

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
Monday, August 7, 2023
6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

INVOCATION

Pastor Jimmy Bowers, Church of the Highlands

PLEDGE OF ALLEGIANCE

PRESENTATION: Gabriel Hunter – Eagle Scout Project

RECOGNITION: Industrial Development Board

3. APPROVE MINUTES: July 17, 2023 regular meeting

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Goodlin

Review the minutes from the July 17th meeting.

Treasurer's Report for June 2023: Unrestricted Fund Balance - \$27,022,062;

Total Cash Balance - \$41,754,291

Sales Tax for May 2023: \$2,313,466.68; Lodging Tax for May 2023: \$167,106

Excess Reserve Balance - \$18,148,768

Debt Summary – June 2023: Warrants - \$24,650,442

Capital Leases: General Fund - \$761,231; Enterprise Fund - \$893,427

B. BUILDINGS & PROPERTY COMMITTEE – Coleman

C. PUBLIC SAFETY COMMITTEE – Hughes

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Olen

E. PUBLIC WORKS COMMITTEE – Conaway

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

Review the minutes from the June 22nd meeting and the report from the July 27th meeting.

G. RECREATION BOARD – Hughes

H. UTILITY BOARD – Phillips

Review the minutes from the June 29th meeting.

6. PUBLIC PARTICIPATION

7. MAYOR'S REPORT

City Council Agenda – August 7, 2023

8. CITY ATTORNEY REPORT
9. DEPARTMENT HEAD REPORTS
10. CITY CLERK'S REPORT

MOTION to approve the Daphne High School JROTC Donut Sale Fundraiser at the intersection of Main Street and Windsor Way at 6:30am on the following dates: September 23, 2023, October 28, 2023, December 9, 2023, January 13, 2024, February 24, 2024, March 16, 2024 and April 20, 2024.

MOTION to approve the Community Spirit Day on September 16, 2023 from 2:00 – 5:00pm at Joe Louis Patrick Park.

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2023 – 42 – Resolution of Support for Mega Grant Application to Assist in Funding I-10 Mobile River Bridge and Bayway Project

2023 – 43 – Resolution Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property – 2004 Ford F-150

2nd READ ORDINANCES:

2023 – 22 – Ordinance to Approve the Annexation of Territory within the City Limits of the City of Daphne, Alabama (Baldwin County Commission)

2023 – 23 – Ordinance Setting Forth the Authorization of Certain City Officials as Designated Signatories on Various Accounts of the City of Daphne, Alabama

2023 – 27 – Ordinance to Pre-Zone Property Located Northeast of Parker Lane and County Road 13

2023 – 28 – Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne – Property Located Northeast of Parker Lane and County Road 13 – Sirmon Properties, LLC

1st READ ORDINANCE:

12. COUNCIL COMMENTS
13. ADJOURN

CITY OF
DAPHNE, ALABAMA

Appreciation

Be it here known that the City of Daphne recognizes

DENIS KEARNEY

for his

TEN YEARS OF VOLUNTEER SERVICE &
A VALUED MEMBER

of the

INDUSTRIAL DEVELOPMENT BOARD.

I, Robin LeJeune, as the Mayor of the City of Daphne, Alabama,
along with the Daphne City Council, do hereby deem it an honor and pleasure to
extend this Certificate of Appreciation on this 7th day of August 2023.

A handwritten signature in black ink, appearing to read "R. LeJeune", written over a horizontal line.

Robin LeJeune, Mayor

CITY OF
DAPHNE, ALABAMA

Appreciation

Be it here known that the City of Daphne recognizes

STEVE CAREY

for his

FIVE YEARS OF VOLUNTEER SERVICE &
A VALUED MEMBER

of the

INDUSTRIAL DEVELOPMENT BOARD.

I, Robin LeJeune, as the Mayor of the City of Daphne, Alabama,
along with the Daphne City Council, do hereby deem it an honor and pleasure to
extend this Certificate of Appreciation on this 7th day of August 2023.

A handwritten signature in black ink, appearing to read "R. LeJeune", written over a horizontal line. Below the line, the text "Robin LeJeune, Mayor" is printed.

Robin LeJeune, Mayor

**July 17, 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: Angie Phillips, Steve Olen, Tommie Conaway, Joel Coleman, Ron Scott, Benjamin Hughes and Doug Goodlin

Also Present: Jay Ross, City Attorney; Candace Antinarella, City Clerk; Chief Brian Gulsby, Police; Troy Strunk, City Development; Chief Tacon, Fire; Tonja Young, Library; Adrienne Jones, Planning; Charlie McDavid, Recreation; Ronnie Huskey, Public Works; Ange Baggett, Marketing; Josh Newman, City Engineer; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Pastor Wesley Jenkins, Destiny Church.

PROCLAMATION: Councilman Hughes presented a proclamation to Officer Jeffery Sulzmann for his recent retirement. Chief Gulsby presented Officer Sulzmann with his service weapon.

RECOGNITION: Councilman Goodlin recognized Daphne High School Men's Soccer Team for their achievements.

PUBLIC HEARING: Adrienne Jones presented on the Sirmon Properties, L.L.C. Pre-zoning Amendment located Northeast of Parker Lane and County Road 13.

Public hearing opened at 6:10pm. No one came forward to speak.

Public hearing closed at 6:10pm.

PUBLIC HEARING: Adrienne Jones presented on the Sirmon Properties, L.L.C. Annexation Petition located Northeast of Parker Lane and County Road 13.

Public hearing opened at 6:11pm. No one came forward to speak.

Public hearing closed at 6:11pm.

PUBLIC HEARING: Adrienne Jones submitted a letter from the developer for the Eunice Lett-Coleman Zoning Amendments located Northwest and Southwest of the Intersection of Pollard Road and Wilson Avenue. The letter stated the developer has requested to withdraw both applications.

3. APPROVAL OF MINUTES:

The minutes from the June 19, 2023 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilman Goodlin said the minutes from the June 19th meeting were in the packet and gave the Treasurer's Report for May 2023: Unrestricted Fund Balance-\$27,748,534; Total Cash Balance-\$42,587,744; Sales tax for April 2023 - \$2,258,371; Lodging Tax for April 2023-\$145,673; Excess Reserve Balance - \$17,956,013; Debt Summary for May 2023: Warrants-\$25,195,442; Capital Leases: General Fund-\$817,555; Enterprise Fund - \$839,427.

**MOTION by Councilman Goodlin to authorize the use of a new Tyler credit card customer-service portal. No second needed.
MOTION CARRIED UNANIMOUSLY.**

July 17, 2023
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.

B. BUILDINGS & PROPERTY COMMITTEE

Councilman Coleman said the minutes from the June 2023 meeting and the June 2023 new Construction and Building Reports were in the packet. He shared there were 25 certificates of occupancy, 308 permits issued; out of those permits there were 69 new resident home permits as well as \$234,524.02 collected in fees and said the next meeting is August 14th at 5:15pm.

**MOTION by Councilman Coleman to authorize the Mayor to execute the Right-of-Way plat for
Lavender Lane. No second needed.
MOTION CARRIED UNANIMOUSLY.**

C. PUBLIC SAFETY COMMITTEE

Councilman Hughes said the next meeting is August 14th at 4:30pm and the minutes from the June and July meetings are in the packet.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Olen said the next meeting is August 7th at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilwoman Conaway said the next meeting is August 7th at 5:15pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Mrs. Jones said there was no meeting and no report.

B. Daphne Public School Commission

Councilwoman Conaway said the next meeting is August 28th at 5:30pm.

C. Downtown Redevelopment Authority

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

D. Industrial Development Board

Councilman Scott said the next meeting July 18th at 4:30pm.

E. Library Board

Councilman Goodlin said the next meeting is August 10th at 4:30pm.

F. Planning Commission

Councilman Olen said the next meeting is July 27th at 5:00pm.

G. Recreation Board

Councilman Hughes said the next meeting is August 16th at 6pm.

H. Utility Board

Councilwoman Phillips said the minutes from the May meeting are in the packet and the next meeting is July 26th at 5:00pm.

6. PUBLIC PARTICIPATION:

Public Participation opened at 6:19pm.

**July 17, 2023
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
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Victoria Phelps, Worchester Drive, congratulated the City of the GoMesa grant.

Public Participation closed at 6:20pm.

7. MAYOR'S REPORT:

Mayor LeJeune was absent. Councilman Coleman shared that last Friday, Governor Ivey shared the City of Daphne is receiving \$7.2 million through the GoMesa Grant to go toward the Bayfront Project.

8. CITY ATTORNEY REPORT:

City Attorney said there was no report.

9. DEPARTMENT HEAD COMMENTS:

Chief Gulsby, Police, shared the Patrol Division recent worked a chemical endangerment of a child. He also addressed the recent pine straw scam.

Chief Tacon, Fire, congratulated the new Junior City Council, thanked Human Resources for the cooling towels and thanked Public Works for providing barricades.

Ronnie Huskey, Public Works, gave the Council an update on the May Day Park construction as well as the mosquito prevention spraying.

Charlie McDavid, Recreation, shared about the recent tennis tournament as well as upcoming sport tournaments.

Adrienne Jones, Planning, shared recent new staff developments as well as Planning Commission leadership updates.

Troy Strunk, City Development, reminded the Council and public that May Day Park is still closed as it is an active construction zone. He recognized two students in the audience, Augie Barnett and Jackson Cole.

10. CITY CLERK'S REPORT:

City Clerk explained the affidavit regarding recently adopted Ordinance 2023-21.

**MOTION by Councilman Coleman to accept the affidavit to Ordinance 2023-21. Seconded by Councilman Hughes. Councilman Scott abstained.
MOTION CARRIED UNANIMOUSLY.**

City Clerk explained Ordinances 2023-24, 2023-25 and 2023-26 should have been placed on the June 19th Council Agenda when the public hearings were held. She asked if the Council might consider suspending the rules to consider the adoption that evening when the time came. She welcomed the new Junior City Council.

**MOTION by Councilman Coleman to approve the 020 – Restaurant Retail Liquor to PressNCo LLC dba Press and Co located at 711 Belrose Avenue, Daphne, Alabama. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to approve the 060 – Retail Table Wine (On or Off Premises) and 040 – Retail Beer (On or Off Premises) to Taz Daphne Inc dba Tazikis Mediterranean Café located at 1539 US Highway 98, Suite 21, Daphne, Alabama. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to approve the road closure of 6th Street from Dryer Avenue to College Avenue on October 22, 2023 from 9:00am – 7:00pm for Christ the King's Pumpkin Festival.
Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

July 17, 2023
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.

**MOTION by Councilwoman Conaway to approve the Jubilee Race for Life 5k and 1-Mile Fun Run on November 18, 2023 from 7:30am – 12:30pm. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to approve the publication and set a public hearing on August 21, 2023 for the O’Gwynn Properties, L.L.C. Pre-Zoning Amendment Located Northeast of the intersection of Pollard Road and County Road 64. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to approve the publication and set a public hearing on August 21, 2023 for the O’Gwynn Properties, L.L.C. Annexation Petition located Northeast of the intersection of Pollard Road and County Road 64. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

11. RESOLUTIONS & ORDINANCES:

A. RESOLUTIONS:

2023 – 36 – Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property – 8’ Tables, Rectangle

2023 – 37 – RFQ-Daphne ADA Transition Plan Update

2023 – 38 – G-Traffic Equipment for Lavender Lane and Hwy 98 Intersection (ALDOT Project #STPSU-0042(539)) – Bid Award

2023 – 39 – Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property – 2000 Mower, Verticut Sweeper

2023 – 40 – Naming of a Private Drive Off of Main Street – “Heritage Place”

2023 – 41 – Additional Appropriation: North Main Street Fire Station #2 – Drainage Improvements Project

**MOTION by Councilman Scott to waive the reading of Resolutions 2023-36 and 2023-37. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2023-36. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

MOTION by Councilman Scott to adopt Resolution 2023-37. Seconded by Councilman Hughes. Councilman Olen expressed concerns. Councilman Scott explained the plan is only authorizing to spend what is budgeted.

**MOTION by Councilman Olen to amend the resolution to say “not to exceed the budgeted amount”.
Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2023-27 as amended. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

July 17, 2023
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.

**MOTION by Councilman Hughes to waive the reading of Resolutions 2023-38, 2023-39, 2023-40 and 2023-41. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to adopt Resolution 2023-38. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to adopt Resolution 2023-39. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2023-40. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2023-41. Seconded by Councilman Scott.
Councilman Hughes explained this was money from the Covid fund.
MOTION CARRIED UNANIMOUSLY.**

ORDINANCES:

B. 2nd READ ORDINANCES:

1ST READ ORDINANCES:

2023 – 22 – Ordinance to Approve the Annexation of Territory within the City Limits of the City of Daphne, Alabama (Baldwin County Commission)

2023 – 23 – Ordinance Setting Forth the Authorization of Certain City Officials as Designated Signatories on Various Accounts of the City of Daphne, Alabama

2023 – 24 – Ordinance to Pre-Zone Property Located Northeast of Alabama Highway 181 and Belgrove Avenue – Roy A. Wulff and Cynthia J. Wulff Revocable Trust Dated 12/14/2016

2023 – 25 – Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne – Property Located Northeast of Alabama Highway 181 and Belgrove Avenue – Roy A. Wulff and Cynthia J. Wulff Revocable Trust Dated 12/14/2016

2023 – 26 – Ordinance Amending the City of Daphne's Land Use and Development Ordinance 2011-54 – Article 35, Table of Permitted Uses and Article 36, Village Overlay District

2023 – 27 – Ordinance to Pre-Zone Property Located Northeast of Parker Lane and County Road 13

2023 – 28 – Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne – Property Located Northeast of Parker Lane and County Road 13 – Sirmon Properties, LLC

2023 – 29 – Ordinance to Re-Zone Property Located Northwest of the Intersection of Pollard Road and Wilson Avenue

2023 – 30 – Ordinance to Re-Zone Property Located Southwest of the Intersection of Pollard Road and Wilson Avenue

**MOTION by Councilman Scott to suspend the rules in order to consider Ordinances 2023-24, 2023-25 and 2023-26 for adoption. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

July 17, 2023
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.

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 Scott to waive the reading of Ordinance 2023-24. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2023-24. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Ordinance 2023-25. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2023-25. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Ordinance 2023-26. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2023-26. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.

12. COUNCIL COMMENTS:

Councilwoman Conaway congratulated the new Junior Councilmembers and thanked Officer Sulzmann for his service.

Councilman Olen said it was wonderful news about the GoMesa Grant. He congratulated Officer Sulzmann and the Daphne High School soccer team. He thanked the citizens for coming out that evening to express their concerns.

Councilman Coleman wished Happy Birthday to City Attorney Jay Ross and Councilman Scott.

Councilman Goodlin echoed all the previous comments.

Councilman Scott explained where the funds for the GoMesa grant came.

Councilman Hughes said it was great news about the grant.

Council President Phillips echoed all the previous sentiments and thanked all those involved with the grant.

**July 17, 2023
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.**

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 6:58PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, CMC, City Clerk

Angie Phillips, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
JULY 17, 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, Accountant III Mrs. Suzânn Henson, Revenue Officer Mrs. Julie Koptis, Finance Deputy Director Mrs. Lisa White, Human Resource Director Mrs. Vickie Hinman, Human Resources Deputy Director Mrs. Hannah Noonan, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Mr. Troy Strunk, Executive Intern Mr. Augie Barnette, Fire Chief LeAnn Tacon, Director of Events and Marketing Mrs. Ange Baggett, Public Works Director Mr. Ronnie Huskey, and City Attorney Mr. Jay Ross.

Junior City Council – Sunny Blackwood and Trinity Lofton.

II. PUBLIC PARTICIPATION

A. Lake Forest Sidewalks – Mrs. Victoria Phelps, Lake Forest POA

Mrs. Phelps asked what the timeline was for the sidewalk projects in Lake Forest. Mr. Hughes noted that the plans were about 50% complete.

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous meeting 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 – 9
- Reviewing/Testing/Interviewing/Background check - 19
- Promotion/Internal Transfer - 1
- New Hires – 4

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

- Safety Committee: Next Safety Committee meeting July 27, 2023. Reviewing sections of Safety Manual for any revisions needed. Quarterly and semi-annual safety award drawings. New security measures for City Hall in progress. Cooling Towel outreach for employees that work outdoors.
- Other HR Projects/Meetings/Events:
 - Fire Apparatus Driver's Test July 10-13, 2023
 - Meetings re: Insurance rates
 - Advanced Supervisor Training (FMLA, Workers' Compensation, Payroll, Performance Evaluations)
 - Benefits Fair August 1-3, 2023; Online Open Enrollment Implementation through Employee Self-Service Portal

Mr. Olen asked about listing retention numbers for larger departments. Mrs. Hinman stated she would provide that information. Mrs. Noonan stated the increase in insurance rates this year would be 6.82% and noted that insurance had only gone up at a rate of 2.85% overall for the last 5 years.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – June, 2023

Mrs. Koptis reviewed the following reports and information:

- Code enforcement issued 3 warnings resulting in businesses becoming compliant and \$387 in revenue.
- New Businesses with a physical location in Daphne - 6
- Simplified Sellers Use Tax collections - \$158,222.20 and YTD collections - \$1,453,309.11.
- Total Business Licenses issued were 35 new and 31 renewals for a total of 66 in June 2023

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: May, 2023

Mrs. Henson reviewed the Sales & Use Tax Reports: \$2,313,466.68 was collected for May, 2023 which was up \$60,843.30 from May 2022's collections:

- YTD Variance over Budget - \$1,662,367.35

B. Lodging Tax Collections, May, 2023

- Lodging Tax Collections Report, May, 2023
- Daphne YTD Hotel Occupancy Report

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for May, 2023 were \$167,106 which is up \$3,081.64 from May 2022's collections.

- YTD Variance over Budget - \$32,191.35

C. Hotel Occupancy Report – Year to Date

Mrs. Baggett reviewed the Hotel Occupancy Report showing 2023 events related to the Daphne Civic Center, Sports/Tournaments, surrounding cities community events and the effect these events have on the Lodging Tax collections. Discussion was made that this report was very informative. Mrs. Phillips stated she would like to see this report quarterly.

D. Lodging Tax Analysis Report, June, 2023

Mrs. White reviewed the Lodging Tax Analysis report:

- Recreation balance for related purchases - \$563,842.10
- Reserved balance for Bayfront related purchases - \$2,833,996.39
- Reserved balance for Occupancy Fee - \$189,245.00

Mr. Hughes asked if there had been any progress in getting the tenants for the DISC property. Discussion continued on IDB and the DISC project.

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: June, 2023

Mrs. White reviewed the Treasurer's Report:

TREASURER'S REPORT					
As of June 30, 2023					
Account Type/Title	6/30/2023	5/31/2023	Increase (Decrease) from last Month	6/30/2022	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	\$ 16,823,144	\$ 17,411,395	\$ (588,251)	\$ 13,930,660	\$ 2,892,484
INVESTMENT FUND	10,198,918	10,337,139	(138,221)	10,510,743	\$ (311,825)
CREDIT CARD ACCOUNT	-	-	-	154,907	\$ (154,907)
Total Unrestricted Cash Balance	27,022,062	27,748,534	(726,473)	24,596,310	2,425,752
SPECIAL REVENUE FUNDS					
4 CENT GAS TAX	228,699	248,230	(19,531)	191,436	37,263
7 CENT GAS TAX	227,781	194,997	32,784	142,809	84,972
10 CENT GAS TAX	148,330	235,721	(87,392)	200,320	(51,990)
TREE & FLOWER	22,660	22,660	-	22,660	-
COVID RELIEF FUND	804,844	1,041,500	(236,656)	3,432,839	(2,627,995)
ANIMAL SHELTER FUND	748,920	768,889	(19,969)	1,062,900	(313,980)
MOBILE INFIRMARY BUILDING	49,109	66,428	(17,319)	-	49,109
FEDERAL DRUG FORFEITURES	196,138	198,841	(2,702)	259,231	(63,093)
LOCAL DRUG FORFEITURES	87,896	81,862	6,034	75,915	11,981
LIBRARY	23,372	23,600	(228)	41,560	(18,188)
COURT TRAINING & EQUIPMENT	41,741	41,575	165	43,024	(1,284)
COURT CORRECTION	576,465	580,494	(4,029)	531,606	44,859
LODGING TAX	3,587,083	3,595,378	(8,295)	3,638,482	(51,399)
AGENCY FUNDS					
SELF INSURANCE	225,157	233,907	(8,750)	231,908	(6,751)
FLEX SPENDING	-	-	-	18,715	(18,715)
OPEB TRUST INVESTMENT FUND	1,214,594	1,195,821	18,773	923,414	291,180
	8,182,789	8,529,903	(347,114)	10,816,819	(2,634,030)
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	6,651,751	5,963,683	688,068	6,911,134	(259,383)
	6,651,751	5,963,683	688,068	6,911,134	(259,383)
DEBT SERVICE FUNDS					
DEBT SERVICE	(102,311)	345,624	(447,935)	197,532	(299,843)
Total Restricted Cash Balance	14,732,229	14,839,210	(106,981)	17,925,485	(3,193,256)
Total City Cash Balance	\$ 41,754,291	\$ 42,587,744	\$ (833,453)	\$ 42,521,795	\$ (767,504)
Encumbrance Total as of			6/30/2023	\$ 195,763.77	

The Treasurer's Report as of June 30, 2023 Total Unrestricted Cash Balance - \$27,022,062 and Total City Cash Balance - \$41,754,291 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance - \$195,763.77 as of June, 2023.

Mrs. White reviewed the Encumbrance Report. Mr. Strunk discussed the Bay Front Master Plan and noted that the encumbered monies were for engineering and consultant fees related to the project. Mr. Strunk discussed the GOMESA funds available for the project. Coleman discussed the construction timeline for the Bay Front project.

3. Outstanding Appropriations

The Outstanding Appropriations report was presented in the packet.

4. Financial Overview: Debt Summaries & Monthly Financial Statements

Mrs. White reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), June, 2023
 - Outstanding Warrant Balance as of June, 2023: \$24,650,442
 - Outstanding Capital Lease Balance as of June, 2023:
 - General Fund: \$761,231
 - Enterprise Fund: \$893,427
- Monthly Financial Statements, May 2023
 - General Fund YTD Budgetary Net Income: \$4,778,873 which is less (\$389,565) than the prior YTD net income
 - Solid Waste Fund \$298,419
 - Civic Center Fund \$181,032

Mrs. White noted that Mrs. Reid wanted the committee members to know that the bond rating call would be on August 2, 2023.

5. Summary of Budgetary Amendments

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

- Total Appropriations Year to Date – \$9,076,468.11
- Adjusted Expenses over Revenue – (\$9,069,381.11)

6. Unfunded Future Projects Expenditure Summary

The Unfunded Future Projects Expenditure Summary was reviewed by the Finance Committee. Discussion was made that the report was much shorter than it had been in previous months since projects were progressing.

B. Bills Paid Reports – June, 2023

The Bills Paid Report was previously presented electronically.

VIII. SURPLUS

A. Surplus Property-EQ#6040 2004 Ford F150

Mrs. Henson discussed the 2004 Ford F150 that was requested to be declared surplus and noted that several other items would be listed on next month's Finance Committee agenda for consideration as well.

MOTION BY Mr. Scott to recommend to Council to declare certain property surplus and authorize the Mayor to dispose of the following surplus property: 2004 Ford F150 – EQ#6040. Seconded by Mr. Hughes. MOTION CARRIED UNANIMOUSLY

IX. NEW BUSINESS

B. Resolution of Support for ALDOT for Protect Grant Application

Mr. Strunk noted that ALDOT is making a change and has tabled this project.

C. Resolution of Support for ALDOT for Mega Grant Application

Mr. Strunk discussed the resolution of support for ALDOT to Assist in Funding I-10 Mobile River Bridge and Bayway Project through the Mega Grant program. Mr. Strunk discussed the Resolution needs to be adopted to show that the City of Daphne supports the Alabama Department of Transportation's application for the Mega Grant and any other sources of federal funding that may become available.

MOTION BY Mr. Scott to recommend to Council to adopt a Resolution showing support for ALDOT to Assist in Funding I-10 Mobile River Bridge and Bayway Project through the Mega Grant program and any other sources of federal funding that may become available. Seconded by Mrs.. Phillips.
MOTION CARRIED UNANIMOUSLY

X. OLD BUSINESS

There was no old business discussed.

XI. ADJOURN The meeting adjourned at 5:21 p.m.

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: July 28, 2023
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Planning Commission Minutes and Report

Attached please find a copy of the approved minutes for the City of Daphne Planning Commission regular meeting of the June 22, 2023 and the report of the regular meeting of July 27, 2023 for placement on the August 7, 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 June 22, 2023
Council Chamber, City Hall - 5:00 P.M.**

Call to Order:

The Acting Chairman John Peterson 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
Kimberly Samry
*Andrew Prescott, Chairman
Richard Johnson
Ronnie Huskey

*Arrived @ 5:05 p.m.

Staff Present:

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

The Acting Chairman welcomed Richard Johnson to the Planning Commission relinquished the meeting to the Chairman.

Upon being seated, the Chairman asked for input regarding the May 25, 2023 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

Chairman called for the next order of business: O'Gwynn Properties, LLC Pre-zoning and Annexation Requests.

An introductory presentation was given by the agent, Hunter Smith. He summarized the pre-zoning and annexation request as presented on the agenda. He stated there are no specific plans for development, except to subdivide the property at the time of annexation into the city.

Chairman asked for comments from the Commission and about the number of lots in the proposed subdivision. Mr. Smith stated three.

Mr. Peterson commented that additional right-of-way is necessary for improvements to that intersection. Mr. Smith stated that he is aware that at the time of the presentation of the subdivision plat, the city will request a dedication of right-of-way.

The chairman opened the floor for public hearing. The floor was closed after no one came forward to speak.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of June 22, 2023
Council Chamber, City Hall - 5:00 P.M.**

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

A motion was made by Mr. Peterson and seconded by Mr. Manning to set forth a favorable recommendation to the City Council to pre-zone the subject property to B-2(a), General Business Alternate. There was no discussion. The motion carried unanimously.

A motion was made by Mr. Peterson and seconded by Mr. Manning to set forth a favorable recommendation to the City Council to annex the subject property into the Daphne city limits. There was no discussion. The motion carried unanimously.

The next order of business is the election of officers.

Chairman opened the nominations for Vice Chairman. Mr. Prescott nominated Mr. Peterson. The nominations were closed. With no other nominations, Mr. Peterson is Vice Chairman.

Chairman opened the nominations for Secretary. Mr. Spriggs nominated himself. The nominations were closed. With no other nominations, Mr. Spriggs is Secretary.

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

The Chairman opened the floor for public participation. The floor was closed after no one came forward to speak.

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

Mr. Dungan had no report.

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

Commissioners welcomed Richard Johnson to the Planning Commission.

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

Mrs. Jones said that July 19th and July 27th are the upcoming meeting dates.

There being no further business, the meeting was adjourned at 5:15 p.m.

Respectfully submitted by:


Jan Valleccillo, Planning Coordinator

Approved: July 27, 2023


Andrew Prescott, Chairman

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF JULY 27, 2023
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**



1. **CALL TO ORDER:** 5:02 p.m.
2. **CALL OF ROLL:** Andrew Prescott, Ronnie Huskey, Steve Olen, John Peterson, Kevin Spriggs and Richard Johnson
3. **APPROVAL OF MINUTES:** Review of minutes of the regular meeting of June 22, 2023.
4. **OLD BUSINESS:**

A. SITE PLAN REVIEW:

1. File SP23-04: **(Approved contingent upon recording the associated re-plat of Lots 2 and 3)**

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

5. **NEW BUSINESS:**

A. SITE PLAN REVIEW:

1. File SP23-12: **(Tabled by applicant until the regular meeting of August 24, 2023)**

Site: Pollard Road Apartments

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

Location: Southeast of Whispering Pines Road and Pollard Road

Area: 10.50 Acres $\pm$

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

Engineer: Goodwyn, Cawood & Mills - Melissa Currie

2. File SP23-10: **(Tabled by applicant until the regular meeting of August 24, 2023)**

Site: Foosackly's

Zoning: *B-2, General Business*

Location: Northwest of Walmart Drive and U.S. Highway 98

Area: 2.73 Acres $\pm$

Owner: Charles Richard Broughton, IV and Bonnie Sue Broughton

Developer: Foo Properties, Inc. - William Fusaiotti

Engineer: Lieb Engineering - Chris Lieb

B. OAK GROVE ESTATES MASTER PLAN REVISION, PRELIMINARY/FINAL AND PRELIMINARY PLAT REVIEW:

1. File MPA22-02: (Tabled until the regular meeting of August 24, 2023)

Presentation to be given by Jason Wooten, Wooten Engineering, requesting a master plan revision of Oak Grove Estates formerly known as South Branch Subdivision.

2. File SDPF23-06: (Tabled until the regular meeting of August 24, 2023)

Subdivision: Oak Grove Estates

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

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

Area: 79.72 Acres $\pm$, (3) lots

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

Surveyor: Smith, Clark & Associates - Hunter Smith

Engineer: Wooten Engineering - Jason Wooten

3. File SDP23-06: (Tabled until the regular meeting of August 24, 2023)

Subdivision: Oak Grove Estates, Phase 1, a Resubdivision of Lot 1

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

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

Area: 22.32 Acres $\pm$, (9) lots

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

Surveyor: Smith, Clark & Associates - Hunter Smith

Engineer: Wooten Engineering - Jason Wooten

C. PRELIMINARY/FINAL PLAT:

1. File SDPF23-07: (Approved)

Subdivision: Simms, a Resubdivision of Lot 1C, Simms-Foster

Zoning: *B-3, General Business, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne*

Location: Northeast of County Road 64 and Alabama Highway 181

Area: 4.98 Acres $\pm$, (2) lots

Owner: The Estate of Georgianne Simms

Agent: Carl Johnson, Executor

Surveyor: S.E. Civil - David Diehl

D. SMALL'S SMOKEHOUSE MASTER PLAN AND REQUEST FOR SIDEWALK EXEMPTION:

1. File MPA23-03: (Tabled by applicant until the regular meeting of August 24, 2023)

Presentation to be given by Scott Hutchinson, Goodwyn, Mills and Cawood, requesting a master plan of Small's Smokehouse.

2. Request for sidewalk exemption

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF JULY 27, 2023
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

6. **PUBLIC PARTICIPATION**: None presented.
7. **ATTORNEY'S REPORT**: No report.
8. **COMMISSIONER'S COMMENTS**: Chairman thanked Richard Johnson for his insight on projects as a new member of the Planning Commission.
9. **DIRECTOR'S COMMENTS**: None presented.
10. **ADJOURNMENT**: 5:45 p.m.

Accepted by:

Chairman, Daphne Utilities



APPROVED MINUTES

Utilities Board Meeting

Council Chambers, Daphne City Hall ♦ June 29, 2023 ♦ 5:00 p.m.

I. Call to Order

The regular June 2023 Board meeting for the Utilities Board of the City of Daphne was held on June 29, 2023 in the Council Chambers at Daphne City Hall and called to order at 5:00 p.m. by Chairwoman Selena Vaughn, followed by the Roll Call:

II. Roll Call

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

Members Absent: Councilwoman Angie Phillips, Board Member

Others Present: Jerry Speegle – Board Attorney
Scott Polk – General Manager
Bobby Purvis – Operations Manager
Lexus Carlee – Finance Specialist
Teresa Logiotatos – Finance Manager
Drew Klumpp – retiring Administrative Services Manager
Alex Godfrey – Incoming 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 May 31, 2023

The Chairwoman requested any additions, corrections, or deletions for the submitted minutes of the May 31, 2023, Daphne Utilities Board meeting.

With no additions, corrections or deletions for the submitted minutes of the May 31, 2023 Daphne Utilities Board meeting, the Chairwoman announced the minutes would stand.

V. OLD BUSINESS – None

VI. NEW BUSINESS –

A. Recommendation for Bid Award – CIPP of Various Sanitary Sewer Mains in the Olde Towne Area (Volkert Project #408255) for the total bid amount of \$383,175.00 to Suncoast Infrastructure, Inc. (Board Action – MOTION)

GM Scott Polk explained that this is the annual award for the sewer rehab cure-in-place piping that was evaluated based on the findings of the Duke's study that specified which pipes to repair or replace, proposing one of the options to solicit for contracts to line the pipes or cure-in-place, preventing excavation of the road.

MOTION by Vice Chairman Tim Patton to award the CIPP of Various Sanitary Sewer Mains in the Olde Towne Area (Volkert Project #408255) for the total bid amount of \$383,175.00 to Suncoast Infrastructure, Inc.; Motion was Seconded by Secretary/Treasurer Billy Mayhand

AYE: LeJeune, Mayhand, Patton, Phillips

NAY:

ABSENT:

ABSTAIN: Vaughn

MOTION CARRIED

VII. BOARD ATTORNEY'S REPORT

Mr. Jerry Speegle had nothing to add but was available for questions.

VIII. FINANCIAL REPORT

Finance Specialist Lexus Carlee summarized for the Board the May 2023 financials reporting: the revenue projections for all metered services were over their revenue budget, expenses for the year were under budget for all categories, total net income was over budgeted income and revenue-and-expenses were on target for the month of May; reviewed project payments on the Monthly Cash Payment report.

IX. GENERAL MANAGER'S REPORT

A. GM Report

General Manager Scott Polk reported on: the progress at the Diamante water well moving forward; conclusion of the US98 water main reconnection; north Main Street sewer line upgrade (GOMESA grant) completed and operational with noticeable improvements in flows to the plant; Rehab of Well #2 is in holding pattern for further review; meeting updates on the 20-Year Water Reclamation Facility CIP program to discuss final technical memo to present findings; the mail-out of the annual CCR with the compliance disclosure; no sso's from the recent spells of storms and commended our staff at WRF and wastewater collections over the past years for keeping it in the pipes; Drew Klumpp's last board meeting, retiring after 25 years of service with Daphne Utilities, wished him well and thanked him.

Mr. Polk then proceeded to discuss the circumstances of the financial model with the planned rate increases and with adjusted inflation rate, amended our model to 5% rate. He stated that leaving the rate increases that had already been approved for the upcoming years, the probability of having a rate increase later in 2028 or 2029 is foreseeable and offered to review in detail with the board members; he recommended leaving the rate increases in effect but

extended the opportunity to have a work session to discuss. Chairwoman Vaughn voiced to consider the capital improvement plan in ensuring to have back-up generators and necessary equipment that is still not in place as an expensive project. Mayor LeJeune suggested a budget work session.

B. Operations Report

Mr. Bobby Purvis advised that lightning affected the controls at Trojan facility, a control panel and a transducer in the elevated tanks obscuring the levels, and he commended Mr. Larry English and his staff for their swift repair. Similarly, he stated that lightning disturbed some of the panels in the lift stations in which the collections staff responded quickly and preemptively. He commended the staff at the WRF for their confident performance during a stressful situation when the automatic transfer switch failed. Mr. Purvis recognized Mr. Quinton Steen congratulating him on the new Water Distribution Supervisor.

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

X. BOARD ACTION – previously addressed.

XI. PUBLIC PARTICIPATION

Chairwoman Vaughn announced Public Participation at 5:19 pm. With no participants, she closed Public Participation at 5:19pm.

XII. BOARD COMMENTS –

Mr. Billy Mayhand welcomed Mr. Quinton Steen and thanked the leadership staff with education and promotions of employees.

Mayor LeJeune congratulated Mr. Quinton Steen and expressed well wishes to Mr. Drew Klumpp on his retirement.

Mr. Drew Klumpp thanked the Board members and staff for allowing him to work at Daphne Utilities, raise a family and reach his retirement tenure.

Mayor LeJeune also thanked the Board and staff for accepting Troy Strunk last month in this absence and requested an agenda item for July's meeting regarding costs associated with water line relocation and sewer line reinforcements at the Fire State on Main Street.

Mr. Tim Patton thanked Mr. Drew Klumpp for his lengthy service to Daphne Utilities, praised the annual (CCR) report, and complimented the WRF staff's handling of the stressful responsibilities.

XIII. ADJOURNMENT

Chairwoman Vaughn called for a motion to adjourn the meeting.

MOTION by Mayor Robin LeJeune to adjourn the meeting; Motion was Seconded by Secretary/Treasurer Billy Mayhand.

AYE: LeJeune, Mayhand, Patton, Phillips

NAY:

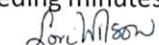
ABSENT:

ABSTAIN: Vaughn

MOTION CARRIED

The meeting adjourned at 5:21pm.

Preceding minutes submitted to the Daphne Utilities Board by:



Lori Wilson, Executive Assistant, Daphne Utilities



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: Dahne High School AF JROTC
APPLICANT NAME: Lt Col (Ret) Douglas Goodlin
STREET: 9300 Champions Way CITY, STATE, ZIP: Daphne, AL. 36526
CONTACT PHONE: 251-626-0096 EMAIL: dgoodlin@bcbe.org
"ON SITE" CONTACT PERSON DAY OF EVENT: Lt Col Goodlin/Chief Tarrance
CELL PHONE: 251-366-2744/205-296-5758 EMAIL: dgoodlin@bcbe.org

EVENT INFORMATION

EVENT NAME: AF JROTC Donut Sale Fundraiser
TYPE OF/PURPOSE OF EVENT: Fundraiser for JROTC activities
EVENT DATE: See Notes Below TIME (START- END): 0630 (6:30 AM)
ASSEMBLY TIME: 0630 (6:30 AM) # PARTICIPANTS/VEHICLES: 10 in Daphne
EVENT LOCATION: Intersection of Main Street and Windsor Way at Lake Forest entrance
FULL DESCRIPTION OF EVENT (PLEASE LIST ANY TENTS, STAGING, PORT-O-LETS, OR SIMILAR ITEMS THAT WILL BE USED ON-SITE): Cadets, under supervision of a parent or guardian, will sell passing motorists a box of Krispy Kreme Donuts. Cadets will have safety vests and adult supervision at all times and will be aware of how to safely conduct themselves in the vicinity of vehicular traffic that is stopped at the stop light.

SPECIAL REQUESTS

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

WILL YOUR EVENT REQUIRE BARRICADES: ☐ Yes* ☒ No *If Yes, please indicate quantity & location: _____

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 # _____ X \$45.00/EACH CHAIRS: # _____ X \$12.00/EACH

OTHER SPECIAL REQUESTS: Dates and instructor are as follows: 23 Sep (Chief Tarrance), 28 Oct (Lt Col Goodlin)

9 Dec (Chief Tarrance), 13 Jan (Lt Col Goodlin), 24 Feb (Lt Col Goodlin), 16 Mar (Chief Tarrance), 20 Apr (Lt Col Goodlin)

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: DGG

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: School Organization - Exempt

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.

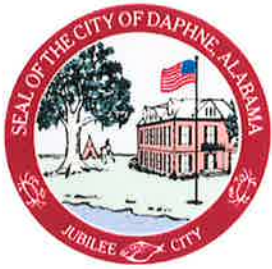
Further, I have read and understand all rules and regulations according to the City of Daphne Ordinance No. 2017-35 as set forth by the governing body of the City of Daphne and will abide by these rules and regulations. I understand that damage to City property, grounds, sidewalks, and/or streets can and will result 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: Douglas Goodlin Digitally signed by Douglas Goodlin
Date: 2023.07.19 09:09:49 -05'00' DATE: 19 July 2023

INTERNAL USE ONLY

DATE REC'D: 7-19-2023 CITY CLERK: _____
FIRE DEPT: L. G. [Signature] APPROVED ROUTE: _____
POLICE DEPT: [Signature] ROUTE MAP ATTACHED: ☐ Yes ☐ No
PUBLIC WORKS: [Signature]
SPORTS & RECREATION: _____ EVENT FEE: ☐ Paid \$ _____ CHK# _____
MARKETING & EVENTS: _____ ☐ Waived: _____
** REVENUE: _____ PROOF OF INSURANCE REC'D: ☐ Yes ☐ No



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: Community Spirit Day
APPLICANT NAME: Jewel Lawson & Sandy Robinson
STREET: 1500 Main St CITY, STATE, ZIP: Daphne, AL 36526
CONTACT PHONE: 251 709 5476 EMAIL: sandyjo.robinson@gmail.com
"ON SITE" CONTACT PERSON DAY OF EVENT: Jewel Lawson / Sandy Robinson
CELL PHONE: 251 709 5476 EMAIL: same

EVENT INFORMATION

EVENT NAME: Community Spirit Day
TYPE OF/PURPOSE OF EVENT: promote unity & friendship between Daphne + 3
EVENT DATE: Sept 16, 2023 TIME (START- END): 2:00-5:00 pm Old Town Daphne
ASSEMBLY TIME: 8:00 am setup # PARTICIPANTS/VEHICLES: approx 300
EVENT LOCATION: Joe Louis Patrick Park, Johnson Rd
FULL DESCRIPTION OF EVENT (PLEASE LIST ANY TENTS, STAGING, PORT-O-LETS, OR SIMILAR ITEMS THAT WILL BE USED ON-SITE): Food & drinks will be served; we will provide DJ & activities. We need 2 tents, no port-o-lets or staging.

SPECIAL REQUESTS

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

WILL YOUR EVENT REQUIRE BARRICADES: ☐ Yes* ☒ No *If Yes, please indicate quantity & location: 4 cones

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' # 1 X \$321.00 10' X 10' # 1 X \$123.00/EACH

TABLES: 8' L # 25 X \$45.00/EACH CHAIRS: # 80 X \$12.00/EACH

OTHER SPECIAL REQUESTS: we're asking for city to provide
tents - 20'x40' & 10'x10'; plus 25 tables;
80 chairs; several trash cans; Daphne banner;
4 barricades, 10 cones

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? ☒ 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: Dome 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 result 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: _____



DATE: _____

7-13-23

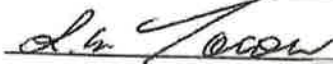
INTERNAL USE ONLY

DATE REC'D: _____

7-14-2023

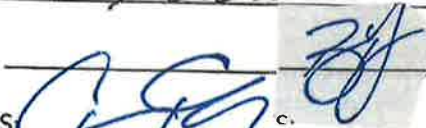
CITY CLERK: _____

FIRE DEPT: _____



APPROVED ROUTE: _____

POLICE DEPT: _____



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 2023-42**

**RESOLUTION OF SUPPORT FOR MEGA GRANT APPLICATION TO ASSIST IN FUNDING
I-10 MOBILE RIVER BRIDGE AND BAYWAY PROJECT**

WHEREAS, Interstate 10 is a major East-West corridor for commercial and personal vehicles, and is the only interstate highway that connects the East Coast, West Coast, and Gulf Coast of the United States; and

WHEREAS, the portion of Interstate 10 connecting Mobile and Baldwin Counties was initially built for 30,000 vehicles per day, but now services more than 100,000 vehicles on peak days, with traffic volumes growing steadily and continuously; and

WHEREAS, Mobile and Baldwin Counties are home to significant industry, whose workforce and suppliers rely on Interstate 10 to safely move people and goods across Mobile Bay; and

WHEREAS, the Port of Mobile, the Mobile International Airport, and numerous multimodal hubs all are located on Mobile Bay and frequently utilize Interstate 10 helping to stimulate and drive the economy of Mobile and Baldwin Counties, the State of Alabama and the entire Gulf Coast region; and

WHEREAS, traffic and congestion on Interstate 10 will continue to increase, with negative effects on public safety, commerce, and mobility in the region, if no action is taken; and

WHEREAS, the City of Daphne agrees on the need for a new bridge over the Mobile River and Mobile Bay and a framework to achieve this goal; and

WHEREAS, the City of Daphne recognizes that President Biden and Congress conceived and enacted the Infrastructure Investment and Jobs Act (IIJA), which includes a new discretionary grant program designed to address infrastructure challenges of this type and magnitude; and

WHEREAS, the U.S. Department of Transportation is committed to improving our nation's infrastructure through the Mega Grant program; and

WHEREAS, this program can be a key funding component to address this crucial infrastructure need of local, regional, and national importance; now

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the City of Daphne supports the Alabama Department of Transportation's application for the Mega Grant and any other sources of federal funding that may become available.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023 - 43**

**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	6040	2004 FORD F-150 PU	2FTRF17234CA39151

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
ORDINANCE 2023 - 22**

**AN ORDINANCE TO APPROVE THE ANNEXATION OF TERRITORY WITHIN THE
CITY LIMITS OF THE CITY OF DAPHNE, ALABAMA
(BALDWIN COUNTY COMMISSION)**

WHEREAS, Belgrove Avenue from the intersection of State Highway 181 approximately 355 feet east, is a right-of-way inside or abutting the corporate limits of the City of Daphne (the portion of Belgrove Avenue described in this ordinance is hereinafter referred to as “Belgrove Avenue”); and

WHEREAS, an accurate description of Belgrove Avenue, together with a map thereof showing its relationship to the corporate limits of the City of Daphne, is attached hereto as Exhibit “A” and incorporated herein; and

WHEREAS, some portions of Belgrove Avenue that are not already the responsibility of the City of Daphne have been County-maintained streets for a period of at least one (1) year prior to the effective date of this instrument; and

WHEREAS, the portion of Belgrove Avenue subject to this agreement is bounded on both sides by the corporate limits of the City of Daphne as a result of annexation of territory after July 7, 1995, or located within the City of Daphne but responsibility is vested in the County; and

WHEREAS, the City of Daphne desires to annex and assume responsibility for Belgrove Avenue, to the extent it is not already maintaining portions thereof, in order to facilitate the orderly development and maintenance of this area and its corporate limits; and

WHEREAS, in order to accomplish the City of Daphne’s desire to annex and assume responsibility for Belgrove Avenue in accordance with *Code of Alabama*, §11-49-80(b), (c) and (d), the Baldwin County Commission passed a resolution on July 5, 2023, authorizing the annexation and transfer of responsibility for Belgrove Avenue to the City of Daphne, a copy of which is attached hereto as Exhibit “B”; and

WHEREAS, said resolution did petition the City of Daphne for annexation and contained the signature of the owner of the described territory and a map of Belgrove Avenue showing its relationship to the corporate limits of the City of Daphne; and

WHEREAS, the City Council of the City of Daphne has determined that it is in the public interest that Belgrove Avenue be annexed into the City of Daphne and that all legal requirements for annexing Belgrove Avenue have been met pursuant to *Code of Alabama*, §§11-42-20 to 24.

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

Section 1. The City Council of the City of Daphne, Alabama, finds and declares as the legislative body thereof that it is in the best interest of the citizens of the City, and the citizens of the affected area, to annex and bring the territory described herein as Belgrove Avenue into the corporate limits of the City of Daphne, and to assume responsibility for those portions of Belgrove Avenue, if any, that are already within the corporate limits of the City of Daphne pursuant to *Code of Alabama*, §§11-49-80(b), (c), and (d), and 11-42-20 to 24.

Section 2. The boundary lines of the City of Daphne, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Daphne, Alabama, and in addition thereto the following described territory, to-wit:

A part of the Southwest Quarter of the Northwest Quarter of Section 14, Township 5 South, Range 2 East, Baldwin County, Alabama and being more fully described as follows:

It is the intent of this document to convey unto the City of Daphne, Alabama, any and all right and title to that portion of the right-of-way, easements, alleys, walks, parks and other open spaces owned and maintained by Baldwin County along Belgrove Avenue, beginning at the east right-of-way line of State Highway 181, thence running east for approximately 355 feet. Including all improvements within the right-of-way such as, but not limited to the road, drainage structures, signs, trails, sidewalks, etc. Said right-of-way being conveyed is described in Belgrove Estates, Slide 1708-A and Belle Pointe Subdivision, Slide 2452-C, as recorded in the Probate Records, Baldwin County, Alabama. It is also the intent to convey any and all prescriptive right-of-way that Baldwin County, Alabama may own.

Section 3. The territory described in this ordinance shall become a part of and lie within the corporate limits of the City of Daphne, Alabama, upon publication of this ordinance.

Section 4. To the extent that portions of Belgrove Avenue, if any, are already within the corporate limits of the City of Daphne, but responsibility is vested in the County, the City of Daphne hereby assumes responsibility of said portions of Belgrove Avenue pursuant to *Code of Alabama*, §11-49-80(b), in addition to its annexation or re-annexation as described herein. In accordance with *Code of Alabama*, §11-49-81, the City of Daphne's assumption of responsibility for Belgrove Avenue is in exchange for the County agreeing that it shall resurface, one time, Belgrove Avenue with a minimum one inch (1") overlay. The Baldwin County Commission and the City of Daphne respectively acknowledge and agree that this one-time resurfacing has been scheduled to occur as soon as possible as consideration for this transfer, and may be completed prior to the transfer of maintenance. The Baldwin County Commission and the City of Daphne agree that said consideration is a reasonable charge for being relieved of the burden of the control, management, supervision, repair, maintenance and improvement of the roads described herein.

Section 5. This ordinance shall be published as provided by law, and a certified copy of the same, together with a certified copy of the resolution and petition of the Baldwin County Commission, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 6. If any part, section or subdivision of this ordinance shall be held to be illegal, invalid, or unenforceable for any reason, such ordinance shall not be held or construed to invalidate or impair the remaining provisions of this ordinance, which shall continue in full force and effect notwithstanding such holding.

ADOPTED THIS THE ____ DAY OF _____, 2023.

ROBIN LEJEUNE
Mayor

Attest:

CANDACE G. ANTINARELLA, CMC
City Clerk

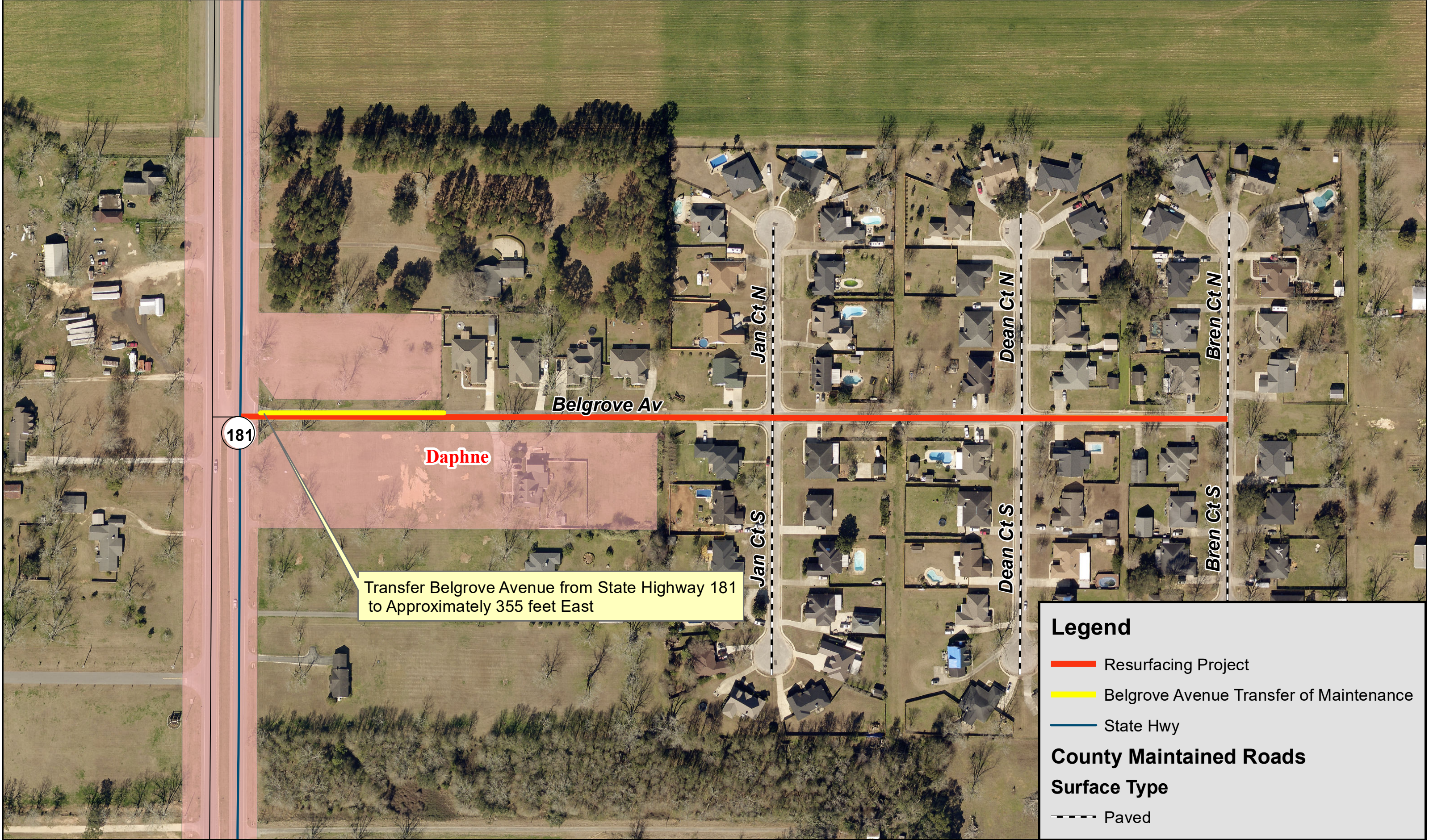
CERTIFICATION OF POSTING

I, CANDACE G. ANTINARELLA, City Clerk of the City of Daphne, Alabama, hereby certify that the above noted ordinance was published by posting copies thereof in the _____, _____ and _____, beginning the ____ day of _____, 2023, and took effect five (5) days thereafter.

CANDACE G. ANTINARELLA, CMC
City Clerk



EXHIBIT A - BELGROVE AVENUE ROAD TRANSFER



RESOLUTION NO. 2023-141

**RESOLUTION OF THE COUNTY COMMISSION OF
BALDWIN COUNTY, ALABAMA,
AUTHORIZING AND CONSENTING TO THE TRANSFER OF
OWNERSHIP, MAINTENANCE, AND RESPONSIBILITY FOR
PORTIONS OF BELGROVE AVENUE**

WHEREAS, Belgrove Avenue from the intersection of State Highway 181 approximately 355 feet east, is a right-of-way inside or abutting the corporate limits of the City of Daphne (the portion of Belgrove Avenue described in this ordinance is hereinafter referred to as “Belgrove Avenue”); and

WHEREAS, an accurate description of Belgrove Avenue, together with a map thereof showing its relationship to the corporate limits of the City of Daphne, is attached hereto as Exhibit “A” and incorporated herein; and

WHEREAS, some portions of Belgrove Avenue that are not already the responsibility of the City of Daphne have been County-maintained streets for a period of at least one (1) year prior to the effective date of this instrument; and

WHEREAS, Baldwin County has found and determined that allowing the City of Daphne to take over sole and exclusive ownership, control, management, supervision, regulation, repair, maintenance, improvement, and responsibility for Belgrove Avenue is in the best interest of Baldwin County; and

WHEREAS, the portion of Belgrove Avenue subject to this agreement is bounded on both sides by the corporate limits of the City of Daphne as a result of annexation of territory after July 7, 1995, or located within the City of Daphne but responsibility is vested in the County; and

WHEREAS, in order to clarify and simplify the City of Daphne’s assumption of responsibility for Belgrove Avenue in accordance with *Code of Alabama*, §11-49-80(b), (c), and (d), the Baldwin County Commission is submitting its consent and petition to the City of Daphne to annex Belgrove Avenue and to assume the responsibility thereof; and

WHEREAS, Baldwin County has the legal authority to carry out the intent of this resolution pursuant to *Code of Alabama*, §11-49-80 and other state laws and constitutional amendments; and

WHEREAS, the City of Daphne desires to take over sole and exclusive ownership, control, management, supervision, regulation, repair, maintenance, improvement, and responsibility for Belgrove Avenue in order to facilitate the orderly development and maintenance of this area in its corporate limits.

NOW, THEREFORE, BE IT RESOLVED by the Baldwin County Commission as follows:

Section 1. That the Baldwin County Commission hereby consents to and petitions for the annexation of Belgrove Avenue by the City of Daphne pursuant to *Code of Alabama*, §§11-49-80(c), and (d) and 11-42-20 to 24.

Section 2. That the Chairman of the Baldwin County Commission and other appropriate County officials are hereby authorized to execute and deliver such documents or agreements to the City of Daphne as are necessary or requested to carry out the intent of this Resolution.

Section 3. To the extent that portions of Belgrove Avenue, if any, are already located within the corporate limits of the City of Daphne, but responsibility is vested in the County, the Baldwin County Commission hereby consents to the assumption of responsibility of said portion or portions of Belgrove Avenue by the City of Daphne, pursuant to *Code of Alabama*, §11-49-80(b), in addition to its annexation or re-annexation as described herein. In accordance with *Code of Alabama*, §11-49-81, the City of Daphne's assumption of responsibility for Belgrove Avenue is in exchange for the County agreeing that it shall resurface, one time, Belgrove Avenue from the intersection of State Highway 181 approximately 355 feet east with a minimum overlay of one inch (1"). The Baldwin County Commission and the City of Daphne respectively acknowledge and agree that this one time resurfacing has been scheduled to occur as soon as possible as consideration for this transfer, and may be completed prior to the transfer of maintenance. The Baldwin County Commission and the City of Daphne agree that said consideration is a reasonable charge for being relieved of the burden of the control, management, supervision, repair, maintenance and improvement of the road described herein.

Section 4. If any part, section or subdivision of this Resolution shall be held to be illegal, invalid or unenforceable for any reason, such holding shall not be held or construed to invalidate or impair the remaining provisions of this Resolution which shall continue in full force and effect notwithstanding such holding.

ADOPTED and APPROVED by the County Commission of Baldwin County, Alabama, on the 5th day of July, 2023.

BALDWIN COUNTY COMMISSION

By: Charles F. Gruber
CHARLES F. GRUBER
Its: Chairman

ATTEST:

Roger H. Rendleman
ROGER H. RENDLEMAN
County Administrator

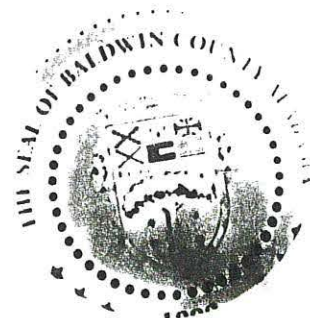
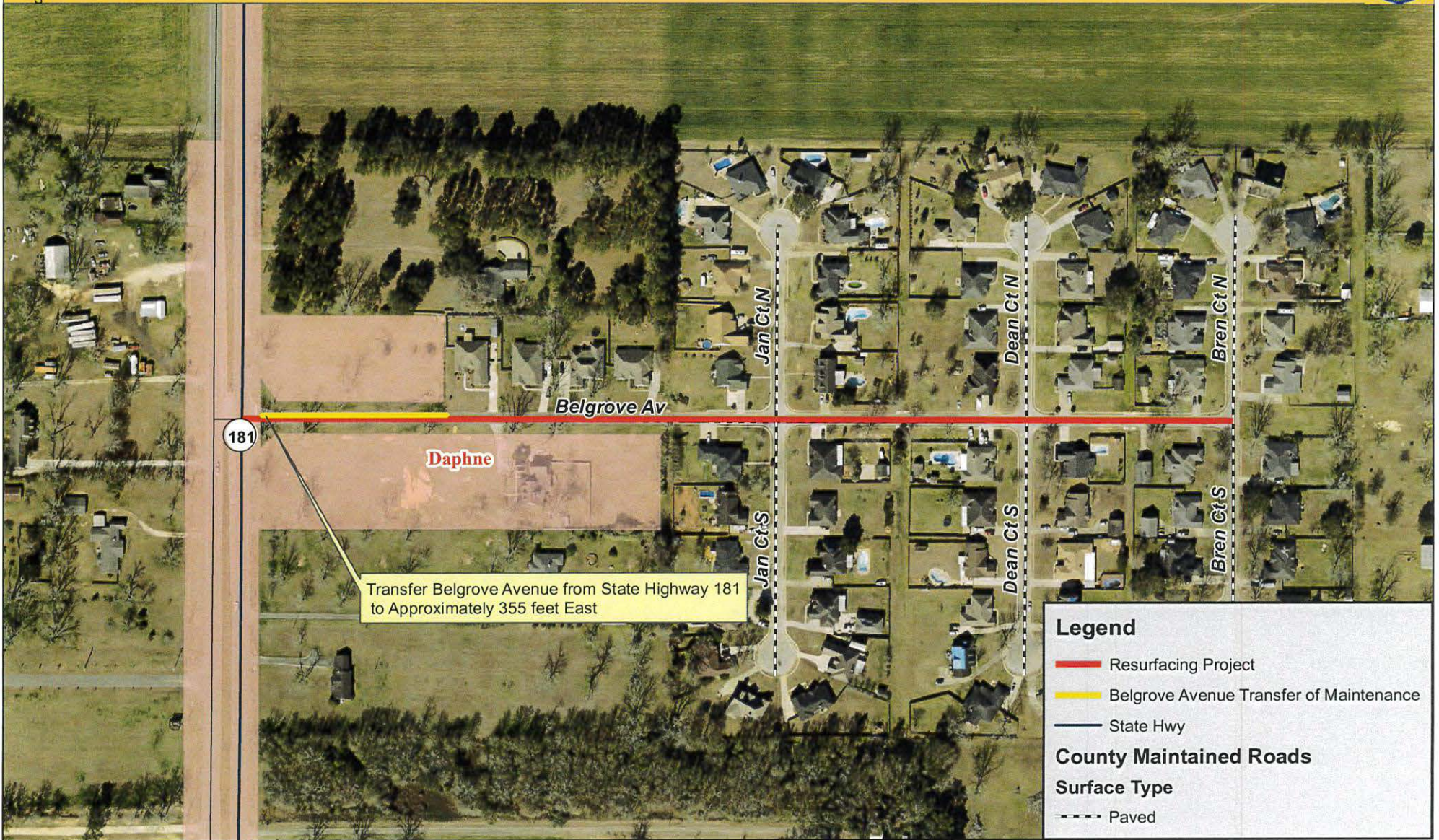




EXHIBIT A - BELGROVE AVENUE ROAD TRANSFER



**CITY OF DAPHNE, ALABAMA
ORDINANCE 2023-23**

**AN ORDINANCE SETTING FORTH THE AUTHORIZATION OF CERTAIN
CITY OFFICIALS AS DESIGNATED SIGNATORIES ON VARIOUS
ACCOUNTS OF THE CITY OF DAPHNE, ALABAMA**

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

SECTION 1. The following Officers of the City of Daphne, Alabama, be and hereby are officially designated as the appropriate and authorized signatories on the various City accounts of the City of Daphne, Alabama:

Mayor	Robin LeJeune
Finance Director	Kelli Kichler Reid
Councilmember	Angie Phillips
Councilmember	Steve Olen

SECTION 2. All checks, drafts, and all other financial transfers shall be signed by two (2) of the above designated signatories.

SECTION 3. Any ordinance or resolution previously adopted which in any way conflicts with this Ordinance is hereby deemed repealed in its entirety, including, without limitation, Resolution 2015-42 which prescribed signatories for the Confiscated Funds account, as such account shall hereafter be subject to the signatory requirements of this Ordinance.

SECTION 42. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the remaining parts.

SECTION 5. This Ordinance shall take effect and be in force from and after the date of its adoption by the City Council of the City of Daphne and publication as required by law.

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

Robin L. LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2023-27**

Ordinance to Pre-Zone Property Located Northeast of Parker Lane and County Road 13

WHEREAS, Sirmon Properties, L.L.C., as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently zoned by the County as RSF-E, Residential Single Family Estate, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, be pre-zoned as R-6(G), Garden or Patio Home, prior to annexation into the City of Daphne; and

WHEREAS, said real property is located Northeast of Parker Lane and County Road 13, being more particularly described as follows:

Legal Description for Property to be Pre-Zoned:

The West Half of the Northeast Quarter of the Southwest Quarter of Section 10, Township 5 South, Range 2 East, Baldwin County, Alabama, and being more particularly described as follows: Beginning at a recovered iron marking the Southeast corner of Lot 1, Sehoy Subdivision, Phase Three, as recorded on Slide 2119-D, Probate Court Records, Baldwin County, Alabama, run South 00°- 06'- 04 " West and along the West line of properties conveyed by Instrument No. 1780569 and 1780564, said Probate Records, a distance of 1325.64 feet to a recovered rod and cap (HMR); said point being on the North line of properly conveyed by Instrument No. 1780567, said Probate Records; thence North 89°-36'-55" West and along the North line of said property, 661.76 feet to a recovered rod and cap; thence North 00°-05'-45" East and along the East line of property conveyed by Instrument No. 1662638, said Probate Records, a distance of 1325.58 feet to a recovered iron rebar; said point being on the South line of Amended Sehoy Subdivision Phase One, as recorded on Slides 2068-C & D, said Probate Records; thence South 89°-37'-15" East and along the South line of said subdivision, 661.88 feet to the Point of Beginning. Said property being the same as property conveyed by Instrument No. 510058, said Probate Records.

WHEREAS, at the regular Planning Commission meeting on May 25, 2023, the Commission considered said request and voted to set forth an unanimously favorable recommendation to the City Council to pre-zone the property R-6(G), Garden or Patio Home; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at City Hall, and a public hearing was held before the City Council on July 17, 2023; and,

WHEREAS, the City Council of the City of Daphne, after due consideration and upon consideration of the recommendation and notes of the Planning Commission, deemed that said application for pre-zoning of the above described real property and as set forth on a map of the property attached hereto and made a part of this Ordinance as Exhibit "A" is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Daphne, Alabama; and

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

SECTION I: ZONING

That above described real property is hereby pre-zoned R-6(G), Garden or Patio Home, City of Daphne. Upon annexation of the property prior to the expiration of the pre-zoning as set forth in Section

IV, the property shall be assigned the zoning district in accordance with the pre-zoning and the zoning ordinance and zoning map shall be amended to reflect said zoning. Should annexation not occur prior to the expiration of this pre-zoning as set forth in Section IV, this pre-zoning shall have no effect and the designation of a zoning district for the property shall be set forth in the annexation ordinance.

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

SECTION II: REPEALER.

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

SECTION III: SEVERABILITY.

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

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

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

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

Robin Le Jeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

Holiday Builders on Behalf of Sirmon Properties, LLC

Pre-Zoning and Annexation Request

9301 Parker Ln Daphne, AL 36526

Exhibit "A"

STATE OF ALABAMA

COUNTY OF BALDWIN

LEGAL DESCRIPTION OF PROPERTY to be pre-zoned from RSF-E to R6(G)

The West Half of the Northeast Quarter of the Southwest Quarter of Section 10, Township 5 South, Range 2 East, Baldwin County, Alabama, and being more particularly described as follows: Beginning at a recovered iron marking the Southeast corner of Lot 1, Sehay Subdivision, Phase Three, as recorded on Slide 2119-D, Probate Court Records, Baldwin County, Alabama, run South 00°- 06'- 04 " West and along the West line of properties conveyed by Instrument No. 1780569 and 1780564, said Probate Records, a distance of 1325.64 feet to a recovered rod and cap (HMR); said point being on the North line of properly conveyed by Instrument No. 1780567, said Probate Records; thence North 89°-36'-55" West and along the North line of said property, 661.76 feet to a recovered rod and cap; thence North 00°-05'-45" East and along the East line of property conveyed by Instrument No. 1662638, said Probate Records, a distance of 1325.58 feet to a recovered iron rebar; said point being on the South line of Amended Sehay Subdivision Phase One, as recorded on Slides 2068-C & D, said Probate Records; thence South 89°-37'-15" East and along the South line of said subdivision, 661.88 feet to the Point of Beginning. Said property being the same as property conveyed by Instrument No. 510058, said Probate Records.

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2023-28**

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

**Property Located Northeast of Parker Lane and County Road 13
Sirmon Properties, L.L.C.**

WHEREAS, on the 24th day of April, 2023, Sirmon Properties, L.L.C., being the owner of certain real property hereinafter described, did file with the City Clerk a petition requesting that said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama (the “City”); and

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

WHEREAS, said petition was presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on May 25, 2023, and the Commission set forth a favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property; and

WHEREAS, after proper publication, a public hearing was held by the City Council on July 17, 2023, concerning the petition for annexation.

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

SECTION ONE: ANNEXATION

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

SECTION TWO: ZONING

At the _____, 2023, regularly scheduled City Council meeting, Ordinance 2023-_____ was adopted pre-zoning the said property as R-6 G), Garden or Patio Home, with the apportionment of said zoning districts to the subject property described therein.

SECTION THREE: DESCRIPTION OF TERRITORY

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

Legal Description for Annexation:

The West Half of the Northeast Quarter of the Southwest Quarter of Section 10, Township 5 South, Range 2 East, Baldwin County, Alabama, and being more particularly described as follows: Beginning at a recovered iron marking the Southeast corner of Lot 1, Sehoj Subdivision, Phase Three, as recorded on Slide 2119-D, Probate Court Records, Baldwin County, Alabama, run South 00°- 06' - 04 " West and along the West line of properties conveyed by Instrument No. 1780569 and 1780564, said Probate Records, a distance of 1325.64 feet to a recovered rod and cap (HMR); said point being on the North line of properly conveyed by Instrument No. 1780567, said Probate Records; thence North 89°-36'-55" West and along the North line of said property, 661.76 feet to a recovered rod and cap; thence North 00°-05'-45" East and along the East line of property conveyed by Instrument No. 1662638, said Probate Records, a distance of 1325.58 feet to a recovered iron rebar; said point being on the South line of Amended Sehoj Subdivision Phase One, as recorded on Slides 2068-C & D, said Probate Records; thence South 89°-37'-15" East and along the South line of said subdivision, 661.88 feet to the Point of Beginning. Said property being the same as property conveyed by Instrument No. 510058, said Probate Records.

SECTION FOUR: MAP OF PROPERTY

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

SECTION FIVE: EFFECTIVE DATE AND PUBLICATION

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

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

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk