CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
Monday, November 1, 2021
6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL
INVOCATION Reverend John Knox Foster, Christ Presbyterian Church
PLEDGE OF ALLEGIANCE

PROCLAMATION: Family Court Awareness Month

PRESENTATIONS: Beautification Committee

3. APPROVE MINUTES: October 18, 2021 regular meeting

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Conaway
Review the minutes from the October 18, 2021 meeting.
Treasurer's Report September 2021:
- Unrestricted Fund Balance - $21,875,234
- Total Cash Balance - $35,614,823
- Sales Tax for August 2021 - $1,965,094
- Lodging Tax for August 2021 - $136,234

B. BUILDINGS & PROPERTY COMMITTEE – Phillips

C. PUBLIC SAFETY COMMITTEE – Hughes

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Olen

E. PUBLIC WORKS COMMITTEE – Coleman

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones
Review the minutes from the September 2nd meeting and the summarization of the October 7th meeting.

B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

C. INDUSTRIAL DEVELOPMENT BOARD – Scott

D. LIBRARY BOARD –Phillips

E. PLANNING COMMISSION – Olen

F. RECREATION BOARD – Hughes

G. UTILITY BOARD – Goodlin

6. PUBLIC PARTICIPATION

7. MAYOR'S REPORT

8. CITY ATTORNEY REPORT

9. DEPARTMENT HEAD REPORTS

10. CITY CLERK'S REPORT

MOTION to approve the SEEDS 5k and Fun Run on March 5, 2022 from 8:00am – 11:00am.

MOTION to approve the Shadow Barons Mardi Gras Parade on February 26, 2022 from 6:45-8:30pm with a rain day make up of February 27, 2022 at 2:00pm.

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2021-40 – Bid: 2020-J-Ridgewood Drive Sidewalk

2021-41 – Bid: 2022 – A – Street Resurfacing

2021-42 – Resolution to Set-up a New Depository for the Confiscated Funds Account with Bryant Bank and Transfer of Funds

B. 2nd READ ORDINANCES:

2021-56 – Pre-Zone Property Located at the Northeast of Alabama Highway 181 and Saint Michael Way – Joseph Manci

2021-57 – Annex Property Contiguous to the Corporate Limits of the City of Daphne – Northeast of Alabama Highway 181 and Saint Michael Way – Joseph Manci

C. 1ST READ ORDINANCES:

2021-58 – Appropriation: Human Resources Telestaff Software Annual Maintenance - $14,880

2021-59 – Appropriation: Tallent Lane C&D ADEM Permit Renewal - $12,900

2021-60 – Appropriation: D'Olive Bay Boat Ramp Update – Engineering Fees - $40,800

12. COUNCIL COMMENTS

13. ADJOURN

CITY OF DAPHNE, ALABAMA

Proclamation

WHEREAS; Family Court Awareness Month (FCAM) was conceptualized in 2020 by Tina Swithin, Founder and CEO of One Mom's Battle; and

WHEREAS; the mission at One Mom's Battle (OMB) and the Family Court Awareness Month Committee (FCAMC) is to increase awareness of the importance of a family court system that prioritizes child safety and acts in the best interest of children; and

WHEREAS; the task at the FCAMC is to increase awareness of the importance of education and training in domestic violence, childhood trauma, and post separation abuse for all professionals working within the family court system; and

WHEREAS; the work of FCAMC is to educate court officials and other family court professionals on the observed data and research that is currently available which is a critical component to making decisions truly in the best interest of the child.

NOW, THEREFORE; I, Robin LeJeune, as the Mayor of the City of Daphne, Alabama, together with the Daphne City Council, do hereby proclaim November 2021 as

FAMILY COURT AWARENESS MONTH.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC City Clerk

City of Daphne Beautification Committee

presents this

Certificate of Recognition

to

Infirmary Health Daphne Diagnostic & Medical Clinic

for your excellence in beautifying the City of Daphne.

Awarded on this 1st day of November 2021.

Robin LeJeune, Mayor

Daphne
ALABAMA

October 18, 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, Joel Coleman , Steve Olen and Doug Goodlin.

Also Present: Candace Antinarella, City Clerk; Mayor Robin LeJeune; Jay Ross, City Attorney; Patrick Dungan, City Attorney; Chief David Carpenter, Police; 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; Vickie Hinman, HR; Charlie McDavid, Recreation; 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: Opened at 6:02pm.

Jason Whooten, developer, presented on the Joseph Manci Pre-Zoning Amendment and Annexation Petition located Northeast of Alabama Highway 181 and Saint Michael Way. Adrienne Jones, Planning, answered questions from the Council.

Nancy Vinger, 10242 Dunmore Drive, said she is in favor of this development but is concerned about water run-off.

Public hearing closed at 6:18pm.

3. APPROVAL OF MINUTES:

The minutes from the October 4, 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 September 2021 new Construction and Building Reports were in the packet. She said the permits issued were 442, new residential home permits were 32, and total fees collected were $93,879.09. She said the next meeting was November 8th at 5:15pm.

C. PUBLIC SAFETY COMMITTEE
Councilman Hughes said the next meeting is November 8th at 4:30pm.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE
Councilman Olen said the next meeting is November 1st at 4:00pm.

E. PUBLIC WORKS COMMITTEE
Councilman Coleman said the minutes from the September meeting were in the packet and the next meeting is November 1st immediately following the Ordinance Committee.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments
Mrs. Jones said there is no meeting in November.

B. Downtown Redevelopment Authority
Councilwoman Conaway said the next meeting is November 18th at 5:30pm.

C. Industrial Development Board
Councilman Scott said the next meeting is tomorrow at 5:30pm. He called on Board Chairman, Steve Carey, to introduce members present.

D. Library Board
Councilwoman Phillips said the next meeting is November 11th at 4:30 at the Library and there were two motions on the agenda.

MOTION by Councilman Scott to reappoint Nancy Volovecky to the Library Board for a term from October 2021-September 2025. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Coleman to reappoint Kathi Alsip to the Library Board for a term from October 2021-September 2025. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.

E. Planning Commission
Councilman Goodlin said the next meeting is October 28th at 5:00pm.

F. Recreation Board
Councilman Hughes said the next meeting is December 8th at 6pm at City Hall.

G. Utility Board
Councilman Goodlin said the minutes from the August 25th meeting are in the packet and the next meeting is October 27th at 5:00pm.

6. PUBLIC PARTICIPATION:

Public Participation opened at 6:24pm.

Victoria Phelps, Worchester Drive, spoke regarding a proposed site plan and how it would affect the citizens living in Lake Forest. She thanked the Councilmembers for helping get the watershed projects funded.

Mary Ann Hampton, 616 Ridgewood Drive, spoke in favor of the concerns presented by Victoria Phelps regarding water runoff in Lake Forest.

Public Participation closed at 6:38pm.

7. MAYOR'S REPORT:

Mayor LeJeune thanked Public Works for their work with the Jubilee Festival at Lott Park. He shared that Governor Ivey had recently been in Baldwin County to announce the winners for the GOMESA funding and Daphne was receiving money.

He said the first group survey for the comprehensive plan has started meeting. He said "Coffee with the Mayor" will be tomorrow at 8:00am.

8. CITY ATTORNEY REPORT:

City Attorney said there were two matters for Executive Session that included the buying and selling of real property.

9. DEPARTMENT HEAD COMMENTS:

Chief Carpenter, Police, said there have been multiple breaking and entering in the City lately. He said there are four officers at the Academy who will graduate soon.

Chief Tacon, Fire, invited everyone to the open house for the new Fire Station 5 on October 30th from 10:00am – 2:00pm. She said they are conducting interviews.

Ange Baggett, Marketing, said "Coffee with the Mayor" is tomorrow. She said the Museum had a table at the Jubilee Festival. She said the Senior Center recently received a $5,000 grant to develop raised garden beds.

Tonja Young, Library, thanked the Council for approved the reappointment of Board Members.

Ronnie Huskey, Public Works, updated the Council on current projects.

Charlie McDavid, Recreation, said youth basketball registration is open. He said local businesses have reached out to him to say thank you for bringing in so much extra business when the City hosts tournaments.

Adrienne Jones, Planning, shared information regarding the Community Comprehensive Plan Kickoff Meeting on November 17th.

Councilman Goodlin asked City Engineering, Josh Newman, what was the status on the sidewalk on Highway 13.

10. CITY CLERK'S REPORT:

MOTION by Councilman Scott to approve the road closure of Guarisco Street on October 31, 2021 from 10:00am – 3:00pm during the Macedonia Missionary Baptist Church Fall Fellowship Festival. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.

11. RESOLUTIONS & ORDINANCES:

A. RESOLUTIONS:

ORDINANCES:

B. 2nd 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

MOTION by Councilman Scott to waive the reading of Ordinance 2021-53. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2021-53. Seconded by Councilwoman Philips.
MOTION CARRIED UANIMOUSLY.

MOTION by Councilwoman Phillips to waive the reading of Ordinance 2021-54. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Phillips to adopt Ordinance 2021-54. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Ordinance 2021-55. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2021-55. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

C. 1ST READ ORDINANCES:

2021-56 – Pre-Zone Property Located at the Northeast of Alabama Highway 181 and Saint Michael Way – Joseph Manci

2021-57 – Annex Property Contiguous to the Corporate Limits of the City of Daphne – Northeast of Alabama Highway 181 and Saint Michael Way – Joseph Manci

12. ELECTION OF OFFICERS:

MOTION by Councilman Scott to nominate Joel Coleman as the Council President. Seconded by Councilwoman Phillips. Councilman Coleman abstained.
MOTION CARRIED.

MOTION by Councilwoman Conaway to nominate Angie Phillips as the Council President Pro-Tem. Seconded by Councilman Olen. Councilwoman Phillips abstained.
MOTION CARRIED.

13. COUNCIL COMMENTS:

Councilwoman Phillips applauded the Public Works Department for their work with the Jubilee Festival and echoed the Mayor's comments about GOMESA.

Councilman Hughes congratulated Councilman Coleman and Councilwoman Phillips. He thanked Councilman Goodlin for his work and echoed Councilwoman Phillips' comments on GOMESA.

Councilman Scott echoed the thoughts on Lott Park and Jubilee Festival. He congratulated Councilman Coleman, Councilwoman Phillips and thanked Councilman Goodlin for his work.

Councilman Coleman thanked the Council for their vote. He thanked everyone for their work on the GOMESA grant. He gave kudos to the Eastern Shore Repertory Theater group and commended their talents.

Councilman Olen echoed the thanks of Councilman Goodlin and congratulations of Councilman Coleman and Councilwoman Phillips. He echoed Councilman Coleman's words on the Eastern Shore Repertory Theater group. He commended the staff on the Jubilee Festival and congratulated the Mayor and staff on the GOMESA grant.

Councilwoman Conaway thanked Councilman Goodlin for his work on the Council and congratulated Councilman Coleman and Councilwoman Phillips. She mentioned the Delta Sigma Theta Sorority members volunteered at the Kids' Art Area at the Jubilee Festival and the members felt it was a rewarding experience to serve their community.

Mayor LeJeune thanked Councilman Goodlin for his service on the Council.

Councilman Goodlin echoed the comments the Council had given. He said the new parking lots are great and were filled during the Jubilee Festival.

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 ten 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. <u>ADJOURN</u>:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED INTO EXECUTIVE SESSION AT 7:08 PM.

Respectfully submitted by,

_____
Candace G. Antinarella, CMC, City Clerk

Certification of Presiding Officer,

_____
Doug Goodlin, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
OCTOBER 18, 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
Councilwoman Mrs. Angie Phillips

Also Present: Mayor Robin LeJeune, Finance Director Mrs. Kelli Reid, Senior Accountant Mrs. Suzânne 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, Public Works Deputy Director William Eringman, City Engineer Josh Newman, Environmental Program Manager Tim White, Engineer Mrs. Amanda Thompson-GMC, and City Attorney Mr. Patrick Dungan.

II. PUBLIC PARTICIPATION

A. Lease Agreement with DRA: Main Street Jubilee Park – Mrs. Daphne Rudicell Robinson

Mrs. Robinson reviewed her handout showing a projected income statement post building construction. Mr. Olen stated he had reviewed the lease. Mr. Scott noted he was generally not in favor of the City leasing property but stated he would review the agreement and listen with an open mind. Mayor LeJeune stated the advantage of DRA to managing this lease is that their purpose is to promote downtown retail. Discussion continued on allowing some time for all the Finance Council members to review the proposed lease agreement.

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 Resources Report:

- Posted positions – 5 / Reposted - 4
- Reviewing/Testing/Interviewing/Background check - 11
- Promotion/Internal Transfer - 1
- New Hires – 7
- Open positions - 0

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

- Communications Officer Written Test – October 6 & 7
- Police Officer Written Test – October 8
- Police Dept. Physical Agility Testing – October 12
- Communications Officer Oral Board – October 19
- Police Officer Oral Board – October 26
- Input of employee salary & benefits with $.60 increase
- Implementation of new pay scale in Munis
- Implementation plans for Telestaff, staffing/scheduling platform for public safety personnel
- Implementation plans for Perform, performance management/employee evaluation platform
- COVID Leave Reports

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – September, 2021

Mrs. Coleman reviewed the following reports and information:

- Code enforcement issued 3 warnings resulting in businesses becoming compliant and $328.85 in revenue.
- New Businesses with a physical location in Daphne - 11
- Simplified Sellers Use Tax collections - $91,868.34 and YTD collections - $ 1,151,302.41

BUSINESS LICENSE COUNT through 09/30/2021	
NEW Licenses	**59**
RENEWAL Licenses (2021)	**44**
Total Issued THIS MONTH	**103**
Total Issued THIS MONTH - PREVIOUS YEAR	100
Net Gain/-Loss Current VS Previous Yr MONTH	**3**
Total Issued YTD 2021	**4,474**
Total Issued YTD - PREVIOUS YEAR	3,883
Net Gain/-Loss Current VS Previous Yr YTD	**591**

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	$17,468.51	$19,158.85	$1,690.34	$317,892.57
Year to Date	$2,416,541.12	$2,707,892.57	**$291,351.45**	**$317,892.57**
All amounts include penalty and interest.				

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: August, 2021

Mrs. Henson reviewed the Sales & Use Tax Reports: $1,965,094.39 was collected for August, 2021 which was up $279,133.30 from August 2020's collections:

- YTD Variance over Budget - $4,327,648.68

B. Lodging Tax Collections, August, 2021

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for August, 2021 were $136,233.52 which is up $57,396.18 from August 2020's collections.

- YTD Variance over Budget - $345,762.91

Mrs. Phillips asked about adding a note on the Lodging Tax Collections report for when the new hotel opened to show where part of the increase in collections come from. Mrs. Reid noted a report could be included next month showing the Lodging Tax collection by month for the new hotel.

C. Lodging Tax Fund : Statement of Revenues over Expenses, September, 2021 (Preliminary)

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

- Unreserved balance for Bayfront related purchases - $2,760,107.64
- Recreation for related purchases - $979,621.90

Mrs. Henson noted that the Bayfront related purchases balance was up $1 million from last month's balance due to the $1 million that was transferred from the City's reserves.

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: September, 2021

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT
As of September 30, 2021

Account Type/Title	9/30/2021	8/31/2021	Increase (Decrease) from last Month	9/30/2020	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	$ 15,839,174	$ 13,699,447	$ 2,139,727	$ 12,080,893	$ 3,758,281
INVESTMENT FUND	5,961,515	5,891,684	69,831	5,931,586	$ 29,929
CREDIT CARD ACCOUNT	74,545	58,746	15,799	66,945	$ 7,600
Total Unrestricted Cash Balance	**21,875,234**	**19,649,878**	**2,225,357**	**18,079,424**	**3,795,810**
SPECIAL REVENUE FUNDS					
4 CENT GAS TAX	245,260	239,935	5,325	186,816	58,444
7 CENT GAS TAX	184,209	185,302	(1,093)	170,947	13,262
10 CENT GAS TAX	255,434	241,630	13,804	102,859	152,575
TREE & FLOWER	22,660	25,885	(3,225)	23,926	(1,266)
COVID RELIEF FUND	1,482,002	1,482,002	-	-	1,482,002
ANIMAL SHELTER FUND	1,000,000	-	1,000,000	-	1,000,000
FEDERAL DRUG FORFEITURES	176,907	176,907	-	207,023	(30,116)
LOCAL DRUG FORFEITURES	60,580	60,580	-	55,618	4,962
LIBRARY	26,283	28,987	(2,704)	49,676	(23,393)
COURT TRAINING & EQUIPMENT	43,828	43,452	376	39,852	3,976
COURT CORRECTION	442,826	445,476	(2,650)	386,595	56,231
LODGING TAX	3,645,997	2,603,969	1,042,028	2,035,727	1,610,270
AGENCY FUNDS					
MUNICIPAL COURT	250	246	4	1,995	(1,745)
SELF INSURANCE	221,399	216,582	4,817	217,664	3,735
FLEX SPENDING	18,257	9,581	8,676	22,236	(3,979)
OPEB TRUST INVESTMENT FUND	813,891	828,678	(14,787)	524,677	289,214
	8,639,783	6,589,213	2,050,570	4,025,611	4,614,172
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	4,627,753	3,766,278	861,475	4,357,390	270,363
	4,627,753	3,766,278	861,475	4,357,390	270,363
DEBT SERVICE FUNDS					
DEBT SERVICE	472,053	272,574	199,479	1,860,506	(1,388,453)
Total Restricted Cash Balance	**13,739,589**	**10,628,065**	**3,111,524**	**10,243,507**	**3,496,082**
Total City Cash Balance	**$ 35,614,823**	**$ 30,277,943**	**$ 5,336,881**	**$ 28,322,931**	**$ 7,291,893**
	Encumbrance Total as of		**9/30/2021**	**$ 560,253.96**	

Mrs. Reid noted that the new Animal Shelter Fund is now listed on the Treasurer's Report. Mrs. Reid noted that the $1 million balance in the Animal Shelter Fund and the $1 million increase in the Capital Reserve Fund are both from the approved transfer from reserves. Mrs. Reid also noted that $250,000 will be transferred to the OPEB account as approved in the FY2022 Budget.

The Treasurer's Report as of* SEPTEMBER*, 2021 Total Unrestricted Cash Balance – $21,875,234 and Total City Cash Balance - $35,614,823 was presented to be filed for audit.

2. Encumbrance Report (Preliminary)

- Encumbrance balance - $ 560,253.96 as of September, 2021.

Mrs. Reid reviewed the Encumbrance Report and noted this is also a preliminary report. Mrs. Reid noted the Animal Shelter encumbrances can be moved to the Animal Shelter Fund. Discussion continued on releasing the Sidewalks 20% match of MPO Transit - $60,000 and Lavendar Lane Site Improvements - $73,403.

MOTION BY Mr. Scott to recommend to Council to release the following line items from the Encumbrance Report: FY2019-Sidewalks 20% match of MPO Transit - $60,000 and FY2020-Lavendar Lane Site Improvements - $73,403. Seconded by Mr. Coleman.
MOTION CARRIED UNANIMOUSLY

3. Outstanding Appropriations (Preliminary)

Mrs. Reid reviewed the preliminary Outstanding Appropriations report and noted that the we just received the final billing for the construction of the Tennis Center and Restrooms Building at Lott Park. Mrs. Reid noted that the FY2021 Road Resurfacing project will start soon.

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

Mrs. Reid reviewed the Debt Summary Schedules (General & Enterprise Funds), September**,** 2021 which were presented in the packet.

- General Fund - $29,844,438
- Enterprise Funds - $1,337,655

Mrs. Reid noted the remainder of the monthly financial reports will be presented after completion of the annual audit.

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 – ($6,164,719)
- Adjusted Expenses over Revenue – ($6,136,441)

B. **Bills Paid Reports – September, 2021**

The Bills Paid Report was previously presented electronically.

VIII. BIDS *(Resolution)* & APPROPRIATIN REQUESTS*: (Ordinance)*

A. 2021-J-Ridgewood Drive Sidewalk Award

The bid tabulation for the Ridgewood Drive Sidewalk bid and recommendation letter from the Mr. Josh Newman, City Engineer was included in the packet. The recommendation was to award to the low bidder C. Thornton, Inc. in the amount of $144,465.25.

MOTION BY Mr. Scott to recommend to Council to award the* 2021-J-Ridgewood Drive Sidewalk *bid to C. Thornton, Inc. in the amount of $144,465.25 as bid. Seconded by Mrs. Phillips.
MOTION CARRIED UNANIMOUSLY

B. 2022-A-Street Resurfacing Award & Appropriation

The bid tabulation for the FY2022 Street Resurfacing bid and recommendation letter from Mr. William Eringman was included in the packet. The recommendation was to award to the low bidder Bay Area Contracting, Inc. Mr. Eringman noted in his recommendation letter that the base bid amount is $986,919.20 and Add Alternate #1 amount is $399,375.

Mrs. Reid discussed the base bid and the Add Alternate amount and noted that $1 million was budgeted for FY2022. Mayor LeJeune recommended that only the base bid be awarded since there were so many other projects that will need to be funded in the coming year.

MOTION BY Mr. Scott to recommend to Council to award the 2022-A-Street Resurfacing bid to Bay Area Contracting, Inc for the base bid amount of $989,619.20. Seconded by Mr. Goodlin.
MOTION CARRIED UNANIMOUSLY

C. Tallent Lane C&D ADEM Permit Renewal - $12,900

Mr. Eringman submitted information for the renewal of the Construction and Landfill permit from Alabama Department of Environmental Management (ADEM) and the engineer's estimate to prepare the topographic drawings and surveys required. Mrs. Reid noted a $12,900 appropriation is needed for the permit renewal. Mr. Olen noted that he had previously requested that some corrections be made to the professional services agreement with Goodwyn Mills Cawood, LLC and noted these corrections have not been made. Mr. Olen requested they be made and the agreement re-submitted to the City.

MOTION BY Mrs. Phillips recommend to Council to adopt the Ordinance to appropriate $12,900 out of the General Fund for the topographic drawings and surveys for the renewal of the Construction and Landfill permit from Alabama Department of Environmental Management (ADEM) and for the Professional Services Agreement to be updated with the latest changes requested. Seconded by Mr. Goodlin.
MOTION CARRIED UNANIMOUSLY

D. Human Resources Kronos Telestaff Software Annual Maintenance - $14,880

Mrs. Reid stated that an appropriation in the amount of $14,800 is needed for the annual maintenance subscription for the Kronos Telestaff software. Mrs. Reid noted this amount was not included in the Fiscal Year 2022 budget. Mayor LeJeune discussed the need for the appropriation. Mrs. Hinman reviewed that the Telestaff software was needed for the Fire and Police departments personnel tracking and the software included 155 licenses. Discussion continued on the software and the appropriation and the high yearly cost of the maintenance contract.

MOTION BY Mrs. Phillips to recommend to Council to adopt an ordinance appropriating $14,880 out of the General Fund for Kronos Telestaff Software Annual Maintenance. Seconded by Mr. Goodlin.
MOTION CARRIED UNANIMOUSLY

E. D'Olive Bay Boat Ramp Parking Lot Improvements live Bay Boat Ramp Update – Engineering Fees - $40,800

Mr. Strunk discussed that an appropriation in the amount of $40,800 is needed for the surveying and engineering services that will be required for the design, construction document preparation, and permit preparation for the D'Olive Bay Boat Ramp Parking Lot Improvements project. Mrs. Reid asked if the Finance Committee wanted the monies to come out of the Lodging Tax Fund. Mrs. Phillips noted she would recommend the monies come from the General fund since the Lodging Tax revenue was intended to increase tourism and hotel stays. Mrs. Phillips said she did not think that most of the tourist staying in the hotels would be using the D'Olive Boat Ramp area so she would rather use monies from the General Fund for this improvement .

Mr. Strunk stated he would come back after the plans are complete for an additional appropriations for construction. Mayor LeJeune noted he just wanted to make the Finance Committee aware that this project will be over the original budget.

MOTION BY Mr. Scott to recommend to Council to adopt an ordinance appropriating $40,800 out of the General Fund for the surveying and engineering services for the D'Olive Bay Boat Ramp Parking Lot Improvements for design, construction document preparation, and permit preparation. Seconded by Mr. Coleman.
MOTION CARRIED UNANIMOUSLY

IX. NEW BUSINESS

A. Set up a New Depository Account and Transfer of Funds for the Confiscated Funds Account from Wells Fargo to Bryant Bank

Mrs. Reid discussed setting up a new depository account and transfer of funds for the Confiscated Funds account from Wells Fargo to Bryant Bank. Mrs. Reid explained that Wells Fargo charged $90 for fees last month and noted that next

month's fees will be approximately $40 and could not be waived. Mrs. Reid stated we reached out to Bryant Bank and they offered to setup a new account with no fees. Mrs. Reid recommended the Confiscated Funds account be moved from Wells Fargo to Bryant Bank.

MOTION BY Mr. Coleman to recommend to Council to adopt an ordinance authorizing the Set up a New Depository Account and Transfer of Funds for the Confiscated Funds Account from Wells Fargo to Bryant Bank . Seconded by Mrs. Phillips.
MOTION CARRIED UNANIMOUSLY

X. OLD BUSINESS
There was no old business discussed.

XII. ADJOURN The meeting adjourned at 5:31 p.m.

Daphne
ALABAMA

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT AGENDA
OCTOBER 7, 2021 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

1. **CALL TO ORDER** – *6:02 p.m.*

2. **CALL OF ROLL** – *Present W. Robison, C. Courson, B. Mayhand, D. Wolstenholme, C. Covert*

3. **APPROVAL OF MINUTES** – *Approved*

   September 2, 2021

4. **OLD BUSINESS** – *None*

5. **NEW BUSINESS** – *Withdrawn*

   Appeal #2021-05 Joscelin Steiner

   A request for a Variance to the Daphne Land Use & Development Ordinance has been filed with the City of Daphne Board of Zoning Adjustment. The property is PPIN #98903, a vacant lot on New Wharf Street, which is zoned R-1, Low Density Single Family Residential. The request, if granted, proposes to allow up to a 25' encroachment into the 40.0' front yard setback, and up to a 15' encroachment into the 40.0' rear yard setback in order to construct a residential dwelling.

   Election of Officers – *Chairman, W. Robison/Vice Chair, C. Courson*

6. **ADJOURNMENT** – *6:40 p.m.*

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF SEPTEMBER 2, 2021 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

Chairman called to order the regular meeting of the Board of Zoning Adjustment at 6:00 p.m. Roll was called thereafter and the number of members present constituted a quorum.

Members Present:

Clay Covert
Derek Wolstenholme
Herb Cole
Willie Robison, Chairman

Members Absent:

Carolyn Courson, Vice Chair
Billy Mayhand

Staff Present:

Adrienne D. Jones, Director Community Development
Shawn Alves, BZA Attorney
Pat Johnson, Recording Secretary

Chairman called for the **Approval of Minutes** of the July 1, 2021 meeting. There were no corrections, additions or deletions.

The Minutes were approved unanimously.

Chairman called the item under new business on the agenda, **Appeal #2021-04, James & Pam Ayres**, a request for a Variance to the Daphne Land Use & Development Ordinance filed with the City of Daphne Board of Zoning Adjustment. The property is PPIN #208451, a vacant lot, which is zoned R-1, Low Density Single Family Residential. The request, if granted, would establish a lot area of sixteen thousand square feet, in lieu of the required twenty thousand square feet; and allow the front porch to encroach five feet into the twenty-five feet corner side yard setback; and, allow a buildable coverage of thirty-one-point two five percent, in lieu of the required twenty-five percent.

Ms. Jones displayed a Power Point Presentation and noted an amendment to the Land Use and Development Ordinance (LUDO) Article IX relating to residential properties in the Olde Towne area, particularly the buildable area on certain lots of record being 38%, and an allowance for covered open air front porches to encroach five feet into the front yard setback.

The Chairman asked the Board for discussion and there was none. He opened the floor for public participation.

The petitioner, James Ayres stated, my wife, Pamela, and I currently live at 24048 Songbird Drive, but it is our desire to live in the Olde Towne Daphne area because of its character and charm.

He added that his wife was a lifelong resident of Daphne, and he too has come to love it, and he thanked the Board for their time and consideration in granting this variance request.

The Chairman stated that their layout plans showed a pool and asked if a fence was planned when the pool is constructed.

Ms. Ayres stated that the plans were drawn by her brother, Larry Smith, an Engineer at S.E. Civil Engineering.

Mr. Smith stated building codes require a fence, but it is best to do so after the dirt is dug out, and he knew that from firsthand experience.

The Chairman questioned Ms. Jones, as to whether the Board can add a caveat that a fence must be constructed around the pool as part of their approval.

Ms. Jones affirmed, but referred the question to the attorney.

Mr. Alves stated that is correct.

The Chair closed public participation for those in favor of the appeal and asked for those in opposition, being none, he closed public participation and called for an affirmatively stated motion.

A **Motion** was made by **Mr. Wolenstenholme** and Seconded by **Mr. Cole to approve Appeal #2021-04, James & Pamela Ayres, request for a Variance to the Daphne Land Use & Development Ordinance filed with the City of Daphne Board of Zoning Adjustment to establish a lot area of sixteen thousand square feet, in lieu of the required twenty thousand square feet; and allow the front porch to encroach five feet into the required twenty five feet corner side yard setback; and allow a building coverage of thirty-one point two-five percent, in lieu of the required twenty-five percent, with the caveat that a fence must be constructed before water is placed in the pool. The property is PPIN #208451, a vacant parcel, which is zoned R-1, Low Density Single Family Residential.**

Upon roll call vote, **the Motion carried unanimously.**

Mr. Covert	***Aye***
Mr. Wolstenholme	***Aye***
Mr. Cole	***Aye***
Mr. Robison	***Aye***

The Chairman stated the motion is approved, you may go by Community Development after 9:00 a.m. in the morning to pick up your paperwork.

There being no other business Chairman called for a **Motion to Adjourn.**

A **Motion** was made by **Mr. Cole** and **Seconded** by **Mr. Wolstenholme to adjourn. There was no discussion of the motion.**

The Motion carried unanimously.

The meeting adjourned at 6:19 p.m.

Respectfully submitted by:

Pat Johnson

Pat Johnson, Recording Secretary

APPROVED: October 7, 2021

Willie Robison

Willie Robison, Chairman

City of Daphne
Event Permit Application

Date of Application: 10-15-2021 **Permit Requested:** ☐ Event/Fundraiser ☒ Parade/Run ☐ Band

Contact Information

Organization Name: SEEDS, Supporting Educational Excellence is Daphne Schools

Contact Name: Beth Dunn **E-mail Address:** seedsindaphne@gmail.com

Address: P.O. Box 460, Daphne, AL 36526
Street / P.O. Box City/State/Zip Code

Primary Phone Number: 251-802-5002 **Secondary:** 251-581-0141

Event Information

Event Name: SEEDS 5K & Fun Run **Event Date:** March 5, 2022

Event Location: City Hall **# Participants/Vehicles:** 1,200 Runners

Start Time: 8:00am **Stop Time:** 11:00am **Assembly Time:** 6:30am
Parades/Runs Only

Special Requests: Please have the City Hall parking lot completely clear, Trash Cans placed throughout, 20 tables

Road Closures Requested: ☑ Yes ☐ No

Special Instructions

Approval: Internal Use Only

Date Routed: 10/18/21

Fire Dept: D. G. Tyson

Police Dept: David Carpenter

Public Works:

Parks & Recreation:
Only required if event interrupts traffic near Daphne parks

☐ Use of Alcohol

For Special Event/Band Permits:

City Clerk: _____
Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____
Date of Approval

Parade/Run Permits ONLY

☐ Fee Paid: $ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4

City of Daphne
Event Permit Application

Date of Application: October 18,2021 Permit Requested: ☐ Event/Fundraiser ■ Parade/Run ☐ Band

Contact Information

Organization Name: The Shadow Barons

Contact Name: Tony Brunson E-mail Address: president@shadowbarons.com

Address: PO Box 2770 Daphne, AL 36526
Street / P.O. Box City/State/Zip Code

Primary Phone Number: 251-391-3997 Secondary: 251-377-0331

Event Information

Event Name: Shadow Barons Mardi Gras Parade Event Date: Feb 26, 2022

Event Location: Downtown Streets of Daphne # Participants/Vehicles: 30

Start Time: 6:45 pm Stop Time: 8:30 pm Assembly Time: 5:00 pm
Parades/Runs Only

Special Requests: The number 30 for participants refers to all units in parade- police chief, floats, bands, cheerleaders, to fire truck etc

Road Closures Requested: ■ Yes ☐ No

Special Instructions

Rain date is Sunday Feb 27 at 2pm.

Approval: Internal Use Only

Date Routed: 10-25-2021

Fire Dept: [signature]

Police Dept: Daniel Carpenter

Public Works: [signature]

Parks & Recreation: [signature]
Only required if event interrupts traffic near Daphne parks

For Special Event/Band Permits:

Council Member: _____
District # Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____
Date of Approval

Parade/Run Permits ONLY

☐ Fee Paid: $ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4

CITY OF DAPHNE, ALABAMA
RESOLUTION 2021-40
2021-J-RIDGEWOOD DRIVE SIDEWALK

WHEREAS, the City of Daphne is required under section 39-1-1(E) of the Code of Alabama to secure competitive bids for public works contracts in excess of $ 50,000; and

WHEREAS, the City of Daphne acknowledges that the Ridgewood Drive Sidewalk project will exceed $50,000; and

WHEREAS, the City of Daphne did receive and review bids for the project and has determined that the bid as presented is reasonable (C*onstruction/Materials/Base Bid-$144,465.25 + Engineering-Survey/Design/Letting-$12,977.76 + CE&I-$15,709.92 + Testing-$5,000 Contingency-$14,446.52 = $192,599.45 Total project cost)*; and

WHEREAS, staff recommends the bid for the Ridgewood Drive Sidewalk bid be awarded to C. Thornton, Inc.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the City hereby accept the bid from C. Thornton, Inc. in the amount of **$144,465.25** as specified in BID SPECIFICATION NO. 2021-J-RIDGEWOOD DRIVE SIDEWALK project.

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

_____
Robin LeJeune, Mayor

ATTEST:

_____
Candace G. Antinarella, CMC, City Clerk

CITY OF DAPHNE, ALABAMA
RESOLUTION 2021-41
2022-A-STREET RESURFACING

WHEREAS, the City of Daphne is required under section 39-1-1(E) of the Code of Alabama to secure competitive bids for public works contracts in excess of $50,000; and

WHEREAS, the City of Daphne acknowledges that the FY2022 Street Resurfacing will exceed $50,000; and

WHEREAS, the City of Daphne did receive and review bids for the FY2022-A-STREET RESURFACING and has determined that the bid as presented is reasonable; and

WHEREAS, monies have been budgeted for the FY2022 Street Resurfacing projects; and

WHEREAS, staff recommends the bid for FY2022 Street Resurfacing be awarded to Bay Area Contracting, Inc. to include the base bid.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the City hereby accepts the bid from Bay Area Contracting, Inc. for the Base bid cost of $986,919.20 as specified in BID SPECIFICATION NO. 2022-A-Street Resurfacing and listed below:

Base Bid				**Bay Area Contracting, Inc.**	
ITEM NO.	**DESCRIPTION**	**UNIT**	**QUANTITY**	**UNIT PRICE**	**BID AMOUNT**
1	Mill and pave Pinewood St	1	LS	14,298.00	14,298.00
2	Mill and pave Pinewood Ct	1	LS	25,831.00	25,831.00
3	Pave Daphmont Dr Ext	1	LS	17,215.00	17,215.00
4	Mill and pave Pickett Ave	1	LS	12,610.00	12,610.00
5	Mill and pave Jones St	1	LS	39,426.00	39,426.00
6	Mill and pave Oxford Cir	1	LS	5,433.00	5,433.00
7	Mill and pave Victoria Dr	1	LS	19,733.00	19,733.00
8	Mill and pave Westchester Dr	1	LS	15,989.00	15,989.00
9	Mill and pave College Ave (Main to Captain O Neal)	1	LS	80,248.00	80,248.00
10	Pave Fifth St (Van Ave to College Ave)	1	LS	7,638.00	7,638.00
11	Pave Fifth St (College Ave to Church Ave)	1	LS	17,200.00	17,200.00
12	Mill and pave Sixth St (College Ave to McAdams Ave)	1	LS	22,747.00	22,747.00
13	Mill and pave Jordan Rd	1	LS	32,433.00	32,433.00
14	Mill and pave Ashton Dr	1	LS	9,190.00	9,190.00
15	Mill and pave Sweetbriar Cir	1	LS	38,032.00	38,032.00
16	Mill and pave Charleston Oaks Dr	1	LS	35,836.00	35,836.00
17	Mill and pave Daisey Cir	1	LS	9,717.00	9,717.00
18	Mill and pave Dewayne Cir	1	LS	8,801.00	8,801.00
19	Mill and pave Lejay Cir	1	LS	10,851.00	10,851.00
20	Mill and pave Bell Cir	1	LS	8,801.00	8,801.00

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	BID AMOUNT
21	Mill and pave Pippin Cir	1	LS	8,801.00	8,801.00
22	Pave Rainer Cir	1	LS	8,376.00	8,376.00
23	Pave Gordon Cir	1	LS	7,814.00	7,814.00
24	Pave Blackthorne Cir	1	LS	10,645.00	10,645.00
25	Pave Kentwood Cir	1	LS	15,728.00	15,728.00
26	Pave Kentwood Dr	1	LS	24,681.00	24,681.00
27	Pave Iron Rock Cir	1	LS	8,897.00	8,897.00
28	Pave Everade Cir	1	LS	13,676.00	13,676.00
29	Pave Comer Cir	1	LS	11,697.00	11,697.00
30	Pave Meadowbrook Cir	1	LS	21,415.00	21,415.00
31	Pave Bernard Cir	1	LS	9,964.00	9,964.00
32	Mill and pave Windsor Dr (Ridgewood Dr to Windsor Ct)	1	LS	32,499.00	32,499.00
33	Pave Lancaster Cir	1	LS	8,994.00	8,994.00
34	Pave Broadmoor Dr	1	LS	52,758.00	52,758.00
35	Pave Hope Dr	1	LS	52,086.00	52,086.00
36	Pave Laverne Cir	1	LS	7,893.00	7,893.00
37	Pave Jewel Cir	1	LS	7,267.00	7,267.00
38	Pave James Cir	1	LS	7,325.00	7,325.00
39	Pave Parkwood Cir	1	LS	9,051.00	9,051.00
40	Pave Stoney Cir	1	LS	6,883.00	6,883.00
41	Pave Laguna Cir	1	LS	7,893.00	7,893.00
42	Pave McDuffie Cir	1	LS	16,332.00	16,332.00
43	Pave Palisade Cir	1	LS	19,771.00	19,771.00
44	Pave Green Bay Dr	1	LS	25,381.00	25,381.00
45	Pave Green Bay Cir	1	LS	23,794.00	23,794.00
46	Pave Lawson Rd (Ridgewood to CR 13)	1	LS	25,056.00	25,056.00
	Leveling	400	Tons	95.00	38,000.00
	Solid White Traffic Stripe, Class 2, Type A (Pickett Ave, Jones St, College Ave, Jordan Rd, Windsor Dr, and Lawson Rd)	4	Miles	3,774.00	15,096.00
	Solid Yellow Traffic Stripe, Class 2, Type A (Pickett Ave, Jones St, College Ave, Jordan Rd, Windsor Dr, and Lawson Road)	4	Miles	3,774.00	15,096.00
	Yellow Reflector, Class A, Type 2-D	196	Each	5.00	980.00
	Blue Reflector	50	Each	8.40	420.00
	Topsoil	80	CUYD	20.00	1,600.00

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	BID AMOUNT
	Sod	1580	SQYD	9.00	14,220.00
	Traffic Control Markings and Legends Class 1, Type A (Stop Bars)	1132	SQFT	2.40	2,716.80
	Traffic Control Markings and Legends Class 2, Type A (Chevron, Y	2878	SQFT	4.80	13,814.40
	Solid White Traffic Stripe, Class 2, Type A	850	LF	1.20	1,020.00
	Dotted Class 2 Type A Traffic Stripe	250	LF	1.00	250.00
	Traffic Loop	1	EA	7,000.00	7,000.00
					986,919.20

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

_____

Robin LeJeune, Mayor

ATTEST:

_____

Candace G. Antinarella, CMC, City Clerk

CITY OF DAPHNE, ALABAMA
RESOLUTION 2021-42

SETUP NEW DEPOSITORY ACCOUNT AND TRANSFER OF FUNDS FOR: CONFISCATED FUNDS ACCOUNT

WHEREAS, it is necessary to retain certain banking services for the administration and disbursement of such Confiscated Funds Account; and

WHEREAS, funds are requested to be transferred to a new account in order to be more consistent with the administration and services other City's accounts currently have; and

WHEREAS, the rates and services of several financial institutions were evaluated; and

WHEREAS, staff has made recommendations for the award of such banking services.

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA hereby

1. Designate Bryant Bank as the depository for the Confiscated Funds Account; and

2. The Mayor and Finance Director are hereby authorized to take all the steps necessary to complete the transfer of the Confiscated Funds Account from Wells Fargo Bank to Bryant Bank.

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 2021-56

Ordinance to Pre-Zone Property Located at the Northeast of Alabama Highway 181 and Saint Michael Way Joseph Manci

WHEREAS, Joseph Manci, as the owners of certain real property located within the unincorporated area of Baldwin County, Alabama, have requested that said property that is currently zoned by the County as RA, Rural Agricultural, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, be pre-zoned as PUD, Planned Unit Development, prior to annexation into the City of Daphne; and

WHEREAS, said real property is located at the Northeast of Highway 181 and Saint Michael Way, being more particularly described as follows:

Legal Description for Property to be Pre-Zoned:

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.

WHEREAS, at the regular Planning Commission meeting on August 26, 2021, the Commission considered said request and set forth a favorable recommendation to the City Council to pre-zone the property PUD, Planned Unit Development; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at City Hall, and a public hearing was held before the City Council on October 18, 2021; and,

WHEREAS, the City Council of the City of Daphne, after due consideration and upon consideration of the recommendation and notes of the Planning Commission, deemed that said application for pre-zoning of the above described real property and as set forth on a map of the property attached hereto

and made a part of this Ordinance as Exhibit "A" is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Daphne, Alabama; and

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

SECTION I: ZONING

That above described real property is hereby pre-zoned to PUD, Planned Unit Development, City of Daphne. Upon annexation of the property prior to the expiration of the pre-zoning as set forth in Section IV, the property shall be assigned the zoning district in accordance with the pre-zoning and the zoning ordinance and zoning map shall be amended to reflect said zoning. Should annexation not occur prior to the expiration of this pre-zoning as set forth in Section IV, this pre-zoning shall have no effect and the designation of a zoning district for the property shall be set forth in the annexation ordinance.

Until such time as the property is annexed into the City of Daphne, the property shall remain in the unincorporated area of Baldwin County and zoned in accordance with the Baldwin County Commission's zoning plan. The County's zoning for the property at the time the request for pre-zoning was submitted was RA, Rural Agricultural, Baldwin County District 15, Exterritorial Planning Jurisdiction.

SECTION II: REPEALER.

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

This Ordinance shall take effect after the date of its approval by the City Council of the City of Daphne and publication as required by law. Pursuant to Code of Alabama (1975) Section 11-52-85, the zoning of the subject property shall become effective upon the date the territory is annexed into the corporate limits. If any portion of the subject property is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law, this pre-zoning shall be null and void. Should the pre-zoning become null and void, the applicant may reapply for pre-zoning at any time as long as an annexation petition is pending.

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

_____

Robin LeJeune, Mayor

ATTEST:

_____

Candace G. Antinarella, CMC, City Clerk

COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM

DATE: August 30, 2021

TO: Office of the City Clerk

FROM: Adrienne Jones, AICP, Director of Community Development

SUBJECT: Joseph Manci 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

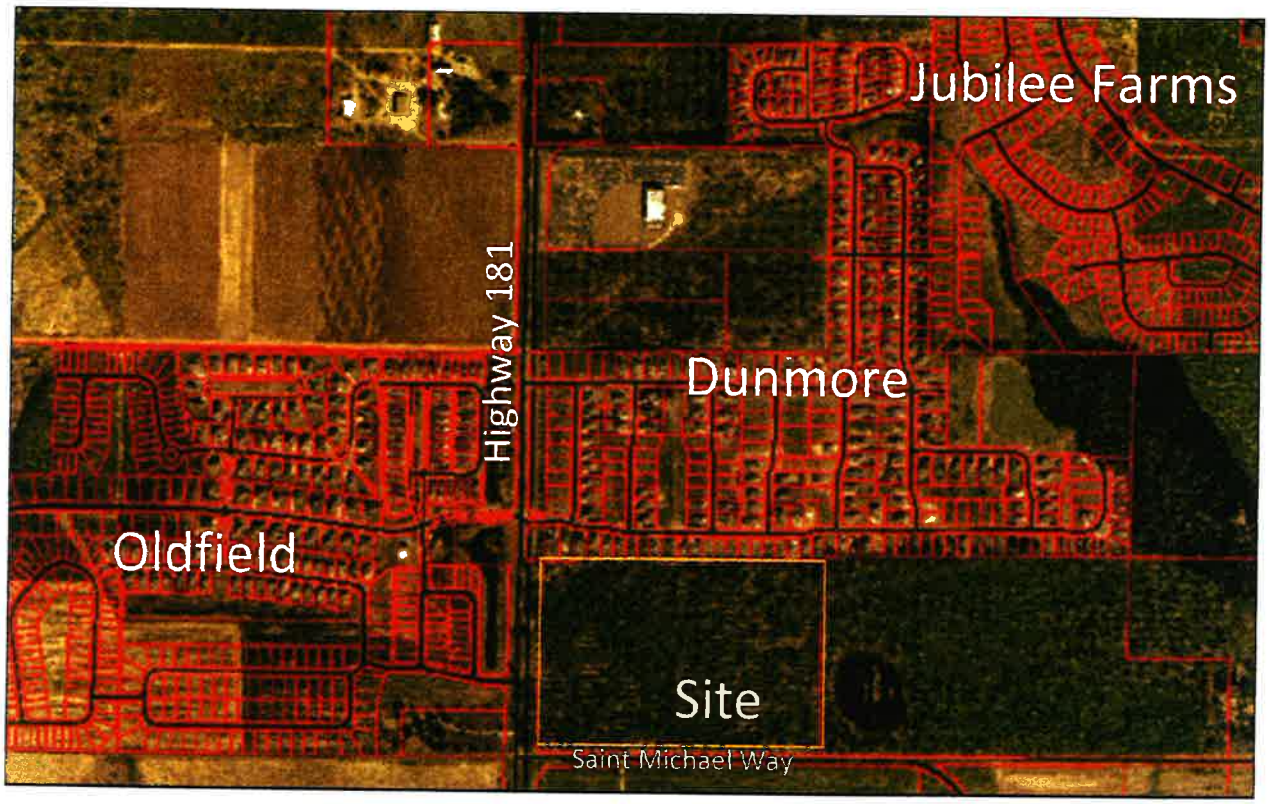
RECOMMENDATION: At the August 26, 2021 regular meeting of the City of Daphne Planning Commission, six members were present. The vote was five in favor and one opposed to set forth a recommendation to the City Council to pre-zone fifty-three point four-six acres to a PUD, Planned Unit Development, with 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.

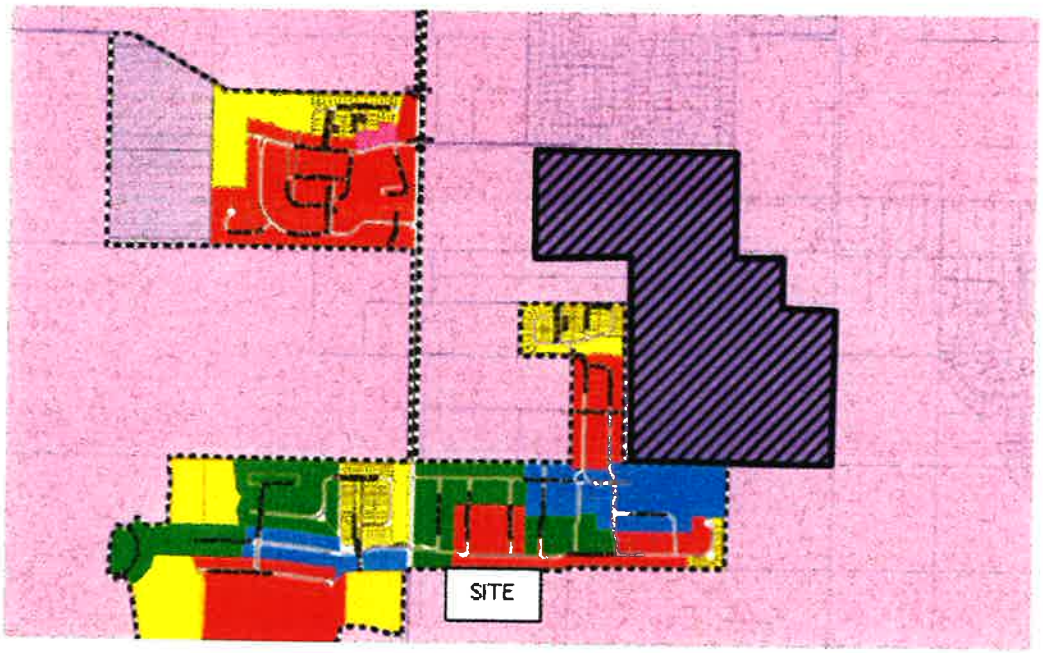
Goal: Provide a land use plan for the City of Daphne, which supports the City's economic development, housing, transportation, and open space, recreation and education goals in a manner that maintains and promotes Daphne's unique image and quality of life. Objective: Encourage development of sound and 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 MULTI-FAMILY 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(a) 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
- ETJ JURISDICTION

Excerpt from County's Online map

APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816	Date Submitted ~~September~~ August 24, 2021
Application Number: ZA- or PZA- 21-10	Planning Commission Public Hearing Date: August 26, 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): North side of St. Michael Way at intersection with AL 181	PPIN#(s): 27123
Gross Site Area (acreage): 53.46	Requested Zoning or Pre-Zoning: PUD
Current Zoning Designation(s): Baldwin County Zone RA	Amended Request: 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 Manci	
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 Manci	Date 07/24/2021
Agent's Signature:	Date 07/26/2021

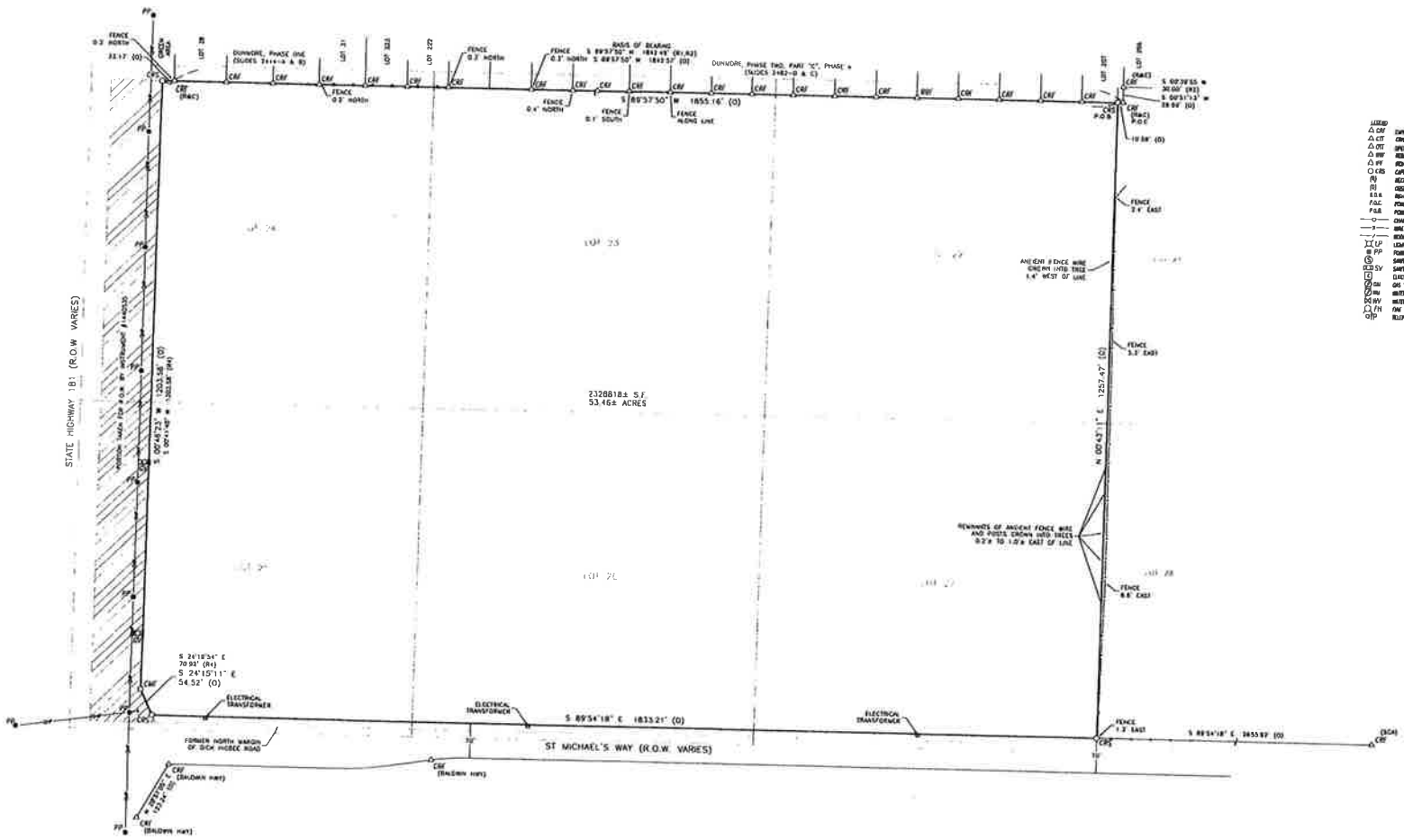
EXHIBIT A

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°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.



LEGEND

△ CRF	CAPPED IRON ROD FOUND
△ CTF	CRIMPED TOP PIPE FOUND
△ OTF	OPEN TOP IRON PIPE FOUND
△ RRF	REBAR IRON FOUND
△ PF	IRON PIN FOUND
○ CRS	CAPPED IRON ROD SET
(R)	RECORD
(M)	MEASURED
R.O.W.	RIGHT OF WAY
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
—o—	CHAIN LINK FENCE
—x—	WIRE FENCE
—/—	WOOD FENCE
LP	LIGHT POLE
PP	POWER POLE
SMH	SANITARY SEWER MANHOLE
SV	SANITARY SEWER VALVE
T	ELECTRICAL TRANSFORMER
GM	GAS METER
WM	WATER METER
WV	WATER VALVE
FH	FIRE HYDRANT
TP	TELEPHONE PEDESTAL

BALDWIN COUNTY
ALABAMA

A PORTION LOTS OR FARMS 22, 23, 24, 25, 26 AND 27, SECTION 33, 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 302, DUNMORE, PHASE TWO, PART "C", PHASE II, AS RECORDED ON SLIDES 3482-B & C IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, THENCE ALONG THE SOUTH MARGIN OF SAID SUBDIVISION SOUTH 89°57'50" WEST A DISTANCE OF 1018.58 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°43'23" WEST ALONG SAID EAST MARGIN A DISTANCE OF 1203.58 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'S WAY; THENCE DEPARTING SAID EAST MARGIN, SOUTH 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.

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

Daniel Clark
ALABAMA LICENSE # 27720
2021.05.19 09:57:43-05'00'

NOTES:
1. TYPE OF SURVEY STANDARD
2. RECORD MONUMENTS SHOWN ON 24" FOLLOWING DOCUMENTS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA
   #1 - PLAT OF SUBDIVISION, SLIDES 3414-A & B
   #2 - PLAT OF SUBDIVISION, SLIDES 3482-B & C
   #3 - QUITCLAIM DEED, INSTRUMENT NUMBER 2015151
   #4 - LIS PENDENS R.O.W. DEED, INSTRUMENT NUMBER 1748535
3. THE DRAWING AND DESCRIPTION SHALL NOT REFLECT ANY TITLE OR EASEMENT RESEARCH EXCEPTIONS SHOWN HEREON ARE PROVIDED BY THE CLIENTS CONSTRUCTION, SETBACK LINES ESTABLISHED BY ZONING, ORDINANCE OR RESTRICTIVE COVENANTS ARE NOT SHOWN.
4. THIS DRAWING IS THE PROPERTY OF SMITH, CLARK & ASSOCIATES, P.C. & SHALL REMAIN SO AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF SMITH, CLARK & ASSOCIATES, P.C.
5. THIS DRAWING IS TO SCALE WHEN PRINTED ON 24" X 36" PAPER. ANY REPRODUCTIONS OF THIS DRAWING OR USE OF THIS DRAWING ON PAPER OF A SIZE OTHER THAN 24" X 36" WILL NOT BE TO SCALE UNLESS NOTED OTHERWISE.

SC	BMG	15	BUDDY BRELAND
05/17/21		1"=100'	BOUNDARY SURVEY
21-296		130/71	LOTS 22-27 HIGHLAND FARMS
			DAPHNE, ALABAMA

SMITH CLARK & ASSOCIATES, P.C.

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	80 Ft Minimum Width Lots
Front and Rear Setbacks = 25 feet	Front and Rear Setbacks = 25 feet
Side Setback = 6 feet	Side Setback = 10 feet
Side Street Setback = 20 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:

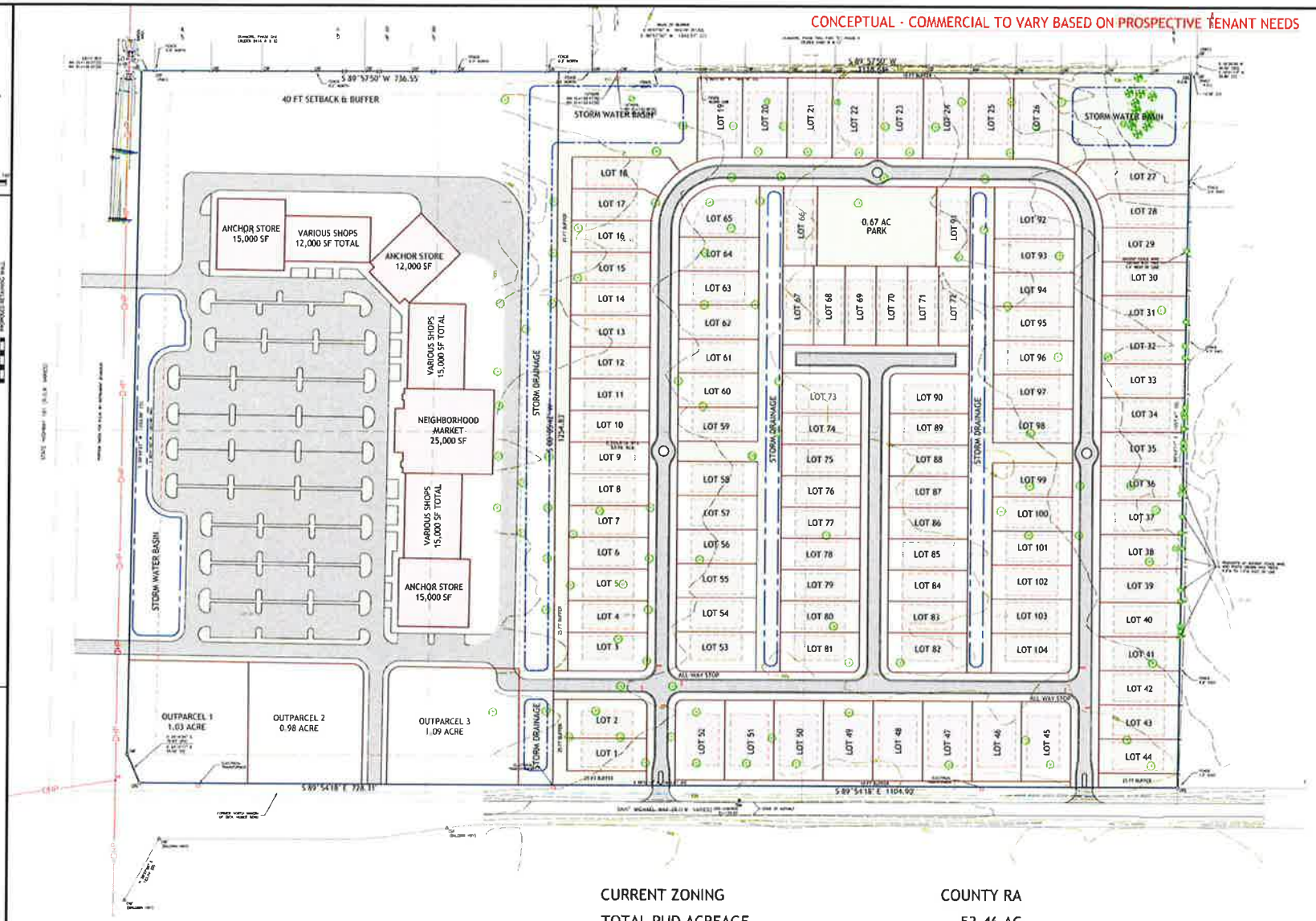
All utilities will be constructed underground and water, sewer, electric, and telephone are all available to the site. All roadways within the development will be public, and sidewalks will be located along both sides of roadways within the planned rights-of-way. Sidewalks will be installed by the home 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.

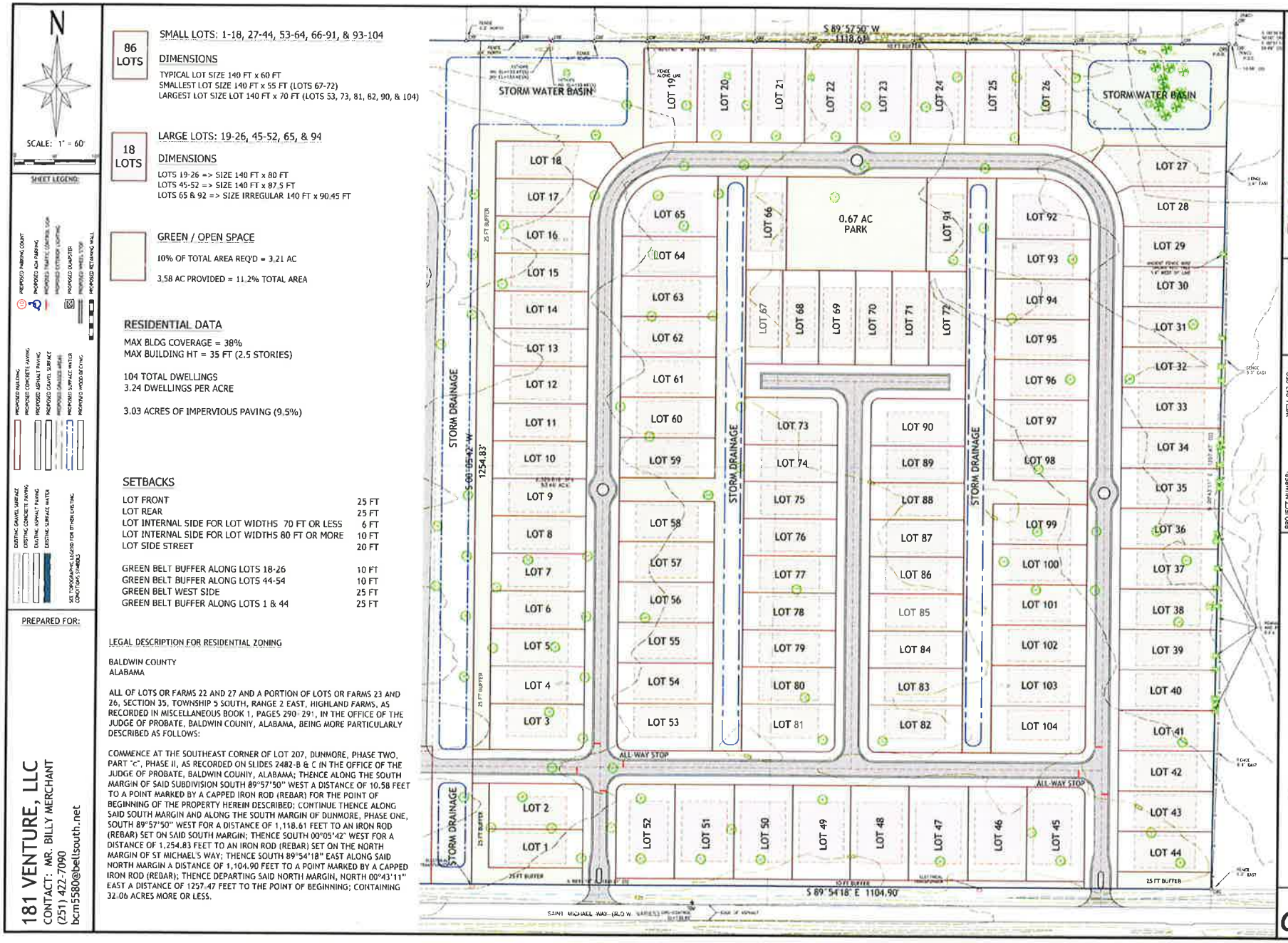
The stormwater management system will be designed in accordance with the standards of the City of Daphne. All stormwater facilities and structures outside of public rights-of-way will be maintained by the P.O.A. and not the City of Daphne.

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.


CONCEPTUAL - COMMERCIAL TO VARY BASED ON PROSPECTIVE TENANT NEEDS
N
SCALE: 1" = 80'
SHEET LEGEND:
PREPARED FOR:
181 VENTURE, LLC
CONTACT: MR. BILLY MERCHANT
(251) 422-7090
bcm5580@bellsouth.net
40 FT SETBACK & BUFFER
ANCHOR STORE 15,000 SF
VARIOUS SHOPS 12,000 SF TOTAL
ANCHOR STORE 12,000 SF
VARIOUS SHOPS 15,000 SF TOTAL
NEIGHBORHOOD MARKET 25,000 SF
VARIOUS SHOPS 15,000 SF TOTAL
ANCHOR STORE 15,000 SF
STORM WATER BASIN
STORM WATER BASIN
STORM WATER BASIN
STORM DRAINAGE
STORM DRAINAGE
STORM DRAINAGE
STORM DRAINAGE
0.67 AC PARK
OUTPARCEL 1 1.03 ACRE
OUTPARCEL 2 0.98 ACRE
OUTPARCEL 3 1.09 ACRE
ALL WAY STOP
ALL WAY STOP
CURRENT ZONING COUNTY RA
TOTAL PUD ACREAGE 53.46 AC
PLANNED B-2, GENERAL BUSINESSS 21.40 AC
PLANNED RESIDENTIAL, R-3 & R-6(A) LOT SIZES 32.06 AC
WOOTEN ENGINEERING
CIVIL PLANNING • DESIGN
1249 Pemarms Blvd
Foley, Alabama 36535
(251) 269-6689
DRAWING DATA:
PROJECT NUMBER: WE21-013.060
DRAWING FILE: WE21-013 PLAT_REV 3.DWG
DATE: August 30, 2021
DRAWN BY: JWW
REVISIONS:
CONCEPTUAL MASTER PLAN
ST MICHAEL'S PLACE
SAINT MICHAEL WAY
BALDWIN COUNTY NEAR DAPHNE, ALABAMA
SHEET NUMBER:
C-01 OF 3



WOOTEN ENGINEERING
CIVIL PLANNING + DESIGN
1249 Pensacola Blvd
Foley, Alabama 36535
(251) 970-9699
jwww@woodengineering.com
www.woodengineering.com

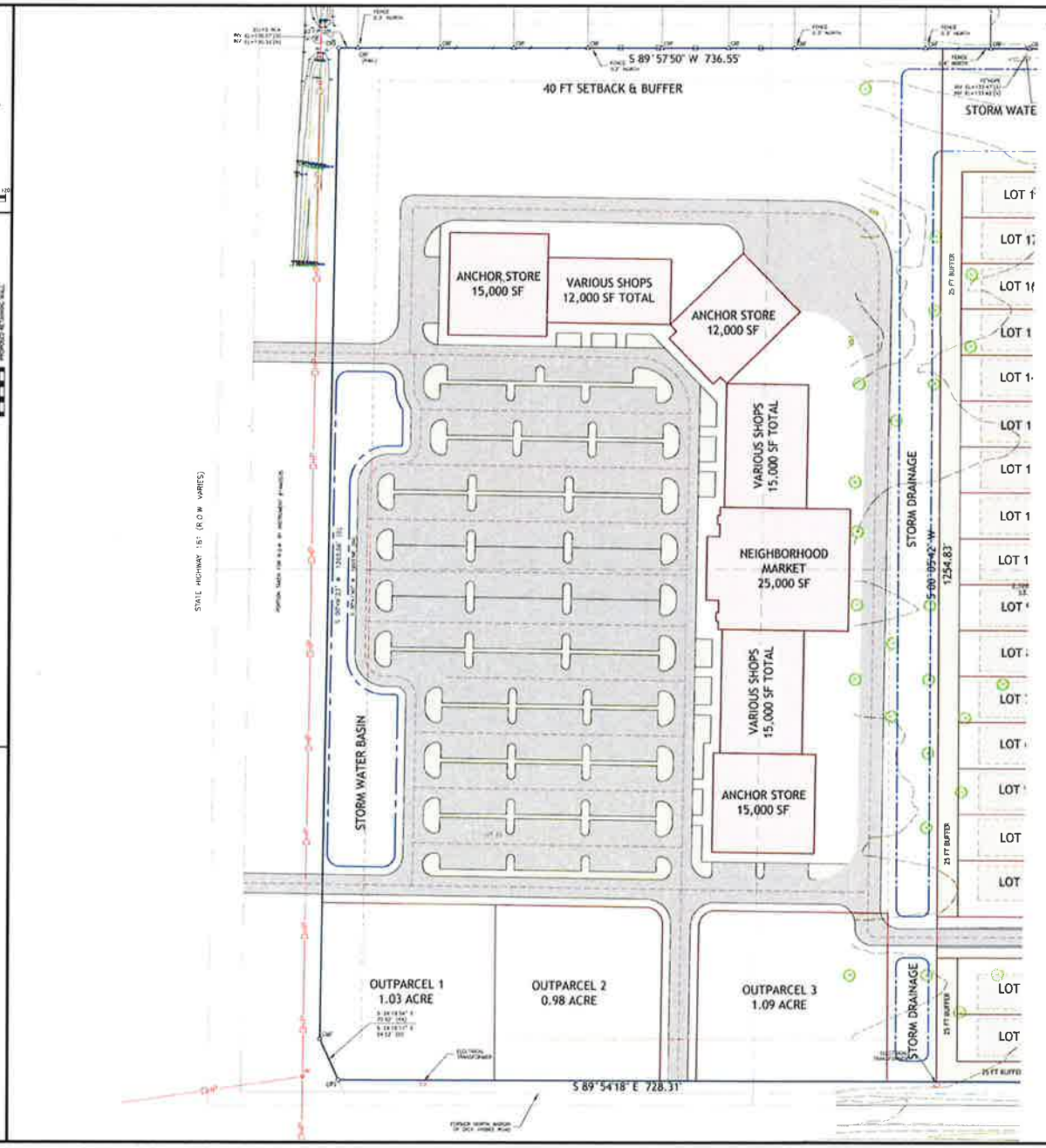
DRAWING DATA:
PROJECT NUMBER: WE21-013-050
DRAWING FILE: WE21-013 PLAT_REV3_08-30-21
DATE: August 30, 2021
DRAWN BY: JWW
REVISIONS:

CONCEPTUAL SUBDIVISION PLAT

ST MICHAEL'S PLACE

SAINT MICHAEL WAY
BALDWIN COUNTY NEAR DAPHNE, ALABAMA

SHEET NUMBER:
C-02 OF 3



SITE DATA TABLE

CURRENT ZONING	LOUNTY RA
TOTAL PUD ACREAGE	58.46 AC
PLANNED B-2, GENERAL BUSINESS	21.40 AC
CONCEPTUAL LAND USE:	
PROPOSED MULTI BUILDING RETAIL	104,000 SQ FT
IMPERVIOUS AREA	305,081 SQ FT
OPEN SPACE (PUD REQUIRED AREA)	11.69 ACRES (35.6%)
PARKING	
REQUIRED PARKING (1 PER 300 SQ FT)	345
PLANNED PARKING	590 TOTAL 20 ADA
SETBACKS	
REQUIRED FROM REQUIRED SIDES & REAR	100 FT FROM EL DORADO BLVD 50 FT
REQUIRED BUFFER FROM RESIDENTIAL	25 FT

LEGAL DESCRIPTION FOR COMMERCIAL ZONING

BALDWIN COUNTY
ALABAMA

ALL OF LOTS OR FARMS 24 AND 26 AND A PORTION OF LOTS OR FARMS 23 AND 26, SECTION 35, TOWNSHIP 5 SOUTH, RANGE 2 EAST, HIGHLAND FARMS, AS RECORDED IN MISCELLANEDUS 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 SURDIVISION SOUTH 89°57'50" WEST A DISTANCE OF 10.58 FEET; THENCE ALONG SAID SOUTH MARGIN AND ALONG THE SOUTH MARGIN OF DUNMORE, PHASE ONE, SOUTH 89°57'50" WEST FOR A DISTANCE OF 1,118.61 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED. FROM SAID POINT OF BEGINNING CONTINUE THENCE ALONG THE SOUTH MARGIN OF DUNMORE, PHASE ONE, SOUTH 89°57'50" WEST FOR A DISTANCE OF 736.55 FEET TO AN IRON ROD (REBAR) SET ON THE EAST RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY 181; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 0°46'23" WEST FOR A DISTANCE OF 1,203.56 FEET TO A FOUND CONCRETE MONUMENT SET ON THE RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY 181; THENCE SOUTH 24°15'11" EAST FOR A DISTANCE OF 54.52 FEET TO AN IRON ROD (REBAR) SET ON THE NORTH MARGIN OF ST MICHAEL'S WAY; THENCE SOUTH 89°54'18" EAST ALONG SAID NORTH MARGIN A DISTANCE OF 728.31 FEET TO A, IRON ROD SET; THENCE NORTH 0°05'42" EAST FOR A DISTANCE OF 1254.83 FEET TO THE POINT OF BEGINNING; CONTAINING 21.40 ACRES MORE OR LESS.

CONCEPTUAL - COMMERCIAL TO VARY BASED ON PROSPECTIVE TENANT NEEDS

WOOTEN ENGINEERING
CIVIL PLANNING - DESIGN
1249 Pericarm Blvd
Foley, Alabama 36535
(251) 269-6689
jww@wootenmeng.com
www.wootenmeng.com

DRAWING DATA:
PROJECT NUMBER: WE21-013.050
DRAWING FILE: WE21-013 PLAT 2.DWG
DATE: August 30, 2021
DRAWN BY: JWW
REVISIONS:

CONCEPTUAL COMMERCIAL SITE PLAN

ST MICHAEL'S PLACE

SAINT MICHAEL WAY
BALDWIN COUNTY NEAR DAPHNE, ALABAMA

SHEET NUMBER:
C-03 OF 3

COMMUNITY DEVELOPMENT

Daphne
ALABAMA

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 Manci 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 Manci 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

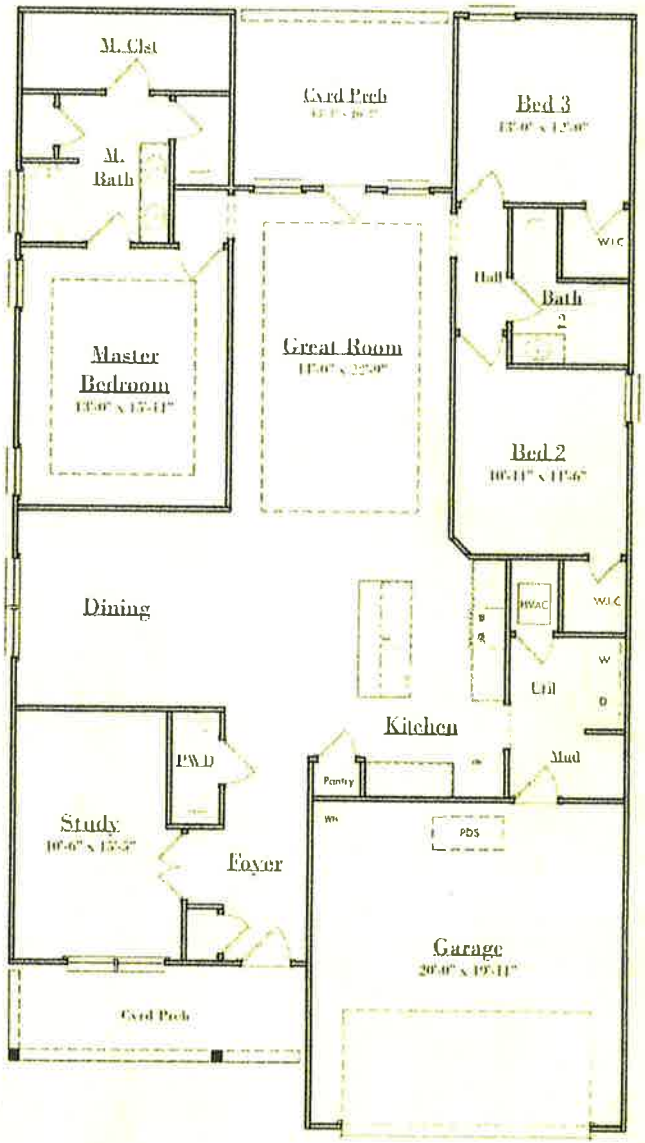
ADJACENT PROPERTY OWNERS

	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 IRTH, 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



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This is conceptual art for illustrative purposes only. Colors and specifications may vary according to subdivision

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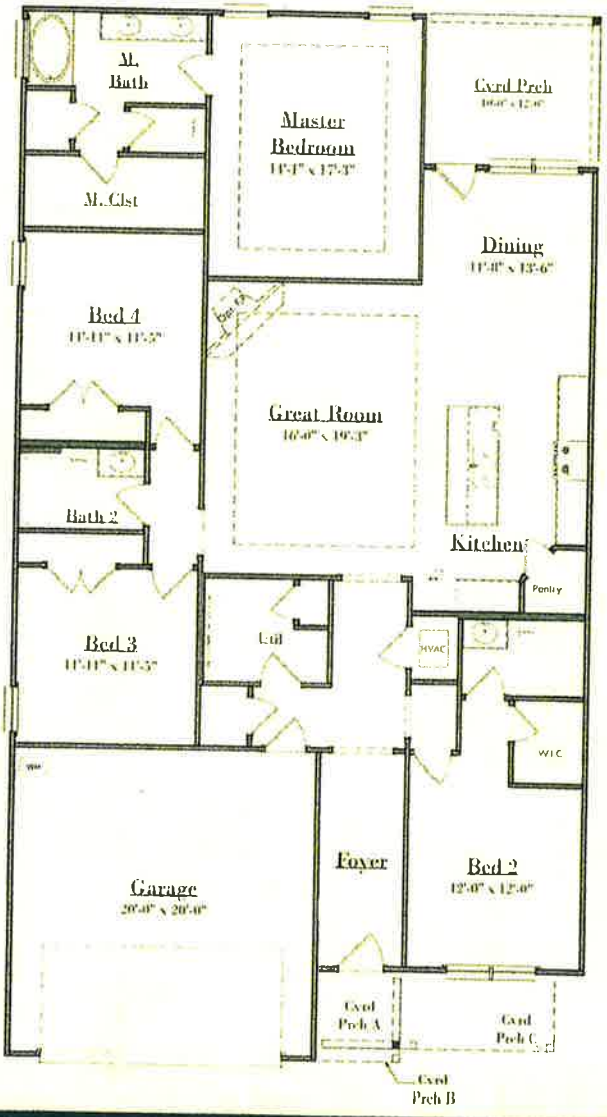
Plan #2117



QUALITY COMMITMENT
Since 1978
40 YEARS
BRELAND COMPANIES

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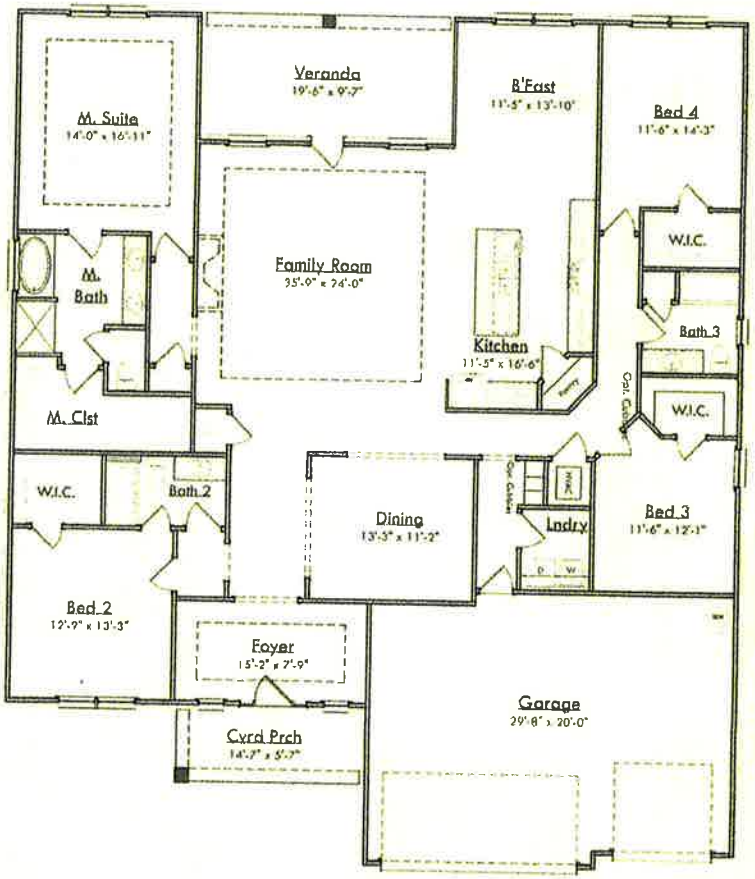
Plan #2828



40 YEARS

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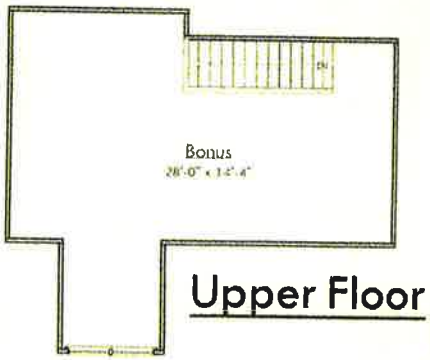
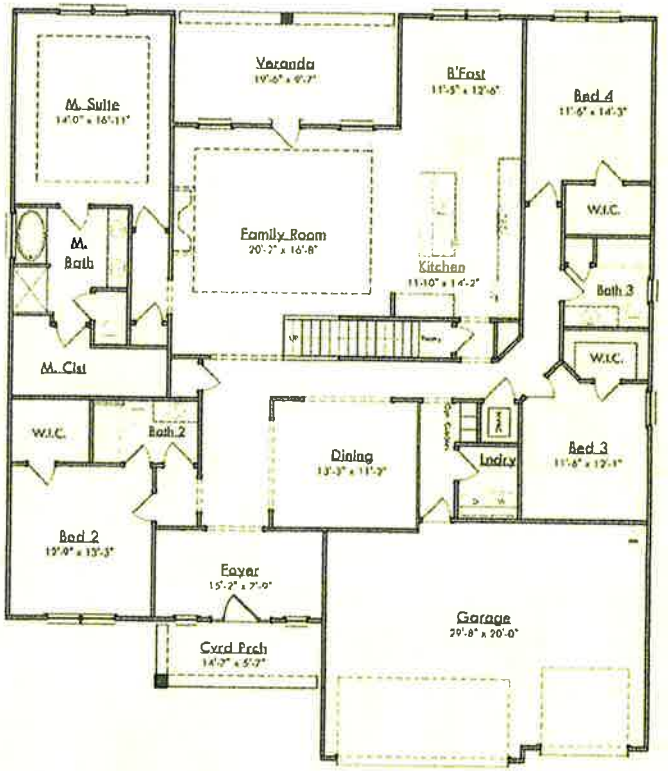
Plan #3296

"A" Elevation

"B" Elevation



Upper Floor



Main Floor

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BRELAND HOMES

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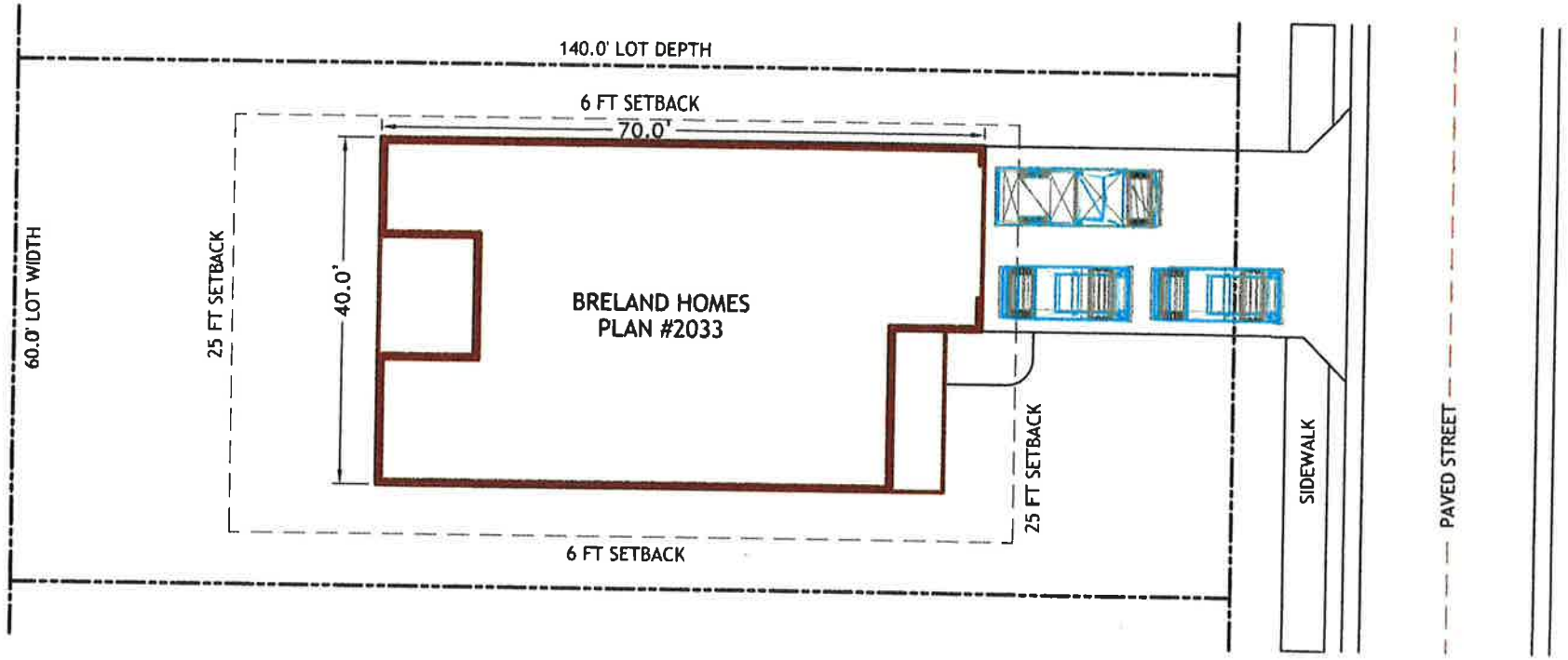
LOT #12 SCHEMATIC

ST MICHAEL'S PLACE

BALDWIN COUNTY NEAR DAPHNE, ALABAMA

N

SCALE: 1"=20'



WOOTEN ENGINEERING

CIVIL PLANNING + DESIGN

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.

CITY OF DAPHNE, ALABAMA
ORDINANCE 2021- 57

ORDINANCE TO ANNEX PROPERTY CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF DAPHNE

Northeast of Alabama Highway 181 and Saint Michael Way
Joseph Manci

WHEREAS, on the 24th day of July, 2021, Joseph Manci, being the owner of certain real property hereinafter described, did file with the City Clerk a petition requesting that said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama (the "City"); and

WHEREAS, said petition did contain an accurate description of the property to be annexed together with a map of the said territory showing its relationship to the corporate limits of the City of Daphne, Alabama, and the signatures of all owners of the property described; and

WHEREAS, said petition was presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on August 26, 2021, and the Commission set forth a favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property; and

WHEREAS, after proper publication, a public hearing was held by the City Council on October 18, 2021, concerning the petition for annexation.

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

SECTION ONE: ANNEXATION

The City Council of the City of Daphne finds and declares as the legislative body of the City that it is in the best interest of the citizens of the City and the citizens of the affected area to bring the property described in Section Three of this Ordinance into the corporate limits of the City, and has further determined that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, *et seq*., Code of Alabama (1975); effective on publication as required by Section 11-42-21, Code of Alabama (1975), as amended.

SECTION TWO: ZONING

At the _____, regularly scheduled City Council meeting, Ordinance 2021-_____ was adopted pre-zoning the said property as PUD, Planned Unit Development, with the apportionment of said zoning districts to the subject property described therein.

SECTION THREE: DESCRIPTION OF TERRITORY

The boundary lines of the City of Daphne are hereby altered or rearranged so as to include all the territory heretofore encompassed by the corporate limits of the City of Daphne and, in addition thereto, the following described property, to-wit:

Legal Description for Annexation:

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.

SECTION FOUR: MAP OF PROPERTY

The property hereby annexed into the City of Daphne, Alabama, as described in Section Three of this Ordinance, is set forth on a map of the property attached hereto and made a part of this Ordinance as Exhibit "A" showing its relationship to the corporate limits of the City of Daphne.

SECTION FIVE: EFFECTIVE DATE AND PUBLICATION

This Ordinance shall become effective upon its date of publication as required by Section 11-42-21 Code of Alabama (1975), as amended, and the property described herein shall be then annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama, in accordance with Section 11-42-21, Code of Alabama (1975), as amended.

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

COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM

DATE: August 30, 2021

TO: Office of the City Clerk

FROM: Adrienne Jones, AICP, Director of Community Development

SUBJECT: Joseph Manci 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.

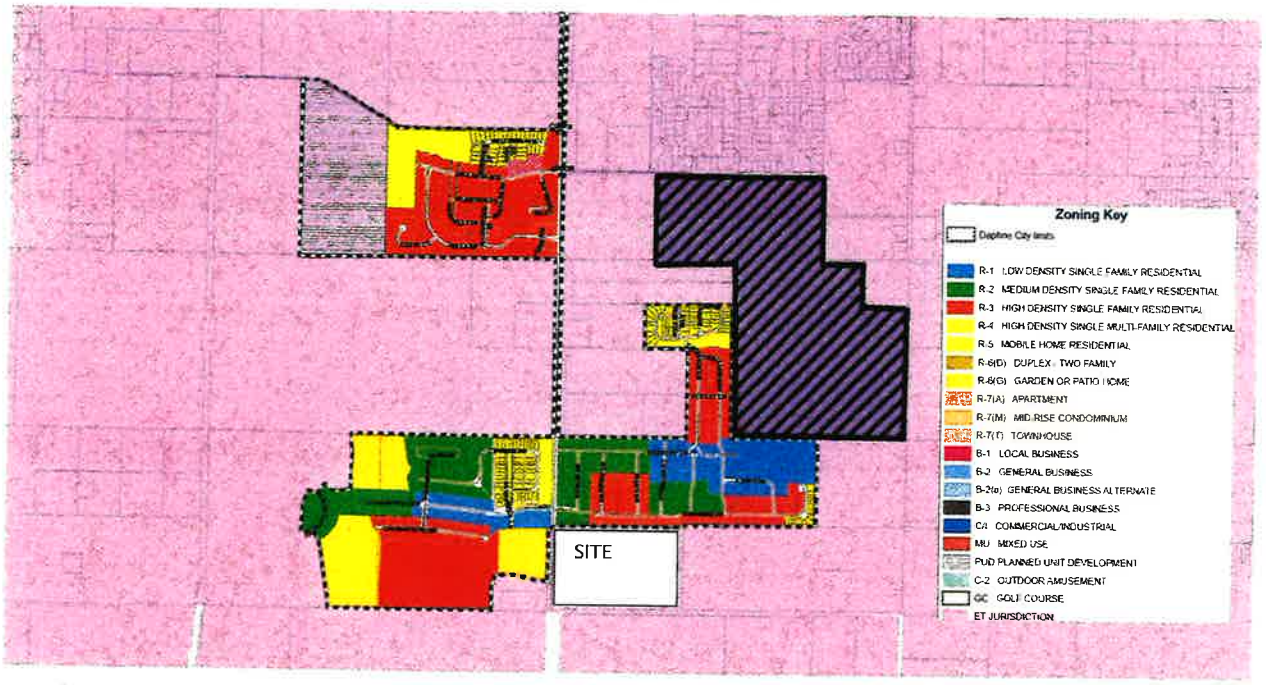
Attached please find the appropriate documentation and action of the Daphne Planning Commission.

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 Manci 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 Manci

Name of Owner (Print)

Joseph Manci

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 Manci 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 State of Alabama at Large Commission Expires 05/09/2023

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 [redacted] parcels under single [redacted] 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, 20 21.

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 Manci

Printed Name: Joseph Manci

Mailing Address: 307 Belrose Avenue
Daphne, AL 36526

Signature: _____

Printed Name: _____

Mailing Address: _____

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:

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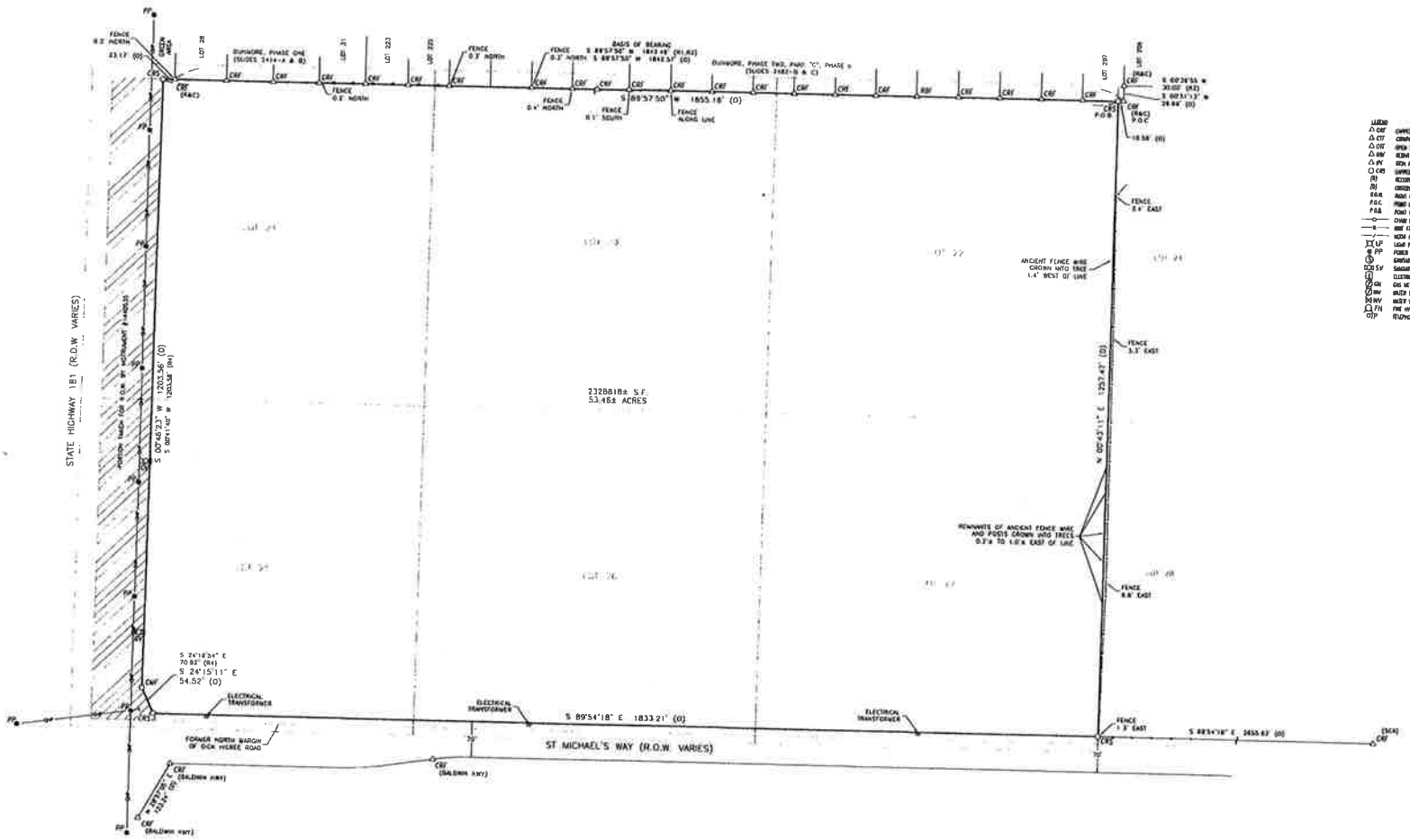

BALDWIN COUNTY
ALABAMA

A PORTION LOTS OR FARMS 22, 23, 24, 25, 26 AND 27, SECTION 33, 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 202, 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°57'50" WEST A DISTANCE OF 10.58 FEET TO A POINT MARKED BY A CAPPED IRON ROD (R&MK) 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 1855.18 FEET TO A POINT MARKED BY A CAPPED IRON ROD (R&SMK) 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 (R&SMK) ON THE NORTH MARGIN OF ST MICHAEL'S WAY; THENCE DEPARTING SAID EAST MARGIN, SOUTH 89°54'18" EAST ALONG SAID NORTH MARGIN A DISTANCE OF 1833.21 FEET TO A POINT MARKED BY A CAPPED IRON ROD (R&SMK); THENCE DEPARTING SAID NORTH MARGIN, NORTH 00°43'11" EAST A DISTANCE OF 1257.43 FEET TO THE POINT OF BEGINNING; CONTAINING 2328818 SQUARE FEET (53.48 ACRES) MORE OR LESS.

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

Daniel Clark
ALABAMA LICENSE # 27720
2021.05.19 09:57:43-05'00'

NOTES:
1. TYPE OF SURVEY: BOUNDARY
2. RECORD DIMENSIONS SHOWN ON THE FOLLOWING DOCUMENTS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA:
   R1 – PLAT OF DUNMORE, SLIDES 2414-A & B
   R2 – PLAT OF DUNMORE, SLIDES 2482-B & C
   R3 – QUITCLAIM DEED, INSTRUMENT NUMBER 1405235
   R4 – US PENDING D.O.R. SITES, INSTRUMENT NUMBER 1746535
3. SAID DRAWING AND DESCRIPTION DOES NOT ASSUME ANY TITLE OR EASEMENTS RESEARCH EXCEPT THAT WHICH IS VISIBLE OR PROVIDED BY THE CLIENT'S CONVEYANCE, WITHOUT LIMIT. (COMPILED BY SMITH, CLARK & ASSOCIATES, WITHOUT AN ACCOMPANYING CONVEYANCE, ARE NOT SHOWN.
4. SAID DRAWING IS THE PROPERTY OF SMITH, CLARK & ASSOCIATES. IT IS SUBJECT FOR THE USE OF THE CLIENT WHOSE NAME HEREON AND IS NONTRANSFERABLE TO ANY OTHER PARTY. IT MAY NOT BE USED WITHOUT PRIOR CONSENT FROM SMITH, CLARK & ASSOCIATES.
5. THIS DRAWING IS NO LONGER VALID PRINTED ON PAPER THAN IS ORIGINALLY WERE WITH NO SEALS.

SC	BAG	PS	BUDDY BRELAND
05/17/21	1"=100'		BOUNDARY SURVEY
21-256	130/71		LOTS 22-27 HIGHLAND FARMS
			DAPHNE, ALABAMA

SMITH CLARK & ASSOCIATES

CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-58

ADDITIONAL APPROPRIATION: KRONOS TELESTAFF SOFTWARE ANNUAL SUBSCRIPTION

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, it was determined $31,000 for the implementation of the Kronos Telestaff software for Public Safety was approved as capital by the City Council in the Fiscal Year 2022 budget; and

WHEREAS, the annual maintenance subscription of $14,880 was not included for the Kronos Telestaff software in the Fiscal Year 2022 budget; and

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

1. Funds from the General Fund are hereby appropriated and made a part of the Fiscal Year 2022 budget in the amount of $14,880 for the annual maintenance subscription of Telestaff.
2. The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such project.

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

_____
Robin LeJeune, Mayor

ATTEST:

_____
Candace G. Antinarella, CMC, City Clerk

CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-59

APPROPRIATION FOR ADEM RENEWAL PERMIT: TALLENT LANE FACILITY CONSTRUCTION & DEMOLITION LANDFILL

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 City of Daphne is required to provide topographic drawings and surveys for the renewal of the Construction and Landfill permit from Alabama Department of Environmental Management (ADEM) for the Tallent Lane Facility; and

WHEREAS, the permit renewal cost is $5,400 and staff has received a proposal for the drawing services from Goodwyn Mills Cawood LLC in the amount of $7,500; and

WHEREAS, an appropriation is needed for the ADEM Tallent Lane Facility Construction and Demolition Landfill Permit renewal in the amount of $12,900.

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

1) Funds in the amount of **$12,900** from the **General Fund** are hereby appropriated and made a part of the Fiscal Year 2022 Budget for the ADEM Tallent Lane Facility Construction and Demolition Landfill Permit renewal.
2) The Mayor is hereby authorized to execute any and all documents required for the ADEM Construction and Demolition Landfill Permit renewal for the Tallent Lane Facility.

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 2021-60

APPROPRIATION: D'OLIVE BAY BOAT RAMP PARKING LOT IMPROVEMENTS

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 City would like to provide both adequate and safe parking for the D'Olive Bay Boat Ramp access; and

WHEREAS, surveying and engineering services for the D'Olive Bay Boat Ramp Parking Lot Improvements are needed for design, construction document preparation, and permit preparation in the amount of $40,800; and

WHEREAS appropriation in the amount of $40,800 is needed for these survey and engineering services.

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

1. Funds in the amount of **$40,800** from the **General Fund** are appropriated and made a part of the Fiscal Year 2022 budget for the D'Olive Bay Boat Ramp Parking Lot Improvements project.
2. The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such 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