

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
Monday, April 3, 2023
6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

INVOCATION Pastor Charlie Stafford, Coastal Church
PLEDGE OF ALLEGIANCE

PROCLAMATION: National Public Safety Telecommunicators Week

3. APPROVE MINUTES: March 20, 2023 regular meeting.

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Goodlin

Review the minutes from the March 20th meeting.

Treasurer's Report for February 2023: Unrestricted Fund Balance - \$28,238,097;

- Total Cash Balance - \$45,767,436

Sales Tax for January 2023: \$2,123,985; Lodging Tax for January 2023: \$99,333

Excess Reserve Balance - \$21,251,231

Debt Summary – February 2023: Warrants - \$26,410,794

- Capital Leases: General Fund - \$895,941; Enterprise Fund - \$969,782

MOTION to reject the 2023-O-Concrete Pipe bid for being non-responsive because it failed to comply with the terms and conditions set forth in the invitation for bids and for the City to negotiate the contract.

B. BUILDINGS & PROPERTY COMMITTEE – Coleman

C. PUBLIC SAFETY COMMITTEE – Hughes

Review the minutes from the March meeting.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Olen

E. PUBLIC WORKS COMMITTEE – Conaway

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

MOTION to appoint Audra Harper to the Board of Zoning Adjustments as a regular member for a 3-year term, to replace Billy Mayhand, with Mrs. Harper's term ending March 2026.

MOTION to appoint Donald Burton to the Board of Zoning Adjustments as an alternate to fulfill an unexpired term to end May 2025.

B. DAPHNE PUBLIC SCHOOL COMMISSION - Conaway

C. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

D. INDUSTRIAL DEVELOPMENT BOARD – Scott

E. LIBRARY BOARD – Goodlin

F. PLANNING COMMISSION – Olen

Review the minutes from the February 23, 2023 meeting and the report from the March 23, 2023 meeting.

City Council Agenda – April 3, 2023

G. RECREATION BOARD – Hughes

H. UTILITY BOARD – Phillips

6. PUBLIC PARTICIPATION

7. MAYOR’S REPORT

8. CITY ATTORNEY REPORT

9. DEPARTMENT HEAD REPORTS

10. CITY CLERK’S REPORT

MOTION to approve the publication and set a public hearing for the Daphne Rangers Academy/Daphne Strike Soccer Club, Inc. Pre-Zoning Amendment on May 15, 2023.

MOTION to approve the publication and set a public hearing for the Daphne Rangers Academy/Daphne Strike Soccer Club, Inc. Annexation Amendment on May 15, 2023.

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2023 – 12 – Acceptance of Roads and Rights-of-Way: Jubilee Farms Subdivision, Phase 13

2023 – 13 – 2023-E-Daphne Animal Shelter – Bid Award: Bear General Contractors - \$6,569,380

2023 – 14 – Appropriation: Animal Shelter Construction - \$6,152,886

2023 – 15 – Resolution of the City of Daphne Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing - Animal Shelter and Justice Center Projects

2023 – 16 – 2023-N-Asphalt – Bid Award – H.O. Weaver & Sons, Inc.

2023 – 17 – Additional Appropriation: Public Works Storage Building - \$15,000

2023 – 18 – Appropriation: Purchase of Leased Heavy Equipment - \$126,241

2023 – 19 – Appropriation: Firefighter Wage Reimbursement to City of Spanish Fort - \$12,326.11

2023 – 20 – Setup New Depository Account and Transfer of Funds for: Capital Reserve Fund Account

2023 – 21 – Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose – 2006-Z-Track Mower

2023 – 22 – 2023-M-Athletic Uniforms – Bid Award: Game Day Sports

B. 2nd READ ORDINANCES:

1ST READ ORDINANCES:

12. COUNCIL COMMENTS

13. ADJOURN

CITY OF DAPHNE, ALABAMA

Proclamation

WHEREAS; emergencies can occur at any time that require police, fire or emergency medical services; and

WHEREAS; when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS; the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Daphne communications center; and

WHEREAS; Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS; Public Safety Telecommunicators are the single, vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and

WHEREAS; Public Safety Telecommunicators of Daphne have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS; each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

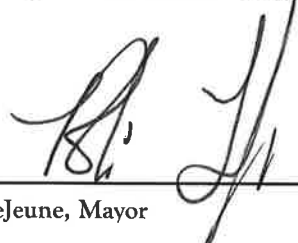
NOW,
THEREFORE;

I, Robin LeJeune, as the Mayor of the City of Daphne, together with the Daphne City Council, do hereby proclaim April 9 - 15, 2023 as

National Public Safety Telecommunicators Week

in the City of Daphne in honor of the men and women whose diligence and professionalism keep our city and citizens safe.




Robin LeJeune, Mayor


Candace G. Antinarella, CMC, City Clerk

**March 20, 2023
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 Angie Phillips called the meeting to order at 6:00pm.

2. ROLL CALL:

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

Also Present: Patrick Dungan, City Attorney; Candace Antinarella, City Clerk; Mayor LeJeune; Chief Brian Gulsby, Police; Troy Strunk, City Development; Chief Tacon, Fire; Ronnie Huskey, Public Works; Ange Baggett, Marketing; Tonja Young, Library; Vickie Hinman, Human Resources; Charlie McDavid, Recreation; Kelli Reid, Finance; Adrienne Jones, Planning; Gracie Robinson, Junior City Councilmember; Maren Fagan, Junior City Councilmember; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Father Tuck Bowen, St. Stephen's Charismatic Episcopal Church.

3. APPROVAL OF MINUTES:

The minutes from the March 20, 2023 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilman Goodlin said the committee met earlier in the afternoon and the report from the meeting will be given at the next Council meeting.

B. BUILDINGS & PROPERTY COMMITTEE

Councilman Coleman said the minutes from the February 2023 meeting and the February 2023 new Construction and Building Reports were in the packet. He said there were 31 certificates of occupancy and 169 permits issued: 1 was for new residential homes and \$44,081.76 were collected in fees. He said the next meeting is April 10th at 5:00pm.

C. PUBLIC SAFETY COMMITTEE

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

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Olen said the Committee met earlier and the next meeting is April 3rd at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilwoman Conaway said the committee met earlier and the next meeting is April 3rd at 5:15pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Mrs. Jones said the minutes from the October 6, 2022 meeting and the summarization from the March 2, 2023 meeting were in the packet. She said there will be a nomination presented at the next Council meeting.

B. Downtown Redevelopment Authority

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

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C. Industrial Development Board

Councilman Scott said the next meeting is March 21st at 4:30pm.

D. Library Board

Councilman Goodlin said the next meeting is April 13th at 4:30pm.

E. Planning Commission

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

F. Recreation Board

Councilman Hughes said the minutes from the January meeting were in the packet and the next meeting is May 10th at 6:00pm.

G. Utility Board

Councilwoman Phillips said the minutes from the January 25th meeting are in the packet and the next meeting is March 29th at 6:00pm.

Councilman Olen said the next Daphne Public School Committee will be March 21st.

6. PUBLIC PARTICIPATION:

Public Participation opened at 6:07pm.

Curt Fonger, 1443 Randall Avenue, commended the SEEDS Crawfish for the Classroom event, thanked the Council for the new pickleball courts and suggested the Council consider an Entertainment District for Olde Towne Daphne.

Tammy Bishop, 128 Rays Lane, expressed concerns about the recent Short Term Rentals Ordinance and asked if those running short term rentals could be included in conversations regarding changes from the City.

Fecilia Covert, 900 Halls Lane, spoke regarding short term rentals.

Public Participation closed at 6:17pm.

7. MAYOR'S REPORT:

Mayor LeJeune said there were great events in the City recently, including the SEEDS Crawfish for the Classroom as well as the LSK Lupus Walk. He thanked Public Works for all they do and congratulated Ronnie Huskey for joining the Alabama Public Works Association Board as well as being selected as President-Elect.

8. CITY ATTORNEY REPORT:

City Attorney said there was no report.

9. DEPARTMENT HEAD COMMENTS:

Chief Gulsby, Police, gave an update on officers' uniforms orders.

Chief Tacon, Fire, said the Fire Department has been participating in multiple community events.

Ange Baggett, Marketing, shared upcoming events at the Civic Center and within the City, including the Easter Egg Dash.

Tonja Young, Library, shared about upcoming events at the Library including Spring Book Bash on March 30th, Bingo Night on April 11th and FRIENDS Trivia Night on April 27th.

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Ronnie Huskey, Public Works, updated the Council on the Well Road sidewalk project and the City Hall roof project.

Charlie McDavid, Recreation, shared there was recently a 45-team baseball tournament at the Sports Complex and other large tournaments coming up.

Kelli Reid, Finance, said the City's Financial Report will be online at the end of the month.

10. CITY CLERK'S REPORT:

MOTION by Councilman Hughes to approve the 020 – Restaurant Retail Liquor to Recreate LLC dba Rayzas Restaurant located 9475 US Highway 90, Ste 210, Daphne, Alabama. Seconded by Councilman Scott.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to approve the South Alabama Out of the Darkness Walk on October 15, 2023 from 1:00pm – 4:00pm. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to authorize the City Clerk to submit a letter of City Council support for Thomas Hospital's request for funding of a 30-bed expansion. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to assign terms to recently appointed Daphne Public School Commission members: Andrea Lomax, Richard Perry and Marissa Rennaker – three (3) year term to expire January 2026; Tommie Conaway, Marina Simpson and Valerie Stickney – two (2) year term to expire January 2025; Jennifer Green, Steve Olen, Andrea Ramey – one (1) year term to expire January 2024. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

City Clerk shared that she, Councilman Coleman, Councilwoman Phillips and two of the Junior City Councilmembers will travel to Washington, DC for the National League of Cities. She shared that the 2023-2024 Junior City Councilmember application process will open in April.

11. RESOLUTIONS & ORDINANCES:

A. RESOLUTIONS:

ORDINANCES:

B. 2nd READ ORDINANCES:

2023 – 14 – Council Rules and Procedures

2023 – 15 – Appropriation: Infirmary Building Improvements - \$85,050

MOTION by Councilman Scott to waive the reading of Ordinance 2023-14. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2023-14. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.

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MOTION by Councilman Scott to waive the reading of Ordinance 2023-15. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2023-15. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.

1ST READ ORDINANCES:

2023 – 16 – Daphne Public School Commission By-Laws

MOTION by Councilwoman Conaway to suspend the rules to put Ordinance 2023-16 as a second read ordinance in order to consider it for adoption. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

City Clerk called roll.

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

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to waive the reading of Ordinance 2023-16. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to adopt Ordinance 2023-16. Seconded by Councilman Olen. Councilman Scott asked what the urgency was to adopt this ordinance this evening. Councilman Olen explained that the Commission had decisions to make at the next meeting and they needed to have these by-laws in place.

MOTION CARRIED UNANIMOUSLY.

12. COUNCIL COMMENTS:

Councilwoman Conaway thanked Mayor LeJeune for coming and speaking at the LSK Lupus Walk and congratulated Ronnie Huskey on his accomplishments.

Councilman Olen congratulated Mr. Huskey and expressed thanks from citizens he'd received calls from commending Public Works on their work during Mardi Gras.

Councilman Coleman congratulated Mr. Huskey.

Councilman Goodlin congratulated Mr. Huskey and invited everyone to the free concert by the Eastern Shore Chorale Society behind Spanish Fort City Hall on March 26th at 5:00pm.

Councilman Hughes congratulated Mr. Huskey.

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Mayor LeJeune thanked Council for moving forward with the Public School Commission by-laws and thanked Councilwoman Conaway for inviting him to the Lupus Walk.

Council President Phillips thanked Councilwoman Conaway and Councilman Olen for serving on the Daphne Public School Commission. She also thanked the Civic Center employees for all their work and said the Spanish Fort High School Prom was great because of their work.

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 6:47 PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, CMC, City Clerk

Angie Phillips, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
MARCH 20, 2023
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

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

Present were:

Chairman Mr. Doug Goodlin

Councilwoman Mrs. Tommie Conaway

Councilman Mr. Steve Olen

Councilman Mr. Joel Coleman

Councilman Mr. Ron Scott

Councilman Mr. Ben Hughes

Councilwoman Mrs. Angie Phillips

Also Present: Mayor Robin LeJeune, Finance Director Mrs. Kelli Reid, Accountant III Mrs. Suzânn Henson, Revenue Officer Julie Koptis, Finance Deputy Director Mrs. Lisa White, Human Resource Director Mrs. Vickie Hinman, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Troy Strunk, Fire Chief Ms. LeAnn Tacon, Director of Events and Marketing Mrs. Ange Baggett, Public Works Director Mr. Ronnie Huskey, Parks and Recreation Director Charlie McDavid, City Engineer Josh Newman, City Attorney Patrick Dungan, Engineer-Mr. John Peterson, Mott Macdonald, and Junior City Councilmember: Ms. Maran Fagan.

II. PUBLIC PARTICIPATION

A. FY2022 Annual Audit – Avizo Group – Mrs. Carly Corte and Mr. Dennis Sherrin

Mrs. Corte gave an overview of the audit and noted they will be giving the City an unmodified opinion which is the best opinion you can receive. Discussion continued on the audit. Mrs. Reid stated she had sent out a draft of the audit for Council to review.

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/Reposted Positions – 4
- Reviewing/Testing/Interviewing/Background check - 19
- Promotion/Internal Transfer - 7
- New Hires – 4

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

- CDL Courses in partnership with Coastal Alabama Community College
- Testing employees for bi-lingual (1 Spanish, 2 Serbian/Croatian)
- Revisions to Police contract/agreement
- ACA 1094C reporting
- Annual Compliance Training March 8 – 10, April 12 – 14, May 4 – 5, 2023

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – February, 2023

Mrs. Koptis reviewed the following reports and information:

- Code enforcement issued 78 warnings resulting in businesses becoming compliant and \$76,827.57 in revenue.
- New Businesses with a physical location in Daphne - 16
- Simplified Sellers Use Tax collections - \$198,801.69 and YTD collections - \$825,888.27.
- Total Business Licenses issued were 77 new and 1020 renewals for a total of 1097 in February 2023

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: January, 2023

Mrs. Henson reviewed the Sales & Use Tax Reports: \$2,123,984.57 was collected for January, 2023 which was up \$30,664.62 from January 2022's collections:

- YTD Variance over Budget - \$912,965.24

B. Lodging Tax Collections, January, 2023

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for January, 2023 were \$99,332.61 which is up \$9,332.46 from January 2022's collections.

