrical	1.5% of subcontractor's total contract amount (minimum \$110.00)
Gas	\$35.00 per unit
Well Permit	\$50.00

Re-roofing	\$150.00 plus an additional \$1.00 per \$1,000.00 of the contract amount for the Construction Industry Craft Training Fee mandated by the State of Alabama for nonresidential permits (Act 2015-308).
Demolition	\$150.00 <u>plus</u> an additional \$1.00 per \$1,000.00 of the contract amount for the Construction Industry Craft Training Fee mandated by the State of Alabama for nonresidential permits (Act 2015-308).

(ii) Swimming Pools

Plan Review	\$30.00
Permit Fee	\$6.00 per \$1,000.00 of contract amount (minimum \$50.00) <u>plus</u> an additional \$1.00 per \$1,000.00 of the contract amount for the Construction Industry Craft Training Fee mandated by the State of Alabama for nonresidential permits (Act 2015-308).
Electrical	\$55.00 flat fee
Gas	\$35.00 flat fee

(iii) Job Site Trailer, Temporary Sales Office, Etc.

Permit Fee	\$75.00 plus an additional \$1.00 per \$1,000.00 of the contract amount for the Construction Industry Craft Training Fee mandated by the State of Alabama for nonresidential permits (Act 2015-308).
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(d) Re-Inspection Fees

Fees will only be applied to items on original list. Any new items will not be considered a re-inspection at the time of the next inspection. All re-inspection fees must be paid prior to the re-inspection.

1st Re-inspection	No Charge
2nd Re-inspection	\$50.00 plus minimum two (2) business days before subsequent re-inspection
3rd Re-inspection	\$100.00 plus minimum five (5) business days before subsequent re-inspection
4th Re-inspection	\$200.00 plus minimum seven (7) business days before subsequent re-inspection

Any Stop Work Order issued will be charged \$100.00 for a re-inspection.

SECTION II: REPEALER

Any Ordinance heretofore adopted by the Council which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

SECTION III: EFFECT OF REPEAL

- A. All other provisions of Ordinance 2019-25 shall remain in full force and effect.
- B. The repeal of Section II of Ordinance No. 2019-25 does not revive any previously repealed ordinance.
- C. The repeal of Section II of Ordinance No. 2019-25 does not affect any punishment or penalty incurred before the repeal took effect, nor does such repeal affect any suit, prosecution, or proceeding pending at the time of the repeal.

SECTION IV: SEVERABILITY

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

SECTION V: EFFECTIVE DATE

This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Daphne and publication as required by law.

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

EXHIBIT A
INTERNATIONAL CODE COUNCIL – BUILDING VALUATION DATA,
FEBRUARY 2021 EDITION

(attached)

* The February, 2021, edition of the ICC BVD shall be in effect for purposes of this Ordinance through March 1, 2022. On March 1st of each year, the most recently published February edition of the ICC BVD shall replace this edition. A copy of the BVD table in effect may be obtained by contacting the City of Daphne Building Official.

CITY OF DAPHNE, ALABAMA
Ordinance 2021-52

An Ordinance Adopting Classification and Compensation Plan

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

WHEREAS, such Classification and Compensation Plan has not been reviewed and updated comprehensively with market data on a regular basis; and

WHEREAS, the City of Daphne entered into a contract with Evergreen Solutions, LLC to conduct a market study, job analysis and classification analysis of all City positions; and

WHEREAS, such study has been completed and the proposed Compensation and Classification Plan has been reviewed by the Mayor and City Council and believed to be a viable plan; and

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Daphne, Alabama, as follows:

Adoption of Job Classification Schedule: The Job Classification Schedule with Classification Title, Pay Grade and Salary Range attached as Exhibit A is hereby established as the City of Daphne Job Classification Schedule with the effective date of November 1, 2021.

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

Grade	Classification Title	Annual Hours	Min Hourly	Min Annual	Mid Hourly	Mid Annual	Max Hourly	Max Annual	FLSA
1		-	\$ 10.78	-	\$ 13.80	-	\$ 16.83	-	NE
2	Sail Site Asst	2080	\$ 11.36	\$ 23,619.96	\$ 14.57	\$ 30,301.03	\$ 17.78	\$ 36,982.11	NE
	Sail Site Driver	1040	\$ 11.36	\$ 11,809.98	\$ 14.57	\$ 15,150.52	\$ 17.78	\$ 18,491.05	NE
	School Crossing Guard	-	\$ 11.36	-	\$ 14.57	-	\$ 17.78	-	NE
3			\$ 11.93	-	\$ 15.34	-	\$ 18.73	-	
4	Custodian	2080	\$ 12.50	\$ 26,004.45	\$ 16.09	\$ 33,472.86	\$ 19.68	\$ 40,941.26	NE
5	Event Assistant	2080	\$ 13.08	\$ 27,196.70	\$ 16.86	\$ 35,070.02	\$ 20.66	\$ 42,965.83	NE
	Fitness Associate	1040	\$ 13.08	\$ 13,598.35	\$ 16.86	\$ 17,535.01	\$ 20.66	\$ 21,482.92	NE
6	Athletic Program Assoc	2080	\$ 13.65	\$ 28,388.94	\$ 17.63	\$ 36,667.18	\$ 21.63	\$ 44,990.40	NE
	Field Maintenance Worker I	2080	\$ 13.65	\$ 28,388.94	\$ 17.63	\$ 36,667.18	\$ 21.63	\$ 44,990.40	NE
	Landscape Maintenance Worker I	2080	\$ 13.65	\$ 28,388.94	\$ 17.63	\$ 36,667.18	\$ 21.63	\$ 44,990.40	NE
	Library Aide	988	\$ 13.65	\$ 13,484.75	\$ 17.63	\$ 17,416.91	\$ 21.63	\$ 21,370.44	NE
	Mowing Maintenance Worker I	2080	\$ 13.65	\$ 28,388.94	\$ 17.63	\$ 36,667.18	\$ 21.63	\$ 44,990.40	NE
	Office Assistant	2080	\$ 13.65	\$ 28,388.94	\$ 17.63	\$ 36,667.18	\$ 21.63	\$ 44,990.40	NE
	Tennis Associate	1040	\$ 13.65	\$ 14,194.47	\$ 17.63	\$ 18,333.59	\$ 21.63	\$ 22,495.20	NE
7			\$ 14.22	-	\$ 18.40	-	\$ 22.58	-	
8			\$ 14.79	-	\$ 19.16	-	\$ 23.56	-	
9	Administrative Support Specialist I	2080	\$ 15.37	\$ 31,965.68	\$ 19.93	\$ 41,458.65	\$ 24.51	\$ 50,974.12	NE
	Animal Placement Representative	2080	\$ 15.37	\$ 31,965.68	\$ 19.93	\$ 41,458.65	\$ 24.51	\$ 50,974.12	NE
	Library Services Technician	2080	\$ 15.37	\$ 31,965.68	\$ 19.93	\$ 41,458.65	\$ 24.51	\$ 50,974.12	NE
	Street Maintenance Worker I	2080	\$ 15.37	\$ 31,965.68	\$ 19.93	\$ 41,458.65	\$ 24.51	\$ 50,974.12	NE
10	Administrative Support Specialist II	2080	\$ 15.94	\$ 33,157.92	\$ 20.70	\$ 43,055.81	\$ 25.47	\$ 52,976.20	NE
	Event Services Supervisor	2080	\$ 15.94	\$ 33,157.92	\$ 20.70	\$ 43,055.81	\$ 25.47	\$ 52,976.20	NE
11	Accounting Technician	2080	\$ 16.51	\$ 34,350.17	\$ 21.47	\$ 44,652.97	\$ 26.42	\$ 54,955.77	NE
	Animal Control Officer	2080	\$ 16.51	\$ 34,350.17	\$ 21.47	\$ 44,652.97	\$ 26.42	\$ 54,955.77	NE
	Field Maintenance Worker II	2080	\$ 16.51	\$ 34,350.17	\$ 21.47	\$ 44,652.97	\$ 26.42	\$ 54,955.77	NE
	Landscape Maintenance Worker II	2080	\$ 16.51	\$ 34,350.17	\$ 21.47	\$ 44,652.97	\$ 26.42	\$ 54,955.77	NE
	Mowing Maintenance Worker II	2080	\$ 16.51	\$ 34,350.17	\$ 21.47	\$ 44,652.97	\$ 26.42	\$ 54,955.77	NE
12	Firefighter	2808	\$ 17.09	\$ 47,982.26	\$ 22.22	\$ 62,407.31	\$ 27.39	\$ 76,923.46	NE
	Planning Coordinator	2080	\$ 17.09	\$ 35,542.42	\$ 22.22	\$ 46,227.64	\$ 27.39	\$ 56,980.34	NE
13	Administrative Assistant	2080	\$ 17.66	\$ 36,734.66	\$ 22.99	\$ 47,824.80	\$ 28.35	\$ 58,959.92	NE
	Communications Officer	2080	\$ 17.66	\$ 36,734.66	\$ 22.99	\$ 47,824.80	\$ 28.35	\$ 58,959.92	NE
	Corrections Officer	2184	\$ 17.66	\$ 38,571.39	\$ 22.99	\$ 50,216.03	\$ 28.35	\$ 61,907.92	NE
	Equipment Operator	2080	\$ 17.66	\$ 36,734.66	\$ 22.99	\$ 47,824.80	\$ 28.35	\$ 58,959.92	NE
	Facility Maintenance Technician I	2080	\$ 17.66	\$ 36,734.66	\$ 22.99	\$ 47,824.80	\$ 28.35	\$ 58,959.92	NE
	Landscape Coordinator	2080	\$ 17.66	\$ 36,734.66	\$ 22.99	\$ 47,824.80	\$ 28.35	\$ 58,959.92	NE
	Mechanic I	2080	\$ 17.66	\$ 36,734.66	\$ 22.99	\$ 47,824.80	\$ 28.35	\$ 58,959.92	NE
	Permit Tech	2080	\$ 17.66	\$ 36,734.66	\$ 22.99	\$ 47,824.80	\$ 28.35	\$ 58,959.92	NE
	Street Maintenance Worker II	2080	\$ 17.66	\$ 36,734.66	\$ 22.99	\$ 47,824.80	\$ 28.35	\$ 58,959.92	NE
14	AV Tech Library	2080	\$ 18.23	\$ 37,926.91	\$ 23.76	\$ 49,421.95	\$ 29.30	\$ 60,939.50	NE
	Code Enforcement	2080	\$ 18.23	\$ 37,926.91	\$ 23.76	\$ 49,421.95	\$ 29.30	\$ 60,939.50	NE
	Crew Leader, Field Maintenance	2080	\$ 18.23	\$ 37,926.91	\$ 23.76	\$ 49,421.95	\$ 29.30	\$ 60,939.50	NE
	Crew Leader, Landscape	2080	\$ 18.23	\$ 37,926.91	\$ 23.76	\$ 49,421.95	\$ 29.30	\$ 60,939.50	NE
	Crew Leader, Mowing Maintenance	2080	\$ 18.23	\$ 37,926.91	\$ 23.76	\$ 49,421.95	\$ 29.30	\$ 60,939.50	NE
	Fire Medic	2808	\$ 18.23	\$ 51,201.32	\$ 23.76	\$ 66,719.64	\$ 29.30	\$ 82,268.32	NE
	IT Technician	2080	\$ 18.23	\$ 37,926.91	\$ 23.76	\$ 49,421.95	\$ 29.30	\$ 60,939.50	NE

	Municipal Court Magistrate	2080	\$	18.23	\$ 37,926.91	\$	23.76	\$ 49,421.95	\$	29.30	\$ 60,939.50	NE
	PW ACCT/EMA ASST	2080	\$	18.23	\$ 37,926.91	\$	23.76	\$ 49,421.95	\$	29.30	\$ 60,939.50	NE
15	Crime Scene Technician	2080	\$	18.81	\$ 39,119.15	\$	24.53	\$ 51,019.11	\$	30.28	\$ 62,986.56	NE
	Herb Spray Technician	2080	\$	18.81	\$ 39,119.15	\$	24.53	\$ 51,019.11	\$	30.28	\$ 62,986.56	NE
	Mechanic II	2080	\$	18.81	\$ 39,119.15	\$	24.53	\$ 51,019.11	\$	30.28	\$ 62,986.56	NE
	Medium Equipment Operator	2080	\$	18.81	\$ 39,119.15	\$	24.53	\$ 51,019.11	\$	30.28	\$ 62,986.56	NE
	Solid Waste Route Operator	2080	\$	18.81	\$ 39,119.15	\$	24.53	\$ 51,019.11	\$	30.28	\$ 62,986.56	NE
16	Assistant City Clerk	2080	\$	19.38	\$ 40,311.40	\$	25.30	\$ 52,616.27	\$	31.23	\$ 64,966.14	NE
	Executive Assistant	2080	\$	19.38	\$ 40,311.40	\$	25.30	\$ 52,616.27	\$	31.23	\$ 64,966.14	NE
	Human Resource Specialist	2080	\$	19.38	\$ 40,311.40	\$	25.30	\$ 52,616.27	\$	31.23	\$ 64,966.14	NE
17	Catalog System Supervisor	2080	\$	19.95	\$ 41,503.64	\$	26.06	\$ 54,213.43	\$	32.19	\$ 66,945.72	NE
	Sales & Services Coordinator	2080	\$	19.95	\$ 41,503.64	\$	26.06	\$ 54,213.43	\$	32.19	\$ 66,945.72	E
18	Crew Leader, Solid Waste	2080	\$	20.53	\$ 42,695.89	\$	26.83	\$ 55,810.59	\$	33.14	\$ 68,925.29	NE
	Crew Leader, Street Maintenance	2080	\$	20.53	\$ 42,695.89	\$	26.83	\$ 55,810.59	\$	33.14	\$ 68,925.29	NE
	Planner	2080	\$	20.53	\$ 42,695.89	\$	26.83	\$ 55,810.59	\$	33.14	\$ 68,925.29	E
19	Accountant I	2080	\$	21.10	\$ 43,888.14	\$	27.60	\$ 57,407.75	\$	34.11	\$ 70,949.86	E
	Children's Librarian	2080	\$	21.10	\$ 43,888.14	\$	27.60	\$ 57,407.75	\$	34.11	\$ 70,949.86	E
	Detective	2184	\$	21.10	\$ 46,082.54	\$	27.60	\$ 60,278.14	\$	34.11	\$ 74,497.35	NE
	Fire Lieutenant	2808	\$	21.10	\$ 59,248.98	\$	27.60	\$ 77,500.46	\$	34.11	\$ 95,782.31	NE
	GIS Analyst	2080	\$	21.10	\$ 43,888.14	\$	27.60	\$ 57,407.75	\$	34.11	\$ 70,949.86	E
	Marketing Coordinator	2080	\$	21.10	\$ 43,888.14	\$	27.60	\$ 57,407.75	\$	34.11	\$ 70,949.86	E
	Patrol Officer	2184	\$	21.10	\$ 46,082.54	\$	27.60	\$ 60,278.14	\$	34.11	\$ 74,497.35	NE
	Reference Librarian	2080	\$	21.10	\$ 43,888.14	\$	27.60	\$ 57,407.75	\$	34.11	\$ 70,949.86	E
	School Resource Officer	2184	\$	21.10	\$ 46,082.54	\$	27.60	\$ 60,278.14	\$	34.11	\$ 74,497.35	NE
	Tennis Facility Coordinator	2080	\$	21.10	\$ 43,888.14	\$	27.60	\$ 57,407.75	\$	34.11	\$ 70,949.86	E
	Young Adult Librarian	2080	\$	21.10	\$ 43,888.14	\$	27.60	\$ 57,407.75	\$	34.11	\$ 70,949.86	E
20	Athletic Program Manager	2080	\$	21.66	\$ 45,057.89	\$	28.36	\$ 58,982.41	\$	35.07	\$ 72,951.93	E
	Building Inspector I	2080	\$	21.66	\$ 45,057.89	\$	28.36	\$ 58,982.41	\$	35.07	\$ 72,951.93	NE
	Chief Corrections Officer	2184	\$	21.66	\$ 47,310.78	\$	28.36	\$ 61,931.54	\$	35.07	\$ 76,599.53	NE
	Communication Supervisor	2080	\$	21.66	\$ 45,057.89	\$	28.36	\$ 58,982.41	\$	35.07	\$ 72,951.93	NE
	Event Operations Manager	2080	\$	21.66	\$ 45,057.89	\$	28.36	\$ 58,982.41	\$	35.07	\$ 72,951.93	E
	Field Maintenance Supervisor	2080	\$	21.66	\$ 45,057.89	\$	28.36	\$ 58,982.41	\$	35.07	\$ 72,951.93	NE
	Landscape Maintenance Supervisor	2080	\$	21.66	\$ 45,057.89	\$	28.36	\$ 58,982.41	\$	35.07	\$ 72,951.93	NE
	Mechanical Maintenance Supervisor	2080	\$	21.66	\$ 45,057.89	\$	28.36	\$ 58,982.41	\$	35.07	\$ 72,951.93	NE
	Mowing Maintenance Supervisor	2080	\$	21.66	\$ 45,057.89	\$	28.36	\$ 58,982.41	\$	35.07	\$ 72,951.93	NE
	Senior Recreation Program Manager	2080	\$	21.66	\$ 45,057.89	\$	28.36	\$ 58,982.41	\$	35.07	\$ 72,951.93	E
	Senior Human Resources Specialist	2080	\$	21.66	\$ 45,057.89	\$	28.36	\$ 58,982.41	\$	35.07	\$ 72,951.93	E
	Site Containment Inspector I	2080	\$	21.66	\$ 45,057.89	\$	28.36	\$ 58,982.41	\$	35.07	\$ 72,951.93	NE
21	Accountant II	2080	\$	22.24	\$ 46,250.13	\$	29.12	\$ 60,579.57	\$	36.02	\$ 74,931.51	E
	Municipal Court Administrator	2080	\$	22.24	\$ 46,250.13	\$	29.12	\$ 60,579.57	\$	36.02	\$ 74,931.51	E
22	Building Inspector II	2080	\$	22.81	\$ 47,442.38	\$	29.89	\$ 62,176.73	\$	36.98	\$ 76,911.09	NE
	Facility Maintenance Supervisor	2080	\$	22.81	\$ 47,442.38	\$	29.89	\$ 62,176.73	\$	36.98	\$ 76,911.09	NE
	Site Containment Inspector II	2080	\$	22.81	\$ 47,442.38	\$	29.89	\$ 62,176.73	\$	36.98	\$ 76,911.09	NE
	Solid Waste Supervisor	2080	\$	22.81	\$ 47,442.38	\$	29.89	\$ 62,176.73	\$	36.98	\$ 76,911.09	NE
	Street Maintenance Supervisor	2080	\$	22.81	\$ 47,442.38	\$	29.89	\$ 62,176.73	\$	36.98	\$ 76,911.09	NE
	Systems Administrator	2080	\$	22.81	\$ 47,442.38	\$	29.89	\$ 62,176.73	\$	36.98	\$ 76,911.09	NE
23	Revenue Officer	2080	\$	23.38	\$ 48,634.62	\$	30.66	\$ 63,773.89	\$	37.95	\$ 78,935.66	E
24	Battalion Chief	2808	\$	23.96	\$ 67,266.27	\$	31.43	\$ 88,250.92	\$	38.91	\$ 109,265.93	E

25	Accountant III	2080	\$ 24.82	\$ 51,626.48	\$ 32.57	\$ 67,755.54	\$ 40.35	\$ 83,929.59	E
	Environmental Program Manager	2080	\$ 22.81	\$ 47,442.38	\$ 29.89	\$ 62,176.73	\$ 36.98	\$ 76,911.09	E
	Police Corporal	2184	\$ 24.82	\$ 54,207.81	\$ 32.57	\$ 71,143.32	\$ 40.35	\$ 88,126.07	NE
	Police Training Coordinator	2184	\$ 24.82	\$ 54,207.81	\$ 32.57	\$ 71,143.32	\$ 40.35	\$ 88,126.07	NE
26		2080	\$ 25.97	\$ 54,017.60	\$ 34.11	\$ 70,948.80	\$ 42.25	\$ 87,880.00	
27		2080	\$ 27.11	\$ 56,388.80	\$ 35.65	\$ 74,152.00	\$ 44.19	\$ 91,915.20	
28	Fire Marshall	2080	\$ 28.26	\$ 58,779.96	\$ 37.18	\$ 77,338.50	\$ 46.12	\$ 95,919.53	E
	Sergeant	2184	\$ 28.26	\$ 61,718.96	\$ 37.18	\$ 81,205.42	\$ 46.12	\$ 100,715.51	NE
29		2080	\$ 29.14	\$ 60,611.20	\$ 38.44	\$ 79,955.20	\$ 47.76	\$ 99,340.80	
30	City Clerk	2080	\$ 30.28	\$ 62,986.56	\$ 39.97	\$ 83,142.26	\$ 49.68	\$ 103,342.95	E
	PT Operations Manager	2080	\$ 30.28	\$ 62,986.56	\$ 39.97	\$ 83,142.26	\$ 49.68	\$ 103,342.95	NE
31	Lieutenant	2080	\$ 31.43	\$ 65,371.05	\$ 41.51	\$ 86,336.58	\$ 51.59	\$ 107,302.10	E
32	Deputy Director, Finance	2080	\$ 32.57	\$ 67,755.54	\$ 43.04	\$ 89,530.90	\$ 53.52	\$ 111,328.74	E
	Deputy Director, Human Resources	2080	\$ 32.57	\$ 67,755.54	\$ 43.04	\$ 89,530.90	\$ 53.52	\$ 111,328.74	E
	Deputy Director, Public Works	2080	\$ 32.57	\$ 67,755.54	\$ 43.04	\$ 89,530.90	\$ 53.52	\$ 111,328.74	E
33	Director, Library	2080	\$ 33.72	\$ 70,140.03	\$ 44.57	\$ 92,702.72	\$ 55.43	\$ 115,287.90	E
	Police Captain	2080	\$ 33.72	\$ 70,140.03	\$ 44.57	\$ 92,702.72	\$ 55.43	\$ 115,287.90	E
34	Director, Events & Marketing	2080	\$ 34.87	\$ 72,524.52	\$ 46.10	\$ 95,897.04	\$ 57.37	\$ 119,337.04	E
35	Director, Sports & Recreation	2080	\$ 36.01	\$ 74,909.02	\$ 47.64	\$ 99,091.36	\$ 59.28	\$ 123,296.19	E
36	Building Inspections Official	2080	\$ 37.16	\$ 77,293.51	\$ 49.18	\$ 102,285.67	\$ 61.21	\$ 127,322.83	E
37		2080	\$ 38.31	\$ 79,684.80	\$ 50.70	\$ 105,456.00	\$ 63.14	\$ 131,331.20	
38	City Engineer	2080	\$ 39.45	\$ 82,062.49	\$ 52.24	\$ 108,651.82	\$ 65.04	\$ 135,286.13	E
	Director, Community Development	2080	\$ 39.45	\$ 82,062.49	\$ 52.24	\$ 108,651.82	\$ 65.04	\$ 135,286.13	E
	Director, Finance	2080	\$ 39.45	\$ 82,062.49	\$ 52.24	\$ 108,651.82	\$ 65.04	\$ 135,286.13	E
	Director, Human Resources	2080	\$ 39.45	\$ 82,062.49	\$ 52.24	\$ 108,651.82	\$ 65.04	\$ 135,286.13	E
	Director, IT	2080	\$ 39.45	\$ 82,062.49	\$ 52.24	\$ 108,651.82	\$ 65.04	\$ 135,286.13	E
39	Director, Public Works	2080	\$ 40.60	\$ 84,446.98	\$ 53.77	\$ 111,846.13	\$ 66.98	\$ 139,312.77	E
	Executive Director, City Development	2080	\$ 40.60	\$ 84,446.98	\$ 53.77	\$ 111,846.13	\$ 66.98	\$ 139,312.77	E
	Fire Chief	2080	\$ 40.60	\$ 84,446.98	\$ 53.77	\$ 111,846.13	\$ 66.98	\$ 139,312.77	E
	Police Chief	2080	\$ 40.60	\$ 84,446.98	\$ 53.77	\$ 111,846.13	\$ 66.98	\$ 139,312.77	E
40		2080	\$ 41.75	\$ 86,840.00	\$ 55.31	\$ 115,044.80	\$ 68.88	\$ 143,270.40	

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-53**

MAYDAY PARK PIER INSPECTION SERVICES

WHEREAS, Ordinance 2021-49 approved and adopted the Fiscal Year 2022 Budget on September 20, 2021; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2022 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2022 budget; and

WHEREAS, the Mayday Park pier has visible damage and for safety purposes a professional inspection is needed to determine the extent of the deterioration and damage so repairs can be made; and

WHEREAS, staff has received a proposal for the inspection services from Neel-Schaffer, Inc. in the amount of \$7,500; and

WHEREAS, an appropriation is needed for the inspection of Mayday Park pier.

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

- 1) Funds in the amount of \$7,500 from the Lodging Tax Fund are hereby appropriated and made a part of the Fiscal Year 2022 Budget for the Mayday Park pier inspection.
- 2) The Mayor is hereby authorized to execute any and all documents required to enter into an agreement with Neel-Schaffer, Inc. for the inspection services.

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 2021-54**

Appropriation for Compliance of Classification and Compensation Plan

WHEREAS, Ordinance 2021-49 approved and adopted the Fiscal Year 2022 budget on September 20, 2021; and

WHEREAS, Ordinance 2021-52 established a new City of Daphne Classification and Compensation Plan; and

WHEREAS, an adjustment to the salaries of current employees is necessary to comply with the recommendation from the Classification and Compensation Plan; and

WHEREAS, these changes need to be effective for the pay period beginning November 4, 2021; and

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Daphne, Alabama, to comply with the Classification and Compensation Plan as follows:

To accommodate the additional payroll costs associated with the compliance of the Classification and Compensation Plan, the Fiscal Year 2022 budget is hereby amended to increase the payroll budget with an appropriation of \$758,588 for the recommended salary adjustments of \$659,642 and applicable benefits of \$98,946.

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 2021-55**

**ADDITIONAL APPROPRIATION: REAL PROPERTY PURCHASE
PARCEL C OF DISC SUBDIVISION, DAPHNE ALABAMA**

WHEREAS, the City Council, pursuant to Ordinance 2021-49, approved and adopted the Fiscal Year 2022 Budget on September 20, 2021; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2022 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2022 budget; and

WHEREAS, the City of Daphne is a party to a Purchase and Sale Agreement (the "Purchase Agreement") dated July 1, 2014, between Bill's No. 2 LLC, as Seller, and the City, as Buyer, for certain property in the City of Daphne known as Parcel C of the DISC Subdivision, consisting of approximately 27.40 acres (as further described herein, the "Property"); and

WHEREAS, the City previously assigned its interest in the Purchase Agreement to the Industrial Development Board of the City of Daphne, Alabama (the "IDB") pursuant to that certain Assignment of Purchase and Sale Agreement dated as of January 27, 2015; and

WHEREAS, the IDB wishes to assign to the City, and the City wishes to accept, the IDB's option to purchase the Property under the Purchase Agreement; and

WHEREAS, to-date, the IDB has tendered the sum of \$40,000 to the Seller to extend the option to purchase the Property; and

WHEREAS, the City has obtained an appraisal on the property and has determined that the purchase price under the Purchase Agreement represents the fair market value of the Property.

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

1. Funds in the amount of **\$1,425,000** from the **General Fund to be transferred to the Capital Reserve Fund** are appropriated and made a part of the Fiscal Year 2022 budget for the purchase of the Property described as follows:

23 AC LOT 2 DISC SUBDIVISION SLIDE 2568 E-F IN THE CITY OF DAPHNE
SEC 3 T5S-R2E (CORR D) IN# 633216 IN# 1529298

PARCEL 43-02-03-0-000-003.006, PPIN 367367

2. As consideration for the IDB's prior payments to the Seller to extend the option to purchase the Property, the total amount by which the IDB is indebted to the City is hereby reduced by \$40,000.
3. The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to accept the assignment of the option and purchase the Property.

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

ATTEST:

Robin LeJeune, Mayor

Candace G. Antinarella, CMC, City Clerk