CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
Monday, April 17, 2023
6:00 P.M.

1. **CALL TO ORDER**

2. **ROLL CALL**
   INVOCATION Pastor Quinten Howard, Resurrection Church
   PLEDGE OF ALLEGIANCE

   RECOGNITION: Bayside Academy Chess Team

   PROCLAMATION: Child Abuse Prevention Month

   PROCLAMATION: Earth Day

3. **APPROVE MINUTES:** April 3, 2023 regular meeting.

4. **REPORTS OF STANDING COMMITTEES**

   A. FINANCE COMMITTEE – Goodlin

   MOTION to authorize Mayor LeJeune to execute a Temporary Construction Easement by the City of Daphne to and for the benefit of Mark White.

   B. BUILDINGS & PROPERTY COMMITTEE – Coleman
   Review the minutes from the March 2023 meeting and the March 2023 new Construction and Building Reports.
   Certificates of Occupancy: 44
   Permits Issues: 181
   New Residential Home Permits: 3
   Total Fees: $30,603.28

   MOTION to amend the FY2023 Payroll Budget to upgrade one Building Inspector 1 position to a Building Inspector 2 position.

   C. PUBLIC SAFETY COMMITTEE – Hughes

   D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Olen

   E. PUBLIC WORKS COMMITTEE – Conaway
   Review the minutes from the March 6th meeting.

5. **REPORTS OF SPECIAL BOARDS & COMMISSIONS**

   A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

   B. DAPHNE PUBLIC SCHOOL COMMISSION – Conaway

   C. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

   D. INDUSTRIAL DEVELOPMENT BOARD – Scott

   E. LIBRARY BOARD – Goodlin

   F. PLANNING COMMISSION – Olen

G. RECREATION BOARD – Hughes

H. UTILITY BOARD – Phillips
Review the minutes from the March meeting.

6. PUBLIC PARTICIPATION

7. MAYOR'S REPORT

8. CITY ATTORNEY REPORT

9. DEPARTMENT HEAD REPORTS

10. CITY CLERK'S REPORT

MOTION to approve the full street closure of Belrose Avenue from 7:00am – 12:00pm on April 22, 2023 for the Ballin' on Belrose Run/Walk Fundraiser Challenge.

MOTION to approve the Witches, Warlocks and Wizards Ride on October 29, 2023 from 4:00 – 6:00pm.

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2023 – 23 - Appropriation: Well Road Drainage Repairs **-** $83,223

2023 – 24 – Bid Award: 2023-L-Well Road Drainage Improvements – Blade Construction LLC **-** $302,930

2023 – 25 – Appropriation: Purchase and Installation of Turf Fields at Daphne Sports Complex **-** $266,506

2023 – 26 – Bid Award: 2023-I-Purchase and Installation of Turf Fields at Daphne Sports Complex – Sports Contractors Unlimited, LLC **-** $1,915,485.12

B. 2nd READ ORDINANCES:

1st READ ORDINANCES:

12. COUNCIL COMMENTS

13. ADJOURN

CITY OF
DAPHNE, ALABAMA

Proclamation

WHEREAS; our children are our most valuable resources and will shape the future of the City of Daphne; and

WHEREAS; childhood trauma, including abuse and neglect, is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS; childhood trauma can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS; protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

WHEREAS; effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

WHEREAS; communities must make every effort to promote programs and activities that build strong children and families; and

WHEREAS; we acknowledge that we must work together as a community in partnership to build awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

WHEREAS; prevention remains the best defense for our children and families.

NOW, THEREFORE; I, Robin LeJeune, as the Mayor of the City of Daphne, together with the Daphne City Council, do hereby proclaim April 2023 as

National Child Abuse Prevention Month

in the City of Daphne and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

Robin LeJeune, Mayor

Candace G. Antinarella, CMC, City Clerk

CITY OF DAPHNE, ALABAMA

Proclamation

WHEREAS; Earth Day is an annual celebration that honors the achievements of the environmental movement and raises awareness of the need to protect the Earth's natural resources for future generations; and

WHEREAS; this year's celebration will be centered around "Enhancing our Environment," which relates to this year's Earth Day Theme: Invest in Our Planet; and

WHEREAS; positively impacting our community is the responsibility of our citizens and we are encouraging all to 1) plant trees to help improve and protect our environment; 2) create community and home gardens to reduce negative environmental impact and promote sustainable agriculture; and 3) reduce waste by engaging in eco-friendly activities; and

WHEREAS; the City of Daphne commends the Exquisite Pearls of the Alabama Eastern Shore for their commitment to increasing awareness and understanding the need to ensure we create an environment that is safe for all to enjoy, and the need for all to engage in this important civic duty; and

WHEREAS; as partners we emphasize the need to develop a sense of environmental responsibility among all residents of the City of Daphne.

NOW, THEREFORE; I, Robin LeJeune, as the Mayor of the City of Daphne, together with the Daphne City Council, do hereby proclaim April 22, 2023 as

Earth Day

in the City of Daphne and joins the Exquisite Pearls of the Alabama Eastern Shore in their collective efforts to celebrate Earth Day throughout the City of Daphne.

Robin LeJeune, Mayor

Candace G. Antinarella, CMC, City Clerk

April 3, 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 6:01pm.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Tommie Conaway, Steve Olen (arrived 6:02pm), Joel Coleman, Doug Goodlin, Ron Scott, Benjamin Hughes, and Angie Phillips

Also Present: Jay Ross, City Attorney; Candace Antinarella, City Clerk; Mayor LeJeune; Captain Jud Beedy, Police; Troy Strunk, City Development; Chief Tacon, Fire; Ronnie Huskey, Public Works; Ange Baggett, Marketing; Tonja Young, Library; Vickie Hinman, Human Resources; Betsy Schneider, Operations; Charlie McDavid, Recreation; Kelli Reid, Finance; Josh Newman, City Engineer; Gracie Robinson, Junior City Councilmember; Maren Fagan, Junior City Councilmember; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Pastor Charlie Stafford, Coastal 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 minutes from the March 20th meeting were in the packet and gave the Treasurer's Report for February 2023: Unrestricted Fund Balance-$28,238,097; Total Cash Balance-$45,767,4365; Sales tax for January 2023 - $2,123,985; Lodging Tax for January 2023-$99,333; Excess Reserve Balance - $21,251,231; Debt Summary for February 2023: Warrants-$26,410,794; Capital Leases: General Fund-$895,941; Enterprise Fund -$969,782.

MOTION by Councilman Goodlin 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 the bids for the City to negotiate the contract. No second was needed.
MOTION CARRIED UNANIMOUSLY.

B. BUILDINGS & PROPERTY COMMITTEE

Councilman Coleman 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 and the minutes from the March meeting are in the packet.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Olen said the Committee met earlier and the next meeting is May 1st at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilwoman Conaway said the committee met earlier and the next meeting is May 1st at 5:15pm.

5. <u>REPORTS OF SPECIAL BOARDS & COMMISSIONS</u>:

A. Board of Zoning Adjustments

MOTION by Councilwoman Conaway 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. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Coleman to appoint Donald Burton to the Board of Zoning Adjustments as an alternate to fulfill an unexpired term to end May 2025. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.

B. Daphne Public School Commission
Councilwoman Conaway said the next meeting is April 24th at 5:30pm.

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

D. Industrial Development Board
Councilman Scott said the next meeting is April 18th at 4:30pm.

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

F. Planning Commission
Councilman Olen said the next meeting is April 27th at 5:00pm.

G. Recreation Board
Councilman Hughes said the next meeting is May 10th at 6:00pm.

H. Utility Board
Councilwoman Phillips said the next meeting is April 26th at 6:00pm.

6. <u>PUBLIC PARTICIPATION</u>:

Public Participation opened at 6:12pm.

Michael Niemeyer, 122 Mulberry Lane in Fairhope, said he is representing Waverly Construction regarding the bids for the City's Animal Shelter. He asked the Council to consider not adopting the Resolution that evening to approve the bid for the Animal Shelter.

Lawren Rozolsky, 102 Vega Circle, spoke on regards of the debris in the drainage ditch.

Public Participation closed at 6:20pm.

7. <u>MAYOR'S REPORT</u>:

Mayor LeJeune said former Daphne City Clerk Barbara Baggett passed away recently. He shared about the recent events in the City: Keep Daphne Beautiful and the Easter Egg Dash.

8. <u>CITY ATTORNEY REPORT</u>:

City Attorney said there was no report.

9. DEPARTMENT HEAD COMMENTS:

Chief Tacon, Fire, said the Fire Department has recently hired two new employees and that she's been handing out Service Coins to those who have been with the Fire Department for so many years.

Ange Baggett, Marketing, thanked all who were involved with the Easter Egg Dash. She shared the D'Olive Bay Boat Launch Re-Opening Celebration will be April 5th, the Brown Bag in the Park begins on Thursday and Coffee with the Mayor is April 12th.

Charlie McDavid, Recreation, said there was a 67-team baseball tournament the past weekend and the splash pad will open on April 15th.

Troy Strunk, City Development, invited the Council to the D'Olive Bay Boat Launch on Wednesday at 10:00am and shared that Alabama Commissioner Chris Blankenship is coming down on April 17th.

Josh Newman, City Engineer, updated the Council on ongoing construction in the City.

10. CITY CLERK'S REPORT:

MOTION by Councilman Scott 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. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott Conaway 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. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.

Junior Councilmember, Maren Fagan, shared with the Council about the recent trip to D.C. she and fellow Councilmember, Daniel Hill, took to represent Daphne as youth delegates at the National League of Cities.

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

MOTION by Councilman Scott to waive the reading of Resolutions 2023-12, 2023-13, 2023-14 and 2023-15. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Hughes to adopt Resolution 2023-12. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Resolution 2023-13. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Resolution 2023-14. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Resolution 2023-15. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Resolution 2023-16. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Resolution 2023-16. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Resolutions 2023-17, 2023-18, 2023-19, 2023-20, 2023-21 and 2023-22. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Resolutions 2023-17, 2023-18 and 2023-19. Seconded by Councilwoman Conaway. Councilman Olen said he is going to vote in favor of Resolution 2023-19, but he is disappointed in how the City of Spanish Fort has acted due to this situation.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Resolution 2023-20. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Hughes to adopt Resolutions 2023-21 and 2023-22. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.

ORDINANCES:

B. **2nd READ ORDINANCES:**

1ST READ ORDINANCES:

12. COUNCIL COMMENTS:

Councilwoman Conaway thanked Telecommunicators and announced the Special Olympics is April 6th.

Councilman Olen thanked all City Staff for their work with the recent events.

Councilman Coleman said the Easter Egg Dash went well and commented on the great trip to Washington, D.C. for the National League of Cities.

Councilman Scott thanked all who went to Washington, D.C. to represent the City of Daphne. He hopes cities will continue to foster good relationships.

Councilman Hughes thanked all who helped with the Easter Egg Dash.

Council President Phillips thanked City Staff for their continued work.

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 6:51 PM.

Respectfully submitted by,	Certification of Presiding Officer,
______________________________	______________________________
Candace G. Antinarella, CMC, City Clerk	Angie Phillips, Council President

<u>TEMPORARY CONSTRUCTION EASEMENT</u>

THIS TEMPORARY CONSTRUCTION EASEMENT (this "<u>Easement</u>") is granted as of the Effective Date (as defined below), by **THE CITY OF DAPHNE**, an Alabama municipal corporation (the "<u>Owner</u>"), to and for the benefit of **MARK WHITE**, an individual ("<u>Grantee</u>"), with reference to the following facts:

A. Owner is the fee simple owner of certain real property located in Baldwin County, Alabama, bearing Parcel No. 05-43-03-71-0-007-021.000 (the "<u>Property</u>").

B. Grantee intends to construct and develop certain improvements on adjacent property located south of the Property (the "<u>Project</u>").

C. Owner desires to grant a temporary construction easement over, under, through and across an approximately 50' x 216.37' portion of the Property depicted on **<u>Exhibit A</u>** attached hereto (the "<u>Easement Area</u>"), in favor of and for the benefit of Grantee in connection with the Project, subject to the terms and conditions set forth in this Agreement.

This Easement is granted in accordance with, and subject to, the following terms, requirements, and limitations:

1. A Temporary Construction Easement is hereby granted for the purposes of access, connections, construction and improvements for the duration of the construction and development of the Project.

2. Upon the Grantee's request for a certificate of occupancy for the Project, the Owner's City Engineer shall inspect the Easement Area for any damage and issue a list of deficiencies (punch list), and any deficiencies noted shall be remedied by Grantee such that the Easement Area is restored to essentially the same condition it was in prior to Grantee's use, at Grantee's sole cost and expense, prior to the issuance by the Owner of a certificate of occupancy.

3. Upon the issuance of a certificate of occupancy for the Project, this Easement shall terminate, and the Easement Area shall be considered free and clear of any restriction or any right or privilege attaching to the grant of this Easement.

4. The Owner covenants and agrees that it is the fee owner of the Property and that it has the authority to grant this Easement to the Grantee.

5. The Owner reserves all rights attendant to its ownership of the Property, including but not limited to the use and enjoyment of the Easement Area for all purposes not inconsistent with the terms of this Easement.

6. The Grantee shall indemnify, defend and hold the Owner and its agents, employees, successors and assigns (the "<u>Indemnified Parties</u>") harmless from any and all costs, liabilities, losses and damages incurred by the Indemnified Parties, or any of them, as a result of or arising from the Easement being located on the Property, including any legal or other third party expenses incurred by the Indemnified Parties related thereto. This indemnification shall survive the termination of this Easement and continue in full force and effect for the benefit of the Owner and all subsequent owners of the Property.

7. The benefits and burdens of this Easement shall inure to the benefit of and be binding upon each of the Owner and Grantee and each of their successors and assigns.

8. This Easement shall be recorded by the Grantee in the Probate Court of Baldwin County, Alabama.

IN WITNESS WHEREOF, the Owner and Grantee have executed this instrument as of the ___ day of April, 2023 (the "Effective Date").

OWNER:

CITY OF DAPHNE, ALABAMA

____
ROBIN LEJEUNE, its Mayor

ATTEST:

____
Candace G. Antinarella, CMC, City Clerk

[Signatures Continue on Following Page]

GRANTEE:

____
MARK WHITE

STATE OF ALABAMA)
)
COUNTY OF BALDWIN)

I, the undersigned authority, a Notary Public in and for said county in said State, hereby certify that MARK WHITE, whose name 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this ____ day of _________, 2023.

____
NOTARY PUBLIC
My Commission Expires:_____________________

(NOTARY SEAL)

Attachment:
Exhibit A – Depiction of Easement Area

OWNER'S MAILING ADDRESS:
City of Daphne
1705 Main Street
Daphne, AL 36526

GRANTEE'S MAILING ADDRESS:
Mark White
6423 Bayfront Park Drive
Daphne, AL 36526

THIS INSTRUMENT PREPARED BY AND RETURN TO:
A. Patrick Dungan, Esq.
Adams and Reese LLP
11 N Water St, Ste 23200
Mobile, AL 36602

EXHIBIT A

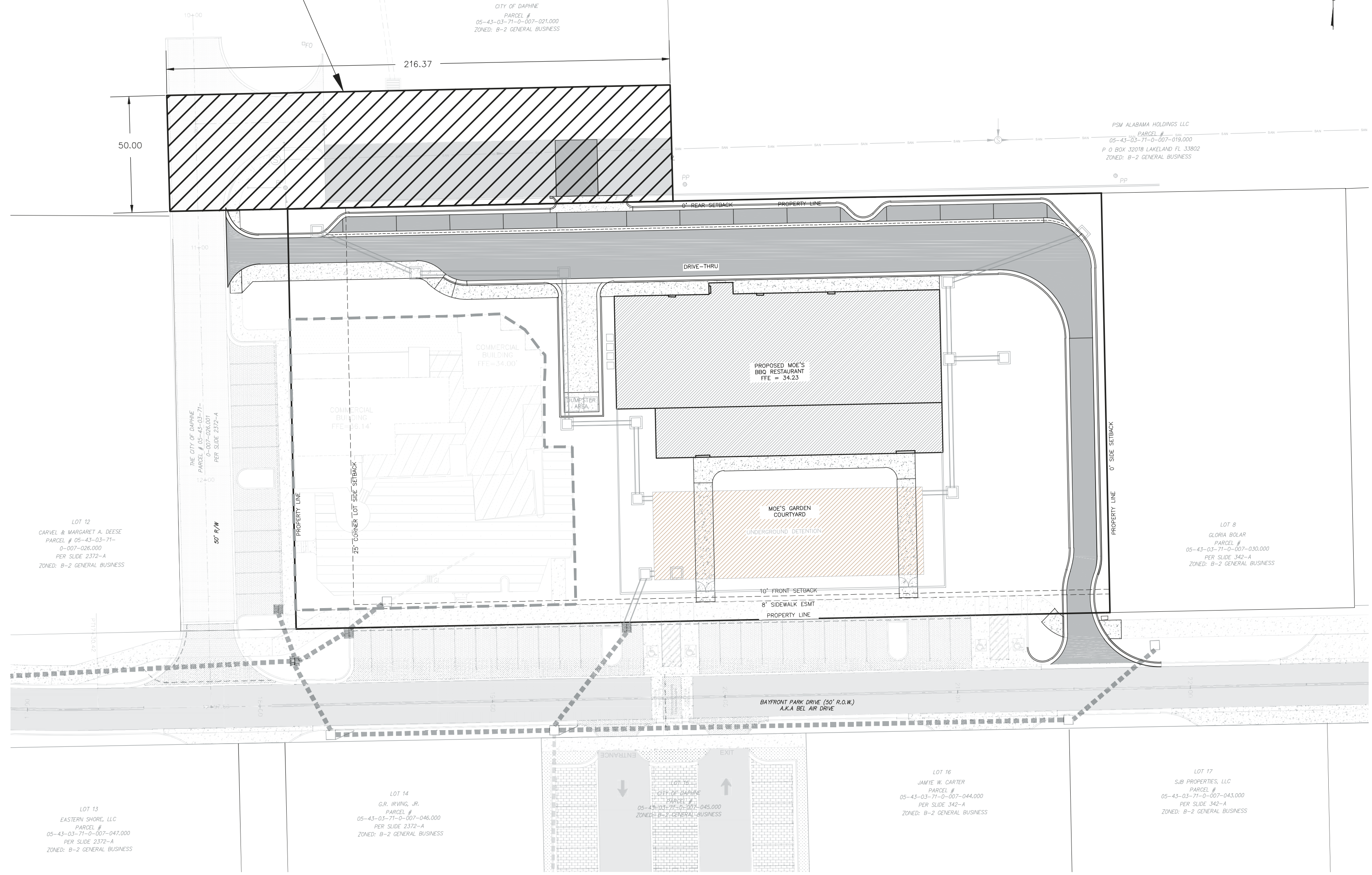
Depiction of Easement Area

(attached)

THE CITY OF DAPHNE HEREBY GRANTS MOE'S BBQ A TEMPORARY CONSTRUCTION EASEMENT, AS SHOWN, FOR THE PURPOSES OF ACCESS, CONNECTIONS, CONSTRUCTION AND IMPROVEMENTS FOR THE DURATION OF THE CONSTRUCTION PERIOD FOR THE MOE'S BBQ SITE. UPON REQUEST OF CERTIFICATE OF OCCUPANCY THE CITY ENGINEER WILL NEED TO INSPECT THE TEMPORARY CONSTRUCTION EASEMENT FOR ANY DAMAGES AND ISSUE A LIST OF DEFICIENCIES (PUNCH LIST). ANY DEFICIENCIES FOUND SHALL BE REMEDIED TO THE PRE-CONSTRUCTION CONDITION. REPAIR COST ASSOCIATED WITH ANY DAMAGES SHALL BE BORNE BY THE MOE'S BBQ OWNER/CONTRACTOR AND BE ADDRESSED PRIOR TO ISSUANCE OF SAID CERTIFICATE OF OCCUPANCY. UPON ISSUANCE OF THE CERTIFICATE OF OCCUPANCY OF THE NEWLY PROPOSE MOE'S BUILDING THE TEMPORARY CONSTRUCTION EASEMENT SHOWN HERE-IN WILL EXPIRE.

MOE'S BBQ ________________ DATE

THE CITY OF DAPHNE ________________ DATE



Dewberry
25353 FRIENDSHIP ROAD
DAPHNE, AL 36526
251.990.9950

MOE'S BBQ RESTAURANT
DAPHNE, ALABAMA

SEAL

SCALE
0 20 40 60

NO.	DESCRIPTION	DATE

REVISIONS

DRAWN BY	LMD
APPROVED BY	ANB
CHECKED BY	ANB
DATE	FEBRUARY 2023

TITLE
TEMP. CONST. EASEMENT

PROJECT NO. 50161062

C14

SHEET NO.

BUILDINGS & PROPERTY COMMITTEE MEETING
March 13, 2023, 5:15 p.m.
City Hall, Council Chambers
1705 Main Street, Daphne, AL 36526

MEETING MINUTES

MEMBERS PRESENT: Councilman Hughes, Councilman Coleman, Councilwoman Phillips, Councilman Olen, Councilman Goodlin, Councilwoman Conaway and Councilman Scott

ALSO PRESENT: Mayor LeJeune; Patrick Dungan, City Attorney; Troy Strunk, City Development; Ben Davis, Recreation; Kelli Reid, Finance; Ange Baggett, Marketing; Ronnie Huskey, Public Works; Jane Ellis, Senior Center; Eric Butler, Building Inspection; Tralise Pounds, Junior City Councilmember; Maren Fagan, Junior City Councilmember; Candace Antinarella, City Clerk; and Jessica Linne, Assistant City Clerk.

1) CALL MEETING TO ORDER / ROLL CALL

There being a quorum present Councilman Coleman called the meeting to order at 5:17p.m.

2) MINUTES

Councilman Coleman reviewed the minutes from the February meeting.

3) PUBLIC PARTICIPATION

No one came forward to speak.

4) BUILDING INSPECTION REPORT

Eric Butler gave the building report.

5) CIVIC CENTER & BAYFRONT PAVILION REPORT

Ange Baggett gave the Civic Center report.

6) RECREATION REPORT

Ben Davis gave the Recreation Report. He mentioned the Pickleball Courts would be opening soon.

7) LIBRARY REPORT

There was no report.

8) VILLAGE POINT BAYFRONT PROPERTIES REPORT

There was no report.

9) FACILITIES REPORT

Ronnie Huskey reviewed the facilities report.

10) OLD BUSINESS

11) NEW BUSINESS

Troy Strunk gave a report on May Day Park and Bayfront Park.

Mayor LeJeune said Moe's Restaurant has submitted plan to Planning Commission for their expansion.

12) ANY OTHER BUILDINGS AND PROPERTY BUSINESS

13) NEXT MEETING

The next meeting is scheduled for Monday, April 10, 2023 at 5:15 p.m.

14) ADJOURN

There being no further business to discuss, the Council adjourned at 5:47pm.

City of Daphne Building Department

2019 / 2020 / 2021 / 2022 / 2023 Comparison Report

	Fees Collected					Permits Issued					CO's Issued				
	2019	2020	2021	2022	2023	2019	2020	2021	2022	2023	2019	2020	2021	2022	2023
Oct	$41,508.58	$93,181.87	$94,131.53	$84,303.63	$47,086.96	141	215	357	308	192	23	11	31	40	28
Nov	$30,939.41	$62,198.00	$109,387.14	$91,672.49	$50,279.03	106	223	378	351	286	18	26	30	30	36
Dec	$28,050.20	$233,529.32	$101,471.36	$128,605.99	$57,070.59	108	252	383	296	216	23	33	43	53	36
Jan	$54,262.58	$118,498.03	$132,049.79	$259,810.62	$33,804.54	180	270	372	350	152	21	14	24	36	33
Feb	$65,020.99	$140,560.44	$97,396.64	$129,315.56	$44,081.76	225	308	350	292	169	17	33	32	32	31
Mar	$66,919.78	$77,067.98	$95,472.42	$116,358.20	**$30,603.28**	204	362	391	431	**181**	20	45	52	84	**44**
Apr	$62,429.27	$94,394.17	$80,088.89	$60,816.35		228	272	373	324		23	32	40	42	
May	$76,949.69	$95,010.56	$101,848.37	$65,454.25		247	294	380	306		18	39	42	48	
June	$57,871.17	$179,966.08	$100,508.32	$147,395.66		223	399	394	355		24	49	50	34	
July	$69,166.73	$77,442.81	$78,547.74	$87,733.72		239	323	408	305		10	45	29	23	
Aug	$119,198.28	$105,147.77	$59,376.50	$61,504.63		272	307	309	299		44	34	30	19	
Sept	$76,320.28	$71,226.36	$93,879.09	$140,065.18		303	352	442	328		21	35	48	40	
Total	$748,636.96	$1,348,223.39	$1,144,157.79	$1,373,036.28	**$262,926.16**	2476	3577	4537	3945	**1196**	262	396	451	481	**208**
rcent	**NA**	**80.09%**	**-15.14%**	**20.00%**		**NA**	**44.47%**	**26.84%**	**-13.05%**		**NA**	**51.15%**	**13.89%**	**6.65%**	

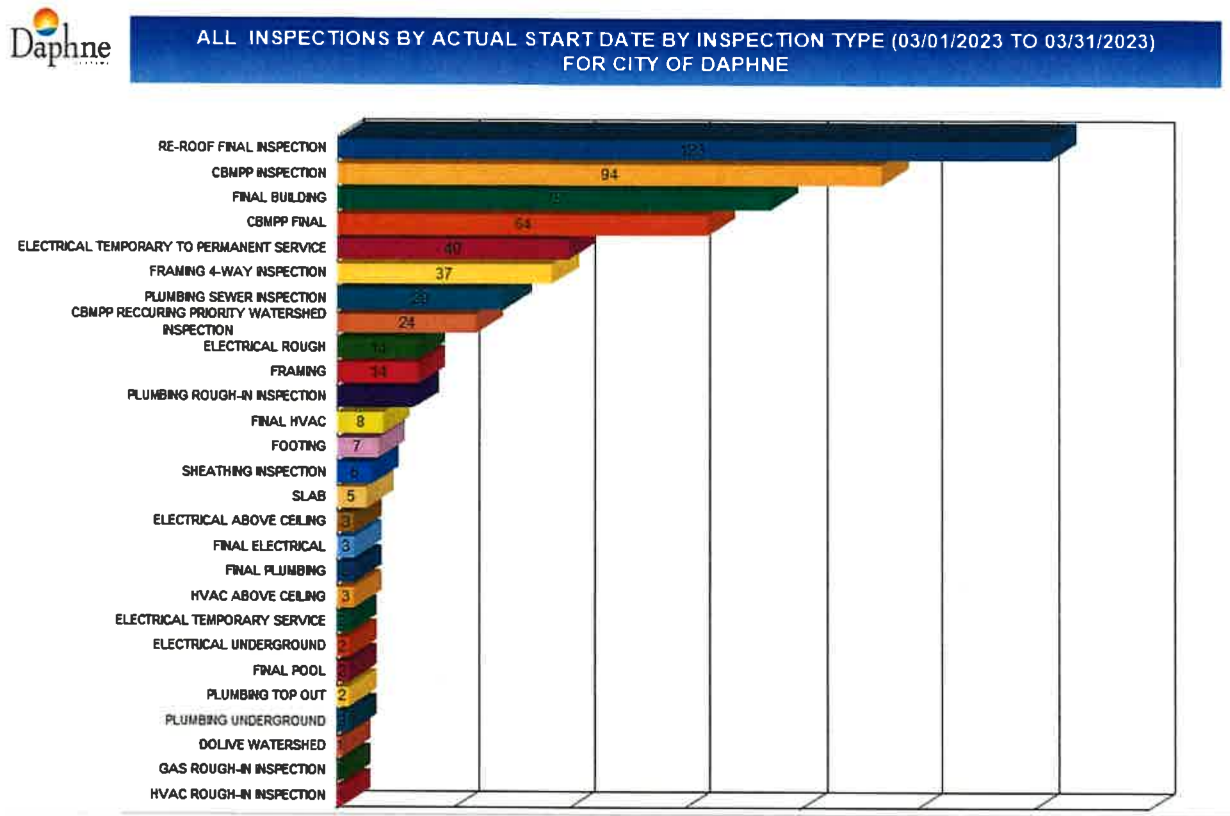
March FY2023 Notes

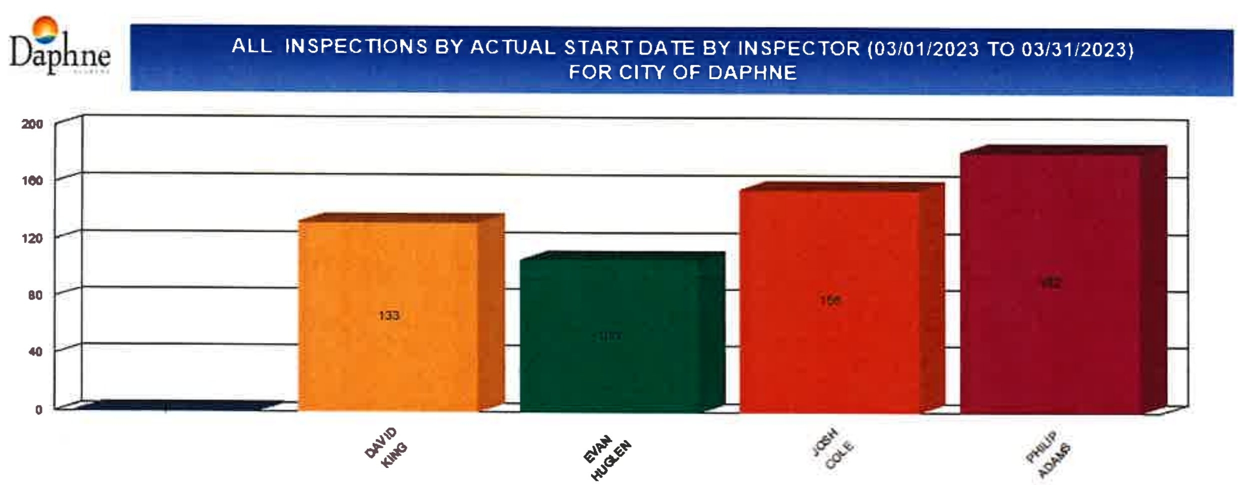
Building Inspections-

181 Permits issued, 44 Certificate Of Occupancies issued, and 3 New home permits issued 0 New Commercial

5 New Commercial Pending

395 Building Inspections – 182 Environmental Inspections – **577 Total Inspections**





PERMITS ISSUED BY (03/01/2023 TO 03/31/2023)
FOR CITY OF DAPHNE

Building Permit (Residential)

Work Class New Construction (Residential)

BLDR-014441-2023
Status: Issued
Type: Building Permit (Residential)
Workclass: New Construction (Residential)
District:
Project: Jubilee Farms Phase 6
Main Address: 10886 Secretariat Blvd Daphne, AL 36526
Parcel:
Application Date: 03/03/2023
Issue Date: 03/14/2023
Expiration: 09/11/2023
Last Inspection:
Finaled Date:
Zone:
Sq Ft: 0
Valuation: $439,514.57
Fee Total: $2,400.00
Assigned To:
Additional Info:
Heated and Cooled Valuation: 394978
Number of Stories: 0
Heated and Cooled Square Feet: 2618
Non-Heated and Cooled Square Feet: 737
Non-Heated and Cooled Valuation: 44536.9
IRC Residential Building Code Year: 2018
Subdivision: JUBILEE FARMS
Subdivison Unit or Phase: 6
Lot Number: 311
Zoned: PUD
Watershed: Fly Creek
Flood Zone: X

Description: LOT 311 PH 6 JUBILEE FARMS

Contractor: TRULAND HOMES LLC 29891 WOODROW LN SPANISH FORT, AL 36527 251-621-0850 elankford@trulandhomes.com

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BLDR-014458-2023
Status: Issued
Type: Building Permit (Residential)
Workclass: New Construction (Residential)
District:
Project: Old Town Daphne Area
Main Address: 308 Beall Ln Daphne, AL 36526
Parcel:
Application Date: 03/08/2023
Issue Date: 03/13/2023
Expiration: 09/18/2023
Last Inspection: 03/21/2023
Finaled Date:
Zone:
Sq Ft: 0
Valuation: $497,251.41
Fee Total: $2,590.00
Assigned To:
Additional Info:
Heated and Cooled Valuation: 414289
Number of Stories: 0
Heated and Cooled Square Feet: 2746
Non-Heated and Cooled Square Feet: 1373
Non-Heated and Cooled Valuation: 82970.4
IRC Residential Building Code Year: 2018
Subdivision: MG kLEIN
Lot Number: 1
Zoned: R-1
Watershed: UT Mobile Bay

Description: Lot 1 MG KLEIN ESTATES

Contractor: BAYCRAFTERS CONSTRUCTION COMPANY 314 WHITING CT DAPHNE, AL 36526 251-605-2239 DENNISHANSEN@EARTHLINK.NET

BLDR-014503-2023
Status: Issued
Type: Building Permit (Residential)
Workclass: New Construction (Residential)
District:
Project:
Main Address: 304 Beall Ln, UNIT A Daphne, AL 36526
Parcel: 16314
Application Date: 03/14/2023
Issue Date: 03/16/2023
Expiration: 09/12/2023
Last Inspection:
Finaled Date:
Zone:
Sq Ft: 0
Valuation: $469,551.64
Fee Total: $2,550.00
Assigned To:
Additional Info:
Heated and Cooled Valuation: 414742
Number of Stories: 0
Heated and Cooled Square Feet: 2749
Non-Heated and Cooled Square Feet: 907
Non-Heated and Cooled Valuation: 54810
IRC Residential Building Code Year: 2018
Subdivision: HOLMES-KOETTER
Subdivison Unit or Phase: 1
Lot Number: 2
Watershed: UT Mobile Bay

PERMITS ISSUED BY (03/01/2023 TO 03/31/2023)

Contractor: LARRY WHITE CONSTRUCTION PO BOX 612 FAIRHOPE, AL 36532 whitehuskerchamp@yahoo.com

Value total for Work Class New Construction (Residential): ***Fee total for Work Class New Construction (Residential):***

alue total for Permit Type Building Permit (Residential): $1,406,317.6 e total for Permit Type Building Permit (Residentia **PERMITS ISSUED for Permit Type: 3**

GRAND TOTAL VALUE: $1,406,317.62 **GRAND TOTAL FEES: $7,540.00** **GRAND TOTAL OF PERMITS: 3**

** Indicates active hold(s) on this permit*

PERMIT ISSUANCE SUMMARY (03/01/2023 TO 03/31/2023)
FOR CITY OF DAPHNE

Permit Type	Permit Work Class*	Permits Issued	Square Feet	Valuation	Fees Paid
Building Permit (Commercial)	Alteration or Remodel	1	0	$239,230.00	$1,711.17
	Demolition	2	0	$0.00	$462.37
	Foundation Only	1	0	$49,500.00	$356.54
	Interior Build Out	1	0	$32,000.00	$328.80
	BUILDING PERMIT (COMMERCIAL) TOTAL:	**5**	**0**	**$320,730.00**	**$2,858.88**
Building Permit (Residential)	Accessory Structure	1	0	$35,573.00	$241.46
	Alteration or Remodel	4	0	$125,086.00	$872.28
	Deck	1	0	$10,000.00	$102.75
	Demolition	1	0	$0.00	$77.06
	Misc.	3	0	$51,078.00	$379.36
	New Construction (Residential)	3	0	$1,406,317.62	$7,540.00
	Pool	4	0	$314,593.00	$3,123.60
	Repair	1	0	$25,000.00	$150.00
	Re-Roof	32	0	$449,937.86	$3,464.69
	BUILDING PERMIT (RESIDENTIAL) TOTAL:	**50**	**0**	**$2,417,585.48**	**$15,951.20**
Certificate of Occupancy	Certificate of Occupancy	44	0	$0.00	$0.00
	CERTIFICATE OF OCCUPANCY TOTAL:	**44**	**0**	**$0.00**	**$0.00**
Electrical Permit (Commercial)	Misc.	3	0	$4,300.00	$343.18
	New Contruction (Commercial)	2	0	$5,113.00	$298.66
	Service Change	2	0	$11,648.00	$304.87
	ELECTRICAL PERMIT (COMMERCIAL) TOTAL:	**7**	**0**	**$21,061.00**	**$946.71**
Electrical Permit (Residential)	Misc.	7	0	$31,900.00	$467.51
	New Construction (Residential)	2	0	$0.00	$226.04
	Pool Bonding	2	0	$2,000.00	$66.78
	ELECTRICAL PERMIT (RESIDENTIAL) TOTAL:	**11**	**0**	**$33,900.00**	**$760.33**
Gas Permit (Residential)	Gas Permit (Residential)	3	0	$1,400.00	$106.92
	GAS PERMIT (RESIDENTIAL) TOTAL:	**3**	**0**	**$1,400.00**	**$106.92**
HVAC Permit (Commercial)	Change Out HVAC	1	0	$16,000.00	$263.04
	Misc.	1	0	$0.00	$0.00
	New Contruction (Commercial)	5	0	$294,200.00	$4,794.50
	HVAC PERMIT (COMMERCIAL) TOTAL:	**7**	**0**	**$310,200.00**	**$5,057.54**
HVAC Permit (Residential)	HVAC Changeout	36	0	$386,847.15	$3,026.96
	Misc.	3	0	$14,365.00	$169.54
	New Construction (Residential)	7	0	$0.00	$565.10
	HVAC PERMIT (RESIDENTIAL) TOTAL:	**46**	**0**	**$401,212.15**	**$3,761.60**
Land Disturbance Permit	Land Disturbance	2	0	$0.00	$200.00
	LAND DISTURBANCE PERMIT TOTAL:	**2**	**0**	**$0.00**	**$200.00**
Plumbing Permit (Commercial)	Misc.	1	0	$29,325.00	$468.88

** Double-click the Permit Work Class Name while in the browser to see Permit details for that Work Class.*

PERMIT ISSUANCE SUMMARY (03/01/2023 TO 03/31/2023)

Permit Type	Permit Work Class*	Permits Issued	Square Feet	Valuation	Fees Paid
	New Contruction (Commercial)	2	0	$16,005.00	$311.42
	PLUMBING PERMIT (COMMERCIAL) TOTAL:	**3**	**0**	**$45,330.00**	**$780.30**
Plumbing Permit (Residential)	Misc.	2	0	$2,000.00	$66.78
	New Construction (Residential)	1	0	$0.00	$113.02
	PLUMBING PERMIT (RESIDENTIAL) TOTAL:	**3**	**0**	**$2,000.00**	**$179.80**
Site Disturbance	Site Disturbance (LANDSCAPE ONLY	1	0	$0.00	$529.00
	SITE DISTURBANCE TOTAL:	**1**	**0**	**$0.00**	**$529.00**
	GRAND TOTAL:	**182**	**0**	**$3,553,418.63**	**$31,132.28**

** Double-click the Permit Work Class Name while in the browser to see Permit details for that Work Class.*

CITY OF DAPHNE PUBLIC WORKS COMMITTEE MINUTES
March 6th, 2023 - 5:15 P.M.
DAPHNE CITY HALL

I. CALL TO ORDER

II. COMMITTEE MEMBERS PRESENT:

Councilwoman Tommie Conaway; Councilman Ron Scott; Councilman Doug Goodlin; Councilman Steve Olen; Councilwoman Angie Phillips; Councilman Benjamin Hughes; Mayor Robin LeJeune

Others Present: Ronnie Huskey, Public Works Director; Jay Ross, City Attorney; Troy Strunk, Executive Director, City Development; Candace Antinarella, City Clerk; Josh Newman, City Engineer; Kelli Reid, Finance Director; Victoria Phelps, LFPOA; Suzanne Henson, Sr. Accountant III; Adrienne Jones, City Development Director; Leanne Taco, Fire Chief; Vickie Hinman, Human Resources Director

III. PUBLIC PARTICIPATION & CORRESPONDENCE

Correspondence and Public Participation— Victoria Phelps from LFPOA thanked the City for all the work they have done in Lake Forest. Ms. Phelps asked if future sidewalks could have at least a foot distance away from the curbs because of pedestrians and if any trees need to be removed, that they are repurposed someplace else instead of thrown out.

IV. OLD BUSINESS

Approval of Minutes – February 6th, 2023—Minutes were reviewed and approved by the committee.

V. NEW BUSINESS

2023-K-Crew Cab Truck – Ronnie Huskey stated a truck was found available at Lee Smith Motors in Chattanooga, TN for $87,101.38 and the allotted budget was $90,000. The Council clarified the resolution year that is listed on the bid.

MOTION by Councilman Hughes to recommend to Council to award the big to Lee Smith Motors in Chattanooga, TN.
Seconded by Councilwoman Phillips
MOTION CARRIED UNANIMOUSLY.

VI. City Engineer's Report (Separate Handout)

Josh Newman addressed the committee with his separate handouts. Mr. Newman stated that he has highlighted a few projects to look at.

Mr. Newman discussed 21-03 D'Olive Bay Boat Launch that it has been completed. Mr. Newman stated there are a few more punch list items to finish, but it will not affect the Boat Launch access. Councilman Goodlin asked if restrooms will be going in. Mr. Newman stated that it will just be Porta Potties.

Mr. Newman discussed 21-06 US-98 Sidewalk Improvements TAP that the project is about half way down and they have already started to construct the retaining wall. Councilman Goodlin asked if the project is on schedule. Mr. Newman replied yes.

Mr. Newman discussed 21-08 Public Works Storage Building that construction is about 53% complete.

Mr. Newman discussed 21-11 Resurfacing CR-64 from SR-42 (US-98) to CR-13 that they are anticipating an ALDOT PS&E review.

Mr. Newman discussed 21-14 US-98 Access Management and Lavender Lane that comments will be submitted by the engineer in the next few days. Councilman Hughes inquired when the project will start. Mr. Newman stated the project will start this summer. Councilman Olen asked if there has been an environmental issue on this project. Troy Strunk stated that Montgomery has requested several items that has made it difficult to progress the project.

Mr. Newman discussed 22-03 New Animal Shelter that bids were submitted and under review. Councilman Scott inquired about the bids on the Animal Shelter. Mr. Strunk stated there were seven bids and there are a few technical issues they are trying to work through. Kelli Reid stated the bids were better than anticipated. The Council briefly discussed a few of the bids and a couple of discrepancies that have arisen.

Mr. Newman discussed 22-08 Pickleball Courts that they should be completed in the next few weeks. Mr. Strunk stated they are currently resurfacing and striping the lots.

VII. DIRECTOR'S REPORT (Handouts reviewed by committee)

Ronnie Huskey discussed the increase of work orders for January 2023 because of new of customers for the Solid Waste Department and additional sidewalk work for the Streets Department. Mr. Huskey also stated the increase in Mechanical work orders is from the fleet service updates that started going out about six months ago. Mr. Huskey stated the overtime report should cover all of Mardi Gras. Mr. Huskey finished his report with the street sweeper and Tallent Lane. Chairwoman Conaway inquired about the Mosquito Report. Mr. Huskey stated Shannon Burroughs met with the company recently and everything is looking good in the City regarding mosquito control.

A. Work Request Report – January 2022 & January 2023
The Public Works Department completed 593 work orders in January 2023.
B. Vehicle/Equipment Maintenance Reports – FY2022-2023 YTD
C. Public Works Related Overtime Report — 41.67% of the year used; $73,023.25 Used YTD as of February 27th, 2023.
D. Street Sweeper Report —539.511 Miles Traveled, 242.314 Miles Swept

VIII. DAPHNE SOLID WASTE DISPOSAL ENTERPRISE (Handouts reviewed by committee)

A. Monthly Recycle Tonnage Report (Tonnage Comparison) —No Report
B. Solid Waste New Customer Report – January 2023— 29 new residential; 0 new commercial
C. Tallent Lane Facility Report – January 2023- 451.07 SW Total Tonnage, 35.63 Other Depts. Total Tonnage

IX. MOSQUITO CONTROL SERVICES

A. Mosquito Report— No Report

X. MUSEUM COMMITTEE

A. Minutes – January 9th, 2023

XI. BEAUTIFICATION COMMITTEE

A. Minutes – February 1st, 2023

XII. ENVIRONMENTAL ADVISORY COMMITTEE

A. Minutes – No Report

X1II. FUTURE BUSINESS

A. Next Meeting – **Monday, April 3rd, 2023**

XIV. ADJOURNMENT

Motion by Angie Phillips, seconded by Tommie Conaway to adjourn. Meeting adjourned at 5:38 p.m.

Accepted by:

Chairman, Daphne Utilities

DAPHNE UTILITIES

WATER • NATURAL GAS • SEWER

APPROVED MINUTES

Utilities Board Meeting

Council Chambers, Daphne City Hall ◆ March 1 (for February), 2023 ◆ 5:00 p.m.

I. Call to Order

The regular February 2023 Board meeting for the Utilities Board of the City of Daphne was held on March 1, 2023 in the Council Chambers at Daphne City Hall and called to order at 5:05 p.m. by Chairwoman Selena Vaughn, followed by the Roll Call:

II. Roll Call

Members Present:	Selena Vaughn, Chairwoman Tim Patton, Vice Chairman Mayor Robin LeJeune, Board Member – arrived at 5:08 Councilwoman Angie Phillips, Board Member
Members Absent:	Billy Mayhand, Secretary/Treasurer
Others Present:	Jerry Speegle – Board Attorney Scott Polk – General Manager Bobby Purvis – Operations Manager Teresa Logiotatos – Finance Manager Lexus Carlee – Finance Specialist Drew Klumpp – Administrative Services Manager Samantha Coppels – Communications Manager Lori Wilson – Executive Assistant
Others Absent:	

III. Pledge of Allegiance

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

IV. Approval of Minutes

Utilities Board Meeting Minutes January 25, 2023

The Chairwoman requested any additions, corrections, or deletions for the submitted minutes of the January 25, 2023 Daphne Utilities Board meeting.

With no additions, deletions, or corrections, the Chairwoman declared that the submitted January 25, 2023 minutes would stand approved.

Chairwoman Vaughn noted that there are two agenda items requiring board action and wanted to wait for the Mayor's arrival. She then moved on to the Board Attorney's report.

V. BOARD ATTORNEY'S REPORT

Mr. Jerry Speegle updated the Board on finalizing the easement for [Daphne] Animal Shelter.

Chairwoman Vaughn then called to discuss the financial report.

VI. FINANCIAL REPORT

Finance Specialist Lexus Carlee reviewed the financials for the Board for January 2023 highlighting: the year-to-date revenue and expenses, net income (Mayor LeJeune arrived at 5:08.), net income and gas budget, and the check history report.

General Manager Scott Polk pointed out that while the revenue and expenses standing is favorable at this point, he stated that some bigger expenses will be appear later in the year, such as trucks that are now available and expenses for projects as well as extra costs for additional gates and criteria for our cyber security in order to have our cyber insurance to be renewed. He noted that this particular insurance coverage was part of our standard insurance coverage but it is now separate.

Mayor LeJeune voiced that the City of Daphne also had to evaluate their cybersecurity and that it was not a big cost; he asked how Daphne Utilities is tracking inflation and the cost of expenses as a result of the scheduled rate increases that were approved over the summer to address the impending inflation and what impact the increases are currently having and expected to have. Mr. Scott Polk explained that he could not answer based on expenses that have not been fulfilled, such as the trucks that have been ordered yet not delivered, but noted that we perform a 6-month budget review and present the findings to the Board at that time. He stated that elevated costs on piping and equipment are still being experienced and with extra wells being planned, extra costs above what was expected are anticipated. Mayor LeJeune recognized this wouldn't be realized until the end of the year but for the sake of the new Board member wanted her to be aware of the circumstances for the decisions approving the most recent rate increases. Mr. Polk then answered Councilwoman Phillips' question of the amounts and schedule of the rate increases for the next 2 years and confirmed that after examining the figures after the 6-month mark, a budget work session would be planned.

VII. OLD BUSINESS –

A. Items in Abeyance:

1. **Recommendation for Bid Award for: GOMESA – Windscape L.S. Force Main Extension** (Volkert Project No. 408252 DU GL 1835 **(Board Action – MOTION)**

   To accommodate for bidder participation, the bid date was postponed to Tuesday, October 25th; therefore, the bid tabulation and recommendation will be delayed and distributed as soon as it is available.

   Mr. Scott Polk explained that initially received bids on this project were significantly higher than expected and even after receiving GOMESA grant money, it was outside the capabilities and timeframe. He stated that more contractors were contacted and the project was rebid and the results were more favorable and more financially in line. Mrs. Melinda Immel with Volkert noted that a few options were included with the rebid to offer more future operational flexibility. Mr. Polk stated that GOMESA had indicated that there may be some availability for Daphne Utilities to resubmit for an increase in the award that would help with additional unexpected costs and acknowledged the GOMESA grant amount of $675,000 to Councilwoman Phillips' question, with Mrs. Immel explaining further that $675,000 is the total and Daphne Utilities has a 10% match. Mr. Polk detailed the purpose of this project is to increase the capacity in the transmission system and to reduce the bottleneck areas in the system around the Windscape lift stations.

MOTION by Tim Patton to award the contract for the Windscape Lift Station Force Main Extension to Equix Energy Services LLC for the Total Base Bid plus Schedule B for the total amount of $1,218,750.00; Motion was Seconded by Councilwoman Angie Phillips.

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

NEW BUSINESS

A. Recommendation for Bid Award – US98 Water Main Replacement (Volkert Project #408249) for the Total Base Bid plus Additive in the amount of $282,617.20 to Circle S Contracting LLC

Operations Manager Bobby Purvis explained the purpose for this project resulted after a serious water main break in this area and the systems' instability that could impact the surrounding businesses. He noted that the DU staff had been coordinating with the public works' department for this repair. Mrs. Melinda Immel commented that the City [of Daphne] was helpful to work with on this project due to shutting down North Main Street for a few days.

MOTION by Tim Patton to award the US98 Water Main Replacement to Circle S Contracting LLC for the Total Base Bid plus Additive in the amount of $282,617.20; Motion was Seconded by Mayor Robin LeJeune.

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

VIII. GENERAL MANAGER'S REPORT

A. GM Report

General Manager Scott Polk reported on: the successful pump tests at the Diamante water well as confirmed by Mrs. Melinda Immel, who also did not anticipate any problems and projected it to be a 400 gpm permitted well; the current evaluation of Well #2; the sewer extension on 4th Street; appreciation for the bid award for sewer line upgrade on North Main Street; near completion of the admin office remodel; delivery of the big items for the grit removal system upgrade.

Samantha Coppels explained to the Board that the school grant projects are planned for the spring, a volunteer day at the high school planned for in March, the Eastern Shore Chamber's STEP students will be given a tour and hands-on activities, recent talk at the Daphne High School about the intern program.

B. Operations Report

Mr. Bobby Purvis reported on: a small sso near Sam's parking lot created by roots and rags; the City's cooperation at the animal shelter; and the swift delivery of the tractor the Board recently approved. As previously requested by Mayor LeJeune, Mr. Purvis then gave a brief presentation on the current situation with the natural gas department that included service areas, upcoming developments, various fees, and the future plans for growth.
Mr. Polk commented on the 33-year anniversary with Daphne Utilities for Mr. Martin Dale and the great valuable asset he is to the organization.

C. **Engineering & Consulting Reports –** nothing to add to the submitted reports.

IX. **BOARD ACTION** – previously addressed

A. **Recommendation for Bid Award** for - GOMESA – Windscape L.S. Force Main Extension REBID (Volkert Project No. 408252) - in the amount of $1,218,750.00 for the Total Base Bid plus Schedule B awarded to Equix Energy Services LLC **(Board Action – MOTION)**

B. **Recommendation for Bid Award** – US98 Water Main Replacement (Volkert Project #408249) for the Total Base Bid plus Additive in the amount of $282,617.20 to Circle S Contracting LLC **(Board Action – MOTION)**

X. **PUBLIC PARTICIPATION –**

Chairwoman Vaughn opened Public Participation at 5:35pm.

Mr. Larry Chason addressed the Board, announcing that he thought the agreement that was discussed at the last meeting and did not receive enough votes to pass was going to be revisited at this meeting and wanted to know what he needed to do. Chairwoman Vaughn confirmed that it had been voted down and would not have appeared on the agenda.

Mayor LeJeune stated that he had questions, in particular the motions stated in the minutes from the November meeting. He understood that what was voted down last month was just what the attorney presented to us in a written form, but still had a motion accepting 31 tap fees with 5 factors also, and then it moved to preparing of the document. Emphasizing this confusion, he asked if this could be discussed and stated his desire to bring the subject up but understood if he could not reintroduce the subject because it was voted down, however he reiterated that there was a previous motion that was approved and he was on that side but he was not sure what our abilities are to discuss this.

Councilwoman Phillips commented that this agenda layout is different than the [Council] meetings in the way other business or old business comes before Board. She stated she had researched since the last meeting reviewing the motion from the November meeting, noting the original motion by Mayor LeJeune to grant 25 sewer tap fees to the Tonsmeire Summer Oaks Development in a 5-year window and that motion was seconded by Tim Patton, along with several amendments to that motion but the initial motion on the floor was to grant those, expressing part of her concern that as the new person on the board as she stated at the last meeting that she wanted to investigate to find out all the facts and was moved to do that by your comments in public participation which came after our vote; she indicated that she did speak with Joel Coleman, as well as the Chair after the meeting, with Mr. Chason and Mayor LeJeune and then reviewed the minutes. She noted that she was not told what was going on and upon further reflection, as a new Board member, should have reviewed the subject further and was concerned that she was the swing vote on a subject that she knew little about, discovering that although there was not a written agreement, there was written email confirmation from an employee that recognized those grants, seeing that the Board voted 3-2 in the previous meeting to that agreement whereby after a bit of back-and-forth a compromise was reached, she indicated that she was uncomfortable as the swing-vote to the nay when the person she replaced voted in favor of what he thought was agreed upon, not realizing what was previously agreed upon could be voted down since it had already been settled.

Chairwoman Vaughn recommended a motion to include this subject on the agenda for next month since they were still in Public Participation. Councilwoman Phillips requested making a motion to suspend the rules to include it in tonight's agenda.

MOTION by Councilwoman Phillips to suspend the rules to include it in tonight's agenda.

AYE: **NAY:** **ABSENT:** **ABSTAIN:** **MOTION CARRIED**

Chairwoman Vaughn responded that we should try to have all board members present. Tim Patton noted that was why the subject was postponed in order to have all Board members present to discuss the issue. Chairwoman Vaughn also mentioned they wanted to have legal clarification on all of the details and not just on the taps.

Mr. Scott Polk conveyed Mrs. Wilson's endeavor of accurately condense the minutes due to crosstalk, but he noted that upon listening and reviewing the minutes, Mr. Patton's comment was that this was the agreement we want to put together and we will review it at the next meeting to approve it or not approve it, which is where the conversation ended and the last note was where it was agreed as a Board to put together a document to review it at the next meeting whether to approve or deny it at the next meeting.

Mayor LeJeune stated that that's not what the minutes that were approved by the Board say. Mr. Polk clarified that he was not saying that there was not confusion in the minutes, but it was the impetus behind when the minutes were transcribed and the end state arrived at was Mr. Patton's comment was to vote to put the document together, then review it and vote at the next meeting, which is what the understanding was whether that is different than staff's understanding. Mayor LeJeune repeated that this was not reflected in the minutes that the Board approved, it was his understanding of the discussion that Mr. Patton was speaking of was the wording of the legal document being approved but as far as the motions that were made, he did not believe there should be any cross-talk over when the actual motions are being made.

Chairwoman Vaughn reiterated that there was a motion to suspend the rules; Councilwoman Phillips stated that she had made a motion to suspend the rules, and that we reconsider or we add the sewer tap agreement to the agenda to reconsider.

MOTION by Councilwoman Phillips to suspend the rules to include it in tonight's agenda; SECONDED by Mayor LeJeune for discussion.

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

Chairwoman Vaughn closed Public Participation at 5:43pm as the rules had been suspended and opened the floor for discussion.

Mr. Tim Patton announced that while he read it all and it made sense to him, that his intent was that we were voting to approve it and that we would also be putting an agreement together that would have to be finalized to approve an agreement, but he looked at it as two different things and not one thing and that was his intentions.

Councilwoman Phillips stated that based on a conversation after the meeting with a member that had a nay vote, said member felt that there was an agreement just that it was lacking being a written agreement and being that she is "old school" in that you honor your agreements whether they are verbal or written and then when you can also confirm that that was in writing from a Daphne Utilities email that stated that there were tap grants and that there are this many remaining, being new to the board, she affirmed that she was not comfortable with her vote based on what she has learned since the last meeting.

Chairwoman Vaughn asserted that all members should take a turn tonight, and confirmed the nays were, we talked about the fact that there was never an agreement with Daphne Utilities, it was with Lake Forest and all the agreement and contracts from Lake Forest were forwarded when [Daphne Utilities] purchased Lake Forest and that was not in those agreements so [Daphne Utilities] never accepted that agreement because [Daphne Utilities] never saw or had heard of it, and beyond that there is a 6-year statute of limitations even if you have a written contract, you have 6 years to collect on that, she referred to Mr. Speegle.

Mr. Speegle announced that according to his ethical rules, he is not allowed to give his legal opinions in public on disputed issues, but could go into Executive Session and would be glad to give his legal opinion but he emphasized he could not do that in a public forum. Chairwoman Vaughn accepted his statement.

Chairwoman Vaughn commented on emails of [Daphne Utilities Administrative Services Manager], Drew [Klumpp], that he stated many times to the Board that he did not know of any agreement he was confirming the math, as in if x-number had been promised then yes that would be that many left, but he stated to the Board that he had no idea about this situation.

Mr. Polk also confirmed that there were subsequent emails as well indicating that we would have to find a copy of this agreement to validate whether Daphne Utilities absorbed this liability, noting that the one email does indicate the math as in this is what it would be if this agreement was valid, however the follow-on emails indicate that we don't understand this to be our liability.

Chairwoman Vaughn – so the actual work that was done and the full scope of the work, we have no clue, we have round-about, but the agreement was just never with Daphne Utilities, we've never had it never seen it, and it's not that we're not keeping to an agreement it's an agreement that we've haven't known anything about and we worry about setting a precedent, who could come in and say they had a past agreement, just because we know Mr. Chason and it's actually Mr. Youngblood whom we've never seen. She asked for any other comments.

Councilwoman Phillips remarked that her comments are not because she knows Mr. Chason as an acquaintance, that her concerns for her vote on this agreement the last time is not because of her relationship with him in any way that she is reconsidering this.

Chairwoman Vaughn stated that another reason that they wanted to have the written agreement agreed upon was we wanted to know who we were giving the credit to, was it Mr. Youngblood who originally did the work, was it transferrable to someone else, is there a time limitation, does it go on for all eternity and that is why we had the agreement originally to vote on.

Mayor LeJeune noted that the motion stated the 5 factors, mentioning the motion from November that stated those 5 factors, and then it was purely to have a legal document for all to look at and agree on the wording of what that was, which was his understanding. He voiced his bewilderment on whether a nay vote can bring the subject back up or is it we just voted down the actual legal document and we need to make whatever changes the Board wants to make to make that legal document that was presented to us at the last meeting okay for the Board to pass that. He remarked that this is what he is asking because his understanding is there was already a motion and commitment already made by the Board that approved it with 5 factors built into it, that is what was said in the motion in the minutes, which was the timeframe, who it was, those different things and then we had asked for a legal document for us to review and was still confused on whether what was voted against was just the wording of the legal document or was there somehow overturning what was voted in the month of November because his understanding was that was, not sure who brought up that motion . . .

Councilwoman Phillips recapped Mayor LeJeune's interpretation for her clarification was the terms of the agreement in the motion was what went through and agreed upon and then you're just waiting to look at the legal agreement and then vote on that or was there an amendment needed to the agreement.

Mayor LeJeune stated that looking at the minutes from the last meeting, he made the motion to approve the prepared sewer tap agreement, that was what the motion stated, to the Tonsmeire Summer Oaks development, the motion was seconded by Tim Patton, then we did a roll-call vote and that motion failed. He declared that we still have a November motion that was approved, explaining that is why he is questioning, then apologized that during that meeting that month that he did not grasp and understand what had just taken place, but that the motion that was made was to approve the prepared sewer agreement; there was already motion from November that was already approved so where does that go if the motion for the prepared sewer tap agreement was voted down, we still have the motion from the November and asked if he was following that correctly or does he [Mr. Speegle] see something different.

Mr. Speegle asked if he [Mayor LeJeune] was asking him to advise the Board about what to do with their motion practice because he was unsure of what Mayor LeJeune was asking him.

Mayor LeJeune stated he was not asking what Mr. Speegle's advice on what to do with the motion practice, he was just asking if there is a motion from November that approved this based on 5 factors and then moved for you to prepare a legal agreement, and then this was a motion to approve said prepared agreement and it failed . . .

Chairwoman Vaughn commented that what she thought what was being asked if the motion passed and we didn't have a legal agreement lined up, do we need a legal agreement, that the motion would just stand approved without a legal agreement with the terms.

Mayor LeJeune remarked that we need a legal agreement but the question he has is voting down just the prepared legal agreement, does this mean that all we need to do is change some wording in the legal agreement and bring that back up or does someone from the . . .

Chairwoman Vaughn asked does the motion stand or do we need another legal agreement before it can be executed. Mayor LeJeune asked Mr. Speegle if he understood what he was meaning.

Mr. Speegle responded that he thought he understood and he would say that it's confused, there is no clear answer. He commented that he thought the Board could go back to the November meeting and look at the exact wording of the motion that was passed, the recording is there, you approved the minutes and they stand, but he thought, as a board, they might want to go back and actually look at the words that were used in what was approved and by that vote, you would know what was approved at least as far as the language goes. He stated that the language may not have been exact and it may still be confused or ambiguous, noting he had not heard the recorded minutes so he could not answer the question of what was done in November. He continued that there are a number of things you could interpret this, but recommended if you go back to that and give yourself until the next meeting, you've got time to listen to what happened.

Mr. Speegle suggested one option is to could decide as a group that or the Chair decides, he would have to look at Robert's Rules to see who would make that decision as it may be a consensus, that in fact an agreement was approved on a number of taps that would be provided for no cost and these terms would be there, however, we aren't going to finalize this until we have a legal agreement that the entire Board has approved, that could be one interpretation but he did not know that was what happened but he would have to review and hear for himself in order to have an opinion as it was confusing as it went through the amendments and so for and it was confusing that night, and then look and see at what you think happened last month because one of the Board members who voted to approve that motion once again brought up another motion which was probably anticipated to approve it and that motion was not approved, it failed; so it could be that brought the whole issue up again, and it was voted on and now it needs to be brought up again. He stated that it could be that the Board is still operating under the November approval where you still are waiting on a legal document that the Board would approve, it is probably somewhere in that range of alternatives and he could not give his opinion without looking back at what happened in November. He expressed that he hoped he had answered the Mayor's question.

Mayor LeJeune answered that he (Mr. Speegle's) did to the best of his ability and that if we need to go back and relisten, though he thought the minutes were done well whereby when someone makes a motion, there is not cross-chatter but agreed the comments and the discussion area, he understood that, but the actual motions written out, he is assuming that those are verbatim for what the motion is because there shouldn't be any chatter over crossing when someone is making a motion. He noted that he was going by what the actual motion says and without getting into reading all the comments, he was trying to figure out does this moving forward need to be done as someone from the prevailing side bringing it back up with that legal document, is it - that legal document failed so let's go back and change that legal document however and then bring that back forward because we have a November that was approved, that was what he was trying to look at on the Robert's Rules of Order on how that follows through because it looked to him that it could go two ways, either change some of the wording of the legal document and bring it back up as a new document because it would be changed and then we can approve or disapprove that, or someone from the prevailing side of the last motion if they don't want to change anything in the legal document bring that back up for a vote.

Chairwoman Vaughn commented that she did not envision this to be settled and that it should be done with much clarity and fairness as possible; it seemed to her that it should be put it on the agenda for next month and what we put on the agenda is reconsideration for the motion made in November. Mayor LeJeune stated that was what he was trying to ask so if they do bring it up on another piece or if they were going to vote on it that night, what would they be voting on, or what would be on the agenda for next month.

Mr. Speegle conveyed to the mayor that if there are two options, one was - is there a motion to reconsider the November motion, he did not know but he (Mayor LeJeune) was certainly on the prevailing side and he could bring that; on last month's motion, Councilwoman Phillips was on the prevailing side and she could bring that. He stated he did not think that was practically going to be an issue that needs to be resolved as he thought it could be brought up by either one and if the purpose is to determine whether the November decision binds this board to then have to vote on a legal document, then you still have the practical problem that you have to have approval; he continued that there's the fact that Angie (Councilwoman Phillips) may or may not change her vote but if she hypothetically voted with the majority of the same as last time, whether there was a change in the agreement or not it dies, so it may be . . .

Mayor Lejeune interjected that the question he would have is if he requested or just being one member of the Board requested a change to the document, then he can bring up or at least request on the agenda or make a motion to approve the new agreement with has nothing to do with the November meeting, but if we don't do that then he does not have the ability himself to bring it up because he was on the failing side of the last agreement that was done and he was trying to figure out if we move forward into the next month what the options are.

Mr. Speegle responded that he thought one option was to go back and see what you did in November and see if there is consensus or look at Robert's Rules and see who decides what it really meant, or Angie (Councilwoman Phillips) can bring up at the next meeting a motion to approve a draft with certain criteria of the agreement and see whether she gets a second and then vote on it, which may be an alternative that clears the deck.

Chairwoman Vaughn agreed that this may be the simplest solution to just bring forward at the next meeting.

Councilwoman Phillips addressed the Chairwoman to clarify her understanding that as a member of the prevailing vote on the sewer tap agreement last month, she had made a motion and it was seconded and it had been approved that we waive the rules to reconsider this sewer tap agreement and that is what we are, right now, what we should be doing is reconsidering this sewer tap agreement; she noted that there had not been a motion to approve it at this point but perceived that it sounded like the comfort level was that instead of reconsidering it at this time and revoting on it, and she was guessing that her (Chairwoman Vaughn's) opinion is that we need to table this, stating that right now it is back on our agenda for reconsideration because we made the motion, it was seconded and it was approved.

Mr. Speegle remarked that he believed that clears the deck and it is on issues like this, unless there is a reason not to and the absent Board member says do this without me, it's historically been the Board's purview that all the members vote, which is what the Chair said, pointing out he has been representing the Board for 3 decades, but that had been pretty consistent through it. He reiterated that it does clear the deck and still leave room to disagree about what happened in November and did not think it would really get the Board anywhere to agree or disagree with what happened in November.

Councilwoman Phillips announced that part of her concern was the Board's legal binding to what is in those written minutes that was approved and agreed upon. Mr. Speegle responded that there appeared to have been an indication to prepare this agreement but it would not be final until the Board says it's final, until it is approved and seen, and that had not happened yet.

Councilwoman Phillips stated that she would like to make a motion but declared before she did that because of what she discovered and learned since the last meeting on this particular agreement she wanted to make a motion.

MOTION by Councilwoman Phillips that we put this [same agreement] back on next month's agenda and because it has been the precedent that we have all members present, that we do our due diligence to have all members present, that we not prolong voting on this again next month; SECONDED by Tim Patton.

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

Councilwoman Phillips added one more comment and encouraged all members to re-read the November minutes and very carefully compare those to the agreement that was prepared to make sure there are no changes needed to that before it is voted upon.

Chairwoman Vaughn clarified that the next meeting will be on March 29th.

Mayor LeJeune requested counsel to listen and compare to what the minutes say, preferably to what the motions and things of that nature so he would have some clarification so if there are any questions asked at the next meeting, he would feel more comfortable in expressing an opinion. Councilwoman Phillips asked if the Board would have to go by the approved minutes. Mr. Speegle responded that there could be a motion to amend them, but he did not believe the Board would want to do that. He reiterated that he considered that the Board cleared the deck by bringing it back up again but he would be glad to listen to the discussion.

XI. BOARD COMMENTS –

Mayor Robin LeJeune thanked all the employees for all that they do, for their cooperation with the City staff and public works, gave appreciation for what our employees do for us here at Daphne Utilities, for the strides that have been made over the years which is a testament to Scott (Polk) and Bobby (Purvis), for what has been accomplished over the last few years which eases his worry when it rains, or hearing about spills or how many we have and now is surprising when we even have one; even recent advances with the Olde Town and the brown water issue that diminished visits at these meetings from a councilman. He stated this as another success and although we may have some issues, Daphne Utilities is on top of it by sending emails, notices and alerts and those are the successes they get to stand behind and talk positively about Daphne Utilities. He emphasized this appreciation to the staff to let them know that it has not gone unnoticed those things that have happened and those big successes, and a testament to this Board with making hard decision whether it's raising fees when necessary even with inflation and we might have some agreements on certain issues but the overall working towards the betterment is impressive what we've been able to do.

Mr. Tim Patton wanted to be sure to express to Martin (Dale) how much we appreciate along with the other tenured employees, how much we appreciate them.

Councilwoman Angie Phillips noted to cut down on the recording of minutes, she echoed the sentiments that had been shared.

XII. ADJOURNMENT

With no further discussions, the Chairwoman called for a motion for adjournment at 6:11pm.

MOTION by Mayor Robin LeJeune to adjourn; Seconded by Tim Patton.

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

The meeting adjourned at 6:11pm.

Preceding minutes submitted to the Daphne Utilities Board by:

Lori Wilson

Lori Wilson, Executive Assistant, Daphne Utilities

★Note: This event has already been approved. We are re-submitting to request closure of both lanes on Belrose.

City of Daphne
Event Permit Application

TYPE OF PERMIT:
- [x] Special Event/Fundraiser
- [x] Parade/Run (Streets Use)
- [ ] Walk (Sidewalks Only)
- [ ] Athletic Complex/Sporting Event
- [ ] Other: ______

APPLICANT & ORGANIZATION INFORMATION

ORGANIZATION NAME: 68 Ventures / Baller Dream Foundation

APPLICANT NAME: Casey Porter

STREET: 707 Belrose Ave. CITY, STATE, ZIP: Daphne, AL 36526

CONTACT PHONE: 251-510-9863 EMAIL: cporter@68ventures.com

"ON SITE" CONTACT PERSON DAY OF EVENT: Casey Porter

CELL PHONE: 251-510-9863 EMAIL: cporter@68ventures.com

EVENT INFORMATION

EVENT NAME: Ballin' on Belrose

TYPE OF/PURPOSE OF EVENT: Fundraiser- Run/Walk Challenge

EVENT DATE: 4/22/23 TIME (START- END): 7:00am - 12:00pm

ASSEMBLY TIME: 6:30am # PARTICIPANTS/VEHICLES: 200-300

EVENT LOCATION: Belrose Avenue from 68 Ventures to the bay

FULL DESCRIPTION OF EVENT (PLEASE LIST ANY TENTS, STAGING, PORT-O-LETS, OR SIMILAR ITEMS THAT WILL BE USED ON-SITE): Porto-lets - 5 in gravel lot across from 68V, 3 at bottom of hill. 10-15 tents in gravel lot and in front of 68Ventures for sponsors + aid for racers. Please see attached diagram for full details.

SPECIAL REQUESTS

*See attached road closure map

ROAD CLOSURE(S) REQUESTS: [X] Yes* [ ] No *If Yes, please indicate which City Route is requested: ____________

WILL YOUR EVENT REQUIRE BARRICADES: [X] Yes* [ ] No *If Yes, please indicate quantity & location: ____________

WILL YOUR EVENT REQUIRE ELECTRICITY: [X] Yes* [ ] No *If Yes, you must provide your own extension cords

WILL YOUR EVENT REQUIRE WATER: [ ] Yes* [X] No *If Yes, you must provide your own hose(s)

OTHER SPECIAL ITEMS FOR RENT:

TENTS: 20' X 40' # ____________ X $321.00 10' X 10' # ____________ X $123.00/EACH

TABLES: 8' L # ____________ X $45.00/EACH CHAIRS: # ____________ X $12.00/EACH

OTHER SPECIAL REQUESTS: ____________

MARKETING & COMMUNICATIONS

PLEASE NOTE: As a City permitted event, the City of Daphne should be listed as a sponsor on all marketing materials promoting your event, such as, but not limited to, posters, social media outlets, website(s), t-shirts, promo items, etc. It is the event organizer's responsibility to request the official City logo from our Marketing & Events Department in a proper format. No other City of Daphne logo should be utilized. Please initial acknowledgement: ____________

Is your event open to the general public? [X] Yes* [ ] No
* If Yes, do you wish for your event to be listed and/or shared on: www.daphneal.com? [X] Yes [ ] No
Facebook.com? [X] Yes [ ] No Instagram? [X] Yes [ ] No LinkedIn? [X] Yes [ ] No

MARKETING CONTACT (IF DIFFERENT THAN EVENT APPLICANT OR "ON SITE" EVENT CONTACT):

NAME: Same as above CONTACT PHONE: ____________

OTHER MARKETING REQUESTS: 24"x18" Signs at City Hall for 2 wks prior to event?

REVENUE/BUSINESS LICENSE

WILL SALES BE GENERATED AT YOUR EVENT: [ ] Yes** [X] No ** If Yes, please provide your City of Daphne Business License Number here: ____________

PLEASE NOTE: If you are providing food trucks or other third-party vendors, they MUST be a licensed business with the City of Daphne.

INDEMNITY & HOLD HARMLESS AGREEMENT

In consideration of the permission granted to me by the City of Daphne to use grounds, sidewalks, and/or streets, I hereby indemnify and hold harmless the City of Daphne, its agents, servants and employees from any and all claims and causes of action that may arise from injury to me or third party using the grounds, sidewalks, and/or streets who are injured or suffer property damage that is in any way caused by my use of the grounds, sidewalks, and/or streets. This indemnity and hold harmless agreement is given to the City of Daphne to protect the City and its agents, servants, and employees from cost of defense and claims for injuries and damages that may be caused either directly or indirectly by my use of grounds, sidewalks, and/or streets.

Further, I have read and understand all rules and regulations according to the City of Daphne Ordinance No. 2017-35 as set forth by the governing body of the City of Daphne and will abide by these rules and regulations. I understand that damage to City property, grounds, sidewalks, and/or streets can and will results in additional fees. I also understand that if at any time the City of Daphne appointed Law Enforcement, Code Enforcement, or other personnel feel that said rules and regulations are not being followed the function will be terminated with no refund of said fees.

I have read and understand the above, including the cancellation and indemnity policies.

APPLICANT SIGNATURE: Casey R. Porter DATE: 1/25/23

INTERNAL USE ONLY

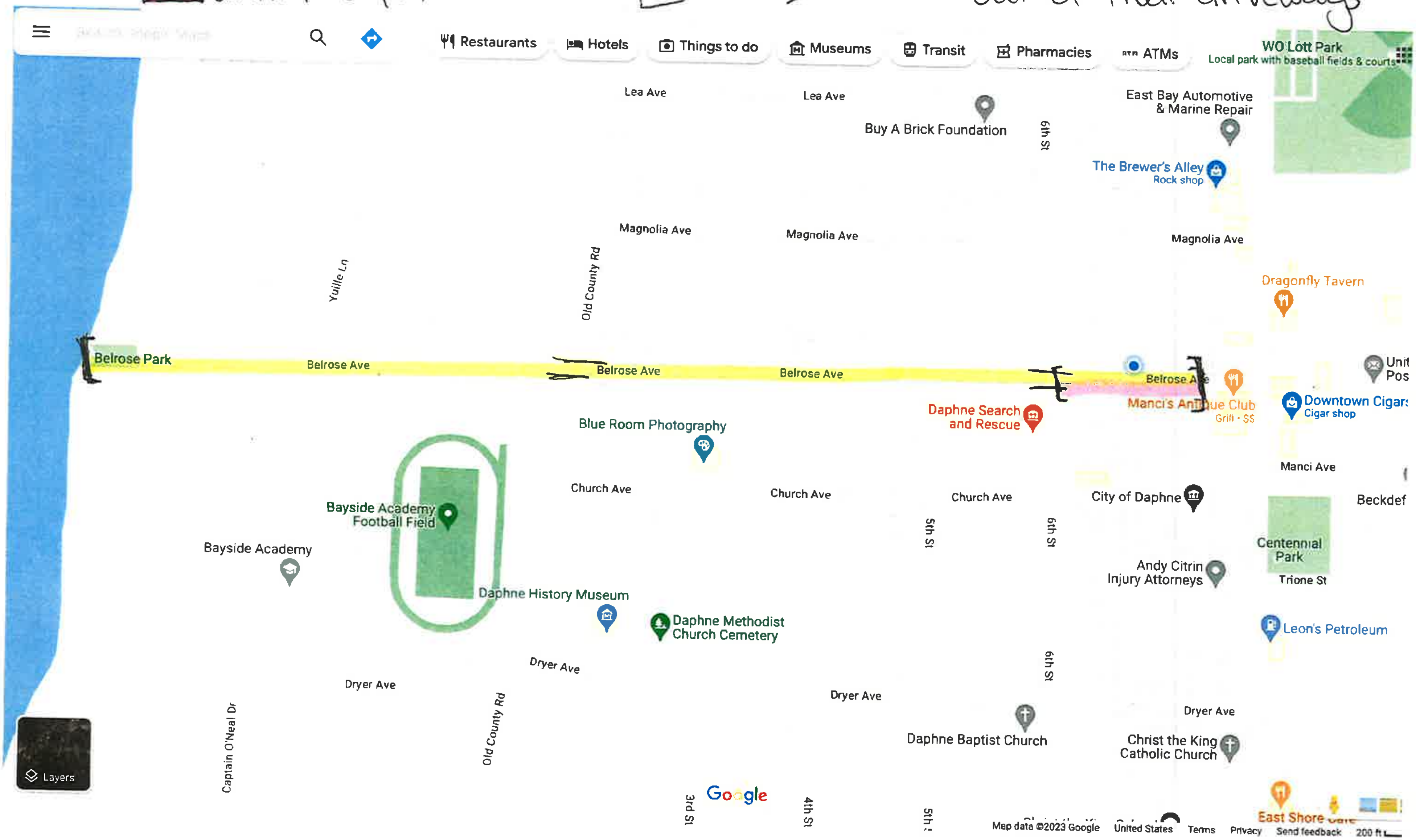
DATE REC'D: 3-30-2023	CITY CLERK:
FIRE DEPT: [signature]	APPROVED ROUTE:
POLICE DEPT: [signature]	ROUTE MAP ATTACHED: ☐ Yes ☐ No
PUBLIC WORKS: [signature]	
SPORTS & RECREATION: CM [signature]	EVENT FEE: ☐ Paid $ CHK#
MARKETING & EVENTS:	☐ Waived:
** REVENUE:	PROOF OF INSURANCE REC'D: ☐ Yes ☐ No

Both lanes closed 7:30-11:00 am

Both lanes stay closed until 12:00pm

Street Closure Map

*Volunteers will be present to escort residents in and out of their driveways



Info Flyer

68 VENTURES, THE COX FAMILY FOUNDATION & BALLER DREAM FOUNDATION PRESENT:

EVEREST CHALLENGE

BENEFITING THE BALLER DREAM FOUNDATION

BALLIN' ON BELROSE

SATURDAY, APRIL 22
Olde Towne Daphne

7 AM - RACER CHECK-IN
8 AM - RACE START
8 AM - NOON - STREET PARTY

Tons of family fun!

EARN YOUR "11"

Do you have what it takes to conquer the climb? Complete the challenge by ascending the Belrose hill 11 times (for a total of 5.5 miles uphill and 10.5 miles total distance) in under three hours, and you'll take home the coveted orange hat and your own "11" badge of honor. Race winners in each category will receive a medal and a prize.

WHAT *IS* BALLIN' ON BELROSE?

Ballin' on Belrose is a community walk/run event on Belrose Avenue in Daphne, between Main Street and Mobile Bay. Named "Ballin'" for the Baller Dream Foundation, the event aims to raise funds to support the foundation's efforts in supporting, comforting, and offering once-in-a-lifetime experiences to lift the spirits of children battling cancer.

INSPIRATION

The event was inspired by the 29029 Everesting Challenge. Mt. Everest is 29,029 feet tall, meaning its formidable peak sits at 5.5 miles above sea level. Using that elevation as our inspiration, we created a climbing challenge where racers will walk or run a linear distance of 29,029 ft up Belrose Avenue. Our "Everest Challenge", while inspired by the brave climbers who ascend Mount Everest, is a community event appropriate for racers of all ages and fitness levels. Climb the hill just once or ascend it 11 times to complete the challenge – it's all about showing up and having fun.

Sign up today to sponsor or race! — BALLINONBELROSE.COM

BALLIN' ON BELROSE · 11 · DAPHNE, AL · EVEREST CHALLENGE

ABOUT THE BALLER DREAM FOUNDATION

The Baller Dream Foundation (BDF) is a registered 501(c)(3) nonprofit organization that lifts the spirits of brave young cancer warriors, ages birth-25. The young people served by BDF are not called patients, but "Ballers". Baller is a modern-day term suggesting a person is doing well, feeling well and in control. BDF works closely with children's hospitals across the country and provides in-hospital, volunteer-led activities to help ease the minds of young warriors, as well as support for their families. Thanks to generous sponsors and donors, BDF also provides major life experiences for Ballers and their families.

City of Daphne
Event Permit Application

TYPE OF PERMIT: ☑ Special Event/Fundraiser ☐ Parade/Run (Streets Use) ☐ Walk (Sidewalks Only) ☐ Athletic Complex/Sporting Event ☐ Other: ____________

APPLICANT & ORGANIZATION INFORMATION

ORGANIZATION NAME: Konbit Haiti

APPLICANT NAME: Stephanie Robinson

STREET: 1305 Main St. CITY, STATE, ZIP: Daphne, AL 36526

CONTACT PHONE: 2516564872 EMAIL: steph@konbithaiti.org

"ON SITE" CONTACT PERSON DAY OF EVENT: Stephanie Robinson

CELL PHONE: 2516564872 EMAIL: steph@konbithaiti.org

EVENT INFORMATION

EVENT NAME: Witches, Warlocks & Wizards Ride

TYPE OF/PURPOSE OF EVENT: Fundraiser

EVENT DATE: October 29, 2023 TIME (START- END): 4-6 pm

ASSEMBLY TIME: 3:00 # PARTICIPANTS/VEHICLES: 150

EVENT LOCATION: City Hall

FULL DESCRIPTION OF EVENT (PLEASE LIST ANY TENTS, STAGING, PORT-O-LETS, OR SIMILAR ITEMS THAT WILL BE USED ON-SITE): Ride beginning @ City Hall thru Dryer, 6th St & Belrose. 2 port-o-potties - 1 handicap. 5 barricades, 2 banquet tables. ~~[illegible]~~

SPECIAL REQUESTS

ROAD CLOSURE(S) REQUESTS: ☑ Yes* ☐ No *If Yes, please indicate which City Route is requested: Route Listed

WILL YOUR EVENT REQUIRE BARRICADES: ☑ Yes* ☐ No *If Yes, please indicate quantity & location: 5 - throughout route

WILL YOUR EVENT REQUIRE ELECTRICITY: ☑ Yes* ☐ No *If Yes, you must provide your own extension cords

WILL YOUR EVENT REQUIRE WATER: ☐ Yes* ☑ No *If Yes, you must provide your own hose(s)

OTHER SPECIAL ITEMS FOR RENT:

TENTS: 20' X 40' # ________ X $321.00 10' X 10' # ________ X $123.00/EACH

TABLES: 8' L # 2 X $45.00/EACH CHAIRS: # 5 X $12.00/EACH

OTHER SPECIAL REQUESTS: ____________________

____

MARKETING & COMMUNICATIONS

PLEASE NOTE: As a City permitted event, the City of Daphne should be listed as a sponsor on all marketing materials promoting your event, such as, but not limited to, posters, social media outlets, website(s), t-shirts, promo items, etc. It is the event organizer's responsibility to request the official City logo from our Marketing & Events Department in a proper format. No other City of Daphne logo should be utilized. Please initial acknowledgement: JW

Is your event open to the general public? ☑ Yes* ☐ No

* If Yes, do you wish for your event to be listed and/or shared on: www.daphneal.com? ☑ Yes ☐ No
Facebook.com? ☑ Yes ☐ No Instagram? ☑ Yes ☐ No LinkedIn? ☑ Yes ☐ No

MARKETING CONTACT (IF DIFFERENT THAN EVENT APPLICANT OR "ON SITE" EVENT CONTACT):

NAME: ____________________ CONTACT PHONE: ____________________

OTHER MARKETING REQUESTS: ____________________

____

REVENUE/BUSINESS LICENSE

WILL SALES BE GENERATED AT YOUR EVENT: ☐ Yes** ☑ No ** If Yes, please provide your City of Daphne Business License Number here: ____________________

PLEASE NOTE: If you are providing food trucks or other third-party vendors, they MUST be a licensed business with the City of Daphne.

INDEMNITY & HOLD HARMLESS AGREEMENT

In consideration of the permission granted to me by the City of Daphne to use grounds, sidewalks, and/or streets, I hereby indemnify and hold harmless the City of Daphne, its agents, servants and employees from any and all claims and causes of action that may arise from injury to me or third party using the grounds, sidewalks, and/or streets who are injured or suffer property damage that is in any way caused by my use of the grounds, sidewalks, and/or streets. This indemnity and hold harmless agreement is given to the City of Daphne to protect the City and its agents, servants, and employees from cost of defense and claims for injuries and damages that may be caused either directly or indirectly by my use of grounds, sidewalks, and/or streets.

Further, I have read and understand all rules and regulations according to the City of Daphne Ordinance No. 2017-35 as set forth by the governing body of the City of Daphne and will abide by these rules and regulations. I understand that damage to City property, grounds, sidewalks, and/or streets can and will results in additional fees. I also understand that if at any time the City of Daphne appointed Law Enforcement, Code Enforcement, or other personnel feel that said rules and regulations are not being followed the function will be terminated with no refund of said fees.

I have read and understand the above, including the cancellation and indemnity policies.

APPLICANT SIGNATURE: [signature] DATE: April 4, 2023

INTERNAL USE ONLY

DATE REC'D: 4-4-2023 CITY CLERK: ______

FIRE DEPT: [signature] APPROVED ROUTE: ______

POLICE DEPT: [signature] ROUTE MAP ATTACHED: ☐ Yes ☐ No

PUBLIC WORKS: ______

SPORTS & RECREATION: ______ EVENT FEE: ☐ Paid $______ CHK# ______

MARKETING & EVENTS: ______ ☐ Waived: ______

** REVENUE: ______ PROOF OF INSURANCE REC'D: ☐ Yes ☐ No

CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-23

APPROPRIATION: WELL ROAD DRAINAGE REPAIRS

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 was awarded a Rebuild Alabama Act (RAA) Annual Grant from the Alabama Department of Transportation in the amount of $250,000 for drainage improvements on Well Road; and

WHEREAS, a previous appropriation (Ordinance 2022-31) in the amount of $72,800 was approved for engineering costs throughout the project; and

WHEREAS, the Well Road Drainage Repairs project has been bid with a total project cost of $333,223 (Construction - $302,930; Contingency - $30,293); and

WHEREAS, the City wishes to use a portion of the Coronavirus State and Local Recovery Funds (SLFRF) received pursuant to the American Rescue Plan Act (ARPA) for funding the remainder of this project; and

WHEREAS, the City has elected to take a standard allowance of up to $10 million in revenue loss as allowed by the U.S. Department of Treasury and deemed its SLFRF funds to be used to provide government services under this allowance; and

WHEREAS, the City has determined this project qualifies as government services.

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

1. Funds in the amount of **$83,223** from the **COVID-19 Relief 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 2023-24

2023-L-WELL ROAD DRAINAGE IMPROVEMENTS

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 Well Road Drainage Improvements will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the Well Road Drainage Improvements and determined that the low bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the Well Road Drainage Improvements be awarded to Blade Construction, LLC.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that the City hereby accept the bid from Blade Construction, LLC in the amount of **$302,930** as specified in the BID SPECIFICATION NO. 2023-L-WELL ROAD DRAINAGE IMPROVEMENTS and waive the informality for not including a copy of the bidder's General Contractor's License in the bid submittal.

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

____
Robin LeJeune, Mayor

ATTEST:

____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE, ALABAMA
RESOLUTION 2023- 25

APPROPRIATION: PURCHASE AND INSTALLATION OF TURF FIELDS AT DAPHNE SPORTS COMPLEX

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 was awarded Grant 04-79-07748 from the U.S. Department of Commerce Economic Development Administration in the amount of $1,650,000 for the purchase and installation of synthetic turf at the Daphne Sports Complex; and

WHEREAS, a previous appropriation (Ordinance 2021-12) in the amount of $575,000 was approved for the project and the FY 2023 Capital Budget appropriated an additional $500,000 for the project; and

WHEREAS, the Purchase and Installation of Turf Fields at Daphne Sports Complex has been bid with a total project cost of $2,991,506 (Installation Bid - $1,915,485; Sourcewell Materials Contract #031622 - $987,041; Miscellaneous - $15,000; Contingency - $73,980); and

WHEREAS, an additional appropriation of $266,506 is needed to complete this project; and

WHEREAS, Ordinance 2012-48 sets forth an allocation of Lodging Tax proceeds that may be used for recreation improvements; and

WHEREAS, the Purchase and Installation of Turf Fields at Daphne Sports Complex project meets such criteria.

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

1. Funds in the amount of **$266,506** from the **Lodging Tax 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.

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Robin LeJeune, Mayor

ATTEST:

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Candace G. Antinarella, CMC, City Clerk

CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-26

2023-I-PURCHASE AND INSTALLATION OF TURF FIELDS AT DAPHNE SPORTS COMPLEX-EDA#04-79-07748

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 installation of Turf Fields at Daphne Sports Complex will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the installation of the Turf Fields at Daphne Sports Complex and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the installation of Turf Fields at Daphne Sports Complex be awarded to the low bidder Sports Contractors Unlimited, LLC for the bid amount of $1,915,485.12 (Base bid-$1,479,596.50 + Add Alternatives #1 & #2-$435,888.62); and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the City hereby accept the bid of Sports Contractors Unlimited, LLC in the amount of $1,915,485.12 (Base Bid-$1,479,596.50 + Add Alternatives #1 & #2-$435,888.62) as specified in BID SPECIFICATION NO. 2023-I-PURCHASE AND INSTALLATION OF TURF FIELDS AT DAPHNE SPORTS COMPLEX.

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

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Robin LeJeune, Mayor

ATTEST:

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Candace G. Antinarella, CMC, City Clerk