- YTD Variance over Budget - \$1,667.94

C. Lodging Tax Analysis Report, February, 2023

Mrs. Reid reviewed the Lodging Tax Analysis report for February, 2023.

- Recreation for related purchases - \$446,727.15
- Unreserved balance for Bayfront related purchases - \$2,823,452.31

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: February, 2023

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT						
As of February 28, 2023						
Account Type/Title	Bank / Brokerage	2/28/2023	1/31/2023	Increase (Decrease) from last Month	2/28/2022	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	Regions Bank	\$ 18,099,760	\$ 20,028,283	\$ (1,928,522)	\$ 17,838,113	\$ 261,647
INVESTMENT FUND	Charles Schwab	10,138,337	10,294,420	(156,084)	10,829,634	\$ (691,297)
CREDIT CARD ACCOUNT	Regions Bank	-	-	-	109,749	\$ (109,749)
Total Unrestricted Cash Balance		28,238,097	30,322,703	(2,084,606)	28,777,496	(539,399)
SPECIAL REVENUE FUNDS						
4 CENT GAS TAX	Bryant Bank	233,000	228,362	4,638	171,282	61,718
7 CENT GAS TAX	Bryant Bank	175,724	187,703	(11,979)	179,732	(4,008)
10 CENT GAS TAX	Bryant Bank	186,490	170,610	15,880	134,199	52,291
TREE & FLOWER	Regions Bank	22,660	22,660	-	22,660	-
COVID RELIEF FUND	Regions Bank	2,218,032	2,518,719	(300,687)	1,482,002	736,030
ANIMAL SHELTER FUND	Regions Bank	795,518	801,154	(5,636)	1,088,730	(293,212)
FEDERAL DRUG FORFEITURES	Regions Bank	196,225	196,225	-	161,771	34,454
LOCAL DRUG FORFEITURES	Regions Bank	80,539	79,175	1,364	75,915	4,624
LIBRARY	Regions Bank	16,843	19,818	(2,975)	29,286	(12,443)
COURT TRAINING & EQUIPMENT	Regions Bank	42,845	43,385	(541)	45,042	(2,197)
COURT CORRECTION	Regions Bank	540,071	556,126	(16,055)	505,290	34,781
LODGING TAX	Regions Bank	3,301,411	3,244,946	56,465	3,658,637	(357,226)
RENAISSANCE	Compass Bank1	-	-	-	20,508	(20,508)
AGENCY FUNDS						
SELF INSURANCE	Regions Bank	230,562	229,909	653	240,295	(9,733)
FLEX SPENDING	Regions Bank	-	24,109	(24,109)	20,882	(20,882)
OPEB TRUST INVESTMENT FUND	Regions Bank	1,176,817	1,207,004	(30,187)	1,024,431	152,386
		9,216,737	9,529,905	(313,168)	8,860,662	356,075
CAPITAL PROJECT FUNDS						
CAPITAL RESERVE	Regions Bank	7,428,311	6,781,345	646,966	4,755,269	2,673,042
		7,428,311	6,781,345	646,966	4,755,269	2,673,042
DEBT SERVICE FUNDS						
DEBT SERVICE	Regions Bank	884,291	630,212	254,078	547,427	336,864
Total Restricted Cash Balance		17,529,339	16,941,462	587,877	14,163,358	3,365,981
Total City Cash Balance		\$ 45,767,436	\$ 47,264,165	\$ (1,496,729)	\$ 42,940,854	\$ 2,826,582
		Encumbrance Total as of		2/28/2023	\$ 351,235.53	

The Treasurer's Report as of February, 2023 Total Unrestricted Cash Balance - \$28,238,097 and Total City Cash Balance - \$45,767,436 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance - \$351,235.53 as of February, 2023.

Mrs. Reid reviewed the Encumbrance Report.

3. Outstanding Appropriations

Mrs. Reid reviewed the outstanding appropriations report.

4. Financial Overview: Debt Summaries & Monthly Financial Statements, January, 2023

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), February, 2023

Monthly Financial Statements – January 2023 Financial Highlights

General Fund:

	<u>FY 2023</u>	<u>FY 2022</u>	<u>Change</u>
• YTD Budgetary Net Income:	\$7,950,405	\$ 3,825,011	\$1,723,543
• Total sales tax collected year to date is approximately \$913,000 over budgeted income and \$466,000 over prior year to date income			
• Business license revenue was approximately \$973,000 over prior year collections, mainly due to faster processing of returns			
• Ad Valorem tax collections were approximately \$1 million over prior collections			
• Through January 2023, capital outlay expenditures totaled \$434,000 compared to \$2.6 million in prior year			
• Unassigned Fund Balance: \$32,689,037			
• Outstanding Encumbrances: \$366,832			

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of January 31, 2023: \$26,410,794
- Outstanding Capital Lease Balance as of January 31, 2023:
 - General Fund: \$920,437
 - Enterprise Fund: \$969,782

Capital Project Funds (Capital Reserve):

- Total Expenditures YTD D'Olive Bay Parking Lot: \$468,165
- Total Expenditures YTD Pickleball Expansion: \$414,751

Special Revenue Funds (13 separate funds):

- Lodging Tax Fund –
 - Bay front Unreserved Fund Balance: \$2,805,032
 - Recreation Unreserved Fund Balance: \$439,914
 - Total lodging tax collected was approximately \$1,700 over budgeted income and prior year to date income.

Enterprise Funds (Solid Waste and Civic Center):

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

	<u>FY 2023</u>	<u>FY 2022</u>	<u>Change</u>
Solid Waste Fund	\$133,200	\$ 41,726	\$ 91,474
Civic Center Fund	\$ 60,746	\$ 76,963	\$(16,217)

5. Summary of Budgetary Amendments

Mrs. Reid reviewed the General Fund budgetary amendments made to the FY2023 Budget.

- Total Appropriations Year to Date – (\$2,684,965)
- Adjusted Expenses over Revenue – (\$2,677,878)

6. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary.

B. Bills Paid Reports – February, 2023

The Bills Paid Report was previously presented electronically. Mr. Hughes asked about a couple different bills that were paid. Mrs. Reid answered his questions.

VIII. BIDS (Resolution)

A. 2023-E-Daphne Animal Shelter

Mrs. Reid reviewed the 7 bids received for the Animal Shelter bid. Discussion was made on the bid tab and the three bidders with mathematical errors. Discussion continued that two of the bidders did not submit all the required documentation and therefore the recommendation is to award the bid to the lowest responsive and responsible bidder – Bear General Contractors LLC in the amount of \$6,569,380.

Discussion continued the animal shelter. Mayor LeJeune discussed the plan to allow for donations by naming different rooms within the shelter. Mrs. Schneider noted that the City of Daphne qualifies as a no-kill shelter and discussed future plans for the animal shelter.

MOTION BY Mr. Scott to recommend to Council to award the 2023-E-Daphne Animal Shelter bid to Bear General Contractors LLC as the lowest responsive and responsible bidder in the amount of \$6,569,380 as bid. Seconded by Mr. Olen.
MOTION CARRIED UNANIMOUSLY

MOTION BY Mr. Scott to recommend to Council to adopt a Resolution appropriating \$6,152,886 out of the General Fund and transferred to the Animal Shelter Fund for the new Animal Shelter building. Seconded by Olen.
MOTION CARRIED UNANIMOUSLY

MOTION BY Mr. Scott to recommend to Council to adopt a Resolution declaring official intent to reimburse expenditures from proceeds of borrowing for the Animal Shelter building and Justice Center project. Se conded by Mr. Olen.
MOTION CARRIED UNANIMOUSLY

B. 2023-M-Athletic Uniforms

Mrs. Reid reviewed the recommendation to award the Athletic Uniforms bid to the sole bidder, Game Day Sports. Mr. McDavid noted that the City is currently under contract with Game Day Sports.

MOTION BY Mr. Hughes to recommend to Council to award the bid to Game Day Sports for unit cost as bid. Seconded by Mrs. Phillips.
MOTION CARRIED UNANIMOUSLY

C. 2023-N-Asphalt

Mrs. Reid reviewed the recommendation to award the Asphalt bid to the low bidder, H. O. Weaver and Sons, Inc.

MOTION BY Mrs. Phillips to recommend to Council to award the bid to H. O. Weaver and Sons, Inc. for unit cost as bid. Seconded by Mr. Hughes.
MOTION CARRIED UNANIMOUSLY

D. 2023--O-Concrete Pipe

Mrs. Reid noted that only one bid was received and they did not bid on 80% of the items as required in the bid specifications. The recommendation is to reject the bid since the sole bid received is considered non-responsive because it failed to comply with the terms and conditions set forth in the invitation for bids. This would allow the City to negotiate the contract through the receipt of informal bids.

MOTION BY Mr. Hughes to recommend to Council to reject the 2023--O-Concrete Pipe bid for being non-responsive because it failed to comply with the terms and conditions set forth in the invitation for bids and for the City to negotiate the contract. Seconded by Mrs. Phillips.
MOTION CARRIED UNANIMOUSLY

IX. APPROPRIATION REQUESTS: (Ordinance)

A. Appropriation: Purchase of Leased Heavy Equipment-\$126,241

Mrs. Reid reviewed the appropriation request to purchase equipment that was previously being leased. Mrs. Reid noted that the terms in the lease agreement would allow the City to purchase the leased heavy equipment: 2020 John Deere 332G Skid Steer, Caterpillar 420F2IT Backhoe Loader, and 2020 John Deere 333G Compact Track Loader.

MOTION BY Mr. Olen to recommend to Council to adopt the Resolution appropriating \$126,241 for the purchase of the leased heavy equipment: 2020 John Deere 332G Skid Steer, Caterpillar 420F2IT Backhoe Loader, and 2020 John Deere 333G Compact Track Loader. Seconded by Mr. Hughes.
MOTION CARRIED UNANIMOUSLY

B. Appropriation: Public Works Storage Building - \$15,000

Mrs. Reid reviewed the appropriation request for a change order for the Public Works Storage Building. Mr. John Peterson, Mott McDonald, reviewed the change order including additional concrete work that needed to be done.

MOTION BY Mr. Scott to recommend to Council to adopt a Resolution appropriating \$15,000 out of the General Fund for the Public Works Storage Building. Seconded by Mrs. Conaway.
MOTION CARRIED UNANIMOUSLY

C. Appropriation: Firefighters Salary Reimbursement - \$12,326.11

Mrs. Reid reviewed the appropriation request to pay the City of Spanish Fort invoice billing the City of Daphne to reimburse them for salary and training for a Spanish Fort firefighter that was hired by the City of Daphne. Discussion continued on the City of Spanish Fort billing the City of Daphne and the state law that would require the City of Daphne to pay this reimbursement.

MOTION BY Mr. Coleman to recommend to Council to adopt an ordinance appropriating \$12,326 out of the General Fund to reimburse the City of Spanish Fort for the salary and training of the recently hired new firefighter. Seconded by Mr. Hughes.
Nay – Phillis / Aye – Olen, Goodlin, Coleman, Conaway, Hughes, Scott - MOTION CARRIED

X. SURPLUS

A. Surplus Property-EQ#1190-2007 John Deere Z-Track Mower

Mrs. Reid reviewed the surplus resolution in the packet for the John Deere Z-Track.

MOTION BY Mr. Olen to recommend to Council to declare certain property surplus and authorize the Mayor to dispose of the following surplus property: 2007 John Deere Z-Track Mower. Seconded by Mr. Coleman.
MOTION CARRIED UNANIMOUSLY

XI. NEW BUSINESS

A. Setup New Depository Account and Transfer of Funds for Capital Reserve Fund Account

Mrs. Reid noted that Community Bank presented the best rates and noted they are in the SAFE program. Mrs. Reid explained the need to have accounts distributed between multiple banks.

MOTION BY Mr. Hughes to recommend to Council to adopt a resolution to setup a new depository account with Community Bank and transfer the funds for Capital Reserve Fund account. Seconded by Mrs. Conaway.
MOTION CARRIED UNANIMOUSLY

XII. OLD BUSINESS

There was no new business.

XIII. ADJOURN The meeting adjourned at 5:51 p.m.

March 13, 2023
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

1. CALL TO ORDER:

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

2. ROLL CALL:

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

ABSENT:

Also Present: Mayor LeJeune, Candace Antinarella, City Clerk; Patrick Dungan, City Attorney; Troy Strunk, City Development; Chief Tacon Fire Department; Chief Gulsby, Police Department; Christina Brazell, Recording Secretary.

3. PUBLIC PARTICIPATION:

Nathan Abel, Old Field neighborhood, representing as the Secretary of the HOA. Asked for intervention and assistance with the traffic issues regarding State Highway 181 near the Old Field Subdivisions due to the accident that occurred in the county's jurisdiction. He wanted to ask for additional signage or study to assist with getting a light at the intersection of the entrance of their neighborhood.

Steve Hill, Old Field neighborhood, representing as HOA President. Reiterated the need for traffic lights at the same Old Field intersection.

Troy Strunk, representing the city discussed the city's involvement with any traffic lights, which at this time, is planned for Corte Rd. Troy also discussed that the city would look into additional signage and take a look at what the city could assist with, inside the actual city limits.

Mayor Lejeune advised the group that he had already spoken with ALDOT regarding the intersections. They confirmed they have no intention on putting lights at each intersection. At this time, the city is paying for half of the cost for the Corte Rd traffic lights.

Councilman Hughes encouraged everyone to reach out to the state representatives in order to bring this issue to their attention.

Lisa Davis, Old Field Subdivision. She and her husband were almost part of an accident regarding the same traffic issues on State Highway 181 and Camberwell Dr. Requested additional signage or any other assistance.

Michael McMillian, 109 South Montclair St in Mobile, AL. He is currently delivering food in Lake Forest for work and he has concerns with the lack of signs. He said that it is a maze and he has trouble finding his way out. The other issue he has is with the drive through line stretching out onto the Highway 98 in front of Chick Fil-A during busy times.

March 13, 2023
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

Karen Dobson, Old Field Subdivision. Wanted to speak on the accident and talk about the dangers regarding the traffic on State Highway 181. Mrs. Dobson was confused about the two lanes and the change in the project plans. She discussed that the elderly are easily being confused about the lanes, markings, and cone placements. She admitted that the new signage about the crossovers on the stop signs, have helped. She requested that the city take some sort of steps to assist with the placement of lights at the intersection. Traffic light costs were discussed, along with the entire intersection, figures were discussed around 1.7 million dollars. She asked if someone was willing to donate towards the intersection costs, would it be considered that the city would fund an intersection. However, the Mayor addressed that the process has to be discussed, approved by the state, as well as a study done since this is ultimately the state's responsibility. This may take several years before you would see the project begin due to the current projects in place.

Mrs. Dobson also wanted to thank the city for the presence of Police in order to assist in slowing down the drivers on this same highway and area.

4. APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from March 13, 2023 Public Safety meeting were approved as presented.

5. POLICE DEPARTMENT

Old Business:

New Business: Lt. Andrews was introduced to everyone, recently being promoted to this position. Also, 5 other employees were promoted as well. Interviews ongoing to fill open positions throughout the department. The new Traffic Unit started, with 2 officers. Linda Lambert (Crossing Guard) will hit her 40 year anniversary with the city this Thursday. Some stats missing from report, they will be provided on a later date.

Councilman Scott, brought up complaint about kids on four-wheelers in Central Park. Requested signage regarding no ATV's allowed in the area.

6. FIRE DEPARTMENT:

Old Business:

New Business: Two calls, paramedics had to ride with Medstar. Medstar has plans to add ambulances to the area, aware of the increase in call volume due to spring break, etc.

Audit completed, completely in compliance.

Hoses and equipment being tested this week.

Two open positions in the department, will be interviewing in the upcoming weeks.

Waiting on mini-pumper equipment to come in, will be up and running soon.

March 13, 2023
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

Thomas Mitchell, Mobile, AL. Wanted to request that the Police Department get additional funding and training.

7. **OTHER BUSINESS – None**
5:34 p.m. **ADJOURNMENT**

COMMUNITY DEVELOPMENT INTERNAL MEMORANDUM



DATE: March 21, 2023
TO: Daphne City Council
C/O Candace Antinarella, CMC
CC: Robin Lejeune, Mayor
FROM: Adrienne Jones, AICP 
Director Community Development
SUBJECT: BZA Report-Nominations for Appointment for April 3, 2023 City Council Packet

As mentioned in the March 6, 2023 Council meeting report, the Board is in need of an alternate member. I have since learned that a new member is needed as Mr. Billy Mayhand's term will end on March 31, 2023 and that Herb Cole is up for re-appointment.

Two nominees have been identified. Mrs. Audra Harper, a Daphne resident, has been nominated by Councilwoman Conaway to replace Mr. Mayhand as a regular member. The 3-year term would end in March 2026. Her resume is attached.

Mr. Donald Burton, a Daphne resident, has also expressed interest in serving on the Board of Zoning Adjustment. Councilman Coleman has offered his recommendation for Mr. Burton. If appointed, he would serve as an alternate to fill the unexpired term ending in May 2025. His resume is attached.

The following are all members and their current terms and the nominees:

Carolyn Courson	District 2	May 2025
Derek Wolstenholme	District 2	July 2024
Tasha Quinnelly	District 5	November 2025
Clay Covert	District 2	May 2025
Billy Mayhand	District 1	Term expires March 2023
Nominee: Audra Harper	District 1	If appointed, term expires March 2026

The following is an alternate member and the current terms:

Herb Cole	District 4	Term expires March 23 Reappoint term ends March 2026
Alternate	Vacant	Term expires May 2025
Nominee: Donald Burton, Jr.	District 6	If appointed, term expires May 2025

AUDRA HARPER



AUDRA@HARPERTECH.COM



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251-690-9029



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OBJECTIVE

Knowledgeable and professional
Operations Executive with several
years experience in various areas of
business operations management.

SKILLS

- ◇ Business Forecasting
- ◇ Financial Statement Analysis
- ◇ Executive Decision Making

EXPERIENCE

HARPER TECHNOLOGIES, LLC: OPERATIONS ADMINISTRATOR

May 2010-Present

Overseer of all areas of company operations: including strategic growth plans; financial statement analysis; contract management and resource development and management.

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July 2009- October 2010

Worked with clients daily to assist them with financial products.
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EDUCATION

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BOARD SECRETARY: UNITED WAY OF SOUTHWEST AL 2020-PRESENT

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◊ Corporate Planning &
Strategic Development

BOARD MEMBER: INDUSTRIAL DEVELOPMENT BOARD-CITY OF
MOBILE

BIG SISTER/MENTOR: BIG BROTHERS BIG SISTERS OF SOUTH AL
2018-PRESENT

Donald A. Burton, Jr.

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(256) 694-3145 • Donald.Burtonjr@gmail.com

PROFESSIONAL SUMMARY

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Court Appointed Attorney, City of Mobile, Mobile, AL (01/2017 – 09/2020)

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- Perform legal research to develop effective legal strategies for clients facing criminal charges.
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- Researched and drafted memorandums regarding alternatives to payday loans.
- Researched religious affiliations of state legislatures and any statements regarding payday loans by those respective religious organizations.
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VOLUNTEER EXPERIENCE

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- Provided guidance towards the development of the organization's business plan, articles of corporation, and by-laws.
- Assisted in the filing of business documents with the state to legally operate.
- Provided legal advice regarding operations, financial contracts, exemption status, and state compliance.

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- Provided legal guidance and advice for church leadership regarding the acquisition of land and facilities.
- Reviewed church tax files to provide support for the interpretation of federal exemptions and regulations.

Reason for leaving: Church relocated out of state.

ACCOMPLISHMENTS

Moot Court Experience

- National Semi-Finalist, National Health Law Moot Court Competition (Fall 2012)
Carbondale, IL
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- Board of Directors (2022-present)
- Establish and approve budgets for the Council
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Other Leadership Roles

- Jones School of Law Student Ambassador (2012-2013)
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Honors

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LOCATIONS

ALABAMA COAST

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Honors

- Jones School of Law Scholarship Recipient (2010-2013)
- Black Law Students Association IL Scholarship Award Winner

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: March 24, 2023
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Planning Commission Minutes and Report

A handwritten signature in black ink, appearing to be "A. Jones", written over the printed name "Adrienne Jones" in the "FROM" line.

Attached please find a copy of the approved minutes for the City of Daphne Planning Commission regular meeting of February 23, 2023 and the report of the regular meeting of March 23, 2023 for placement on the April 3, 2023 City Council agenda for review.

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

ADJ/jv

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 23, 2023
Council Chamber, City Hall - 5:00 P.M.**

Call to Order:

Chairwoman Bergin called the regular meeting of the City of Daphne Planning Commission to order at 5:01 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs
Adam Manning
John Peterson, Secretary
Marybeth Bergin, Chairwoman
Nathan Jones
Steve Olen

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development
Joshua Newman, City Engineer
Phillip Adams, Site Containment Officer

Chairwoman called for the first order of business: approval of the minutes.

Chairwoman asked for input regarding the January 26, 2023 minutes presented by staff. There being none, minutes stand approved as submitted.

Chairwoman called for the next order of business: Bradley-Cina preliminary/final plat review.

An introductory presentation was given by the agent, Sharon Kimbrough. She stated that she had submitted a request to table the application until the regular meeting of March 23, 2023. Mrs. Jones also noted that the applicant has consented to waive the thirty-day requirement.

No discussion from commissioners. No action taken.

Chairwoman called for the next order of business: South Branch preliminary/final and South Branch, Phase One preliminary plat review.

An introductory presentation was given by the agent, Jason Wooten. He stated that he had submitted a request to table the applications until the regular meeting of March 23, 2023. Mrs. Jones also noted that the applicant has consented to waive the thirty-day requirement.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 23, 2023
Council Chamber, City Hall - 5:00 P.M.**

No discussion from commissioners. No action taken.

Chairwoman called for the next order of business: Tulum Mexican Cuisine site plan review.

An introductory presentation was given by the contractor, Grant Mooring. He summarized the site plan as presented on the meeting agenda.

Chairwoman asked for staff comments. Mr. Newman stated his comments have been addressed, a turn lane is shown on the revised plans, and an ALDOT permit must be acquired prior to issuance of a site disturbance permit.

Hearing no comments from the commissioners, the chairwoman called for a motion.

A motion was made by Mr. Peterson and seconded by Mr. Spriggs to approve the Tulum Mexican Cuisine site plan. There was no discussion. The vote carried unanimously.

Chairwoman called for the next order of business: The Reserve at Daphne, Phase Two final plat.

An introductory presentation was given by the agent, Andy Bobe. He provided an update on the remediation, sedimentation and stabilization of construction of the subdivision. He advised that staff comments from Belforest Water Authority, Environmental Programs Manager, Fire Marshal and City Engineer remain outstanding and are being addressed.

A presentation was made by 68 Ventures' general counsel, Greg Bordenkircher. He stated that at the time of inspection, the checklist and final punch list were consistent with the city statute and exceeded the ninety-percent requirement.

Chairwoman asked for staff comments. Mr. Newman stated that the stabilization of this site is a priority.

Mr. Olen expressed his concerns about off-site sedimentation onto an adjacent property owner and in the detention pond and wetlands. He stated with regard to sustainability of the runoff, this site is currently in violation of Article 17, Section 4(f)(2) of the subdivision regulations.

Mr. Dungan advised that Article 17, Section 4(a), and all of Article 11, as a general rule, state that no less than ninety percent of the minimum improvements shall be installed and certified by the engineer of record prior to presentation of the final plat and must meet the ninety percent threshold thereafter for approval; however, the Planning Commission can delay action for thirty days from today, if the developer consents to another thirty calendar days.

A motion was made by Mr. Olen and seconded by Mr. Spriggs to deny The Reserve at Daphne, Phase Two final plat.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 23, 2023
Council Chamber, City Hall - 5:00 P.M.**

During discussion, Mr. Olen reiterated his comments about stabilization, sedimentation, erosion, functionality of the drainage system and stated that the subdivision application does not comply with Article 18-6.

Mr. Newman said the subdivision does not comply with Article 18 with regard to drainage, sediment or erosion control.

Mrs. Jones asked that the commission consider tabling the application. Mr. Spriggs and Mr. Peterson stated they are not opposed to tabling the application.

The original motion was withdrawn.

Mr. Olen asked does the initial thirty days require consent. Mr. Dungan responded no.

Chairwoman questioned whether the subdivision in violation of the zoning or subdivision regulations. Mrs. Jones advised the Daphne Land Use and Development Ordinance is a unified code with subdivision and zoning regulations contained within.

Hearing no further comments from the commissioners, the chairwoman called for a motion.

A motion was made by Mr. Spriggs and seconded by Mr. Peterson to table the application to the regular meeting of March 23, 2023. There was no discussion. The vote carried unanimously.

Chairwoman called for the next order of business: Hope Vineyard master plan review and Hope Vineyard, Phases 1A, 1B, 2A and 2B.

An introductory presentation was given by the agent, Justin Britt. He summarized the master plan revision and preliminary plat reviews as presented on the meeting agenda.

Chairwoman Bergin opened the floor for a public hearing. The floor closed after no one came forward to speak.

Hearing no comments from the commissioners, the chairwoman called for a motion on the master plan revision.

A motion was made by Mr. Spriggs and seconded by Mr. Peterson to approve the Hope Vineyard master plan revision. There was no discussion. The vote carried unanimously.

Hearing no comments from the commissioners, the chairwoman called for a motion on the associated applications.

A motion was made by Mr. Spriggs and seconded by Mr. Olen to approve Hope Vineyard, Phases 1A, 1B, 2A and 2B preliminary subdivision plat review. There was no discussion. The vote carried unanimously.

Chairwoman called for the next order of business: public participation.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 23, 2023
Council Chamber, City Hall - 5:00 P.M.**

Chairwoman opened the floor for a public hearing.

An introductory presentation was given by the owner, Blake Kennedy, of Lot 4, TimberCreek Business Park for the development of a state beauty supply.

Mrs. Jones advised that a barber, beauty shop or beauty supply store is not a permissible use in a B-1 zone. Prior to purchasing the property, staff told the representative that the property is not zoned properly for such use. Mr. Kennedy is here seeking a recommended avenue for him to use the property for the described use.

Chairwoman asked for an overview of the Table of Permitted Uses. Mr. Dungan provided an overview of similar uses allowed in B-1. Mrs. Jones stated this can be achieved by a modification to the Table of Permitted Uses.

Mr. Olen commented that the owner purchased the property and was aware of the problem and stated that he is opposed to changing the ordinance for a single use.

Mrs. Jones advised a request will be on the agenda next month in the form of a formal presentation for your consideration.

The chairman closed the floor to public participation.

Chairwoman called for the next order of business: attorney's report.

Mr. Dungan had no report.

Chairwoman called for the next order of business: commissioner's comments.

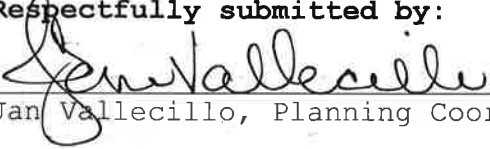
Mr. Olen commended Josh Newman for his professionalism in the manner that he handled the final plat presentation for The Reserve at Daphne, Phase Two.

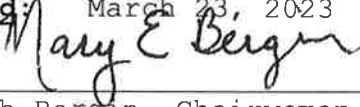
Chairwoman called for the next order of business: director's comments.

Mrs. Jones advised that March 15th and March 23rd are the upcoming meeting dates.

There being no further business, the meeting was adjourned at 5:55 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: March 23, 2023

Marybeth Bergin, Chairwoman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 23, 2023
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.


Report

1. **CALL TO ORDER:** 5:04 p.m.
2. **CALL OF ROLL:** Marybeth Bergin, Kevin Spriggs, Steve Olen, Nathan Jones, John Peterson, Ronnie Huskey, Andrew Prescott, Kimberly Samry and Adam Manning
3. **APPROVAL OF MINUTES:** Review of minutes of the regular meeting of February 23, 2023. **(Approved)**
4. **OLD BUSINESS:**

A. CHIPOTLE/STARBUCKS PRELIMINARY/FINAL PLAT AND SITE PLAN REVIEW:

1. **File SDPF23-01: (Approved)**

Subdivision: Bradley - Cina

Zoning: B-2, General Business

Location: Southwest of the intersection of U.S. Highway 98 and Van Avenue

Area: 1.40 Acres $\pm$, (2) lots

Owner: Aileron Daphne, L.L.C - Chris Salemi

Agent: Bowman Consulting. - Sharon Kimbrough

Surveyor: Fabre Engineering & Surveying - Frank Fabre

2. **File SP23-01: (Approved with conditions as follows: submission of revised drainage manual and revisions to underground detention design subject to the approval of the City Engineer; coordination of gas line removal with Daphne Utilities; and, submission of revised landscape plan subject to the approval of Community Development)**

Site: Chipotle/Starbucks

Zoning: B-2, General Business

Location: Southwest intersection of U.S. Highway 98 and Van Avenue

Area: 1.40 Acres $\pm$

Owner: Aileron Daphne, L.L.C - Chris Salemi

Engineer: Bowman Consulting. - Sharon Kimbrough

B. SOUTH BRANCH PRELIMINARY/FINAL PLAT AND SOUTH BRANCH, PHASE ONE PRELIMINARY PLAT REVIEW:

1. **File SDPF23-02: (Approved)**

Subdivision: South Branch

Zoning: R-3, High Density Single Family Residential

Location: East side of Pollard Road, north of Creekside Subdivision

Area: 79.72 Acres $\pm$, (2) lots

Owner(s): S. Hickory, Inc. - Charles K. Breland, Jr.

Surveyor: Smith, Clark & Associates - Hunter Smith

Engineer: Wooten Engineering - Jason Wooten

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 23, 2023
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

2. File SDP23-01: **(Approved)**

Subdivision: South Branch, Phase One

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

Location: East side of Pollard Road, north of Creekside Subdivision

Area: 33.06 Acres $\pm$, (44) lots

Owner(s): S. Hickory, Inc. - Charles K. Breland, Jr.

Surveyor: Smith, Clark & Associates - Hunter Smith

Engineer: Wooten Engineering - Jason Wooten

C. **FINAL PLAT REVIEW:**

1. File SDF23-02: **(Approved)**

Subdivision: The Reserve at Daphne, Phase Two

Zoning: *R-6(G), Garden or Patio Home & R-2, Medium Density Single Family*

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

Area: 73.31 Acres $\pm$, (134) lots

Owner: 68V Reserve at Daphne 2021, L.L.C.

Developer: 68V Pay Dirt, L.L.C. - Andrew Dolan

Surveyor: Dewberry - Victor Germain

Engineer: Dewberry - Andy Bobe

5. **NEW BUSINESS:**

A. **SITE PLAN REVIEW:**

1. File SP23-03: **(Approved)**

Site: Chick-fil-a

Zoning: *B-2, General Business*

Location: Northeast of the intersection of U.S. Highway 98 and Lavender Lane

Area: 1.79 Acres $\pm$

Owner: Chick-fil-a, Inc., Chester M. Baker, Jr., Cumberland, L.L.C. and Kidco, L.L.C.

Engineer: CPH, L.L.C. - Jason Toole

2. File SP23-04: **(Tabled until the regular meeting of April 27, 2023 to allow additional time to resolve issues identified by the City Engineer and finalization/approval of the associated re-plat)**

Site: Caliber Collision

Zoning: *B-2, General Business*

Location: Northwest of County Road 64 and Pollard Road

Area: 3.36 Acres $\pm$

Owner: Baldwin Bone and Joint, L.L.C. - Greg Shoemaker

Agent: McNeel Properties, L.L.C. - Bill Wiseman

Engineer: Freeland and Kauffman, Inc. - Duane Ensor or Blake Cox

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 23, 2023
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

3. File SP23-06: (Approved)

Site: ALDI Grocery Store

Zoning: *B-2, General Business*

Location: Southwest of Highway 31 and Alabama Highway 181, Lot 1A, TimberCreek Village, Phase 2, Resubdivision of Lots 1 & 2

Area: 2.65 ± Acres

Owner: ALDI Inc. Loxley Division - Jim Conroy

Agent: Duplantis Design Group - Nikolas Melancon

Engineer: Duplantis Design Group - Benjamin Chiasson

4. File SP23-07: (Approved contingent upon the issuance of a temporary construction easement for improvements shown on city property located to the north and finalization/approval of the associated re-plat)

Site: Moe's BBQ

Zoning: *B-2, General Business*

Location: Northwest of Bayfront Drive and Main Street

Area: 1.45 Acres ±

Owner: Mark White

Engineer: Dewberry - Andy Bobe

5. File SP23-08: (Approved)

Site: Tidal Wave Auto Spa

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

Location: Southwest of U.S. Highway 90 and Bayview Drive

Area: 1.46 Acres ±

Owner: Osprey Holding, L.L.C. - Charles K. Breland, Jr.

Developer: OLP Wash Partners, L.L.P. - Rick Olson

Engineer: Duplantis Design Group - Evan Geerts

6. File SP23-09: (Tabled by applicant until the regular meeting of April 27, 2023)

Site: The Park at Whispering Pines, Phase Two

Zoning(s): *R-4, High Density Multi-Family Residential*

Location: Southeast of Whispering Pines Road and Pollard Road

Area: 10.50 Acres ±

Owner: OSP Whispering Pines Phase II, L.L.C. and Pollard Street Holdings, L.L.C.
- David DeShong

Engineer: Goodwyn, Cawood & Mills - Melissa Currie

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 23, 2023
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

Report

B. PRELIMINARY/FINAL PLAT REVIEW:

1. File SDPF23-03: (Approved)

Subdivision: Carolyn Place

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

Location: Northeast of Pinehill Road and Park Drive

Area: 2 Acres $\pm$, (4) lots

Owner: Anita Washington

Developer: Ryan Anderson

Surveyor: PLS Group, Inc. - Sarah Wicker

C. FINAL PLAT REVIEW:

1. File SDP23-01: (Approved)

Subdivision: Jubilee Farms, Phase Thirteen

Zoning: *PUD, Planned Unit Development*

Location: Southeast of Austin Road and Alabama Highway 181

Area: 19 $\pm$ Acres, (60) lots

Owner: Forestar (USA) Real Estate Group, Inc. - Sarah Wicker

Agent: Dewberry - Al Finley

Surveyor: Dewberry - Victor Germain

Engineer: Dewberry - Jason Estes

2. STREET ACCEPTANCE PETITION:

File AP23-01: (Approved contingent upon receipt of the recorded plat for the subdivision)

Presentation to be given by Adrienne Jones, Director of Community Development, recommending acceptance of all right-of-ways contained within Jubilee Farms Subdivision, Phase Thirteen. Said right-of-ways being Genuine Risk Circle (2,608 linear feet).

D. DAPHNE STRIKE SOCCER CLUB/DAPHNE RANGERS ACADEMY, INC. PRE-ZONING AMENDMENT AND ANNEXATION:

1. File PZA23-01: (Favorable recommendation to City Council)

Applicant: Daphne Rangers Academy/ Daphne Strike Soccer Club, Inc.

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

Proposed Zoning: *C-2, Outdoor Amusement*

Area: 10.34 Acres $\pm$

Location: Northwest of Well Road and County Road 13

Owner: Daphne Rangers Academy/Daphne Strike Soccer Club, Inc. - Geraldo Flores

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 23, 2023
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

2. ANX23-01: (Favorable recommendation to City Council)

A presentation to be given by Geraldo Flores, Daphne Rangers Academy/ Daphne Strike Soccer Club, Inc., requesting annexation of ten-point three-four acres located northwest of the intersection of Well Road and County Road 13. The subject property is currently zoned RSF-2, Residential Single Family, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne.

E. ADMINISTRATIVE PRESENTATION:

1. File AP23-02: (No action taken)

Presentation to be given by Dwayne Smith, Anchor Engineering, to request reconsideration of the site plan approval given to Ace Hardware, currently under construction at 10058 Belgrove Avenue and zoned B-1(a), to allow a two-thousand square foot area be set aside as lease space for a future transitional business.

6. PUBLIC PARTICIPATION: None presented.

7. ATTORNEY'S REPORT: No report.

8. COMMISSIONER'S COMMENTS: Commissioners welcomed new member, Kimberly Samry.

9. DIRECTOR'S COMMENTS: Director presented the upcoming meeting dates. Site Preview is April 19, and the Regular Meeting is April 27, 2023.

10. ADJOURNMENT: 6:20 p.m.

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 23, 2023
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**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
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PLANNING COMMISSION AGENDA
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D. DAPHNE STRIKE SOCCER CLUB/DAPHNE RANGERS ACADEMY, INC. PRE-ZONING AMENDMENT AND ANNEXATION:

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**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
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6. PUBLIC PARTICIPATION: None presented.

7. ATTORNEY'S REPORT: No report.

8. COMMISSIONER'S COMMENTS: Commissioners welcomed new member, Kimberly Samry.

9. DIRECTOR'S COMMENTS: Director presented the upcoming meeting dates. Site Preview is April 19, and the Regular Meeting is April 27, 2023.

10. ADJOURNMENT: 6:20 p.m.



**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**

DATE: March 24, 2023
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development *Ag*
SUBJECT: Daphne Rangers Academy/ Daphne Strike Soccer Club, Inc., Pre-Zoning Amendment

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

PROPOSED PRE-ZONING: C-2, Outdoor Amusement

LOCATION: Northwest of Well Road and County Road 13

RECOMMENDATION: At the March 23, 2023 regular meeting of the City of Daphne Planning Commission, nine members were present, and the motion carried unanimously for a favorable recommendation for the above captioned zoning amendment.

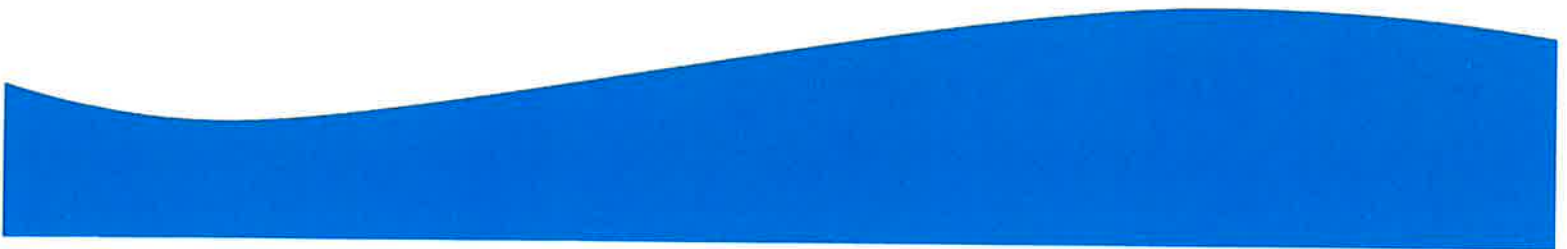
Attached please find the appropriate documentation and action of the Daphne Planning Commission.

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

Thank you,
ADJ/jv

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

**PRE-ZONING
DAPHNE RANGERS ACADEMY/DAPHNE
STRIKES SOCCER CLUB, INC.**





DAPHNE STRIKE CLUB/DAPHNE RANGERS ACADEMY, INC
Pre-zoning Amendment

Zoning Classification:

Baldwin County RSF-2, Residential Single Family (ETJ)

Surrounding Zonings/Uses:

- **North**— RSF-2/Undeveloped Timberland
- **South**—B-2, General Business (Daphne) Daphne Utilities
- **West**—RSF-2/Residential Estate
- **East** —R-1, Low Density Single Family Residential (Trione Park) (Daphne)

Existing Utility Service Providers: Riviera Utilities, AT&T, Daphne Utilities

Affected City Service Providers: Fire Station 3 or 4, Police Beat 1

Staff Recommendation to PC: Favorable recommendation to City Council as a C-2, Outdoor Amusement District

Proposed Zoning:

C-2, Outdoor Amusement District

Development Concept:

Soccer Complex

Council District:

4

Existing Conditions:

10.34 ac

Planning Commission

Set forth a favorable recommendation to Council on 03/23/23

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.

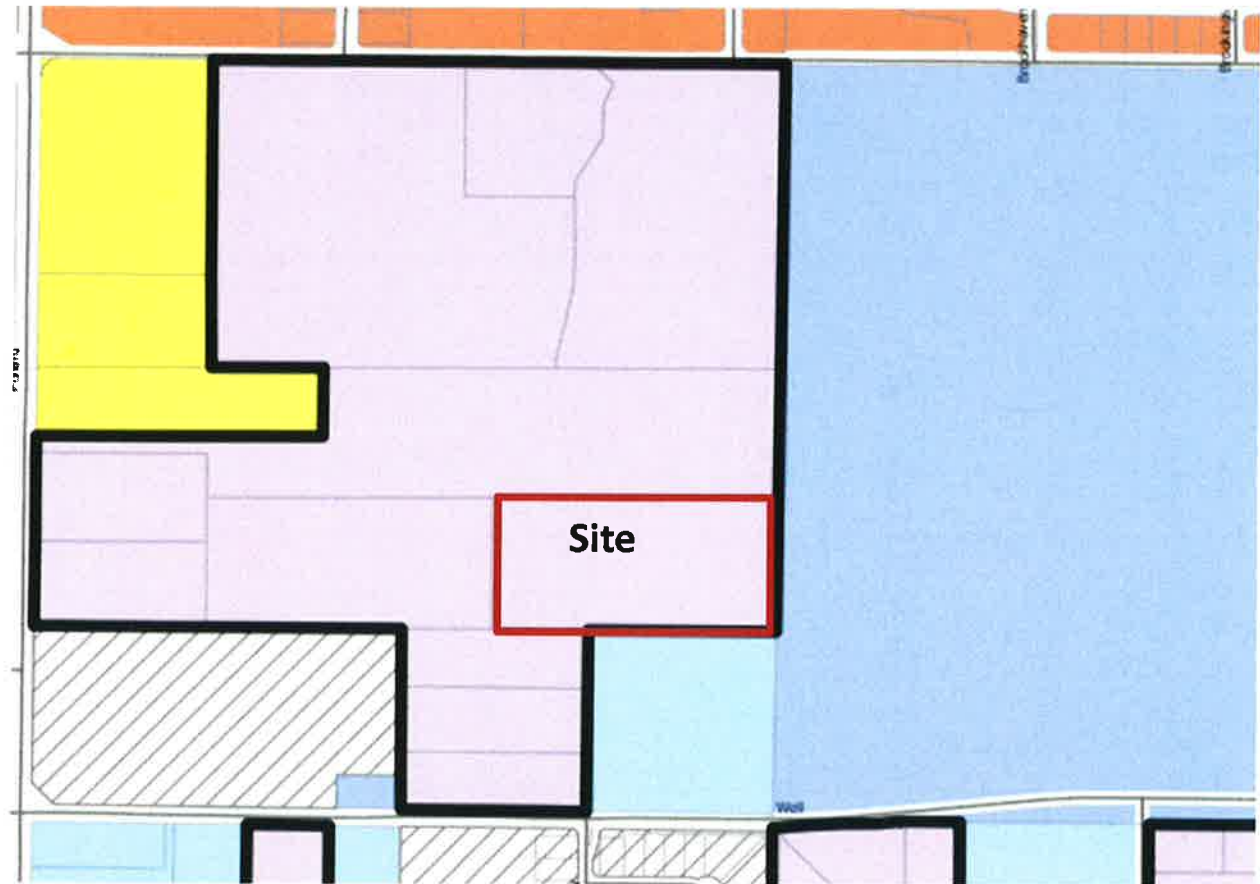
Goal: Provide a land use plan for the City of Daphne, which supports the City's economic development, housing, transportation, and open space, recreation and education goals in a manner that maintains and promotes Daphne's unique image and quality of life.

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:

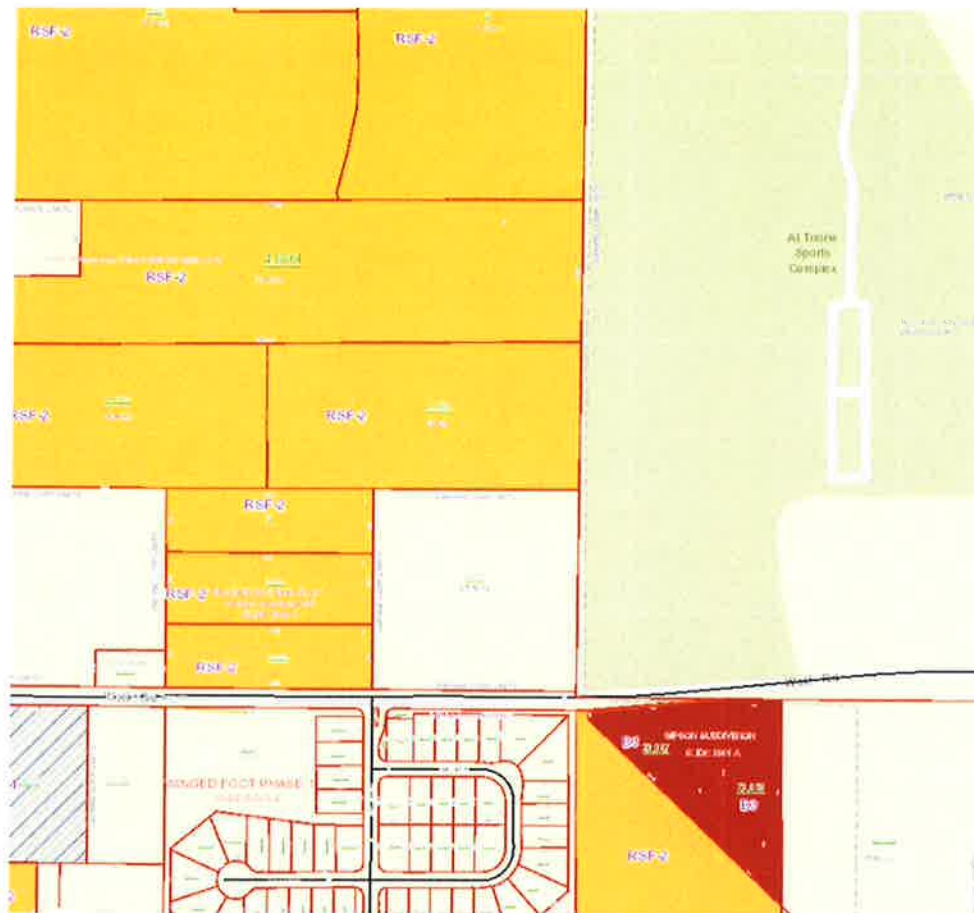
The applicant proposes to pre-zone the subject property to C-2, Outdoor Amusement District, in order to develop a soccer complex.

The proposed development is consistent with the Goals and Objectives noted in the Comprehensive Plan as stated above. Therefore, staff recommends the Planning Commission submit a favorable recommendation to City Council to pre-zone the site to C-2, Outdoor Amusement District and to annex the land into the corporate limits.



CITY ZONING MAP EXCERPT

- ET JURISDICTION
- Zoning as of 5/31/2022
- B-1 Local Business
 - B-1(A) Limited Local Business District
 - B-2 General Business
 - B-2(a) General Business Alternate
 - B-3 Professional Business
 - C-2 Outdoor Amusement
 - C/I Commercial/Industrial
 - GC Golf Course
 - MU Mixed Use
 - PUD Planned Unit Development
 - 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
 - Parcels
 - Streets
 - Daphne City Limits



Baldwin County Zoning Map Excerpt

☒ County Zoning

- | | |
|---|---|
| Rural District (RR) | Residential Manufactured |
| Rural Agricultural District (RA) | Housing Park District (RMH) |
| Conservation Resource District (CR) | Base Community Zoning District (BCZ) |
| Residential Single Family Estate District (RSF-E) | Marine Recreation District (MR) |
| Residential Single Family District (RSF-1) | Outdoor Recreation District (OR) |
| Residential Single Family District (RSF-2) | Tourist Resort District (TR) |
| Residential Single Family District (RSF-3) | Recreational Vehicle Park District (RV-1) |
| Residential Single Family District (RSF-4) | Recreational Vehicle Park District (RV-2) |
| Residential Two Family District (RTF-4) | Professional Business District (B-1) |
| Residential Single Family District (RSF-6) | Neighborhood Business District (B-2) |
| Residential Two Family District (RTF-6) | General Business District (B-3) |
| Residential Multiple Family District (RMF-6) | Major Commercial District (B-4) |
| High Density Residential District (HDR) | Limited Business District (LB) |
| | Light Industrial District (M-1) |
| | General Industrial District (M-2) |
| | Moratorium District |



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted Feb. 23, 23

Application Number:

Planning Commission Public

ZA - or PZA- 23-01

Hearing Date: March 23, 23

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):

8501 Well Rd

PPIN#(s):

285510

Gross Site Area (acreage):

10.34 acres

Requested Zoning or Pre-Zoning:

C2

Current Zoning Designation(s):

RSF2

Amended Request:

Initials: GF

Date:

1/4/23

Current Land Use:

Soccer training

Anticipated Land Use:

Soccer training + community area/ca

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

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

Annexation

Subdivision

Site Plan

Special Exception

Variance

Specify Other

APPLICANT & AGENT INFORMATION

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

Name of Current Owner:

Daphne Rangers Academy / Daphne Strike Soccer Club, Inc

Mailing Address:

PO Box 2684 Daphne, AL 36526

Phone/Fax:

E-mail:

Name of Authorized Agent:

Gerardo Flores

Mailing Address:

24614 Caleb Ct Daphne, AL 36526

Phone/Fax: 504-621-7642

E-mail: gfloressoccer@gmail.com

Name of Developer*:

Phone/Fax:

E-mail:

Other:

Gerardo Flores

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:

Date

1-4-23
4-22-22

Agent's Signature:

Date

Daphne Rangers Academy/Daphne Strike Soccer Club Pre-Zoning Amendment

8501 Well Rd
Daphne, AL 36526

Exhibit "A"

**State of Alabama
County of Baldwin**

Description of Property to be pre-zoned from RSF-2 to C-2

From the northwest corner of section 16, T-5-S, R-2-E, run these south $00^{\circ} 05' 12''$ east 1997 95 feet: thence run north $89^{\circ} 59' 11''$ east 1645 16 feet to the point of beginning, thence run north $00^{\circ} 01' 48''$ east 446 91 feet, thence run north $89^{\circ} 49' 35''$ east 1006 61 feet, thence run south $00^{\circ} 01' 45''$ west 449 72 feet, thence run south $89^{\circ} 59' 11''$ west 1005 16 feet to the point of beginning together with a 20 foot wide ingress and egress easement described as follows: beginning at the southwest corner of the above described parcel, run thence south $00^{\circ} 02' 21''$ west along the east boundary of the utilities board of the city of Daphne parcel a distance of 625.97 feet to a capped rebar on the north right of way line of Well Rd, thence run south $89^{\circ} 62' 48''$ west along said right of way. Line 20 00 feet to a point, thence run north $00^{\circ} 02' 15''$ west 825 62 feet to a point of the south boundary of the above described parcel, thence run south $89^{\circ} 59' 42''$ east along said boundary 20 00 feet to the point of beginning.

WHISPERING PINES ROAD



10.34 Acres +/-

UTILITIES BOARD OF
THE CITY OF DAPHNE

20' - INGRESS & EGRESS EASEMENT

NOT VALID WITHOUT
EMBOSSED SEAL

[illegible]

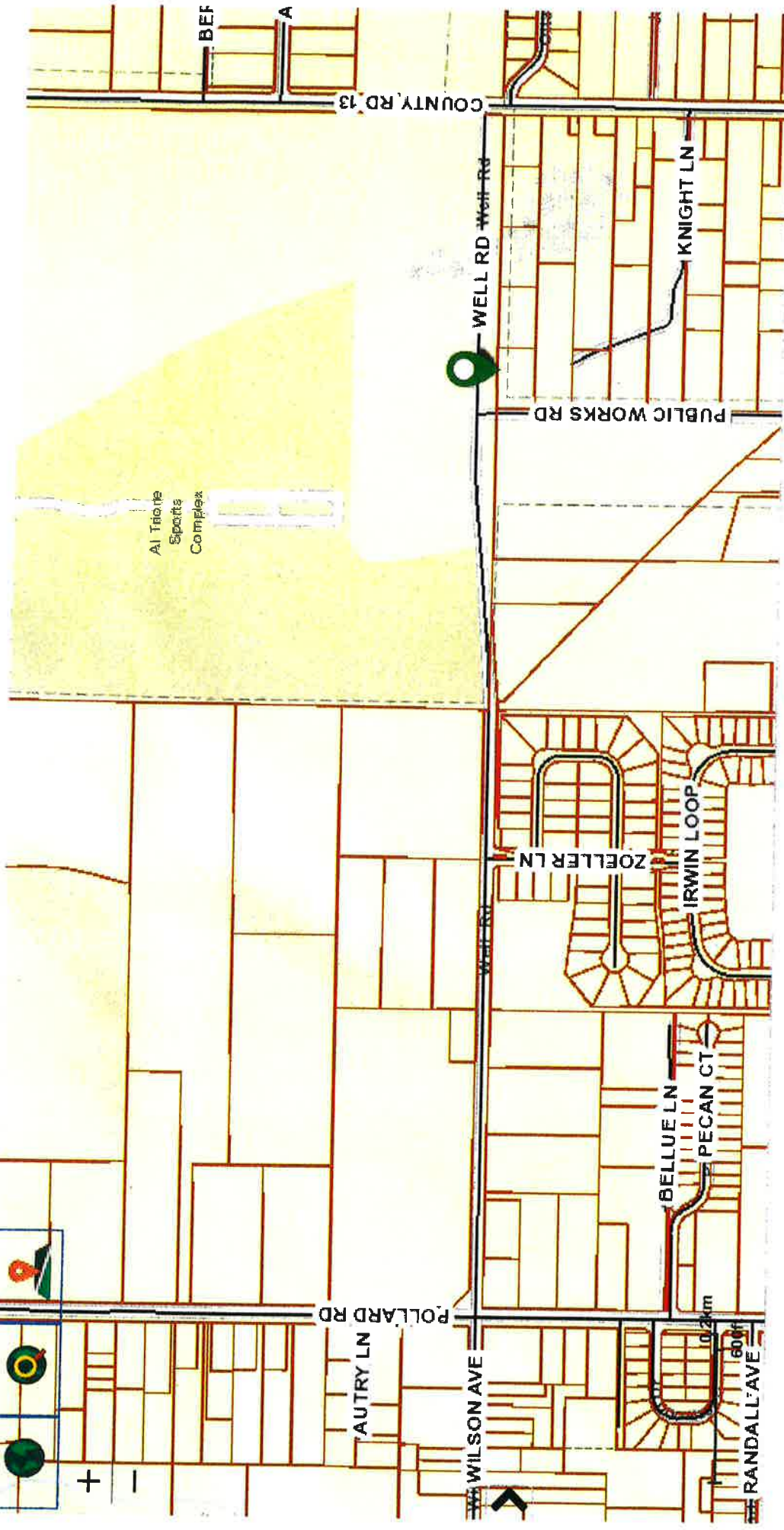
GEO-SURVEYING, INC.
PROFESSIONAL LAND SURVEYING
129 Club Drive
Fairhope, Alabama 36532
Phone: (251) 990-0815 Fax: (251) 990-0868

Phone: (251) 990-0815 Fax: (251) 990-0866

[illegible][illegible][illegible]

Baldwin County Parcel Viewer

8501 Well Rd, Daphne, AL, 365 X





Daphne Rangers Academy/Daphne Strike Soccer Club Pre-Zoning Amendment

Adjacent Property Owners List

Milstead, Stephen and Wanda

26680 Pollard Rd

Daphne, AL 36526

Zoned RSF-2 PPIN 285507

Daphne Rangers Academy/Daphne Strike Soccer Club

8501 Well Rd

Daphne, AL 36526

Zoned RSF-2 PPIN 285510

Wilson, Justin and Morgan

8365-A Well Rd

Daphne, AL 36526

Zoned RSF-2 PPIN 40329

Utilities, Daphne Board of

PO Box 2550

Daphne, AL 36526

Zoned B-2 PPIN 265193

Milstead, Luther Gilbert

PO Box 249

Daphne, AL 36526

Zoned RSF-2 PPIN 285508

Baldwin County Board of Education

2600 Hand Ave

Bay Minette, AL 36507

Zoned R-1 PPIN 62111

COMMUNITY DEVELOPMENT



March 10, 2023

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for Daphne Strike Soccer Club/Daphne Rangers Academy, Inc. containing 10.34 acres +/- located northwest of Well Road and County Road 13, zoned RSF-2, Single Family Residential, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction, to be pre-zoned as C-2, Outdoor Amusement. 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 Wednesday, March 15, 2023 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 chairwoman.

The public hearing will be held by the Daphne Planning Commission on Thursday, March 23, 2023 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

Daphne Strike Soccer Club/Daphne Rangers Academy, Inc. Pre-Zoning Amendment

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: March 24, 2022
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development 
SUBJECT: Daphne Rangers Academy/ Daphne Strike Soccer Club, Inc., Annexation Petition

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

LOCATION: Northwest of Well Road and County Road 13

RECOMMENDATION: At the March 23, 2023 regular meeting of the City of Daphne Planning Commission, nine members were present and the motion carried for a favorable recommendation for the above mentioned annexation petition.

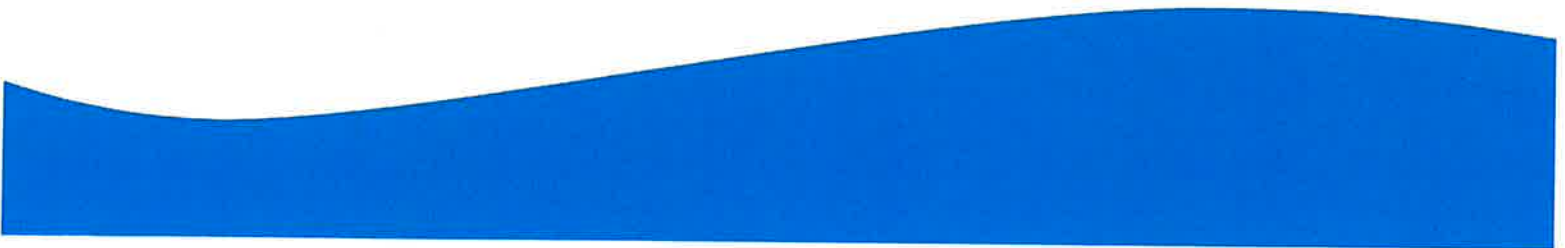
Attached please find the appropriate documentation and action of the Daphne Planning Commission.

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)

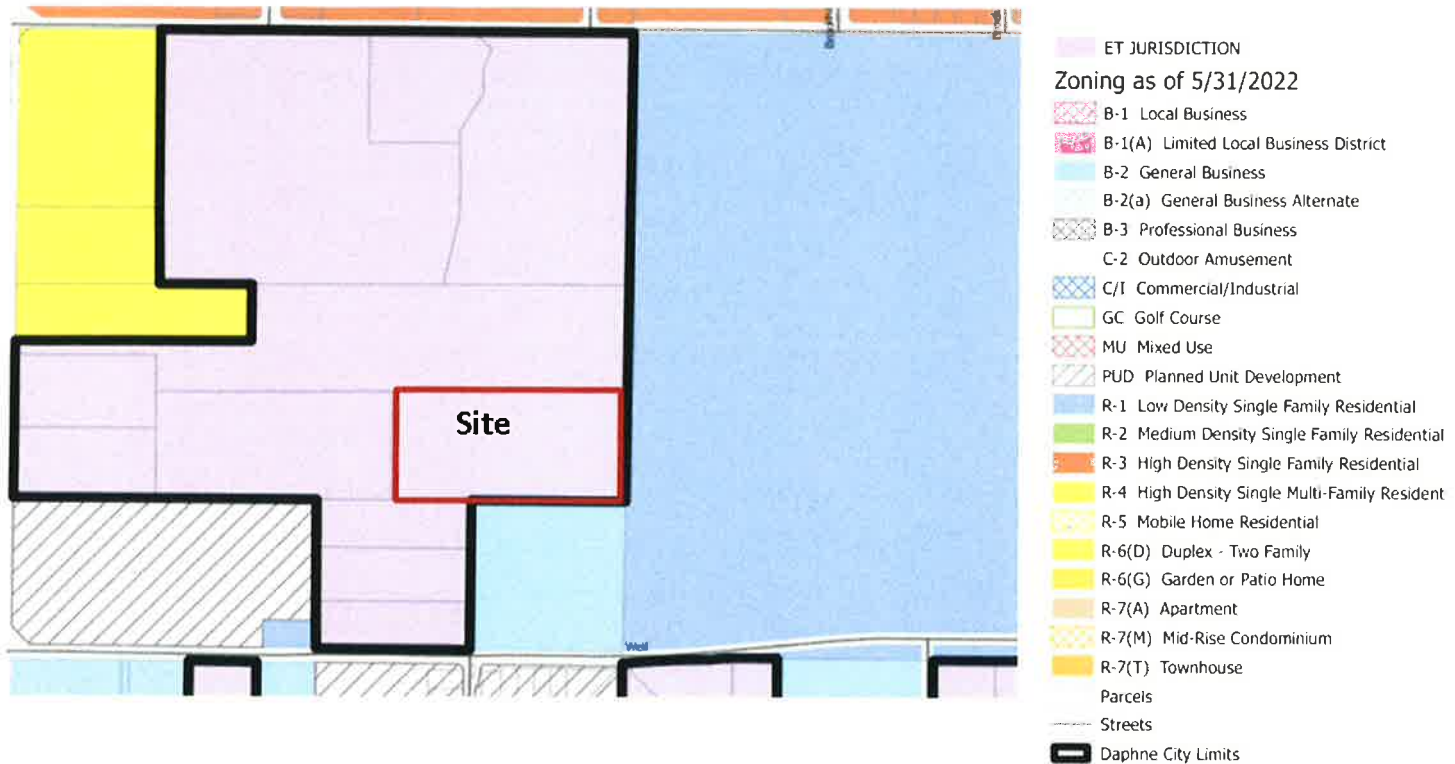
**ANNEXATION PETITION
DAPHNE RANGERS ACADEMY/DAPHNE
STRIKES SOCCER CLUB, INC.**



ANNEXATION REQUEST

Daphne Strike Soccer Club/Daphne Rangers Academy, Inc

North of Daphne Utility Central Office and West of Trione Park



REQUEST

The applicant proposes to annex the subject property into the corporate limits. The site meets the contiguity requirement because it is abuts land in the City of Daphne.

RECOMMENDATION

The Comprehensive Plan encourages expansion and annexation of land contiguous to the existing corporate limits. Staff and the Planning Commission recommend 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.

DATED this 26 day of January, 2023

Respectfully submitted by,

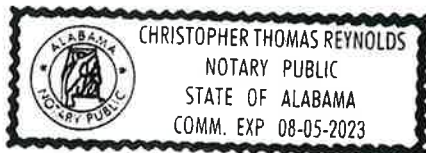
DAPHNE RANGERS ACADEMY / DAPHNE STRIKE
Name of Owner (Print) Soccer

[Signature]
Name of Owner (Signature)

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Christopher Thomas Reynolds, the undersigned Notary Public in and for said county and state, hereby certify that Gerardo E. Flores 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 26 day of January, 2023



[Signature]
NOTARY PUBLIC

My commission expires: 8-5-2023

Owner's Address

8501 WELL RD
36526, DAPHNE, AL

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: _____

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: _____

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

Initials: _____

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: G F

Option# 1: We do hereby request pre-zoning of the subject property to the following zoning classification(s): C-2, and certify that a petition for rezoning, associated fees and documents have been submitted prior to or concurrently with this petition.

Initials: G F

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: _____

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 1 day of MARCH, 2023.

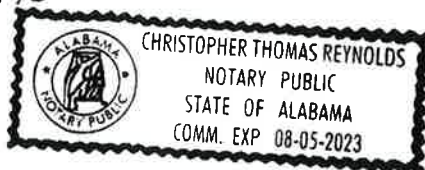
Legal Description Attached (Exhibit A)? yes Map or Survey Attached (Exhibit B)? yes
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission
Attached (Exhibit C)? yes Acreage 10.34
Subdivision Name D Lot Number(s) 0

Names and Signature of ALL property owners:

Signature: [Signature] Signature: _____

Printed Name: GERARDO FLORES Printed Name: _____

Mailing Address: PO BOX 2337 Mailing Address: _____
DAPHNE, AL



State of: Alabama
County of: Baldwin
Sworn and Subscribed before me this 1st day of Feb, 2023 by
Gerardo Flores
[Signature]
Notary Public
Commission Expiration 8-5-2023

Daphne Rangers Academy/Daphne Strike Soccer Club Pre-Zoning Amendment

8501 Well Rd
Daphne, AL 36526

Exhibit "A"

**State of Alabama
County of Baldwin**

Description of Property to be annexed

From the northwest corner of section 16, T-5-S, R-2-E, run these south $00^{\circ} 05' 12''$ east 1997 95 feet: thence run north $89^{\circ} 59' 11''$ east 1645 16 feet to the point of beginning, thence run north $00^{\circ} 01' 48''$ east 446 91 feet, thence run north $89^{\circ} 49' 35''$ east 1006 61 feet, thence run south $00^{\circ} 01' 45''$ west 449 72 feet, thence run south $89^{\circ} 59' 11''$ west 1005 16 feet to the point of beginning together with a 20 foot wide ingress and egress easement described as follows: beginning at the southwest corner of the above described parcel, run thence south $00^{\circ} 02' 21''$ west along the east boundary of the utilities board of the city of Daphne parcel a distance of 625.97 feet to a capped rebar on the north right of way line of Well Rd, thence run south $89^{\circ} 62' 48''$ west along said right of way. Line 20 00 feet to a point, thence run north $00^{\circ} 02' 15''$ west 825 62 feet to a point of the south boundary of the above described parcel, thence run south $89^{\circ} 59' 42''$ east along said boundary 20 00 feet to the point of beginning.

WHISPERING PINES ROAD

Millstead, Stephen and Wanda
29880 Pollard Rd
Daphne, AL 36528
RSF2 PPIN 2856507

Daphne Rangers Academy/Daphne
Strike Soccer Club
8501 Well Rd
Daphne, AL 36528
Zone RSF2 PPIN 285610

10.34 Acres +/-

Utilities Board City of Daphne
PO Box 2250
Daphne, AL 36526
R1 PFIN 286183

UTILITIES BOARD OF
THE CITY OF DAPHNE

20' - INGRESS &
EGRESS EASEMENT

NOT VALID WITHOUT
EMBROSSED SEAL

GEO-SURVEYING, INC.
PROFESSIONAL LAND SURVEYING
129 Club Drive
Fairhope, Alabama 36532
Phone: (251) 990-0815 Fax: (251) 990-0868

PROJECT NO:	16-060
DATE:	07/20/16
SCALE:	1" = 60'
DRAWN BY:	NK
FIELD WORK DATE:	07/18
FIELD BOOK NO:	RGR3
SHEET 1 OF 1 SHEETS	

REVISIONS

[illegible]

Phone: (251) 990-0815 Fax: (251) 990-0866

"SANDRA M. DUNLOP"
(Property in Section 16, T-5-S, R-2-E)
Baldwin County, Alabama

(STATE OF CALIFORNIA)
(COUNTY OF ALBANY)

I, MATTHEW S. KOZMET, A REGISTERED LAND SURVEYOR, HEREBY STATE THAT ALL PARTS OF THIS SURVEY WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS SURVEY COMES WITHIN THE SCOPE OF THE PRACTICE FOR SURVEYING IN THE STATE OF CALIFORNIA.

I FURTHER STATE THAT THE MENTIONED PRESENTLY SITUATED SAGE PROPERTY ARE LOCATED WITHIN THE UNINCORPORATED AREA OF THE CITY OF ALBANY, CALIFORNIA, AND THAT THERE ARE NO ADJACENT LANDS OR INTERESTS IN ADJACENT PROPERTY, AND THAT THERE ARE NO ADJACENT EASEMENTS, ENCUMBRANCES, OR RIGHTS-OF-WAY VISIBLE ON THE SURFACE EXCEPT AS NOTED HEREON.

ALL ACCORDING TO MY SURVEY MADE THIS 30TH DAY OF JULY, 2016

ALSO, STATE THAT THIS DRAWING AND THE CERTIFICATION DO NOT REFLECT ANY TITLE OR INTEREST IN THE SURVEYED PROPERTY, NOR DO THEY REFLECT THE OWNERSHIP OR INTEREST OF ANY PARTY IN THE SURVEY.

DATE: 7/27/2016
DRAWN BY: J. S. COOK

DESCRIPTION: BEGINNING AT THE WEST CORNER OF SECTION 16, T.4S. R.15. E. MAIN PAVEMENT SOUTH 95° 31' 17" EAST, 300.00 FEET; THENCE RUN NORTH 0° 47' 31" EAST, 140.00 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 0° 47' 40" EAST AND 40° 47' 31" EAST, THENCE RUN SOUTH 89° 48' 30" EAST, 1,003.81 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89° 48' 30" EAST, 1,003.81 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL IS ACCORDING TO THE DEED RECORDS, SITUATED AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PARCEL. THE THENCE SOUTH 89° 48' 30" WEST ALONG THE EAST BOUNDARY OF THE UTILITIES BOARD OF THE CITY OF CHICAGO, THENCE RUN NORTH 89° 48' 30" WEST, 833.02 FEET TO A POINT OF BEGINNING; THENCE RUN SOUTH 89° 48' 30" WEST, 833.02 FEET TO A POINT; THENCE RUN NORTH 0° 47' 31" WEST, 833.02 FEET TO A POINT; THENCE RUN SOUTH 89° 48' 30" WEST, 833.02 FEET TO A POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL IS ACCORDING TO THE DEED RECORDS, SITUATED AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PARCEL.



**CITY OF DAPHNE
RESOLUTION 2023-12**

Acceptance of Roads and Rights-of-Way: Jubilee Farms Subdivision, Phase 13

WHEREAS, the City Council of the City of Daphne, Alabama has received notice that the Daphne Planning Commission has given Final Plat approval to Jubilee Farms Subdivision, Phase 13 on March 23, 2023, and the City of Daphne hereby recommends acceptance of the roads and rights-of way located in Jubilee Farms Subdivision, Phase 13; and

WHEREAS, an inspection was made by the Director of Community Development, and all reports and other related documents have been provided stating that said streets and associated storm water drainage have been installed in conformity with City standards; and

WHEREAS, an inspection was made by the Director of Public Works, and said director has recommended acceptance of said streets and associated storm water drainage, to the extent such drainage facilities affect the rights-of-way, of Jubilee Farms Subdivision, Phase 13; and

WHEREAS, the developer has provided to the City a two-year maintenance bond in the amount of \$108,894.64 as required and now requests acceptance and dedication of the same for maintenance of said improvements as outlined in Article XVII, entitled the Procedures for Subdivision Review, of the City of Daphne Land Use and Development Ordinance; and

WHEREAS, the developer has caused the plat to be recorded on slide 2882-F of the records in the Baldwin County Judge of Probate Office; and

WHEREAS, the City Council of the City of Daphne believes it is in the best interest of the citizens of the City for the City to accept said rights-of-way.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE AS FOLLOWS: that the following rights-of-way within Jubilee Farms Subdivision, Phase 13, according to the plat presented by Dewberry Engineers Inc. as recorded in the Office of the Judge of Probate, Baldwin County, Alabama, are hereby accepted by the City of Daphne, Alabama as city streets for maintenance:

a portion of Genuine Risk Circle (2608 linear feet), a 50-ft right of way.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF _____, 2023.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: March 24, 2023
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development 
CC: Josh Newman, City Engineer, Ronnie Huskey, Public Works Director, William Eringman,
Deputy Director Public Works, and Natasha Miles, Planner
SUBJECT: Jubilee Farms Subdivision, Phase 13, Acceptance of Roads and Rights-of-Ways

LOCATION: Southeast of Austin Road and Alabama Highway 181

RECOMMENDATION: At the March 23, 2023 regular meeting of the City of Daphne Planning Commission, nine members were present. The motion carried unanimously for a favorable recommendation for the acceptance of Genuine Risk Circle.

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

Upon receipt of said documentation, please prepare a resolution for placement on the City Council agenda.

Thank you,
ADJ/jv

Attachment(s)

cc: file

1. Correspondence from project engineer requesting acceptance
2. Record plat
3. Petition of Acceptance of Roads and Rights-of-Ways



Dewberry Engineers Inc. | 251.990.9950
25353 Friendship Road | 251.990.9910 fax
Daphne, AL 36526 | www.dewberry.com

January 23, 2023

Mrs. Adrienne Jones
Planning Director, City of Daphne
P.O. Box 400
Daphne, Alabama 36526

RE: JUBILEE FARMS PHASE THIRTEEN
ENGINEER'S CERTIFICATION

Dear Mrs. Jones:

I, Jason Estes, a professional engineer registered in the State of Alabama, Registration Number 22714, do hereby certify that the streets for JUBILEE FARMS PHASE THIRTEEN has been completed in full and to the best of my knowledge and to the best of my belief, conforms to the requirements of the City of Daphne Subdivision regulations and to all other rules, regulations, laws, and ordinances applicable to my design.

Therefore, I hereby request that the City of Daphne accept the roads and drainage for JUBILEE FARMS PHASE THIRTEEN subdivision.

If you have any questions or comments, regarding this information please give me a call at 251-990-9950.

Sincerely,
Dewberry Engineers Inc.

A handwritten signature in blue ink, appearing to read "Jason N. Estes", is written over the typed name.

Jason N. Estes, P.E.
Associate Vice President
Business Unit Manager



JNE/ck

**CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

SUBDIVISION NAME: JUBILEE FARMS PHASE THIRTEEN

THIS PETITION FOR ACCEPTANCE OF ROADS AND/OR RIGHTS-OF-WAY is made this 23 day of January, 2023 by FORESTAR (USA) REAL ESTATE GROUP INC., hereinafter called "the sub-divider," owner of certain property located in the City of Daphne, Alabama known as JUBILEE FARMS PHASE THIRTEEN to be recorded in the office of the Judge of Probate of Baldwin County, Alabama; and,

WHEREAS, the sub-divider has agreed to the dedication of the roads and rights-of-way located in said subdivision to the City of Daphne, and further warrants that said roads and rights-of-way are complete and are in compliance with the minimum standards as outlined for construction in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled Procedures for Subdivision Review, and Article XI, Minimum Requirements and Required Improvements for Subdivisions and Commercial Site Developments. The sub-divider further warrants that the same are free from defects from any cause and are free and clear of any liens and encumbrances; and,

WHEREAS, a bond is required by the City as a condition of the acceptance of any new roads or rights-of-way as outlined in Article XVII in an amount equal to twenty percent (20%) of all street and drainage improvements in the subdivision as a warranty for such improvements to last for a period of two (2) years after the date of dedication and upon acceptance by the City Council, the sub-divider has provided a \$ 108,894.64 maintenance bond; and,

WHEREAS, the project engineer, Jason N. Estes, PE, acting on behalf of the sub-divider does hereby certify that all roads and rights-of-ways are complete and are in compliance with the minimum standards for construction as outlined in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled, Procedures for Subdivision Review, and Article XI, Minimum Requirements and Required Improvements for Subdivisions and Commercial Site Developments, and further warrants that the same are free from defects from any cause; and,

CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY

NOW, THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the sub-divider does hereby dedicate the roads and rights-of-way in said subdivision to the City of Daphne, a municipal corporation, as per the favorable recommendation of the City of Daphne Planning Commission voted upon at its meeting held on March 23, 2023. Said subdivision according the plat recorded in the Judge of Probate, Baldwin County, Alabama and said streets being named as follows:

Name of Right of Way	Length (linear feet) From Plat	Width (feet)
GENUINE RISK CIRCLE	2608	50

Are each hereby dedicated to the City of Daphne, Alabama as a city street.

**CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

IN WITNESS WHEREOF, the sub-divider has caused the execution of this dedication as of the date set forth above.

Respectfully submitted,

FORESTAR (USA) REAL ESTATE GROUP INC.
Name of Individual or Corporation (Printed)

By: *Sarah Wicker*
(Print Legibly and Sign)

Its: *Vice President*
(Print Legibly)

Florida
STATE OF ~~ALABAMA~~
COUNTY OF ~~BALDWIN~~ *Duval*

I, the undersigned Notary Public in and for said State and County, hereby certify that *SARAH WICKER* whose name as *Vice President* of *Forestar (USA) Real Estate Group Inc.* ~~an~~ *a Delaware* ~~Alabama~~ corporation or as owner of _____ is 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 as such officer or owner and with full authority, executed the same voluntarily on the day same bears date.

Given under my hand and official seal on this the *23rd* day of *January*, *2023*.



H Allen (NOTARY SEAL)
NOTARY PUBLIC
My commission expires: *7/20/2024*

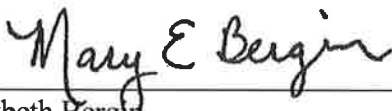
**CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

Favorable recommendation on behalf of Daphne Public Works:



City Engineer
City of Daphne

Favorable recommendation on behalf of Daphne Planning Commission:



Marybeth Bergin
Planning Commission Chairman
City of Daphne

SUBMITTAL/ENGINEER
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

CERTIFICATE OF APPROVAL BY BESTEST WATER SYSTEM
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

CERTIFICATE OF APPROVAL BY TELEPHONE (ATAT)
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES (RUCR)
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

CERTIFICATE OF APPROVAL BY BAYVIEW COUNTY SEWER SERVICE
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

CERTIFICATE OF APPROVAL BY BAYVIEW COUNTY SEWER SERVICE
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

SURVEYOR'S NOTES
1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.
3. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.
4. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.
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9. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.
10. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.

FLOOD CERTIFICATE
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

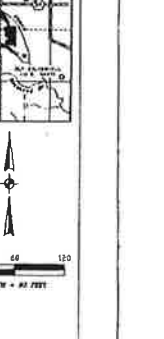
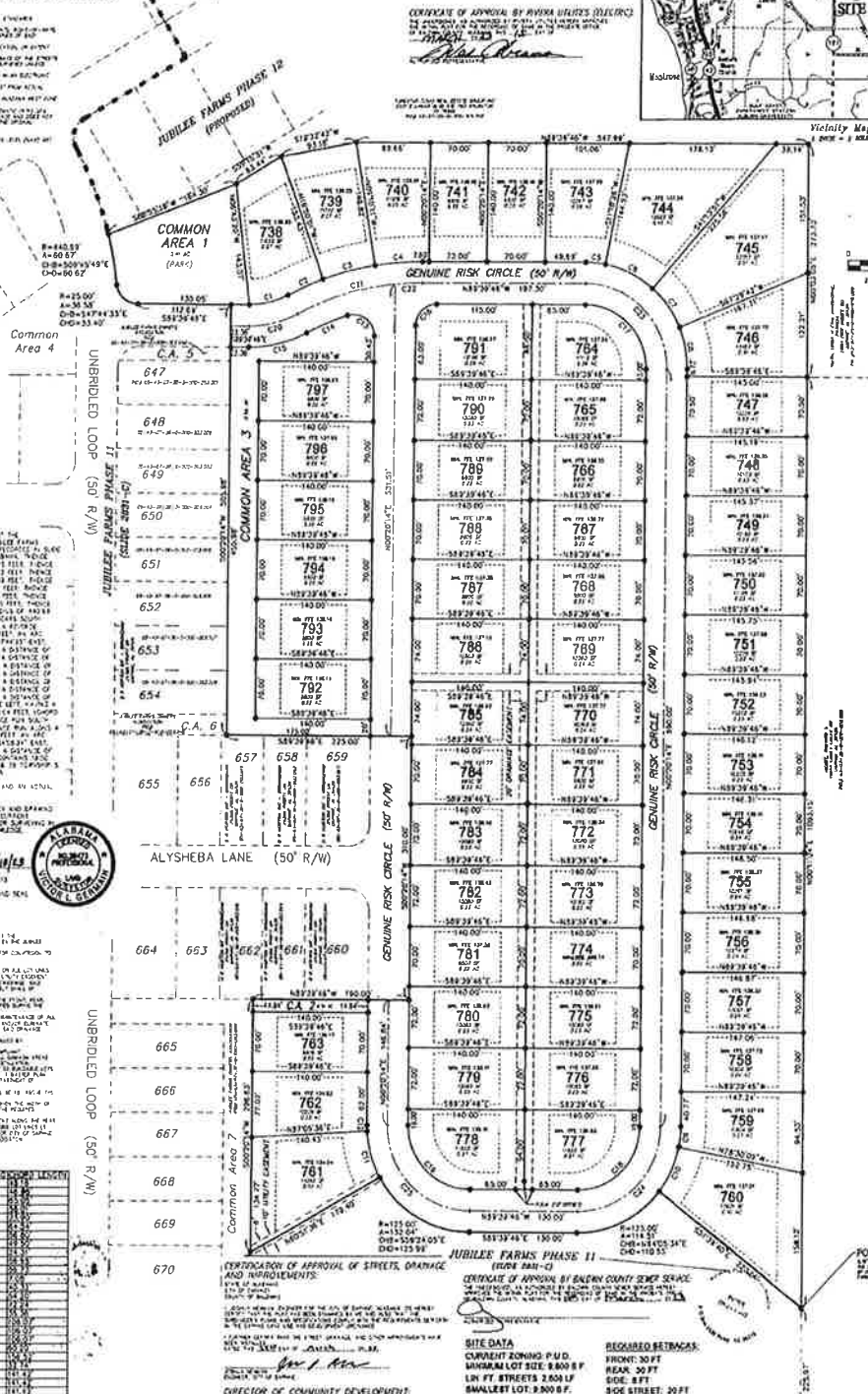
LEGEND
1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.
3. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.
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9. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.
10. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.

SURVEYOR'S CERTIFICATE
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

GENERAL NOTES
1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.
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9. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.
10. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR RAILROAD.

CERTIFICATE OF OWNERSHIP AND DECISION
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

ACKNOWLEDGMENT OF NOTARY PUBLIC
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13



CERTIFICATE OF APPROVAL OF STREETS, DRAINAGE AND UTILITIES
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

CERTIFICATE OF APPROVAL OF STREETS, DRAINAGE AND UTILITIES
DATE: 11/15/2011
PROJECT: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13
SUBDIVISION: JUBILEE FARMS PHASE 13

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-13**

2023-E-DAPHNE ANIMAL SHELTER

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 cost for the 2023-E-Daphne Animal Shelter will exceed this amount; and

WHEREAS, Four bids were received for the Daphne Animal Shelter; and

WHEREAS, Staff has reviewed the bids for the 2023-E-Daphne Animal Shelter and determined that the low bid for the base bid as presented is reasonable; and

WHEREAS, Staff recommends the bid be awarded to Bear General Contractors LLC.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that the City accept the bid of Bear General Contractors LLC in the amount of **\$6,569,380** as the lowest responsive and responsible bidder for BID SPECIFICATION NO: 2023-E-DAPHNE ANIMAL SHELTER.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2023.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-14**

APPROPRIATION: ANIMAL SHELTER CONSTRUCTION

WHEREAS, Ordinance 2022-59 approved and adopted the Fiscal Year 2023 Budget on September 19, 2022; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2023 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2023 budget; and

WHEREAS, the City has determined that a new Animal Shelter is needed to better serve the needs of our community; and

WHEREAS, the City contracted with both an engineering firm and an architectural firm to design a new 9,554 square foot animal shelter to be located on Johnson Road to replace the current outdated shelter; and

WHEREAS, Ordinance 2021-47 created an Animal Shelter special revenue fund and appropriated \$1,000,000 for design fees and other related costs; and

WHEREAS, the Animal Shelter Construction Project has been bid with a total project cost of \$6,861,610 (Construction - \$6,569,380; Additional Engineering - \$33,980; Other Site Costs - \$144,500; Temporary Animal Facilities - \$113,750); and

WHEREAS, there is remaining available funds from Ordinance 2021-47 in the amount of \$708,724, leaving an appropriation needed in the amount of \$6,152,886 to fund the Animal Shelter Construction Project; and

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

1. Funds in the amount of **\$6,152,886** from the **General Fund and transferred to the Animal Shelter Fund** are appropriated and made a part of the Fiscal Year 2023 budget for the City's portion of the project herein described.
2. The Mayor is hereby authorized and directed to do or perform or cause to be done or performed in the name of and behalf of the City such other acts, and to execute, deliver, file and record such other instruments, documents, certificates, notifications and related documents, all as shall be required by law or necessary or desirable to carry out the provisions and purposes of this resolution.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA this _____ day of _____, 2023.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-15**

**A RESOLUTION OF THE CITY OF DAPHNE DECLARING OFFICIAL INTENT TO
REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING
ANIMAL SHELTER & JUSTICE CENTER PROJECTS**

WHEREAS, the City of Daphne, Alabama (the "City") plans to undertake the construction of a new Animal Shelter and the expansion of the Justice Center (collectively, the "Project"); and

WHEREAS, the City expects to finance the Project on a long-term basis by issuing tax-exempt bonds or other tax-exempt municipal obligations (the "Bonds"); and

WHEREAS, because the Bonds will not be issued prior to September 2023, the City must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the Bonds; and

WHEREAS, the City Council of the City has determined that it is necessary, desirable, and in the best interest of the City to advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued.

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

1. Expenditure of Funds. The City shall make expenditures as needed from its funds on hand to pay the costs of the Project until Bond proceeds become available.
2. Declaration of Official Intent. The City hereby officially declares its intent under Treas. Regs. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed (\$10,000,000).
3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the City pursuant to its budget or financial policies.
4. Public Availability of Official Intent Resolution. This Resolution shall be made available for public inspection at the City Clerk's office after its approval in compliance with applicable State law, and shall remain available for public inspection until the Bonds are issued and thereafter.
5. Effective Date. This Resolution shall be effective immediately upon its adoption.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA ON THIS THE ____ DAY OF _____, 2023.**

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-16**

2023-N-ASPHALT

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

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

WHEREAS, Staff has reviewed the bids for Asphalt and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for Asphalt be awarded to H.O. Weaver & Sons, 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 of H. O. Weaver & Sons, Inc. for unit cost as follows:

ASPHALT MATERIAL	COST - \$
424A-336 Superpave Bituminous Concrete Wearing Surface Layer, 3/8" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished only (picked up) per ton	\$80.00
424A-336 Superpave Bituminous Concrete Wearing Surface Layer 3/8" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished and delivered per ton	\$90.00
424A-340 Superpave Bituminous Concrete Wearing Surface Layer, 1/2" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished only (picked up) per ton	\$76.00
424A-340 Superpave Bituminous Concrete Wearing Surface Layer, 1/2" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished and delivered per ton	\$86.00
424A-341 Superpave Bituminous Concrete Wearing Surface Layer, 3/4" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished only (picked up) per ton	\$74.00
424A-341 Superpave Bituminous Concrete Wearing Surface Layer, 3/4" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished and delivered per ton	\$84.00
424B-635 Superpave Bituminous Concrete Upper Binder Layer, 3/4" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished only (picked up) per ton	\$74.00

ASPHALT MATERIAL	COST - \$
424B-635 Superpave Bituminous Concrete Upper Binder Layer, 3/4" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished and delivered per ton	\$84.00
424B-636 Superpave Bituminous Concrete Upper Binder Layer, 1" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished only (picked up) per ton	\$64.00
424B-636 Superpave Bituminous Concrete Upper Binder Layer, 1" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished and delivered per ton	\$74.00
424B-637 Superpave Bituminous Concrete Upper Binder Layer, 1 1/2" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished only (picked up) per ton	\$64.00
424B-637 Superpave Bituminous Concrete Upper Binder Layer, 1 1/2" Maximum Aggregate Size Mix, ESAL Range "A/B" Furnished and delivered per ton	\$74.00
Cold Mix Asphalt (patch) Furnished only (picked up) 35 lb. bag	No Bid
Cold Mix Asphalt (patch) Furnished only (picked up) 50 lb. bag	No Bid

as specified in BID SPECIFICATION NO. 2023-M-ASPHALT.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, THIS _____ day of _____, 2023.**

Robin Le Jeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-17**

ADDITIONAL APPROPRIATION: PUBLIC WORKS STORAGE BUILDING

WHEREAS, Ordinance 2022-59 approved and adopted the Fiscal Year 2023 Budget on September 19, 2022; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2023 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2023 budget; and

WHEREAS, the previous building located on the site that the Public Works storage building will be constructed was destroyed in a fire and a negotiated bid was awarded in the amount of \$728,501 for the construction of a new Public Works storage building; and

WHEREAS, total insurance proceeds in the amount of \$299,388 were received and Ordinance 2022-30 previously appropriated \$515,205 to fund the remaining construction amount and engineering costs for the building; and

WHEREAS, additional funds in the amount of \$15,000 are needed for additional site work and foundation work on the public works storage building.

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

1. An appropriation in the amount of **\$15,000 from the General Fund and transferred to the Capital Reserve Fund** is appropriated and made a part of the Fiscal Year 2023 Budget for the Public Works Storage Building.
2. The Mayor is hereby authorized and directed to do or perform or cause to be done or performed in the name of and behalf of the City such other acts, and to execute, deliver, file and record such other instruments, documents, certificates, notifications and related documents, all as shall be required by law or necessary or desirable to carry out the provisions and purposes of this resolution.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2023.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-18**

APPROPRIATION: PURCHASE OF LEASED HEAVY EQUIPMENT

WHEREAS, Ordinance 2022-59 approved and adopted the Fiscal Year 2023 Budget on September 19, 2022; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2023 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2023 budget; and

WHEREAS, the City has three separate operating leases for a John Deere 332G Skid Steer, 420F2IT Caterpillar Backhoe Loader, and a John Deere 333G Compact Track Loader that were procured under cooperative agreements and are set to expire this year; and

WHEREAS, City staff has performed a financial analysis of renewing the leases versus purchasing the equipment and has determined that is in the City's best financial interest to purchase the equipment for the stated optional purchase price in each of the lease agreements; and

WHEREAS, the stated purchase price in the lease for each piece of equipment is as follows: John Deere 332G Skid Steer - \$30,016; 420F2IT Caterpillar Backhoe Loader - \$61,425; John Deere 333G Compact Track Loader - \$34,800;

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

1. An appropriation in the amount of **\$126,241** from the General Fund is appropriated and made a part of the Fiscal Year 2023 Budget for the purchase of the aforementioned pieces of leased heavy equipment.
2. The Mayor is hereby authorized and directed to do or perform or cause to be done or performed in the name of and on behalf of the City such other acts, and to execute, deliver, file and record such other instruments, documents, certificates, notifications and related documents, all as shall be required by law or necessary or desirable to carry out the provisions and purposes of this resolution.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2023.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-19**

APPROPRIATION: FIREFIGHTER WAGE REIMBUREMENT TO CITY OF SPANISH FORT

WHEREAS, Ordinance 2022-59 approved and adopted the Fiscal Year 2023 Budget on September 19, 2022; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2023 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2023 budget; and

WHEREAS, Alabama Code § 36-21-7 mandates that in those instances in which a firefighter of a municipality is employed by another municipality within 24 months after completing certain training requirements, the total expense of training shall be reimbursed to the municipality which paid for the training by the hiring municipality; and

WHEREAS, the City has employed a firefighter within the aforementioned 24-month time period from the City of Spanish Fort, and has received an itemized sworn statement in the amount of \$12,326.11 for reimbursement of training expenses and wages incurred by the City of Spanish Fort.

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

1. An appropriation in the amount of **\$12,326.11** from the **General Fund** is appropriated and made a part of the Fiscal Year 2023 Budget for reimbursement to the City of Spanish Fort for firefighter training expenses.
2. The Mayor is hereby authorized and directed to do or perform or cause to be done or performed in the name of and behalf of the City such other acts, and to execute, deliver, file and record such other instruments, documents, certificates, notifications and related documents, all as shall be required by law or necessary or desirable to carry out the provisions and purposes of this resolution.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2023.

Robin Le Jeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-20**

**SETUP NEW DEPOSITORY ACCOUNT AND TRANSFER OF FUNDS FOR:
CAPITAL RESERVE FUND ACCOUNT**

WHEREAS, it is necessary to retain certain banking services for the administration and disbursement of such Capital Reserve Fund 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, that

1. Designate Community Bank as the depository for the Capital Reserve Fund Account; and
2. The Mayor and Finance Director are hereby authorized and directed to do or perform or cause to be done or performed in the name of and on behalf of the City such other acts, and to execute, deliver, file and record such other instruments, documents, certificates, notifications and related documents, all as shall be required by law or necessary or desirable to carry out the provisions and purposes of this resolution to complete the transfer of the Capital Reserve Fund Account from Regions Bank to Community Bank.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2023.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023 -21**

**A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND
AUTHORIZING THE MAYOR TO DISPOSE OF SUCH PROPERTY**

WHEREAS, the management of the City of Daphne has determined that the item listed below is no longer required for public or municipal purposes; and

WHEREAS, the item listed below is recommended for disposal.

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

1. The property listed below is hereby declared to be surplus property; and

DEPT	EQ/VEH/#	DESCRIPTION	VIN/SN
Grounds	1190	2006 Z-TRACK MOWER (737-60)	TC0737B051275

2. The Mayor is authorized to advertise and accept bids through Govdeals.com/Liquidity Services Operations LLC as contracted for the sale of such personal property; and
3. The Mayor is authorized to sell said property to the highest bidder and deposit any and all proceeds to the appropriate City fund. The Mayor is further authorized to direct the disposition of any property which is not claimed by any bidder and sign all necessary documents.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2023.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-22**

2023-M-ATHLETIC UNIFORMS

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

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

WHEREAS, Staff has reviewed the bids for the athletic uniforms and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the athletic uniforms be awarded to Game Day Sports.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Game Day Sports for unit cost (delivered) as follows:

SPRING BASEBALL UNIFORMS	Current Product (Equal to or Better Than)	Estimated Order Qty.	Sizes	Brand Name & Item Number Quoted (If different from current product listed.)	Unit Price	Extended Price
Player jerseys to be Nike MLB replica moisture wicking t-shirt style and to include number and last name on back. Additional Charge: 2X - \$2 More, 3X - \$2 More, 4X - \$2 More	MLB Replica	315	Youth		\$22.00	\$6,930.00
	MLB Replica	75	Adult		\$22.00	\$1,650.00
Player and Coaches Caps MLB Replica Caps. Caps must match team.	MLB Replica Cap Adjustable	315	Youth		\$9.00	\$2,835.00
		175	Adult		\$9.00	\$1,575.00
Coaches jerseys to be the same as player's jerseys without numbers or names on the back. Additional Charge: 2X - \$2 More, 3X - \$2 More, 4X - \$2 More	MLB Replica	100	Adult		\$18.00	\$1,800.00

FALL BASEBALL UNIFORMS	Current Product (Equal to or Better Than)	Estimated Order Qty.	Sizes	Brand Name & Item Number Quoted (If different from current product listed.)	Unit Price	Extended Price
Player jerseys to be dry-fit two-color moisture wicking t-shirt style and to include a sublimated custom design of a team and/or mascot logo per team on front and number and last name on back. Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More	Champro F-MS1Z	150	Youth		\$26.00	\$3,900.00
	Champro F-MS1Z	75	Adult		\$26.00	\$1,950.00
Player and Coaches Caps grey adjustable cap with custom embroidered logo.	Pacific Headwear 101C	150	Youth		\$12.00	\$1,800.00
	Pacific Headwear 101C	145	Adult		\$12.00	\$1,740.00
Coaches jerseys to be the same as player's jerseys without numbers or name on the back. Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More	Champro F-MS1Z	70	Adult		\$26.00	\$1,820.00

SPRING SOFTBALL UNIFORMS	Current Product (Equal to or Better Than)	Estimated Order Qty.	Sizes	Brand Name & Item Number Quoted (If different from current product listed.)	Unit Price	Extended Price
Player jerseys to be dry fit moisture wicking V-neck jersey with trim or piping to include a sublimated custom design of team and/or mascot logo per team on front and a number and name on back. For all age groups.	Champro F-BBJ1Z	75	Youth		\$26.00	\$1,950.00
Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More	Champro F-BBJ1Z	35	Adult		\$26.00	\$910.00
Two color sport tube socks	TCK Pattern B	110	S-L	If not TCK, CHMPRO-AS3	\$8.00	\$880.00
Solid color adjustable belt with elastic webbing and leather tab	TCK Softball Belt	75	Youth	If not TCK, Augusta-A062	\$5.00	\$375.00
Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More	TCK Softball Belt	35	Adult	If not TCK, Augusta-A062	\$5.00	\$175.00
Coaches jerseys to be the same as player's jerseys without numbers or name on the back.	Champro F-MS1Z	30	Adult		\$26.00	\$780.00
Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More						

FALL SOFTBALL UNIFORMS	Current Product (Equal to or Better Than)	Estimated Order Qty.	Sizes	Brand Name & Item Number Quoted (If different from current product listed.)	Unit Price	Extended Price
Player jerseys to be dry fit moisture wicking V-neck jersey with trim or piping to include a sublimated custom design of team and/or mascot logo per team on front and a number and name on back. For all age groups.	Champro F-BBJ1Z	75	Youth		\$26.00	\$1,950.00
Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More	Champro F-BBJ1Z	35	Adult		\$26.00	\$910.00
Two color sport tube socks	TCK Pattern B	110	S-L	If not TCK, CHMPRO-AS3	\$8.00	\$880.00
Solid color adjustable belt with elastic webbing and leather tab	TCK Softball Belt	75	Youth	If not TCK, Augusta-A062	\$5.00	\$375.00
Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More	TCK Softball Belt	35	Adult	If not TCK, Augusta-A062	\$5.00	\$175.00
Coaches jerseys to be the same as player's jerseys without numbers or name on the back.	Champro F-MS1Z	30	Adult		\$26.00	\$780.00
Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More						

FOOTBALL UNIFORMS	Current Product (Equal to or Better Than)	Estimated Order Qty.	Sizes	Brand Name & Item Number Quoted (If different from current product listed.)	Unit Price	Extended Price
2 color Polyester stretch mesh body and lower sleeves. Polyester stretch dazzle double -ply cowl. Mitered V-neck collar. With sublimated 8" number on front and 10" number on back. Last name on back. Team name on front.	Champro JFJ7	130	Youth		\$42.00	\$5,460.00
Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More	Champro JFJ7	60	Adult		\$42.00	\$2,520.00
Solid color short sleeve 1/4 zip pullover jacket with 2 color custom logo embroidered on left chest. 100% polyester moisture management/antimicrobial performance fabric	Badger 4199 Sports B-Core S/S 1/4 Zip	50	Adult		\$32.00	\$1,600.00
Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More						

BASKETBALL UNIFORMS	Current Product (Equal to or Better Than)	Estimated Order Qty.	Sizes	Brand Name & Item Number Quoted (If different from current product listed.)	Unit Price	Extended Price
Reversible 100% Polyester wicking NBA replica jersey to include number on back.	Alleson A205LY	200	Youth	All sides printed s/#	\$25.00	\$5,000.00
Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More	Alleson A205LA	70	Adult		\$25.00	\$1,750.00
NBA Replica athletic shorts 100% polyester wicking knit 7" inseam covered elastic waistband with inside drawcord	Alleson A205LY	200	Youth		\$16.00	\$3,200.00
NBA Replica athletic shorts 100% polyester wicking knit 7" inseam covered elastic waistband with inside drawcord	Alleson A205LA	70	Adult		\$16.00	\$1,120.00
Solid color dry fit coaches shirts with small logo on front-left of shirt. Colors may change from year to year. Additional Charge: \$2 More, 3X - \$2 More, 4X - \$2 More	Badger 4120	75	Adult		\$10.00	\$750.00

List any charges for Set-Up or Art Work	N/A
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All delivery cost to 2605 US Highway 98, Daphne, AL 36526 should be included in price and bids. Bids must be returned on this enclosed quote sheet with total extended unit cost listed.

and made a part hereof for BID SPECIFICATION NO.2023-M-ATHLETIC UNIFORMS.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2023.

Robin Le Jeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk