

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
Monday, May 6, 2024 at 6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

INVOCATION Pastor Charles Jackson, Macedonia Missionary Baptist Church
PLEDGE OF ALLEGIANCE

PRESENTATION: Beautification Award – Synovus Bank

PROCLAMATION: National Municipal Clerks Week

PROCLAMATION: National Correctional Officers Week

PROCLAMTION: National Police Week

PROCLAMATION: Mental Health Awareness Month

3. APPROVE MINUTES: April 15, 2024 regular meeting

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Phillips

Review the minutes from the April 15th meeting.

Treasurer's Report for March 2024: Unrestricted Fund Balance - \$26,792,606;

Total Cash Balance - \$49,888,267

Sales Tax for February 2024: \$2,045,033; Lodging Tax for February 2024: \$144,425

Debt Summary – March 2024: Warrants - \$31,763,902

Capital Leases: General Fund - \$573,974; Enterprise Fund - \$569,608

B. BUILDINGS & PROPERTY COMMITTEE – Goodlin

C. PUBLIC SAFETY COMMITTEE – Hughes

Review the minutes from the April meeting.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Scott

E. PUBLIC WORKS COMMITTEE – Conaway

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

B. DAPHNE PUBLIC SCHOOL COMMISSION – Conaway

MOTION to appoint Ben Hughes to the Daphne Public School Commission for a three-year term (May 2024 – May 2027).

C. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

Review the minutes from the March 2024 meeting.

D. INDUSTRIAL DEVELOPMENT BOARD – Scott

City Council Agenda – May 6, 2024

E. LIBRARY BOARD – Goodlin

F. PLANNING COMMISSION – Olen

Review the minutes from the March 28th meeting and the report from the April 25th meeting.

G. RECREATION BOARD – Hughes

H. UTILITY BOARD – Coleman

Review the minutes from the March 27, 2024 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 publication and set a public hearing on June 17, 2024 for the Official City of Daphne Zoning Map Update.

MOTION to approve the publication and set a public hearing on June 17, 2024 for the 68V Baldwin Land Holdings, LLC, Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate Pre-Zoning Amendment located Southwest of the Intersection of County Road 13 and Milton Jones Road.

MOTION to approve the publication and set a public hearing on June 17, 2024 for the 68V Baldwin Land Holdings, LLC, Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate Annexation Petition located Southwest of the Intersection of County Road 13 and Milton Jones Road.

11. RESOLUTIONS:

2024 – 17 – Resolution for Approval of Infirmary Health Systems Projects Pursuant to Title 11, Chapter 62 of the Code of Alabama

2024 – 18 – Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose – 2007 Ford Expedition and 2011 Chevy Tahoe

2024 – 19 – Appropriation: Animal Shelter Construction – 2023 Construction Fund - \$2,600,000

2024 – 20 – Acceptance of Roads and Rights-of-Ways – Jubilee Farms, Phase Twelve

2024 – 21 – Resolution to Update the Official City of Daphne Street Map

12. 2nd READ ORDINANCES:

2024 – 08 – Pre-Zone Property Located Northeast of County Road 64 and Alabama Highway 181 – The Estate of Georgianne Simms

2024 – 09 – Annex Property Contiguous to the Corporate Limits of the City of Daphne – Located Northeast of County Road 64 and Alabama Highway 181 – The Estate of Georgianne Simms

City Council Agenda – May 6, 2024

13. 1st READ ORDINANCES:

2024– 10 – Ordinance to Amend the City of Daphne’s Lodging Tax Ordinance 2022-53

2024 – 11 – Ordinance Authorizing the Mayor to Execute a Purchase and Sale Agreement with 68 Ventures, LLC to Convey Certain Real Property No Longer Needed for Public or Municipal Purposes

14. COUNCIL COMMENTS

15. ADJOURN

City of Daphne Beautification Committee

presents this

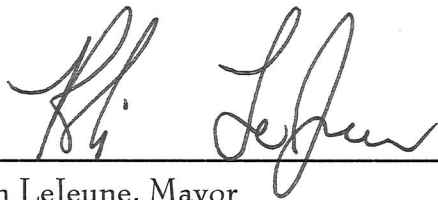
Certificate of Recognition

to

Synovus Bank

for your excellence in beautifying the City of Daphne.

Awarded on this 6th day of May 2024.



Robin LeJeune, Mayor



CITY OF DAPHNE, ALABAMA

Proclamation

- WHEREAS, the Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world; and
- WHEREAS, the Office of the Professional Municipal Clerk is the oldest among public servants; and
- WHEREAS, the Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and
- WHEREAS, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and
- WHEREAS, the Professional Municipal Clerk serves as the information center on functions of local government and community; and
- WHEREAS, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.
- WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.
- NOW,
THEREFORE; I, Robin LeJeune, as the Mayor of the City of Daphne, together with the Daphne City Council, do hereby proclaim May 5 – 11, 2024 as

MUNICIPAL CLERK'S WEEK

in the City of Daphne, and further extend appreciation to our City Clerk, Candace G. Antinarella, MMC and join other communities in honoring all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.





Robin LeJeune, Mayor

CITY OF DAPHNE, ALABAMA

Proclamation

WHEREAS; in 1984, President Ronald Reagan signed Proclamation 5187 creating "National Correctional Officers' Week" to honor the work of correctional officers and correctional personnel nationwide; in 1996, Congress officially changed the name to National Correctional Officers and Employees Week and there are approximately 363,000 correctional workers in the United States; and

WHEREAS; the names of 928 correctional officers are engraved on the National Law Enforcement Officers Memorial; and

WHEREAS; correctional officers have the difficult and often dangerous assignment of ensuring the custody, safety, and well-being of the over 1.2 million people in our Nation's prisons, jails and detention centers and their position is essential to the day-to-day operations of these institutions and our communities; without them it would be impossible to achieve the foremost institutional goals of security and control; and

WHEREAS; they are called upon to fill, simultaneously, custodial, supervisory, and counseling roles. The professionalism, dedication, and courage exhibited by these officers throughout the performance of these demanding and often conflicting roles deserve our utmost respect; and

WHEREAS; the important work of correctional officers often does not receive the recognition from the public it deserves. It is appropriate that we honor the many contributions and accomplishments of these men and women who are a vital component of the field of corrections.

NOW,

THEREFORE; I, Robin LeJeune, as the Mayor of the City of Daphne, together with the Daphne City Council, do hereby proclaim May 5 - 11, 2024 as

National Correctional Officers Week

in the City of Daphne, and call upon the residents of our community to recognize and honor this group for the services they provide.


Robin LeJeune, Mayor


Candace G. Antinarella, MMC, City Clerk



CITY OF DAPHNE, ALABAMA

Proclamation

WHEREAS; there are approximately 800,000 sworn law enforcement officers serving in communities across the United States, including the dedicated members of the Daphne Police Department; and

WHEREAS; there were 136 federal, state, tribal and local law enforcement officer killed in the line of duty in 2023; and

WHEREAS; that is a sizeable decrease of approximately 39% from 224 officers killed in 2022; and

WHEREAS; since the first recorded dead in 1786, more than 23,000 law enforcement officers in the United States have made the ultimate sacrifice; and

WHEREAS; there are 23,785 names engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS; the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial 36th Annual Candlelight Vigil, at eight o'clock in the evening on May 13, 2024; and

WHEREAS; May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff.

NOW,
THEREFORE; I, Robin LeJeune, as the Mayor of the City of Daphne, together with the Daphne City Council, do hereby proclaim May 12 - 18, 2024 as

National Police Week

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



Robin LeJeune, Mayor



Candace G. Antinarella, MMC, City Clerk



CITY OF DAPHNE, ALABAMA

Proclamation

WHEREAS; mental health is essential to everyone's overall health and well-being; and

WHEREAS; prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS; fifty (50) percent of all lifetime mental illness begins by age 14, and seventy-five (75) percent by age 24; and

WHEREAS; the average delay between onset of mental illness symptoms and treatment is eleven years; and

WHEREAS; mental health conditions are real with 1 in 5 living with a mental health condition in our nation with the other 4 family members or friends, therefore affecting nearly 100% of our population; and

WHEREAS; with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS; only half of Americans (53%) say they are familiar with the U.S. mental health care system; and

WHEREAS; each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support education and prevention efforts.

NOW,
THEREFORE;

I, Robin LeJeune, as the Mayor of the City of Daphne, together with the Daphne City Council, do hereby proclaim May 2024 as

Mental Health Month

in the City of Daphne and hereby urge citizens to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.



Robin LeJeune, Mayor



Candace G. Antinarella, MMC, City Clerk



April 15, 2024
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 Steve Olen called the meeting to order at 6:00pm.

2. **ROLL CALL:**

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

Also Present: Scott Hetrick, City Attorney; Mayor LeJeune; Candace Antinarella, City Clerk; Chief Gulsby, Police; Troy Strunk, City Development; Charlie McDavid, Recreation; Adrienne Jones, Planning; Kellie Reid, Finance; Emmie Powell, Library; Ange Baggett, Marketing/Tourism; Ronnie Huskey, Public Works; Vickie Hinman, Human Resources; Josh Newman, City Engineer; Kent Ward, Junior Councilmember; Gracie Robinson, Junior Councilmember; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Battalion Chief Lamar Green, Daphne Fire Department.

PRESENTATION: Chief Tacon presented Silver Lifesaving Medals to Lt. David Hill, Lt. Chase Brewer and Firemedic Charles Jones, Jr. Firemedic Jones also received the Phoenix Award.

PRESENTATION: Chief Tacon recognized Firefighter Scott Bishop on his recent retirement from the Fire Department.

PROCLAMATION: Mayor LeJeune presented a proclamation to the Police Communications Department recognizing National Public Safety Telecommunicators Week.

PROCLAMATION: Mayor LeJeune presented a proclamation to the Animal Shelter and Public Safety employees recognizing National Animal Care and Control Officer Week.

RECOGNITION: Mayor LeJeune recognized the Bayside Academy Chess Team for their recent State Championship.

PUBLIC HEARING: Adrienne Jones presented on the Estate of Georgianne Simms Pre-Zoning Amendment – located Northeast of County Road 64 and Alabama Highway 181.

Public hearing opened at 6:22pm. No one came forward to speak.

Public hearing closed at 6:23pm.

PUBLIC HEARING: Adrienne Jones presented on the Estate of Georgianne Simms Annexation Petition – located Northeast of County Road 64 and Alabama Highway 181.

Public hearing opened at 6:23pm. No one came forward to speak.

Public hearing closed at 6:24pm.

3. **APPROVAL OF MINUTES:**

The minutes from the April 1, 2024 regular meeting were approved.

4. **REPORT OF STANDING COMMITTEES:**

A. **FINANCE COMMITTEE**

Councilwoman Phillips said the next meeting is May 20th at 4:30pm.

April 15, 2024
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
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B. BUILDINGS & PROPERTY COMMITTEE

Councilman Goodlin said the March 2024 new Construction and Building Reports were in the packet. He said out of those reports were 24 certificates of occupancy, 240 permits issues, 3 new residential home permits and \$57,725.99 collected in fees. He said the next meeting is May 13th at 5:15pm.

C. PUBLIC SAFETY COMMITTEE

Councilman Hughes said the next meeting is May 13th at 4:30pm.

**MOTION by Councilman Hughes to authorize the Mayor to execute a contract with BrightStar Care of Greater Mobile/Baldwin County. No second was needed.
MOTION CARRIED UNANIMOUSLY.**

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Scott said the next meeting is May 6th at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilwoman Conaway said the minutes from the March meeting are in the packet and the next meeting is May 6th at 5:15pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Mrs. Jones said the minutes from the March 7th meeting and the summarization of the April 4th meeting were in the packet. She said there would not be a meeting in May.

B. Daphne Public School Commission

Councilwoman Conaway said the next meeting is April 22nd at 5:30pm at Daphne East Elementary School.

C. Downtown Redevelopment Authority

Councilwoman Conaway said the next meeting is April 18th at 5:30pm.

D. Industrial Development Board

Councilman Scott said the next meeting is April 16th at 4:30pm.

E. Library Board

Councilman Goodlin said the next meeting is May 9th at the Library at 4:30pm.

F. Planning Commission

Councilman Olen said the next meeting is April 25th at 5:00pm.

G. Recreation Board

Councilman Hughes said the Recreation Board presented at the last Council Work Session and the next meeting will be May 18th at 6:00pm.

H. Utility Board

Councilman Coleman said the next meeting is April 24th at 5:00pm.

**April 15, 2024
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.**

6. PUBLIC PARTICIPATION:

Public participation opened at 6:28pm.

Wendryla Longmire, 1100 Whispering Pine Road, invited the Council and public to the National Day of Prayer evening service to be held on May 2nd at the Civic Center.

Public participation closed at 6:31pm.

7. MAYOR'S REPORT:

Mayor LeJeune said it was great to be able to recognize so many in the evening's meeting. He mentioned Coffee with the Mayor was Tuesday at the Civic Center.

He thanked Public Works for helping to clean after the recent storm and thanked Charlie McDavid and the Parks and Recreation Department for offering to help. He reminded everyone the Mayor's Prayer Breakfast is May 2nd in the morning at the Civic Center.

8. CITY ATTORNEY REPORT:

City Attorney said there was no report.

9. DEPARTMENT HEAD COMMENTS:

Chief Tacon, Fire, thanked the Council for allowing employees to be recognized. She thanked Dispatchers for all they do.

Ange Baggett, Marketing, said she and Shannon Brannon recently attended a Tourism event in Montgomery. She updated everyone on upcoming events within the City and at the Civic Center.

Emmie Powell, Library, shared recent stats for the Library and invited everyone to upcoming events being held at the Library.

Ronnie Huskey, Public Works, gave updated on the different departments at Public Works.

Charlie McDavid, Recreation, said Spring programs are ongoing and mentioned there are some upcoming tournaments.

Troy Strunk, City Development, thanked Chief Gulsby and the Police Department for allowing him to be a part of a recent training.

Josh Newman, City Engineer, updated the Council on the Lavender Lane and Animal Shelter projects.

Gracie Robinson, Junior City Council, gave an update on the Junior Council and said the next meeting is tomorrow.

10. CITY CLERK'S REPORT:

**MOTION by Councilman Coleman to approve the publication and set a public hearing on May 20, 2024 for the Proposed Amendment to the Land Use and Development Ordinance, Article 13. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

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

MOTION by Councilman Coleman to approve the publication and set a public hearing on May 20, 2024 for the AMERCO Real Estate Zoning Amendment located Southeast of the intersection of Whispering Pines and U.S. Highway 98. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Phillips to approve the publication and set a public hearing on May 20, 2024 for the Malbis Plantation, Inc. Pre-Zoning Amendment located due West of the intersection of Plantation Drive and Alabama Highway 181. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Phillips to approve the publication and set a public hearing on May 20, 2024 for the Malbis Plantation, Inc. Annexation Petition located West of the intersection of Plantation Drive and Alabama Highway 181. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY.

11. RESOLUTIONS:

2024 – 15 – Appropriation: Additional Engineering – Main Street Revitalization Phase 1 - \$20,600

2024 – 16 – Resolution Ratifying the City of Daphne Planning Commission’s Adoption of the Envision 2042 Comprehensive Plan

MOTION by Councilman Scott to waive the reading of Resolution 2024-15. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Resolution 2024-16. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Resolution 2024-15. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to table Resolution 2024-16 until the May 6, 2024 meeting to allow the Council to read the Comprehensive Plan in its entirety. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

12. 2ND READ ORDINANCES:

2024 – 05 – Pre-Zone Property Located Southwest of the Intersection of County Road 13 and Milton Jones Road – 68V Baldwin Land Holdings, LLC, Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate

2024 – 06 – Annex Property Contiguous to the Corporate Limits of the City of Daphne – Located Southwest of the Intersection of County Road 13 and Milton Jones Road – 68V Baldwin Land Holdings, LLC, Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate

April 15, 2024
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.

**MOTION by Councilman Scott to waive the reading of Ordinance 2024-05. Seconded by Councilman Goodlin. Councilman Coleman abstained.
MOTION CARRIED.**

**MOTION by Councilman Scott to waive the reading of Ordinance 2024-06. Seconded by Councilwoman Phillips. Councilman Coleman abstained.
MOTION CARRIED.**

**MOTION by Councilman Scott to adopt Ordinances 2024-05 and 2024-06. There was no second. Councilman Coleman abstained.
MOTION FAILED FOR LACK OF SECOND.**

**MOTION by Councilman Hughes to send Ordinances 2024-05 and 2024-06 back to the Planning Commission until the new PUD requirements are approved. Seconded by Councilman Goodlin. Council discussed.
Aye – Conaway, Olen, Goodlin, Hughes, Phillips Nay – Scott Abstain – Coleman
MOTION CARRIED.**

13. 1ST READ ORDINANCES:

2024 – 08 – Pre-Zone Property Located Northeast of County Road 64 and Alabama Highway 181 – The Estate of Georgianne Simms

2024 – 09 – Annex Property Contiguous to the Corporate Limits of the City of Daphne – Located Northeast of County Road 64 and Alabama Highway 181 – The Estate of Georgianne Simms

14. COUNCIL COMMENTS:

Councilwoman Conaway congratulated all recognized earlier in the meeting.

Councilman Coleman thanked the Police and Fire Departments for their work.

Councilman Scott said it was great to meet Ms. Longmire.

Councilman Hughes congratulated the Fire Department recognized and thanked Public Works for all they do.

Mayor LeJeune said Councilman Scott would be featured in the Press Register commending his time serving on the Council.

Councilman Olen commended the three firefighters recognized and thanked Adrienne Jones for all her work on the Comprehensive Plan.

15. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 7:06PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, MMC, City Clerk

Steve Olen, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
APRIL 15, 2024
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

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

Present were:

Chairperson Mrs. Angie Phillips
Councilwoman Mrs. Tommie Conaway
Councilman Mr. Steve Olen
Councilman Mr. Joel Coleman

Councilman Mr. Ron Scott
Councilman Mr. Ben Hughes
Councilman Mr. Doug Goodlin

Also Present: Mayor Robin LeJeune, Finance Director Mrs. Kelli Reid, Accountant III Mrs. Suzanne Henson, Human Resource Director Mrs. Vickie Hinman, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Mr. Troy Strunk, Director of Events and Marketing Mrs. Ange Baggett, Public Works Director Mr. Ronnie Huskey, and City Attorney Mr. Scott Hetrick.

II. PUBLIC PARTICIPATION

There was no public participation.

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 – 8
- Reviewing/Testing/Interviewing/Background check - 17
- Promotion/Internal Transfer - 2
- New Hires – 4

Mrs. Hinman reviewed the monthly Safety Committee meeting topics and discussed other Human Resources projects and events. Mrs. Hinman noted that the April Employee Spotlight is Brett Camilleri (Fire Marshal).

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – March, 2024

Mrs. Reid reviewed the following reports and information:

- Code enforcement issued 88 warnings resulting in businesses becoming compliant and \$102,063 in revenue.
- New Businesses with a physical location in Daphne - 10
- Simplified Sellers Use Tax collections - \$152,624.21 and YTD collections - \$1,112,019.91.
- Total Business Licenses issued were 48 new and 281 renewals for a total of 329 in March 2024

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: February, 2024

Mrs. Henson reviewed the Sales & Use Tax Reports: \$2,045,033.06 was collected for February, 2024 which was up \$60,397.85 from February 2023's collections:

- YTD Variance over Budget - \$810,132.65

Discussion was made on the possible pending increase in Seller's Use Tax increase for online sales.

B. Lodging Tax Collections, February, 2023

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for February, 2024 were \$144,425.03 which is up \$3,378.43 from February 2023's collections.

- YTD Variance over Budget - \$20,719.71

C. Lodging Tax Analysis Report, March, 2024

Mrs. Reid reviewed the Lodging Tax Analysis report:

- Recreation balance for related purchases - \$535,256.45
- Reserved balance for Bayfront related purchases - \$1,562,842.08
- Reserved balance for Occupancy Fee - \$199,255

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: March, 2024

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT					
As of March 31, 2024					
Account Type/Title	3/31/2024	2/29/2024	Increase (Decrease) from last Month	3/31/2023	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	\$ 16,254,993	\$ 17,797,570	\$ (1,542,577)	\$ 17,286,482	\$ (1,031,489)
INVESTMENT FUND	10,537,613	10,476,914	60,699	10,331,483	\$ 206,130
Total Unrestricted Cash Balance	26,792,606	28,274,484	(1,481,878)	27,617,965	(825,359)
SPECIAL REVENUE FUNDS					
4 CENT GAS TAX	302,185	297,156	5,029	238,042	64,143
7 CENT GAS TAX	302,742	296,445	6,297	188,331	114,411
10 CENT GAS TAX	263,472	246,423	17,049	202,259	61,213
TREE & FLOWER	10,287	10,287	-	22,660	(12,373)
COVID RELIEF FUND	-	-	-	1,963,317	(1,963,317)
ANIMAL SHELTER FUND	1,545,900	1,898,398	(352,497)	781,019	764,881
MOBILE INFIRMARY BUILDING	66,083	98,404	(32,321)	(37,918)	104,001
FEDERAL DRUG FORFEITURES	376,231	376,231	-	193,225	183,006
LOCAL DRUG FORFEITURES	95,435	95,435	-	80,539	14,896
LIBRARY	60,150	50,729	9,420	19,549	40,601
COURT TRAINING & EQUIPMENT	43,059	42,519	540	40,604	2,455
COURT/CORRECTION	496,335	549,561	(53,226)	558,024	(61,689)
LODGING TAX	2,297,354	2,253,606	43,747	3,380,875	(1,083,521)
AGENCY FUNDS					
SELF INSURANCE	235,068	230,243	4,825	225,974	9,094
OPEB TRUST INVESTMENT FUND	1,556,431	1,533,052	23,379	1,200,231	356,200
	7,650,731	7,978,489	(327,758)	9,056,731	(1,406,000)
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	6,111,232	6,924,014	(812,782)	6,607,051	(495,819)
2023 CONSTRUCTION FUND	9,187,802	9,146,928	40,873	-	9,187,802
	15,299,033	16,070,942	(771,909)	6,607,051	8,691,982
DEBT SERVICE FUNDS					
DEBT SERVICE	145,897	741,797	(595,900)	(162,958)	308,855
Total Restricted Cash Balance	23,095,661	24,791,228	(1,695,567)	15,500,824	7,594,837
Total City Cash Balance	\$ 49,888,267	\$ 53,065,712	\$ (3,177,445)	\$ 43,118,789	\$ 6,769,478
Encumbrance Total as of			3/31/2024	\$ 52,242.68	

The Treasurer's Report as of March, 2024 Total Unrestricted Cash Balance - \$26,792,606 and Total City Cash Balance - \$49,888,267 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance - \$ 52,242.68 as of March, 2024.

Mrs. Reid reviewed the Encumbrance Report and noted that there are only 4 items with a balance and that the Comprehensive Master Plan and the Transportation Plan would be cleared out soon.

3. Outstanding Appropriations

Mrs. Reid reviewed the Outstanding Appropriation Report. Discussion continued that the County Road 13 resurfacing project pre-bid is April 17, 2024 and the bid will open on May 1, 2024.

4. Financial Overview: Debt Summaries & Monthly Financial Statements

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), March, 2024
 - Outstanding Warrant Balance as of March, 2024: \$31,763,902
 - Outstanding Capital Lease Balance as of March, 2024:
 - General Fund: \$573,974
 - Enterprise Fund: \$569,608
- Monthly Financial Statements, February 2024
 - General Fund YTD Budgetary Net Income: \$4,390,028 which is less (\$1,123,934) than the prior YTD net income
 - Solid Waste Fund Transfers \$266,766
 - Civic Center Fund Transfers \$225,611

5. Summary of Budgetary Amendments

Mrs. Reid reviewed the General Fund budgetary amendments made to the FY2024 Budget.

- Total Appropriations Year to Date – \$5,961,043
- Adjusted Expenses over Revenue – (\$5,958,862)

6. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary. Discussion continued on the Justice Center Expansion project that would be put out to bid out soon.

B. Bills Paid Reports – March, 2024

The Bills Paid Report was previously presented electronically.

VIII. BIDS & APPROPRIATIONS (Resolution)

A. Appropriation: Animal Shelter Construction/Change Order – 2023 Construction Fund

Mrs. Reid discussed different issues and costs (\$71,259) related to the asbestos removal and bad soils from the construction site. Mrs. Reid stated that \$100,000 will need to be appropriated for these and \$2,500,000 appropriated from the bond proceeds for a total of \$2,600,000 from the 2023 Construction Fund. Discussion continued on donations that have been made for the Animal Shelter.

MOTION BY Mr. Scott to recommend to Council to adopt a Resolution amending the budget to appropriate \$2,600,000 from the 2023 Construction Fund for the Animal Shelter Construction/Change Order. Seconded by Mr. Goodlin.
MOTION CARRIED UNANIMOUSLY

IX. OTHER APPROPRIATION REQUESTS: (Resolution)

There were no other appropriation requests.

X. SURPLUS

A. Surplus - 2011 Chevy Tahoe-V#211 & 2007 Ford Expedition-V#2070

Mrs. Henson reviewed the two vehicles requested to be declared surplus. Discussion continued on the age and condition of the two vehicles.

MOTION BY Mr. Hughes to recommend to Council to declare certain property surplus and authorize the Mayor to dispose of the following surplus property: 2011 Chevy Tahoe-V#211 & 2007 Ford Expedition-V#2070. Seconded by Mr. Scott .
MOTION CARRIED UNANIMOUSLY

XI. NEW BUSINESS

A. Amendment to Lodging Tax Ordinance – IDB / DRA

Mrs. Reid reviewed the draft ordinance in the packet setting forth certain reporting requirements of public entities receiving distributions of the proceeds of the City's Lodging Tax (Industrial Development Board (IDB) and Downtown Redevelopment Authority (DRA)). Discussion was made on updating the verbiage to require financial statements,

monthly bank statements, and minutes of any publicly held meetings be submitted. The financial statements will need to be submitted within 60 days of the end of the calendar year for review. Mrs. Reid stated she would make those updates.

MOTION BY Mr. Hughes to recommend to Council to adopt an Resolution amending the City of Daphne's Lodging Tax Ordinance 2022-53, as adopted by City Council on September 6, 2022 to require IDB and DRA submit financial statements, monthly bank statements, and minutes of any publicly held meetings. The financial statements will need to be submitted within 60 days of the end of the calendar year. Seconded by Mrs. Conaway.
MOTION CARRIED UNANIMOUSLY

XII. OLD BUSINESS

There was no old business discussed.

XIII. ADJOURN The meeting adjourned at 5:22 p.m.

April 08, 2024
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

1. **CALL TO ORDER:**

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

2. **ROLL CALL:**

COUNCIL MEMBERS PRESENT: Council President Steve Olen, Councilwomen Angie Phillips (arrival time 4:40pm) and Tommie Conaway, Councilmen Doug Goodlin, Ron Scott, Councilman Joel Coleman and Benjamin Hughes.

ABSENT:

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

3. **PUBLIC PARTICIPATION:**

Tom Walker: 707 McAdams Ave. Requested for the City to consider an additional fire station to be built. Would like to see the City begin planning for the future due to the new housing developments and increase in population, to include the area of the Reserve.

Council proposed looking at the current locations of the fire stations, as well as the populations in each area, keeping in mind the plans for annexations.

4. **APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Minutes from March 11, 2023 Public Safety meeting were approved as presented.

5. **POLICE DEPARTMENT – Chief Gulsby**

Old Business: Update on Daphmont murder trial.

New Business: Update on Audubon murder last weekend.

Chief Corrections Officer, William Kennedy, proposed a contract for a new vendor for inmate nurse care.

Motion: Brightstar Contract to be moved to Council Meeting for approval. Motion made by Councilman Goodlin, Seconded by Councilwoman Phillips.

6. **FIRE DEPARTMENT: - Chief Tacon**

Old Business:

April 08, 2024
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

New Business: Fire Marshall Camilleri, discussed updates to fire codes. Discussion: City issued Burn Permits.

7. OTHER BUSINESS:

Police-cancel side job software contract (remove from agenda, error)

Mayday parking/Bayside School issues: Mayor Lejeune advised they will be addressing it for the fall time, in future meetings.

Old Field Subdivision Speed Control- Per Candace, the representatives asked to come back to a future meeting.

Daphne Downtown Redevelopment Authority

Thursday

March 21st, 2024

5:30 p.m.

Chairperson/Members:

Daphne Robinson,	Chairperson	Present
Monica Kurth	Vice Chair	Present
Dayna Oldham	Treasurer	Present
Laura Johnson	Member	Present
Jason Goffinet	Member	Present
Pamela Marks	Member	Absent
Shawn Mitchell	Member	Absent
Tommie Conaway	Council Liaison	Present

Also present: Troy Strunk, Executive Director of City Development and Jessica Linne, Asst. City Clerk

A. Call to Order:

- a. Prayer/Pledge of Allegiance
- b. Member present roll Sheet / Greet Public Participants
- c. Approve minutes

B. Public Participation

- a. No public participants

C. Treasurer Report

- a. \$78,350.50 cash on hand with Bryant Bank; to date, the CDs have accrued \$5,958.31

D. City Council update

- a. Regarding the Main Street development: the Council has approved the DRA's loan request and has authorized the Mayor to sign the Loan guaranty agreement
- b. DRA Financials and meeting minutes to be submitted monthly

E. Committee Progress Reports

- a. Website and Social Media Pages: Monica Kurth
 - a. A few questions from residents regarding Main Street development. Pictures will be posted once construction begins to continue promoting the project
- b. Directional signs: (Tabled) Dayna Oldham
- c. Lea Avenue Development: (Tabled) Daphne Robinson
- d. Main Street Development: Daphne Robinson
 - a. Daphne to authorize the architect to submit the plans to the City in order to keep project on track
 - b. Jason to seek recommended carriers for Directors and Officers Insurance. One possibility is Robertson Insurance in Fairhope

F. Approved Motions

- a. Dayna motions to approve \$1,000 for Dewberry rebid, Jason seconds, all in favor, motion passes unanimously
- b. Monica motions to have loan guaranty agreement signed by Daphne (DRA Chair), Dayna seconds, all in favor, motion passes unanimously

- c. Daphne motions to submit building permit and pay associated fees, Jason seconds, all in favor, motion passes unanimously

G. New Business

- a. Next meeting: **Thursday April 18th, 2024**
 - 1. Minutes and agenda to be emailed no later than Tuesday April 16th
 - 2. Agenda items are due the Monday prior to scheduled meeting.
- b. Adjourn

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: April 29, 2024
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 March 28, 2024 and the report of the regular meeting of April 25, 2024 for placement on the May 6, 2024 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 March 28, 2024
Council Chamber, City Hall - 5:00 P.M.**

Call to Order:

The Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:00 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs, Secretary
*Adam Manning
Ronnie Huskey
John Peterson, Vice Chairman
Andrew Prescott, Chairman
Richard Johnson
Steve Olen
Nathan Jones

Mr. Manning was excused at 6:20 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
Joshua Newman, City Engineer
Jesi Ward, Environmental Programs Manager

The Chairman asked for input regarding the February 22, 2024 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

The Chairman called for the next order of business: Sirmon Addition to Daphne Preliminary Plat Review.

An introductory presentation was given by the engineer, Jackson Berkbighler. He provided an overview of the preliminary subdivision plat as presented on the meeting agenda. He advised that all staff comments have been addressed with the exception of Belforest Water System, and a meeting is set for Monday to discuss their concerns.

The Chairman opened the floor for public hearing.

Janeen Miller, 27174 County Road 13, commented about storm water and drainage easements.

The Chairman closed the floor to the public hearing.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of March 28, 2024
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. Olen and seconded by Mr. Spriggs to approve Sirmon Addition to Daphne preliminary subdivision plat contingent upon final resolution of the utility issue with Belforest Water System. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: Proposed Amendments to Article 13, District Requirements, of the Land Use and Development Ordinance.

Mr. Strunk provided an overview of the proposed amendments to the Land Use and Development Ordinance, noted the modifications made from comments and/or suggestions at previous meetings, and presented a final draft for review and discussion.

Ms. Jones clarified that the final revision to lots of twenty thousand square feet or greater and the following language: "iii. Front porches or deeply-shaded eaves are encouraged" will be removed from the final revision of the proposed amendment.

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

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

A motion was made by Mr. Olen and seconded by Mr. Manning to set forth a favorable recommendation to City Council to adopt the proposed amendment to the Land Use and Development Ordinance subject to the removal of the following language: "iii. Front porches or deeply-shaded eaves are encouraged." There was no discussion. The motion carried. Mr. Spriggs and Mr. Johnson dissented.

The Chairman called for the next order of business: Envision 2042 Comprehensive Plan Resolution #2024-01.

An introductory presentation was given by Ms. Jones of the Envision 2042 Comprehensive Plan. She stressed the importance of having an updated plan in place to use as a guide to conduct plan review in conjunction with the Land Use and Development Ordinance to determine the compliance of applications presented to the Planning Commission.

Mr. Olen commented that state law requires that municipalities prepare and implement a comprehensive plan.

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

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

**The City of Daphne
Planning Commission Minutes
Regular Meeting of March 28, 2024
Council Chamber, City Hall - 5:00 P.M.**

A motion was made by Mr. Olen and seconded by Mr. Huskey to adopt the plan and to set forth a favorable recommendation to the Daphne City Council to ratify the plan. There was no discussion. The motion carried. Mr. Spriggs dissented.

The next order of business is a rezoning request for AMERICO Real Estate Company.

An introductory presentation was given by agent, Chad Rome, who deferred to Kasey Feltner, Moorhead Law Firm, to address Commissioner questions/and/or comments.

Mr. Feltner provided an overview of the zoning request as presented on the meeting agenda and advised of the progression of events since the previous rezoning request was ratified.

Mr. Olen provided the timeline of events: the City Council granted a request for a zoning change to B-2(a), General Business Alternate; for a period of approximately one-year, the applicant failed to seek the action of the Planning Commission for Planning Commission Approval for a warehouse and/or storage facility in a B-2, General Business Alternate, zone or site plan review to construct a warehouse and/or storage facility under the previously adopted version of the Land Use Ordinance; the City Council then adopted an amendment to the Land Use Ordinance to prohibit a warehouse and/or storage facility in a B-2(a), General Business Alternate, zone; now the applicant is seeking a zoning change to B-2, General Business; and, said he was adamantly opposed to recommending a request to rezone property to a more liberal zoning other than what was given by the City Council because it has a permanent impact on this property and due to their lack of action.

Mr. Spriggs stated this facility is an appropriate use in this location on U.S. Highway 98 and the owner has committed to a buffer zone abutting the residential district. Mr. Rome advised that an Open Space Conservation Easement Agreement has been provided to the city.

Mr. Feltner commented the delay in the presentation of a site plan for review was due to the pending plan review of ALDOT. Mr. Olen responded the applicant failed to present a request to seek Planning Commission Approval in a B-2(a), General Business Alternate, zone.

Mr. Spriggs commented site plan review requires approval by ALDOT. Mr. Johnson stated when this body approved the prior rezoning, it deemed that this was an appropriate location for this use and had the applicant presented a request for Planning Commission approval pending approval of the site plan U-Haul would have been grandfathered.

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

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

**The City of Daphne
Planning Commission Minutes
Regular Meeting of March 28, 2024
Council Chamber, City Hall - 5:00 P.M.**

A motion was made by Mr. Spriggs and seconded by Mr. Peterson to set forth a favorable recommendation to City Council to rezone the subject property to B-2, General Business. There was no discussion. The motion carried. Mr. Olen and Mr. Manning dissented.

The Chairman called for the next order of business: Malbis Plantation, Inc. Pre-Zoning Amendment and Annexation Request.

An introductory presentation was given by the agent, Brian Harris. He summarized the pre-zoning and annexation requests as presented on the meeting agenda and provided a detailed PowerPoint presentation. He advised the Church of the Highlands plans are currently under review by ALDOT for access to the subject property and actively seeking a cross access easement from the Industrial Development Board to the DISC project for interconnectivity.

The Chairman opened the floor for the public hearing.

Miles Paisant, 9614 Poet's Corner and Canterbury Place POA President, commented that Canterbury Place Subdivision property owners are opposed to a cross access easement to Champions Way due to traffic concerns.

Malcolm Nelson, 28070 State Highway 181, and Ethan Sneadeker, 28100 State Highway 181, asked about the approximate location of the access in relationship to the entrance of Plantation Estates Subdivision.

The Chairman closed the floor to the public hearing and offered the agent the opportunity for rebuttal.

During rebuttal, Mr. Harris stated the access is a right-in/right in the southwest corner of the property.

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

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

A motion was made by Mr. Olen and seconded by Mr. Jones to set forth a favorable recommendation to City Council to annex the subject property. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: Malbis Plantation, Inc. Pre-Zoning Amendment and Annexation Requests.

An introductory presentation was given by the agent, Ercil Godwin. He summarized the pre-zoning and annexation request as presented on the meeting agenda. The PUD is a total of one hundred sixty-four acres with a mixture of single-family residential, multi-family, mid-rise condominiums, innovative design, commercial and outdoor amusement uses.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of March 28, 2024
Council Chamber, City Hall - 5:00 P.M.**

The Chairman thanked the applicant for adding the comparison and asked what other changes were made to the PUD narrative. Mr. Godwin stated they also added the public benefit. The public benefits includes presenting the design of a roundabout at the intersection Champions Way and County Road 13 which the city will construct at a future date and a public trail system that will be constructed in each phase of the development and dedicated to the city for public use.

Commissioners discussed at length the revisions to the PUD narrative and had the following comments: the requirements must be defined and establish maximums; a significant public benefit must be provided to offset all of the concessions to the Land Use Ordinance, provide provisions to protect wetlands, stream and D'Olive Creek; and, provide a plan that has interconnectivity.

The Chairman opened the floor for the public hearing.

Miles Paisant, 9614 Poet's Corner and Canterbury Place POA President, commented about drainage and requested a buffer zone abutting Canterbury Place and Bristol Creek Subdivision.

Kerry Kraft, 28820 Canterbury Road, commented and provided correspondence about traffic, walkability and safety.

Anna Brumage, 2080 Canterbury Road, reiterated the question about a buffer zone.

The Chairman closed the floor to the public hearing.

During rebuttal, Mr. Godwin stated there will be a forty-foot greenbelt and forty-foot setback abutting Bristol Creek and Canterbury Four Subdivision and advised that drainage, traffic and walkability will be addressed at the time of the presentation of the plans for the development.

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

A motion was made by Mr. Olen and seconded by Mr. Jones to table the Malbis Plantation, Inc. Pre-Zoning Amendment and Annexation Requests to the April 25, 2024 Regular Planning Commission meeting. There was no discussion. The motion carried unanimously.

Mr. Manning was excused at 6:20 p.m.

The Chairman called for the next order of business: Bertolla Properties, LLC, YOTA Properties, LLC, Frederick G. & Thomas Boni, and Sharon and John Christopher Boni Pre-Zoning Amendment and Annexation Requests.

An introductory presentation was given by the agent, Chloe Kelly. She summarized the pre-zoning and annexation request as presented on the meeting agenda.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of March 28, 2024
Council Chamber, City Hall - 5:00 P.M.**

Ms. Kelly provided a detailed PowerPoint presentation of the proposed PUD. The PUD consists of one hundred and seventy five acres, includes two phases and is comprised of seventy acres of commercial and one hundred two acres of residential, for three hundred and twenty-eight lots, which include a mixture of single-family residential and townhomes. She referenced the PUD documents and advised they were revised to address comments presented at the Site Preview meeting regarding the open space, relocated the cottages and townhomes, the square footage of the homes, architectural guidelines and added addition amenities: four pickle ball courts, a cabana, pool, guest restrooms, guest parking, dog park, and proposed public park and access. She stated the public benefit includes the dedication of a sixty-foot right-of-way to provide an east-west connection from Alabama Highway 181 to Austin Road; the east bound approach of Milton Jones Road to Alabama Highway 181 will be widened to provide a dedicated left turn lane and a shared through lane onto Alabama Highway 181; donation of twelve and a half acres after the annexation into the city and affirmation of the seventy acres on Alabama Highway 181 as commercial; and, the donation of one acre to Belforest Water System subject to architectural review by the developer and testing by Belforest Water System.

Commissioners discussed at length the revisions to the PUD narrative and had the following comments: the requirements must be defined and establish maximums; establish acceptable access to the city park; address traffic improvements; remove the condition placed on the donation of the twelve and a half acres; provide a plan that has interconnectivity; and noted that it meets the definition of a subdivision, not a planned unit development.

The Chairman opened the floor for the public hearing.

Kevin Tigner, Belforest Estates POA President, 1004 Warrenton Road, commented that the residents in the subdivision are opposed to turning every farm field into a residential subdivision, safety and traffic.

Joe Vosicky, 25091 Austin Road, commented about flooding, drainage, traffic and the tree buffer.

Miranda Merritt, 10209 Rebel Road, commented about the density, impact on the school district, water pressure, infrastructure, character of the neighborhood and quality of life.

Daryl Cleworth, 25575 Austin Road, commented about the density of the lots, growth, quality of life, and controlled growth.

Jennifer Magli, 25465 Austin Road, asked about the annexation of her property into the city.

The Chairman stated that the property being discussed is the only property being considered for annexation and closed the floor to the public hearing.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of March 28, 2024
Council Chamber, City Hall - 5:00 P.M.**

During rebuttal, Ms. Kelly noted a connection is not proposed to Rebel Road; the subdivision will have a minimum of a forty-foot buffer around the perimeter of the development, and addressed traffic and stormwater concerns.

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

A motion was made by Mr. Johnson and seconded by Mr. Jones to table Bertolla Properties, LLC, YOTA Properties, LLC, Frederick G. & Thomas Boni, and Sharon and John Christopher Boni Pre-Zoning Amendment and Annexation Requests to the April 25, 2024 Regular Planning Commission meeting. There was no discussion. The motion carried unanimously.

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

The Chairman opened the floor for public participation.

None presented.

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

Mr. Dungan had no report.

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

None presented.

The Chairman called for the next order of business: director's comments. Director presented the upcoming meeting dates: Site Preview is March 20th and Regular Meeting is March 28, 2024.

There being no further business, the meeting was adjourned at 6:30 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: April 25, 2024


Andrew Prescott, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 25, 2024
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

AD

1. **CALL TO ORDER:** 5:00 p.m.
2. **CALL OF ROLL:** Andrew Prescott, John Peterson, Ronnie Huskey, Kevin Spriggs, Nathan Jones, Richard Johnson, Adam Manning and Steve Olen
3. **APPROVAL OF MINUTES:** Review of minutes of the regular meeting of March 28, 2024. **(Approved)**
4. **OLD BUSINESS:**

A. **MALBIS PLANTATION, INC. PRE-ZONING AMENDMENT AND ANNEXATION PETITION:**

1. File PZA24-04: **(Tabled by applicant until the regular meeting of May 23, 2024)**

Applicant: Malbis Plantation, Inc.

Present Zoning: *B-1, Professional Business, and RSF-1, Residential Single Family*

Proposed Zoning: *PUD, Planned Unit Development*

Area: 164.43 Acres $\pm$

Location: Southeast of the intersection of Highway 90 and County Road 13 and northeast of the intersection of Champions Way and County Road 13

Owner: Malbis Plantation, Inc. - Lewis Sterling

Agent: Sawgrass Consulting - Ercil Godwin

2. File ANX24-04: **(Tabled by applicant until the regular meeting of May 23, 2024)**

A presentation to be given by Ercil Godwin, Sawgrass Consulting, requesting annexation of a one hundred and sixty-four point forty-three acre parcel owned by Malbis Plantation, Inc. located southeast of the intersection of Highway 90 and County Road 13 and northeast of the intersection of Champions Way and County Road 13. The subject property is currently zoned B-1, Professional Business, and RSF-1, Residential Single Family.

B. **BERTOLLA PROPERTIES, LLC, YOTA PROPERTIES, LLC, FREDERICK G. & THOMAS BONI, AND SHARON AND JOHN CHRISTOPHER BONI PRE-ZONING AMENDMENT AND ANNEXATION PETITION:**

1. File PZA24-05: **(Tabled by applicant until the regular meeting of May 23, 2024)**

Applicant: Bertolla Properties, LLC, YOTA Properties, LLC, Frederick G. & Thomas Boni, and Sharon and John Christopher Boni

Present Zoning: *RSF-E, Residential Single Family Estate, RSF-3, Residential Single Family, and B-3, General Business, Baldwin County District 15*

Proposed Zoning: *PUD, Planned Unit Development*

Area: 175.21 Acres $\pm$

Location: Southeast of the intersection of Milton Jones Road and Alabama Highway 181

Owner: Bertolla Properties, LLC, YOTA Properties, LLC, Frederick G. & Thomas Boni, and Sharon and John Christopher Boni

Developer: 68 Ventures - Chloe Kelly

Agent: S.E. Civil - David Diehl

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 25, 2024
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

Report

2. File ANX24-05: (Tabled by applicant until the regular meeting of May 23, 2024)

A presentation to be given by Chloe Kelly, 68 Ventures, requesting annexation of a one hundred and seventy-five point two one acre parcel owned by Bertolla Properties, LLC, YOTA Properties, LLC, Frederick G. & Thomas Boni, and Sharon and John Christopher Boni located southeast of the intersection of Milton Jones Road and Alabama Highway 181. The subject property is currently zoned RSF-E, Residential Single Family Estate, RSF-3, Residential Single Family, and B-3, General Business, Baldwin County District 15.

5. **NEW BUSINESS:**

A. **POMIERSKI RESIDENCE:**

1. File AP24-05: (Withdrawn by applicant)

Presentation to be given by Chris Lieb, Lieb Engineering, and Kent Broom, Landscape Architect, of a request to modify a wetland and wetland buffer area for property located on Grays Lane in preparation for the owner to re-plat the land and build a house.

B. **OFFICIAL ZONING AND STREET MAP UPDATE:**

1. File AP24-04: (Favorable recommendation to City Council)

Presentation to be given by Adrienne Jones, Director of Community Development, of proposed amendments to the Official Zoning Map and the Official Street Map.

C. **U-HAUL MOVING AND STORAGE OF DAPHNE PLANNING APPROVAL AND SITE PLAN REVIEW PENDING REZONING:**

1. Planning Commission approval of a warehouse and/storage facility in a B-2(a) zone. (Approved)

2. File SP24-01: (Approved contingent upon the property being rezoned to B-2, General Business. Revisions to address the City Engineer's comments must be submitted)

Site: U-Haul Moving and Storage of Daphne

Zoning: *B-2(a), General Business Alternate*

Location: Southwest of the intersection of Whispering Pines and U.S. Highway 98

Area: 4.13 Acres $\pm$

Owner: Amerco Real Estate Company

Developer: U-Haul of Alabama, Inc. - Chad Rome

Engineer: Goodwyn, Cawood & Mills - Amanda Thompson

D. **SCOOTER'S COFFEE SITE PLAN REVIEW PENDING PRE-ZONING/ANNEXATION:**

1. File SP24-02: (Approved)

Site: Scooter's Coffee

Zoning: *B-3, General Business, Baldwin County District 15*

Location: Northeast of County Road 64 and Alabama Highway 181

Area: 0.75 Acres $\pm$

Representative: The Estate of Georgianne Simms - Carl Johnson, Executor

Developer: Sandefur Investments, LLC - Hudson Sandefur

Engineer: S.E. Civil - Larry Smith

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 25, 2024
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

Report

E. HOPE VINEYARD PHASE 1B FINAL SUBDIVISION PLAT REVIEW AND STREET ACCEPTANCE:

- 1. File SDF24-03: (Approved)**
- Subdivision:** Hope Vineyard, Phase 1B
- Zoning:** *R-6(G), Garden or Patio Home*
- Location:** East of County Road 13
- Area:** 18.84 Acres $\pm$, (66) lots
- Owner:** Hope Vineyard Partners, L.L.C.
- Agent:** Dewberry - Cathy Barnette
- Surveyor:** Dewberry - Victor Germain
- Engineer:** Dewberry - Jason Estes
- 2. File AP24-02: (Favorable recommendation to City Council)**

Presentation to be given by Cathy Barnette, Dewberry, recommending acceptance of all rights-of-way contained within Hope Vineyard, Phase 1B. Said rights-of-way being Caymus Drive (1,286 linear feet), Cakebread Avenue (170 linear feet), and Lafite Circle (1,322 linear feet).

F. JUBILEE FARMS PHASE TWELVE STREET ACCEPTANCE:

- 1. File AP24-03: (Favorable recommendation to City Council)**

Presentation to be given by Cathy Barnette, Dewberry, recommending acceptance of all rights-of-way contained within Jubilee Farms, Phase Twelve. Said rights-of-way being Animal Kingdom Way (1,493 linear feet), Winning Colors Trail (1,118 linear feet), and Shared Belief Court (549).

G. ROWAN OAK PRE-ZONING AMENDMENT AND ANNEXATION PETITION:

- 1. File PZA24-01: (Favorable recommendation to City Council contingent upon the following: providing an updated narrative that includes provisions about Architectural Theme design standards (c)(1)(iii) regarding recessed front-facing garages; (c)(1) (iv)(1.b) regarding garage locations; (c)(1) (iv)(1.c) regarding reduction to front yard setback and (c)(2) regarding recessed garages along side streets; reduction of the rear setback from 25 to 20-feet for 52.5-foot wide residential lots and 72-foot wide residential lots).**

Applicant: 68V Baldwin Land Holdings, LLC, Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate

Present Zoning: *RSF-E, Residential Single Family Estate, RMF-6, Multiple Family, RSF-2, Single Family Residential, and B-3, General Business, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne*

Proposed Zoning: *PUD, Planned Unit Development*

Area: 134.31 Acres $\pm$

Location: Southwest of the intersection of County Road 13 and Milton Jones Road

Owner: 68V Baldwin Land Holdings, LLC; Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate

Developer: 68 Ventures - Chloe Kelly

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 25, 2024
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

Report

2. ANX24-01: (Favorable recommendation to City Council)

A presentation to be given by David Diehl, S.E. Civil, requesting annexation of one hundred thirty-four point thirty-one acres owned by 68V Baldwin Land Holdings, LLC, Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate located southwest of the intersection of County Road 13 and Milton Jones Road. The subject property is currently zoned RSF-E, Residential Single Family Estate, RMF-6, Multiple Family, RSF-2, Single Family Residential, and B-3, General Business, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne.

6. **PUBLIC PARTICIPATION:** None presented.
7. **ATTORNEY'S REPORT:** No report.
8. **COMMISSIONER'S COMMENTS:** None presented.
9. **DIRECTOR'S COMMENTS:** Director presented the upcoming meeting dates. Site Preview is May 15, and the Regular Meeting is May 23, 2024.
10. **ADJOURNMENT:** 6:05 p.m.

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 25, 2024
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

AD

1. **CALL TO ORDER:** 5:00 p.m.
2. **CALL OF ROLL:** Andrew Prescott, John Peterson, Ronnie Huskey, Kevin Spriggs, Nathan Jones, Richard Johnson, Adam Manning and Steve Olen
3. **APPROVAL OF MINUTES:** Review of minutes of the regular meeting of March 28, 2024. **(Approved)**
4. **OLD BUSINESS:**
 - A. **MALBIS PLANTATION, INC. PRE-ZONING AMENDMENT AND ANNEXATION PETITION:**
 1. File PZA24-04: **(Tabled by applicant until the regular meeting of May 23, 2024)**

Applicant: Malbis Plantation, Inc.

Present Zoning: ***B-1, Professional Business, and RSF-1, Residential Single Family***

Proposed Zoning: ***PUD, Planned Unit Development***

Area: 164.43 Acres ±

Location: Southeast of the intersection of Highway 90 and County Road 13 and northeast of the intersection of Champions Way and County Road 13

Owner: Malbis Plantation, Inc. - Lewis Sterling

Agent: Sawgrass Consulting - Ercil Godwin
 2. File ANX24-04: **(Tabled by applicant until the regular meeting of May 23, 2024)**

A presentation to be given by Ercil Godwin, Sawgrass Consulting, requesting annexation of a one hundred and sixty-four point forty-three acre parcel owned by Malbis Plantation, Inc. located southeast of the intersection of Highway 90 and County Road 13 and northeast of the intersection of Champions Way and County Road 13. The subject property is currently zoned B-1, Professional Business, and RSF-1, Residential Single Family.
 - B. **BERTOLLA PROPERTIES, LLC, YOTA PROPERTIES, LLC, FREDERICK G. & THOMAS BONI, AND SHARON AND JOHN CHRISTOPHER BONI PRE-ZONING AMENDMENT AND ANNEXATION PETITION:**
 1. File PZA24-05: **(Tabled by applicant until the regular meeting of May 23, 2024)**

Applicant: Bertolla Properties, LLC, YOTA Properties, LLC, Frederick G. & Thomas Boni, and Sharon and John Christopher Boni

Present Zoning: ***RSF-E, Residential Single Family Estate, RSF-3, Residential Single Family, and B-3, General Business, Baldwin County District 15***

Proposed Zoning: ***PUD, Planned Unit Development***

Area: 175.21 Acres ±

Location: Southeast of the intersection of Milton Jones Road and Alabama Highway 181

Owner: Bertolla Properties, LLC, YOTA Properties, LLC, Frederick G. & Thomas Boni, and Sharon and John Christopher Boni

Developer: 68 Ventures - Chloe Kelly

Agent: S.E. Civil - David Diehl

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 25, 2024
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

Report

2. File ANX24-05: (Tabled by applicant until the regular meeting of May 23, 2024)

A presentation to be given by Chloe Kelly, 68 Ventures, requesting annexation of a one hundred and seventy-five point two one acre parcel owned by Bertolla Properties, LLC, YOTA Properties, LLC, Frederick G. & Thomas Boni, and Sharon and John Christopher Boni located southeast of the intersection of Milton Jones Road and Alabama Highway 181. The subject property is currently zoned RSF-E, Residential Single Family Estate, RSF-3, Residential Single Family, and B-3, General Business, Baldwin County District 15.

5. NEW BUSINESS:

A. POMIERSKI RESIDENCE:

1. File AP24-05: (Withdrawn by applicant)

Presentation to be given by Chris Lieb, Lieb Engineering, and Kent Broom, Landscape Architect, of a request to modify a wetland and wetland buffer area for property located on Grays Lane in preparation for the owner to re-plat the land and build a house.

B. OFFICIAL ZONING AND STREET MAP UPDATE:

1. File AP24-04: (Favorable recommendation to City Council)

Presentation to be given by Adrienne Jones, Director of Community Development, of proposed amendments to the Official Zoning Map and the Official Street Map.

C. U-HAUL MOVING AND STORAGE OF DAPHNE PLANNING APPROVAL AND SITE PLAN REVIEW PENDING REZONING:

1. Planning Commission approval of a warehouse and/storage facility in a B-2(a) zone. (Approved)

2. File SP24-01: (Approved contingent upon the property being rezoned to B-2, General Business. Revisions to address the City Engineer's comments must be submitted)

Site: U-Haul Moving and Storage of Daphne

Zoning: *B-2(a), General Business Alternate*

Location: Southwest of the intersection of Whispering Pines and U.S. Highway 98

Area: 4.13 Acres $\pm$

Owner: Amerco Real Estate Company

Developer: U-Haul of Alabama, Inc. - Chad Rome

Engineer: Goodwyn, Cawood & Mills - Amanda Thompson

D. SCOOTER'S COFFEE SITE PLAN REVIEW PENDING PRE-ZONING/ANNEXATION:

1. File SP24-02: (Approved)

Site: Scooter's Coffee

Zoning: *B-3, General Business, Baldwin County District 15*

Location: Northeast of County Road 64 and Alabama Highway 181

Area: 0.75 Acres $\pm$

Representative: The Estate of Georgianne Simms - Carl Johnson, Executor

Developer: Sandefur Investments, LLC - Hudson Sandefur

Engineer: S.E. Civil - Larry Smith

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 25, 2024
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

Report

E. HOPE VINEYARD PHASE 1B FINAL SUBDIVISION PLAT REVIEW AND STREET ACCEPTANCE:

1. File SDF24-03: (Approved)

Subdivision: Hope Vineyard, Phase 1B

Zoning: R-6(G), Garden or Patio Home

Location: East of County Road 13

Area: 18.84 Acres $\pm$, (66) lots

Owner: Hope Vineyard Partners, L.L.C.

Agent: Dewberry - Cathy Barnette

Surveyor: Dewberry - Victor Germain

Engineer: Dewberry - Jason Estes

2. File AP24-02: (Favorable recommendation to City Council)

Presentation to be given by Cathy Barnette, Dewberry, recommending acceptance of all rights-of-way contained within Hope Vineyard, Phase 1B. Said rights-of-way being Caymus Drive (1,286 linear feet), Cakebread Avenue (170 linear feet), and Lafite Circle (1,322 linear feet).

F. JUBILEE FARMS PHASE TWELVE STREET ACCEPTANCE:

1. File AP24-03: (Favorable recommendation to City Council)

Presentation to be given by Cathy Barnette, Dewberry, recommending acceptance of all rights-of-way contained within Jubilee Farms, Phase Twelve. Said rights-of-way being Animal Kingdom Way (1,493 linear feet), Winning Colors Trail (1,118 linear feet), and Shared Belief Court (549).

G. ROWAN OAK PRE-ZONING AMENDMENT AND ANNEXATION PETITION:

1. File PZA24-01: (Favorable recommendation to City Council contingent upon the following: providing an updated narrative that includes provisions about Architectural Theme design standards (c)(1)(iii) regarding recessed front-facing garages; (c)(1) (iv)(1.b) regarding garage locations; (c)(1) (iv)(1.c) regarding reduction to front yard setback and (c)(2) regarding recessed garages along side streets; reduction of the rear setback from 25 to 20-feet for 52.5-foot wide residential lots and 72-foot wide residential lots).

Applicant: 68V Baldwin Land Holdings, LLC, Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate

Present Zoning: RSF-E, Residential Single Family Estate, RMF-6, Multiple Family, RSF-2, Single Family Residential, and B-3, General Business, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

Proposed Zoning: PUD, Planned Unit Development

Area: 134.31 Acres $\pm$

Location: Southwest of the intersection of County Road 13 and Milton Jones Road

Owner: 68V Baldwin Land Holdings, LLC; Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate

Developer: 68 Ventures - Chloe Kelly

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 25, 2024
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

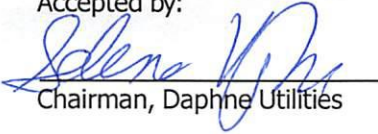
Report

2. **ANX24-01: (Favorable recommendation to City Council)**

A presentation to be given by David Diehl, S.E. Civil, requesting annexation of one hundred thirty-four point thirty-one acres owned by 68V Baldwin Land Holdings, LLC, Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate located southwest of the intersection of County Road 13 and Milton Jones Road. The subject property is currently zoned RSF-E, Residential Single Family Estate, RMF-6, Multiple Family, RSF-2, Single Family Residential, and B-3, General Business, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne.

6. **PUBLIC PARTICIPATION:** None presented.
7. **ATTORNEY'S REPORT:** No report.
8. **COMMISSIONER'S COMMENTS:** None presented.
9. **DIRECTOR'S COMMENTS:** Director presented the upcoming meeting dates. Site Preview is May 15, and the Regular Meeting is May 23, 2024.
10. **ADJOURNMENT:** 6:05 p.m.

Accepted by:


Chairman, Daphne Utilities



APPROVAL MINUTES

Utilities Board Meeting

Council Chambers, Daphne City Hall ♦ March 27, 2024 ♦ 5:00 p.m.

I. Call to Order

The regular March 2024 Board meeting for the Utilities Board of the City of Daphne was held on March 27, 2024 in the Council Chambers at Daphne City Hall and called to order at 5:01 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: Councilman Joel Coleman, Board Member

Others Present: Jerry Speegle – Board Attorney
Scott Polk – General Manager
Bobby Purvis – Operations Manager
Alex Godfrey – Administrative Services Manager
Lori Wilson – Executive Assistant
Lexus Carlee – Finance Manager

Others Absent: Samantha Coppels – Communications Manager

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 February 28, 2024

The Chairwoman requested any additions, corrections, or deletions for the submitted minutes of the regular Daphne Utilities Board meeting of February 28, 2024.

With no additions, deletions or corrections, the Chairwoman declared that the submitted minutes of the regular Daphne Utilities Board meeting of February 28, 2024, would stand approved.

V. OLD BUSINESS –

A. None

VI. NEW BUSINESS –

A. Job Title Change Discussion

Mayor LeJeune asked for an explanation, noting that he received the email but needed further clarification.

General Manager Scott Polk stated that the environment in the utilities industry in this area has changed dramatically with several recent changes in other organizations in terms of some of their senior staff job title changes and this is to steer Daphne Utilities to align with them - North Baldwin Utilities, Baldwin EMC, Riviera Utilities - in order to keep job titles consistent with other utilities at conferences and across the job market; in addition to that, some of the changes that would occur under the level of board approval, discussions had already taken place internally regarding enacting the changes and wanted to make all the changes entirely.

Chairwoman Selena Vaughn called for a motion.

MOTION by Vice Chairman Tim Patton to approve the title changes as presented [to the Board members]; Seconded by Secretary/Treasurer Billy Mayhand.

AYE: LeJeune, Mayhand, Patton

NAY:

ABSENT: Coleman

ABSTAIN: Vaughn

MOTION CARRIED

VII. BOARD ATTORNEY'S REPORT

Board Attorney Jerry Speegle had nothing further to report for this month.

VIII. FINANCIAL REPORT

Finance Manager Lexus Carlee reviewed for the Board, highlighting: increase in total assets; interest for money market account; inventory, revenue and expense within the budgeted projections; total net income; departmental revenue budgets' performances; all expenses performed under projections; noted Cash Flow Report reflecting a strong cash position with upcoming CIP invoices to follow; Monthly Cash Payments report reflected payments were minimal due, in part, to several invoices being lost in an email scuffle which will result in the invoice payments doubling for the upcoming month; lastly explained a check from the Check History Report.

IX. GENERAL MANAGER'S REPORT

A. GM Report

General Manager Scott Polk updated the Board members on: continued anticipation of ADEM's final approval of Well #15, though still moving forward with everything; Trojan elevated water storage tank nearly completed expecting to refill in the coming weeks and return to service; noted Malbis Plantation tank scheduled for demolition and removal in the upcoming weeks and communicated with area folks to make them aware of the construction, as well as publish on social media; Grit Removal System is working as planned with a formal ribbon-cutting planned; an employee assistance program is being added to the employee benefits; received a notice from Standard & Poors that an analytical error in their assessments of municipal utilities and some may need to be re-evaluated, however he advised we were not notified if Daphne Utilities would be impacted; and lastly, Mr. Polk thanked Alex Godfrey for his efforts in helping to secure a beneficial insurance rate as a result of our implemented IT security protocols.

B. Operations Report

Mr. Bobby Purvis informed the Board of the rehab completion of the tank on the front side of the plant; maintenance & wastewater collection working together to rehab several budgeted lift station projects, and commended Antonio Winston and his department; and finally, he recognized the natural gas department for Natural Gas Appreciation Day and for their daily hard-working efforts.

Mr. Polk updated the Board regarding the Hope Vineyard subdivision development and commended the natural gas department, as well, for their industrious approach in having natural gas available for those new homes.

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

X. BOARD ACTION – previously addressed.

XI. PUBLIC PARTICIPATION – Chairwoman Vaughn opened Public Participation at 5:18 pm. With no participants the Chairwoman closed Public Participation at 5:18 pm.

XII. BOARD COMMENTS –

Mayor LeJeune had no comment.

Mr. Tim Patton thanked Alex Godfrey for his work on the cybersecurity protocols.

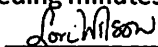
Mr. Billy Mayhand had no comment.

XII. ADJOURNMENT

With no additional comments, the Chairwoman Vaughn adjourned the meeting.

The meeting adjourned at 5:18pm.

Preceding minutes submitted to the Daphne Utilities Board by:



Lori Wilson, Executive Assistant, Daphne Utilities

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: April 29, 2024
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Official City of Daphne Zoning Map Update

A handwritten signature in black ink, appearing to be "AJ" or similar, written over the "FROM:" line.

At the April 25, 2024 regular meeting of the City of Daphne Planning Commission, eight members were present. The motion carried unanimously to set forth a favorable recommendation to approve the Official City of Daphne Zoning Map (codifications were approved between November 1, 2023 through April 30, 2024).

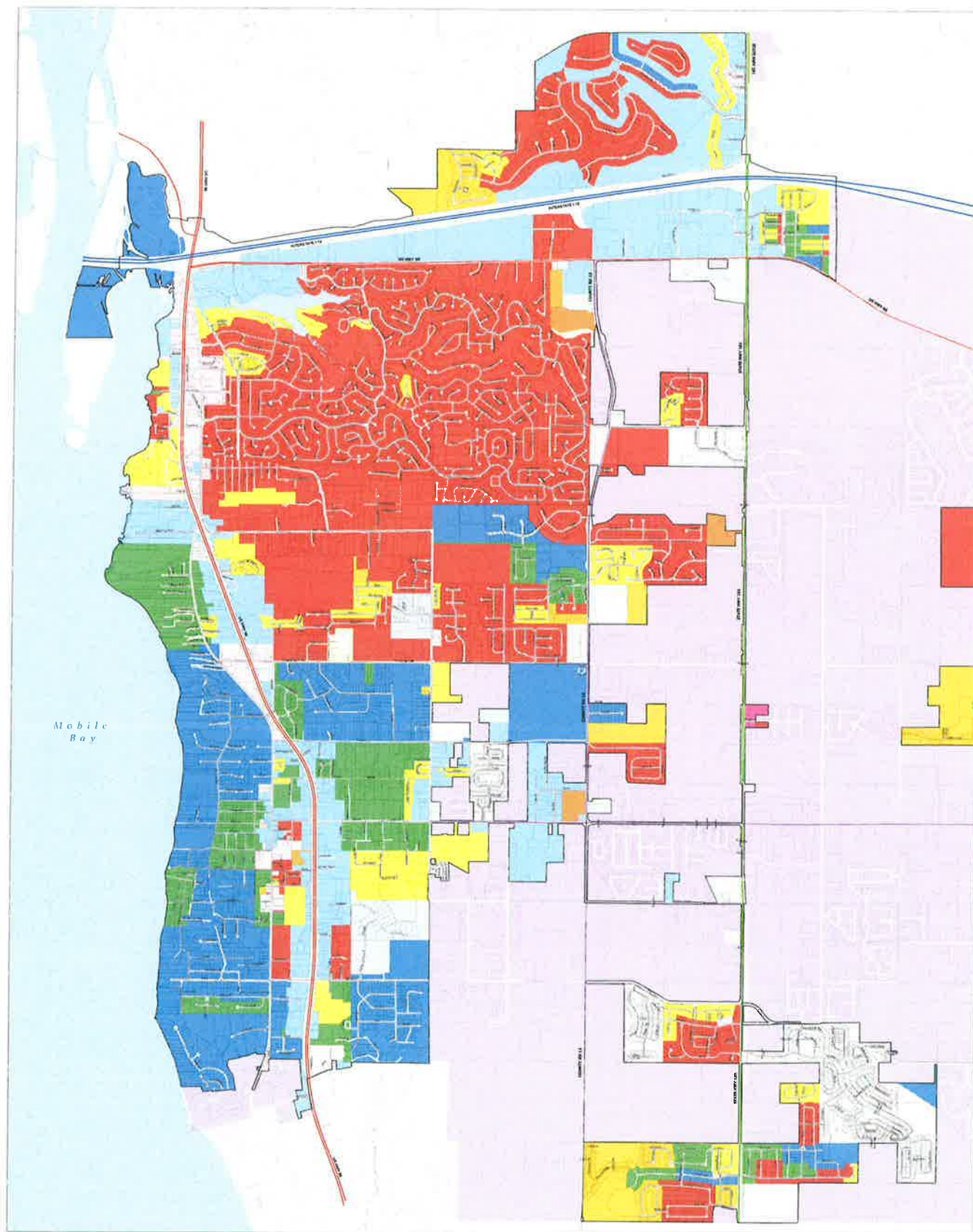
Attached please find the appropriate documentation and action of the Daphne Planning Commission.

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

Thank you,
ADJ/jv

Attachment(s)

cc: file



42. **Answer: D**

43. **Answer: C**

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270. **Answer: D**

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Background:

No application for annexation, pre-zoning or rezoning has been approved by the City Council between the months of November 30, 2023 and April 30, 2024. The proposed map, however, presents new streets that have been constructed and dedicated to the City during this period.

Staff Recommendation:

Staff recommends that the Planning Commission set forth a favorable recommendation to City Council to adopt the amended Official Zoning Map.

Legislative Annexation	Governor Approval Date	Act #	Zoning Classification	Property Size (Acres)
N/A	-	-	-	-
Annexation by Council Action	Council Approval Date	Council Action Ordinance #		Property Size (Acres)
N/A	-	-		-
Prezoning	Council Approval Date	Ordinance #	Zoning Classification	Property Size (Acres)
N/A	-	-	-	-
Rezoning Petitions	Council Approval Date	Ordinance #	Old/New Zoning Classification	Property Size (Acres)
N/A	-	-	-	-



**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**

DATE: April 29, 2024

TO: Office of the City Clerk

FROM: Adrienne Jones, AICP, Director of Community Development *AD*

SUBJECT: 68V Baldwin Land Holdings, LLC, Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate Pre-Zoning Amendment

PRESENT ZONING: RSF-E, Residential Single Family Estate, RMF-6, Multiple Family, RSF-2, Single Family Residential, and B-3, General Business, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

PROPOSED PRE-ZONING: PUD, Planned Unit Development

LOCATION: Southwest of the intersection of County Road 13 and Milton Jones Road

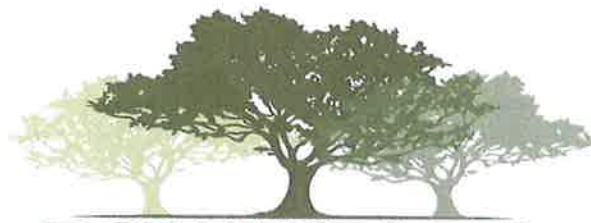
RECOMMENDATION: At the April 25, 2024 regular meeting of the City of Daphne Planning Commission, eight members were present, and the motion carried unanimously for a favorable recommendation for the above captioned zoning amendment contingent upon the following: providing an updated narrative that includes provisions about Architectural Theme design standards (c)(1)(iii) regarding recessed front-facing garages; (c)(1) (iv)(1.b) regarding garage locations; (c)(1) (iv)(1.c) regarding reduction to front yard setback and (c)(2) regarding recessed garages along side streets; reduction of the rear setback from 25 to 20-feet for 52.5-foot wide residential lots and 72-foot wide residential lots.

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

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

Thank you,
ADJ/jv

1. PUD Statement and Narrative Revision
2. PUD Master Plan Revision



ROWAN OAK

D A P H N E

PUD Statement and Narrative



A Planned Unit Development

Developer:

68Venturës

707 Bellrose Avenue
Daphne, AL 36526
251-625-1198

Engineer/ Surveyor:



9969 Windmill Road
Fairhope, AL 36532
251-990-6566

Landscape Architects:



landscape architects

WAS Design

218 N. Alston Street
Foley, AL 36535
251-948-7181

Traffic Engineer:



Neel Schaffer, Inc.
851 East I-65 Service Road
Suite 1000
Mobile, AL 36606
251-471-2000

Project Summary

Rowan Oak is a 134.31 acre, Mixed Use Planned Unit Development located between County Road 13 and Friendship Road at the Milton Jones Road intersection. The development includes Single Family Residential lots of various sizes, Townhomes, Multi-Family, and Commercial properties.

Intent

By combining the various land uses proposed in Rowan Oak, the developer hopes to promote a more efficient use of land relative to the location of public streets and natural features. The developer is partnering with the City of Daphne to provide a much-needed east-west connection from Friendship Road to County Road 13 by the extension of Milton Jones Road, with a Roundabout at the intersection of Milton Jones Road and County Road 13. The development goal is to provide diverse housing opportunities for citizens of differing economic levels, preferences, and/or stages of life.

Public / Private Benefits

The development of Rowan Oak provides several Public benefits to the Daphne Community including:

- 1) At the behest of the City of Daphne, donation by the Developer of land for an 80-foot public Right-of-Way (50 feet wide by others where necessary) to City of Daphne for the extension of Milton Jones Road from County Road 13 to Friendship Road¹, a value of \$214,200².
- 2) At the behest of the City of Daphne, donation by the Developer of sufficient Right-of-Way to City of Daphne to enable the installation of a Roundabout at the intersection of Milton Jones Road and County Road 13.
- 3) At the behest of the City of Daphne, Developer to coordinate and provide capital for surveying and engineering services for the Milton Jones Road extension, a value of \$144,500³.
- 4) Developer to provide Design and Construction of Improvements at the Intersection of Friendship Road and County Road 64. A value of \$300,000. See Exhibit 1 herein.
- 5) Donation by the Developer of a 1.8-acre parcel to City of Daphne for a public park, a value of \$95,000.⁴
- 6) Construction by the Developer of two pickleball courts within the future public park, a value of approximately \$140,000.⁵
- 7) Annexation of 11.61 acres of Commercial Property for a potential tax revenue of approximately \$535,821.71 annually.⁶

Total direct Public Benefit Value as a result of Developer's actions = \$893,700.

There are various Private benefits that will be realized as a result of this development, including:

¹ The Developer acknowledges that the City of Daphne is in no way obligated to construct or cause to be constructed any of the Milton Jones road extension and intersection improvements referenced herein, and that the construction by the City of Daphne of such improvements is contingent upon the availability of sufficient funds as determined solely by the City of Daphne.

² Based on valuation of \$35k/ AC x 6.12 AC

³ Based on Developer-executed proposal for surveying and design services of Milton Jones Rd. Extension with Southeast Civil Engineering in the amount of \$144,500.

⁴ Based on valuation of \$47.5k/ AC x 2 AC

⁵ Based on estimated construction cost of \$70k per pickleball court x 2 Quantity.

⁶ Estimated figure calculated based on data published in City of Daphne's 2022 Annual Comprehensive Financial Report

- 1) Providing improved direct access to a Public Road for the privately owned Commercial lots in Friendship Park Subdivision via the new Milton Jones Road Extension.

Land Use Summary

Of the 134.31-acre Rowan Oak property, the majority will be utilized for Single Family Residential Lots. The proposed uses are outlined below:

72' Lots	27.4 AC
52' Lots	29.9 AC
42' Lots	25.5 AC
Townhomes	16.3 AC
Multifamily	17.5 AC
Commercial	11.61 Acres
ROW Donation for Milton Jones Extension and Roundabout	6.12 Acres

Streets, Drainage and Utilities

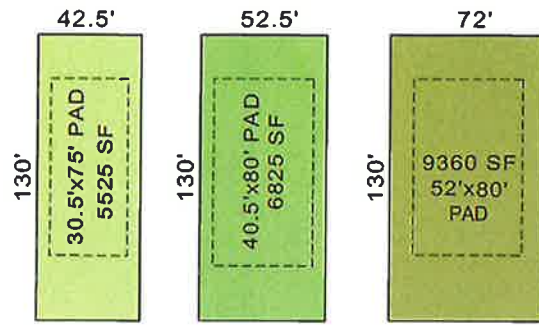
All streets and drainage will be designed to the current standards of the City of Daphne Land Use Ordinance. No deviations or variances will be requested. Traffic Calming is provided using Traffic Circles, Speed Tables, and Stop Signs. Utilities will be provided by Daphne Utilities (sewer), Belforest Water (water), Riviera Utilities (power), and AT&T (telephone).

Parking

All Single-Family Residences will provide two spaces per house, with additional guest parking provided in strategic locations in the higher density neighborhood areas. Each Townhome unit will provide a garage plus two driveway spaces, with the addition of guest parking as required in the Land Use Development Ordinance. Multi-Family units will have two spaces per dwelling unit. Detailed plans have not been developed for the Commercial lots but any future Site Plans proposed will meet the current standards of the City of Daphne regarding parking.

Zoning Relaxations

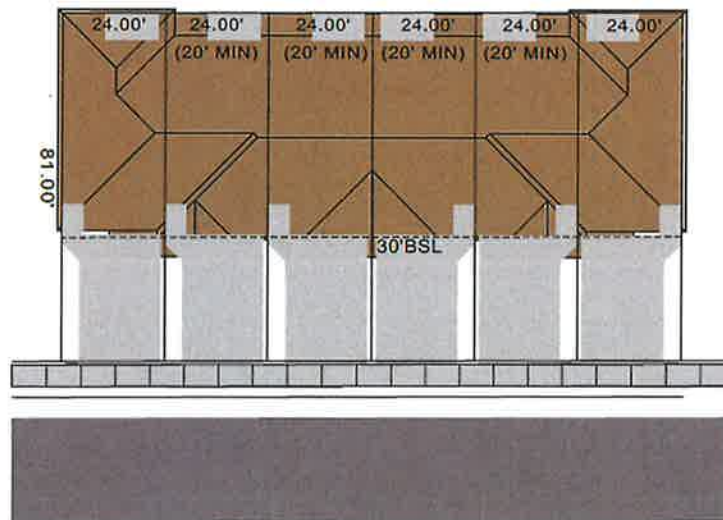
In general, the various aspects of the Zoning Ordinance will be met in Rowan Oak in regards to Streets, Buffers, Parking and Open Space. However, the unique spatial characteristics of the various Lots proposed do not meet the specifics of the defined Zoning designations of the Land Use Ordinance. The Lots proposed and their related Building Setbacks are as follows:



Typical Single Family Lots

Building Setbacks

42.5' Lots		52.5' Lots		72' Lots	
Front	30 Ft.	Front	25 Ft.	Front	25 Ft.
Rear	25 Ft.	Rear	20 Ft.	Rear	20 Ft.
Side	6 Ft.	Side	6 Ft.	Side	10 Ft.
Side Street	15 Ft.	Side Street	15 Ft.	Side Street	20 Ft.



Typical Townhome Lots

Building Setbacks

Front	30 Ft.
Rear	0 Ft.
Side	0 Ft.
Side Street	20 Ft.

Amenities

Various amenities are included in the Rowan Oak development plan within an overall 29.6 acres of open space. Open areas with trails, water features and a public park with two pickle ball courts are proposed in the Single-Family areas. A pool and cabana are proposed in the Townhome section next to two open play

areas and a water feature. The Multi-Family portion will include a clubhouse, pool, two pickle ball courts, and a water feature.

Architectural Themes

- I. Building materials including brick, stone, textured traditional cement stucco (i.e., real stucco) and cement siding are required as the primary veneer on new dwellings.
- II. Roofs must be varied in roofline treatments.
- III. The front facing garage (i.e., garage fronts) on single family homes shall be recessed and constitute not more than forty-two percent (42%) of the residential facade (as measured from the outside edge of garage doors, not including the frame).
- IV. Recessed garage doors oriented toward the front property line shall be as follows:
 - a. Garage doors must be positioned between five (5) feet and twenty (20) feet behind the front wall plane of the house. The front wall plane is defined as the principal building façade facing the primary street right of way.
 - b. The minimum front yard setback for said garage shall be forty (40) feet.
 - c. The minimum front yard setback for the principal structure may be reduced to twenty (20) feet.
 - d. The 42.5' foot lots will be subject to the 5' recessed garage requirement except for the Bluewater plan/elevations as submitted.
- V. The side-street facing garage setback shall be a minimum of twenty-two (22) feet from the sidewalk and recessed three (3) feet behind the side facade
- VI. Where the garage is located at the rear of the primary structure, the front yard setback shall be reduced to fifteen (15) feet, or ten (10) feet with an open air front porch.
- VII. Colored elevations shall illustrate that a minimum of three (3) different elevations are provided in each block face.
- VIII. Developments of thirty-five (35) dwelling units or more should offer a minimum of five (5) different elevations and ten percent (10%) of each respective elevation shall be provided in each block face.

Additional Stipulations

- i. The use of vinyl siding shall be limited to fascia and soffits.
- ii. Minimum Building Setbacks for Single Family Detached Homes shall be as follows:
 - a. Front Setbacks for the 42.5' lots shall be 30 feet.
 - b. Rear Setbacks for the 42.5' lots shall be 25 feet.
 - c. Front Setbacks for the 52.5' lots shall be 25 feet.
 - d. Rear Setbacks for the 52.5' lots shall be 20 feet.
 - e. Front Setbacks for the 72' lots shall be 25 feet
 - f. Rear Setbacks for the 72' lots shall be 20 feet.
 - g. Side Setbacks for the 72 foot wide Lots shall be 10 feet.
 - h. Side Setbacks for the 42.5 foot wide and 52.5 foot wide Lots shall be 6 feet.
 - i. Side Street Setbacks for the 42.5 foot wide and 52.5 foot wide Lots shall be 15 feet.

- j. Side Street Setbacks for the 72 foot wide Lots shall be 20 feet.
 - k. The 42.5' lots shall include a 2-car wide driveway (minimum width of 16 ft).
- iii. Minimum Building Setbacks for Townhomes shall be as follows:
 - a. Front Setbacks shall be 30 feet.
 - b. Side and Rear Setbacks shall be 0 (zero) feet
 - c. Side Street Setbacks shall be 20 feet.
 - d. Minimum Spacing between buildings shall be 24 feet with spacing between eaves being a minimum of 20 feet.
- iv. Developer responsibility for traffic improvements will be limited to the following, per the Traffic Impact Study conducted by Neel Schaffer:
 - a. The northbound approach of Friendship Road to County Road 64 will be widened to provide a dedicated left turn lane within the existing Right-of-Ways. In the event the proposed northbound left turn lane will require additional Right-of-Way may limit the ability of constructing the proposed turn lane improvements if additional Right-of-Way can't be acquired. See Exhibit 1, herein.
- v. Access points and unit density are limited to counts provided in the proposed plan.
- vi. Developer reserves the right to alter the proposed phasing plan and change the order of construction from the proposed plan at a later date.
- vii. Rowan Oak PUD will be subject to City of Daphne Land Use & Development Ordinance, with latest codifications dated 01/12/2024, including all subsequent Plats, Phases, and Building Permits.
- viii. Non jurisdictional grady ponds to be filled in as a part of development.
- ix. Commercial property to be site-planned at a later date, subject to City of Daphne Land Use & Development Ordinance. Traffic studies to be conducted at time of development and any improvements, as applicable, to be constructed at time of development.
- x. Commercial land uses shall be consistent with the B-2, General Business, district as provided in the City of Daphne Land Use & Development Ordinance with latest codifications dated through 01/12/24 except that the following uses shall not be permissible in the Rowan Oak PUD:
 - Adult entertainment or adult/sex retail sale facilities;
 - Jail facilities, housing of detainees or inmates, community correction facilities of any kind

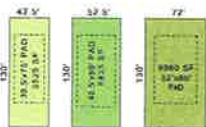


EXHIBIT 1
Intersection Improvements by Developer
At Friendship Rd. and County Rd. 64



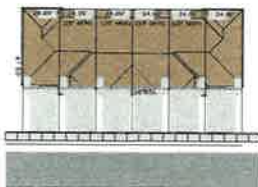
Vicinity Map
1 Inch = 1 Mile

"Landscaping"
Detailed Landscaping Plans will be provided for each Plat and Site Plan submitted for approval in accordance with Article 19 of the Daphne Land Use Development Ordinance.



Typical Single Family Lots
Building Setbacks

42.5' Lot	52.5' Lot	77' Lot
Front: 30 Ft.	Front: 25 Ft.	Front: 25 Ft.
Rear: 25 Ft.	Rear: 20 Ft.	Rear: 20 Ft.
Side: 6 Ft.	Side: 6 Ft.	Side: 10 Ft.
Side Street: 15 Ft.	Side Street: 15 Ft.	Side Street: 20 Ft.



Typical Townhome Lots

Building Setbacks
Front: 30 Ft.
Rear: 0 Ft.
Side: 0 Ft.
Side Street: 20 Ft.

Owners

Sharon Boni
126 Iron Bridge Road
Sarver, PA 16055

John Christopher Boni
1365 Orchard Dr
New Kensington, PA 15068

68V Baldwin Holdings, LLC
707 Belrose Ave
Daphne, AL 36526

Estate of Thelma Marie Boni

Thomas Boni
1208 Belle Chene Drive
Mobile, AL 36693

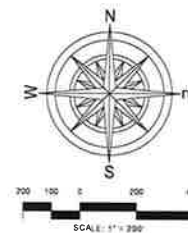
Frederick Boni
2605 Springhill Ave
Mobile, AL 36607

Engineer/Surveyor

S.E. Civil Engineering & Surveying
9969 Windmill Road
Fairhope, AL 36532
Larry Smith, PE Lic 26348
David Diehl, PLS Lic 26014

Developer

68 Ventures
707 Belrose Avenue
Daphne, AL 36526



A Planned Unit Development

TOTAL AREA	134.31 AC
Commercial	11.61 AC
Residential	125.26 AC
Townhomes 24' Wide	60
Townhomes 20' Wide	72
Multi-Family	204
42.5' x 130's	90
52.5' x 130's	100
77' x 130's	59
TOTAL	385
Density	4.66 / Ac
Open Space	29.6 Ac (23.6%)

Current Zoning	RMF-6, RSF-2, RSF-E & B3(Baldwin County)
Proposed Zoning	P.U.D. (Daphne)
Impervious Area	41.8 Acres (33%)

Parking

Single Family	
2 Sp / unit	496
Additional	74
Townhomes	
3 Sp / unit	396
Additional	46
Multi-Family	
2 Sp / unit	408
Additional	45
Total Parking	1465

Handicap Parking is provided for each Phase and Building Type based on current Daphne Land Use Ordinance

Utility Providers

Water	Belforest Water
Sewer	Daphne Utilities
Power	Riviera
Telephone	AT&T

Building Data

Type	Max. Bldg. Ht.	Max. Stories	Max. Coverage
Single Family	35 Ft.	2-1/2	35% (Lot)
Townhomes	35 Ft.	2-1/2	30% (Site)
Multi-Family	50 Ft.	4	30% (Site)



APRIL 24, 2024

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: April 29, 2024
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development 
SUBJECT: 68V Baldwin Land Holdings, LLC, Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate Annexation Petition

PRESENT ZONING: RSF-E, Residential Single Family Estate, RMF-6, Multiple Family, RSF-2, Single Family Residential, and B-3, General Business, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

LOCATION: Southwest of the intersection of County Road 13 and Milton Jones Road

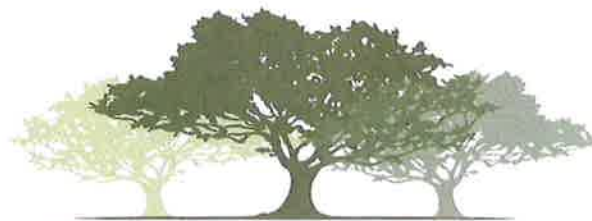
RECOMMENDATION: At the April 25, 2024 regular meeting of the City of Daphne Planning Commission, seven members were present and the motion carried unanimously for a favorable recommendation for the above mentioned annexation petition.

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

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

Thank you,
ADJ/jv

1. PUD Statement and Narrative Revision
2. PUD Master Plan Revision



ROWAN OAK

D A P H N E

PUD Statement and Narrative



A Planned Unit Development

Developer:

68Venturës

707 Bellrose Avenue
Daphne, AL 36526
251-625-1198

Engineer/ Surveyor:



9969 Windmill Road
Fairhope, AL 36532
251-990-6566

Landscape Architects:



landscape architects

WAS Design

218 N. Alston Street
Foley, AL 36535
251-948-7181

Traffic Engineer:



Neel Schaffer, Inc.
851 East I-65 Service Road
Suite 1000
Mobile, AL 36606
251-471-2000

Project Summary

Rowan Oak is a 134.31 acre, Mixed Use Planned Unit Development located between County Road 13 and Friendship Road at the Milton Jones Road intersection. The development includes Single Family Residential lots of various sizes, Townhomes, Multi-Family, and Commercial properties.

Intent

By combining the various land uses proposed in Rowan Oak, the developer hopes to promote a more efficient use of land relative to the location of public streets and natural features. The developer is partnering with the City of Daphne to provide a much-needed east-west connection from Friendship Road to County Road 13 by the extension of Milton Jones Road, with a Roundabout at the intersection of Milton Jones Road and County Road 13. The development goal is to provide diverse housing opportunities for citizens of differing economic levels, preferences, and/or stages of life.

Public / Private Benefits

The development of Rowan Oak provides several Public benefits to the Daphne Community including:

- 1) At the behest of the City of Daphne, donation by the Developer of land for an 80-foot public Right-of-Way (50 feet wide by others where necessary) to City of Daphne for the extension of Milton Jones Road from County Road 13 to Friendship Road¹, a value of \$214,200².
- 2) At the behest of the City of Daphne, donation by the Developer of sufficient Right-of-Way to City of Daphne to enable the installation of a Roundabout at the intersection of Milton Jones Road and County Road 13.
- 3) At the behest of the City of Daphne, Developer to coordinate and provide capital for surveying and engineering services for the Milton Jones Road extension, a value of \$144,500³.
- 4) Developer to provide Design and Construction of Improvements at the Intersection of Friendship Road and County Road 64. A value of \$300,000. See Exhibit 1 herein.
- 5) Donation by the Developer of a 1.8-acre parcel to City of Daphne for a public park, a value of \$95,000.⁴
- 6) Construction by the Developer of two pickleball courts within the future public park, a value of approximately \$140,000.⁵
- 7) Annexation of 11.61 acres of Commercial Property for a potential tax revenue of approximately \$535,821.71 annually.⁶

Total direct Public Benefit Value as a result of Developer's actions = \$893,700.

There are various Private benefits that will be realized as a result of this development, including:

¹ The Developer acknowledges that the City of Daphne is in no way obligated to construct or cause to be constructed any of the Milton Jones road extension and intersection improvements referenced herein, and that the construction by the City of Daphne of such improvements is contingent upon the availability of sufficient funds as determined solely by the City of Daphne.

² Based on valuation of \$35k/ AC x 6.12 AC

³ Based on Developer-executed proposal for surveying and design services of Milton Jones Rd, Extension with Southeast Civil Engineering in the amount of \$144,500.

⁴ Based on valuation of \$47.5k/ AC x 2 AC

⁵ Based on estimated construction cost of \$70k per pickleball court x 2 Quantity.

⁶ Estimated figure calculated based on data published in City of Daphne's 2022 Annual Comprehensive Financial Report

- 1) Providing improved direct access to a Public Road for the privately owned Commercial lots in Friendship Park Subdivision via the new Milton Jones Road Extension.

Land Use Summary

Of the 134.31-acre Rowan Oak property, the majority will be utilized for Single Family Residential Lots. The proposed uses are outlined below:

72' Lots	27.4 AC
52' Lots	29.9 AC
42' Lots	25.5 AC
Townhomes	16.3 AC
Multifamily	17.5 AC
Commercial	11.61 Acres
ROW Donation for Milton Jones Extension and Roundabout	6.12 Acres

Streets, Drainage and Utilities

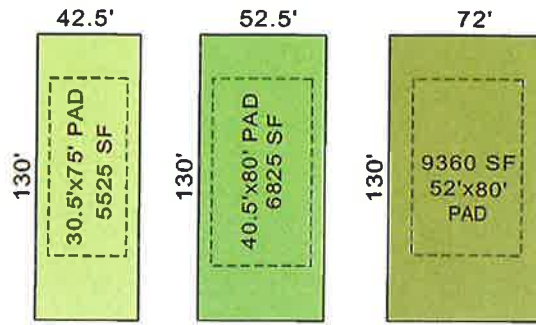
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Parking

All Single-Family Residences will provide two spaces per house, with additional guest parking provided in strategic locations in the higher density neighborhood areas. Each Townhome unit will provide a garage plus two driveway spaces, with the addition of guest parking as required in the Land Use Development Ordinance. Multi-Family units will have two spaces per dwelling unit. Detailed plans have not been developed for the Commercial lots but any future Site Plans proposed will meet the current standards of the City of Daphne regarding parking.

Zoning Relaxations

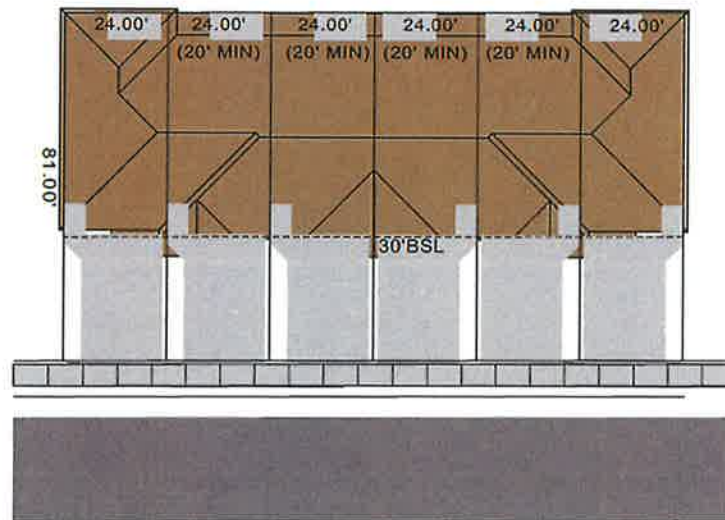
In general, the various aspects of the Zoning Ordinance will be met in Rowan Oak in regards to Streets, Buffers, Parking and Open Space. However, the unique spatial characteristics of the various Lots proposed do not meet the specifics of the defined Zoning designations of the Land Use Ordinance. The Lots proposed and their related Building Setbacks are as follows:



Typical Single Family Lots

Building Setbacks

42.5' Lots		52.5' Lots		72' Lots	
Front	30 Ft.	Front	25 Ft.	Front	25 Ft.
Rear	25 Ft.	Rear	20 Ft.	Rear	20 Ft.
Side	6 Ft.	Side	6 Ft.	Side	10 Ft.
Side Street	15 Ft.	Side Street	15 Ft.	Side Street	20 Ft.



Typical Townhome Lots

Building Setbacks

Front	30 Ft.
Rear	0 Ft.
Side	0 Ft.
Side Street	20 Ft.

Amenities

Various amenities are included in the Rowan Oak development plan within an overall 29.6 acres of open space. Open areas with trails, water features and a public park with two pickle ball courts are proposed in the Single-Family areas. A pool and cabana are proposed in the Townhome section next to two open play

areas and a water feature. The Multi-Family portion will include a clubhouse, pool, two pickle ball courts, and a water feature.

Architectural Themes

- I. Building materials including brick, stone, textured traditional cement stucco (i.e., real stucco) and cement siding are required as the primary veneer on new dwellings.
- II. Roofs must be varied in roofline treatments.
- III. The front facing garage (i.e., garage fronts) on single family homes shall be recessed and constitute not more than forty-two percent (42%) of the residential facade (as measured from the outside edge of garage doors, not including the frame).
- IV. Recessed garage doors oriented toward the front property line shall be as follows:
 - a. Garage doors must be positioned between five (5) feet and twenty (20) feet behind the front wall plane of the house. The front wall plane is defined as the principal building façade facing the primary street right of way.
 - b. The minimum front yard setback for said garage shall be forty (40) feet.
 - c. The minimum front yard setback for the principal structure may be reduced to twenty (20) feet.
 - d. The 42.5' foot lots will be subject to the 5' recessed garage requirement except for the Bluewater plan/elevations as submitted.
- V. The side-street facing garage setback shall be a minimum of twenty-two (22) feet from the sidewalk and recessed three (3) feet behind the side facade
- VI. Where the garage is located at the rear of the primary structure, the front yard setback shall be reduced to fifteen (15) feet, or ten (10) feet with an open air front porch.
- VII. Colored elevations shall illustrate that a minimum of three (3) different elevations are provided in each block face.
- VIII. Developments of thirty-five (35) dwelling units or more should offer a minimum of five (5) different elevations and ten percent (10%) of each respective elevation shall be provided in each block face.

Additional Stipulations

- i. The use of vinyl siding shall be limited to fascia and soffits.
- ii. Minimum Building Setbacks for Single Family Detached Homes shall be as follows:
 - a. Front Setbacks for the 42.5' lots shall be 30 feet.
 - b. Rear Setbacks for the 42.5' lots shall be 25 feet.
 - c. Front Setbacks for the 52.5' lots shall be 25 feet.
 - d. Rear Setbacks for the 52.5' lots shall be 20 feet.
 - e. Front Setbacks for the 72' lots shall be 25 feet
 - f. Rear Setbacks for the 72' lots shall be 20 feet.
 - g. Side Setbacks for the 72 foot wide Lots shall be 10 feet.
 - h. Side Setbacks for the 42.5 foot wide and 52.5 foot wide Lots shall be 6 feet.
 - i. Side Street Setbacks for the 42.5 foot wide and 52.5 foot wide Lots shall be 15 feet.

- j. Side Street Setbacks for the 72 foot wide Lots shall be 20 feet.
 - k. The 42.5' lots shall include a 2-car wide driveway (minimum width of 16 ft).
- iii. Minimum Building Setbacks for Townhomes shall be as follows:
 - a. Front Setbacks shall be 30 feet.
 - b. Side and Rear Setbacks shall be 0 (zero) feet
 - c. Side Street Setbacks shall be 20 feet.
 - d. Minimum Spacing between buildings shall be 24 feet with spacing between eaves being a minimum of 20 feet.
- iv. Developer responsibility for traffic improvements will be limited to the following, per the Traffic Impact Study conducted by Neel Schaffer:
 - a. The northbound approach of Friendship Road to County Road 64 will be widened to provide a dedicated left turn lane within the existing Right-of-Ways. In the event the proposed northbound left turn lane will require additional Right-of-Way may limit the ability of constructing the proposed turn lane improvements if additional Right-of-Way can't be acquired. See Exhibit 1, herein.
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- viii. Non jurisdictional grady ponds to be filled in as a part of development.
- ix. Commercial property to be site-planned at a later date, subject to City of Daphne Land Use & Development Ordinance. Traffic studies to be conducted at time of development and any improvements, as applicable, to be constructed at time of development.
- x. Commercial land uses shall be consistent with the B-2, General Business, district as provided in the City of Daphne Land Use & Development Ordinance with latest codifications dated through 01/12/24 except that the following uses shall not be permissible in the Rowan Oak PUD:
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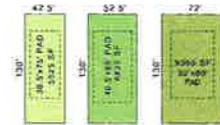


EXHIBIT 1
Intersection Improvements by Developer
At Friendship Rd. and County Rd. 64



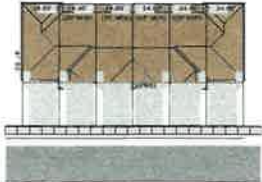
Vicinity Map
1 Inch = 1 Mile

"Landscaping"
Detailed Landscaping Plans will be provided for each Plan and Site Plan submitted for approval in accordance with Article 19 of the Daphne Land Use Development Ordinance.



Typical Single Family Lots

42.5' Lots	52.5' Lots	72' Lots
Front: 30 Ft.	Front: 30 Ft.	Front: 30 Ft.
Rear: 35 Ft.	Rear: 30 Ft.	Rear: 30 Ft.
Side: 6 Ft.	Side: 6 Ft.	Side: 10 Ft.
Side Street: 15 Ft.	Side Street: 15 Ft.	Side Street: 20 Ft.



Typical Townhome Lots

Building Setbacks
Front: 30 Ft.
Rear: 0 Ft.
Side: 0 Ft.
Side Street: 20 Ft.

Owners

Sharon Boni
126 Iron Bridge Road
Sarver, PA 16055

John Christopher Boni
1365 Orchard Dr
New Kensington, PA 15068

68V Baldwin Holdings, LLC
707 Beltrose Ave
Daphne, AL 36526

Estate of Thelma Marie Boni

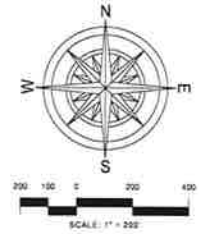
Thomas Boni
1208 Belle Chene Drive
Mobile, AL 36693

Frederick Boni
2605 Springhill Ave
Mobile, AL 36607

Engineers/Surveyor

S.E. Civil Engineering & Surveying
9909 Windmill Road
Fairhope, AL 36532
Larry Smith, PE Lic 26348
David D'Hehl, PLS Lic 26014

Developer
68 Ventures
707 Beltrose Avenue
Daphne, AL 36526



A Planned Unit Development

TOTAL AREA	134.31 AC
Commercial	11.01 AC
Residential	123.30 AC
Townhomes 24' Wide	60
Townhomes 20' Wide	72
Multi-Family	204
42.5'x130'	90
52.5'x130'	100
72'x130'	59
TOTAL	585
Density	4.66 / Ac
Open Space	29.6 Ac (23.6%)

Current Zoning	RMF-6, RSF-2, RSF-E & B3(Baldwin County)
Proposed Zoning	P.U.D. (Daphne)
Impervious Area	41.8 Acres (33.9%)

Parking

Single Family	
2 Sp / unit	496
Additional	74
Townhomes	
3 Sp / unit	396
Additional	46
Multi-Family	
2 Sp / unit	408
Additional	45
Total Parking	1465

Handicap Parking is provided for each Phase and Building Type based on current Daphne Land Use Ordinance

Utility Providers

Water	Belforest Water
Sewer	Daphne Utilities
Power	Riviera
Telephone	AT&T

Building Data

Type	Max. Bldg. Ht.	Max. Stories	Max. Coverage
Single Family	35 Ft.	2-1/2	35% (Lot)
Townhomes	35 Ft.	2-1/2	30% (Site)
Multi-Family	50 Ft.	4	30% (Site)

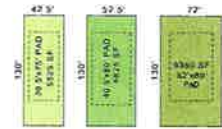


APRIL 24, 2024



Vicinity Map
1 Inch = 1 Mile

"Landscaping"
Detailed Landscaping Plans will be provided for each Plat and Site Plan submitted for approval in accordance with Article 19 of the Daphne Land Use Development Ordinance.



Typical Single Family Lots

42'x130' Lots			52'x130' Lots			72'x130' Lots		
Building Setbacks			Building Setbacks			Building Setbacks		
Front	30 Ft.		Front	25 Ft.		Front	25 Ft.	
Rear	25 Ft.		Rear	20 Ft.		Rear	20 Ft.	
Side	6 Ft.		Side	6 Ft.		Side	10 Ft.	
Side Street	15 Ft.		Side Street	15 Ft.		Side Street	20 Ft.	



Typical Townhome Lots

Building Setbacks		
Front	30 Ft.	
Rear	0 Ft.	
Side	0 Ft.	
Side Street	20 Ft.	

Owners

Sharon Boni
126 Iron Bridge Road
Sarver, PA 16055

John Christopher Boni
1365 Orchard Dr
New Kensington, PA 15068
68V Baldwin Holdings, LLC
707 Belrose Ave
Daphne, AL 36526

Estate of Thelma Marie Boni
Thomas Boni
1208 Belle Chene Drive
Mobile, AL 36693

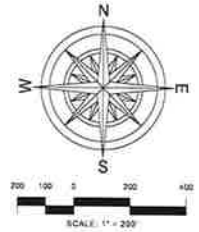
Frederick Boni
2605 Springhill Ave
Mobile, AL 36607

Engineer/Surveyor

S.E. Civil Engineering & Surveying
9969 Windmill Road
Fairhope, AL 36532
Larry Smith, PE Lic 26348
David Diehl, PLS Lic 26014

Developer

68 Ventures
707 Belrose Avenue
Daphne, AL 36526



A Planned Unit Development

TOTAL AREA	134.31 AC
Commercial	11.61 AC
Residential	125.26 AC
Townhomes 24'Wide	60
Townhomes 20'Wide	72
Multi-Family	204
42.5'x130's	90
52.5'x130's	100
72'x130's	59
TOTAL	585
Density	4.66 / Ac
Open Space	29.6 Ac (23.6%)

Current Zoning	RMF-6, RSF-2, RSF-E & B3(Baldwin County)
Proposed Zoning	P.U.D. (Daphne)
Impervious Area	41.8 Acres (33 %)

Parking

Single Family	
2 Sp / unit	496
Additional	74
Townhomes	
3 Sp / unit	396
Additional	46
Multi-Family	
2 Sp / unit	408
Additional	45
Total Parking	1465

Handicap Parking is provided for each Phase and Building Type based on current Daphne Land Use Ordinance

Utility Providers

Water	Belforest Water
Sewer	Daphne Utilities
Power	Riviera
Telephone	AT&T

Building Data

Type	Max. Bldg. Ht.	Max. Stories	Max. Coverage
Single Family	35 Ft.	2-1/2	35% (Lot)
Townhomes	35 Ft.	2-1/2	30% (Site)
Multi-Family	50 Ft.	4	30% (Site)



APRIL 24, 2024

COMMUNITY DEVELOPMENT



April 26, 2024

68V Baldwin Land Holding, LLC
707 Belrose Avenue
Daphne, AL 36526

**Subject: Rowan Oak Pre-Zoning Application Status #PZA24-01 &
Annexation Petition Project Status #ANX24-01**

Dear 68V Baldwin Land Holding, LLC,

On April 25, 2024, the Daphne Planning Commission approved a motion to set forth a favorable recommendation to the City Council to pre-zone the subject property contingent upon the following: providing an updated narrative that includes provisions about Architectural Theme Design Standards (c)(1)(iii) regarding recessed front-facing garages; (c)(1)(iv)(1.b) regarding garage locations; (c)(1)(iv)(1.c) regarding reduction to front yard setback and (c)(2) regarding recessed garages along side streets; reduction of the rear setback from 25 to 20-ft for 52.5-ft wide residential lots and 72-ft wide residential lots and to annex the 134.31-acre property into the corporate limits.

Documentation of these recommendations will be sent to the City Clerk for further processing.

If you have any questions, feel free to contact me.

Sincerely,

Adrienne D. Jones, AICP
Community Development Director & Zoning Administrator

cc: Candace G. Antinarella, City Clerk
David Diehl - Email
Chloe Kelly - Email
File

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2024-17**

**RESOLUTION FOR APPROVAL OF INFIRMARY HEALTH SYSTEM PROJECTS
PURSUANT TO TITLE 11, CHAPTER 62 OF THE CODE OF ALABAMA**

WHEREAS, Infirmary Health System Special Care Facilities Financing Authority of Mobile, a public corporation organized under the laws of the State of Alabama (the “Authority”), proposes to issue its revenue bonds (the “Bonds”) to provide financing for the benefit of Infirmary Health System, Inc., an Alabama nonprofit corporation (“IHS”), and its affiliates, Mobile Infirmary Association, an Alabama nonprofit corporation (“Mobile Infirmary”), and Gulf Health Hospitals, Inc., an Alabama nonprofit corporation (“Gulf Health”). IHS, Mobile Infirmary and Gulf Health are the members of an Obligated Group (the “Obligated Group”) under a master trust indenture and will be obligated for the payment of the Bonds. IHS and the other members of the Obligated Group own and operate health care facilities in the City of Mobile, Mobile County and Baldwin County;

WHEREAS, the Bonds are being issued in one or more series, at one or more times, in an aggregate principal amount of up to \$350 million (the “Maximum Amount”) as part of a plan to finance or refinance certain health care facilities of the Obligated Group. All series of Bonds to be issued under the plan of financing will be issued within three years after the issue date of the first issue. Proceeds of the Bonds will be made available to IHS and the other members of the Obligated Group and used to:

- (1) refund all or a portion of certain outstanding indebtedness (the “Refunded Debt”) issued for the benefit of the Obligated Group, including without limitation the Authority’s Revenue Bonds (Infirmary Health System, Inc.), Series 2021B issued in the original principal amount of \$20,000,000 and its Revenue Bonds (Infirmary Health System, Inc.), Series 2021C issued in the original principal amount of \$50,000,000. The Refunded Debt financed, refinanced or reimbursed costs of health care facilities operated by the Obligated Group at the locations listed below; and
- (2) finance or reimburse IHS or other members of the Obligated Group for the costs of certain capital improvements to the Obligated Group’s health care facilities, which may include hospital facilities, medical office buildings, outpatient clinics, building additions or renovations, new or replacement equipment and other capital expenditures for the integrated health care delivery system of IHS. The capital improvements to be financed or refinanced with proceeds of the Bonds are referred to collectively herein as the “Project”;

WHEREAS, all or portions of the Project may be located at locations where IHS operates its health care delivery system, including the facilities located at 7101 Highway 90, Daphne, Alabama, and the Obligated Group’s Malbis campus, located at 29487 State Highway 181, Daphne, Alabama;

WHEREAS, the facilities that comprise the Project are or will be owned and operated by IHS, MIA, Gulf Health, Infirmary Health Hospitals, Inc. and/or their subsidiaries and affiliates (each of which is a member of the Obligated Group or an affiliate of IHS); and

WHEREAS, the Bonds will be special or limited obligations of the Authority payable solely from payments by IHS pursuant to one or more loan agreements and corresponding notes, and payments by the Obligated Group pursuant to one or more master indenture obligations. The Bonds will not be general obligations of the Authority and will not in any way constitute a debt, liability or obligation of the State of Alabama or any political subdivision of the State of Alabama, including without limitation, the City of Daphne, Alabama (the “City”). The Bonds will not be payable from any tax revenues.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that it hereby consents to and approves the acquisition, improvement and financing of the facilities constituting a part of the Project located in the City, and the issuance of the Bonds for the purposes set forth herein and the refunding of such Bonds from time to time. This consent and approval is being given pursuant to, and solely for the purposes of, the provisions of Title 11, Chapter 62 of the Code of Alabama of 1975, as amended. This consent to and approval of the issuance of the Bonds should not be construed as expressing any view whatsoever as to the financial feasibility of the Project or the adequacy of any security provided for the Bonds. This certificate shall never be taken to impose any liability of any kind whatsoever upon the City or the undersigned, in either an individual or official capacity.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA this ____ day of _____, 2024.

Robin Le Jeune, Mayor

ATTEST:

Candace G. Antinarella, MMC, City Clerk

I, Candace G. Antinarella, City Clerk of the City of Daphne, Alabama, do hereby certify the foregoing to be a true and exact copy of a Resolution approved and adopted by the City Council of the City of Daphne, Alabama, at its regular meeting held on the ____ day of April, 2024.

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2024 - 18**

**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 items listed below is no longer required for public or municipal purposes; and

WHEREAS, the items listed below are recommended for disposal.

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

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

DEPT	EQ/VEH #	DESCRIPTION	VIN/SN
SW	2070	2007 FORD EXPEDITION	1FMFU155X7LA65029
PD-DET	211	2011 CHEVY TAHOE	1GNLC2E03BR370597

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 _____, 2024.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, MMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2024- 19**

**APPROPRIATION: ANIMAL SHELTER CONSTRUCTION – 2023 CONSTRUCTION
FUND**

WHEREAS, Ordinance 2023-35 approved and adopted the Fiscal Year 2024 Budget on September 18, 2023; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2024 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2024 budget; and

WHEREAS, in November 2023, the City authorized the issuance of General Obligation Warrants, Series 2023-A, in the amount of \$8,895,000 be used to assist in funding the construction of the new animal shelter and the expansion of the Justice Center; and

WHEREAS, the proceeds from the issuance of the aforementioned warrants were deposited into the 2023 Construction Fund; and

WHEREAS, the construction of the new animal shelter was previously fully funded with Resolution 2023-14 appropriating \$6,152,886 from the General Fund; and

WHEREAS, the City desires to partially fund the animal shelter construction and subsequent construction change orders from the proceeds of the General Obligation Warrants, Series 2023-A in the amount of \$2,600,000; and

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

1. Funds in the amount of **\$2,600,000** from the **2023 Construction Fund** are appropriated and made a part of the Fiscal Year 2024 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 _____, 2024.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, MMC, City Clerk

**CITY OF DAPHNE
RESOLUTION 2024-20**

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

WHEREAS, the City Council of the City of Daphne, Alabama has received notice that the Daphne Planning Commission has given Final Plat approval to Jubilee Farms, Phase Twelve on April 25, 2024, and the City of Daphne hereby recommends acceptance of the roads and rights-of way located in Jubilee Farms, Phase Twelve; and

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

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

WHEREAS, the developer has provided to the City a two-year maintenance bond in the amount of \$309,306.00 as required and now requests acceptance and dedication of the same for maintenance of said improvements as outlined in Article XVII, entitled the Procedures for Subdivision Review, of the City of Daphne Land Use and Development Ordinance; and

WHEREAS, the developer has caused the plat to be recorded on slide 2112365 of the records in the Baldwin County Judge of Probate Office; and

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

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

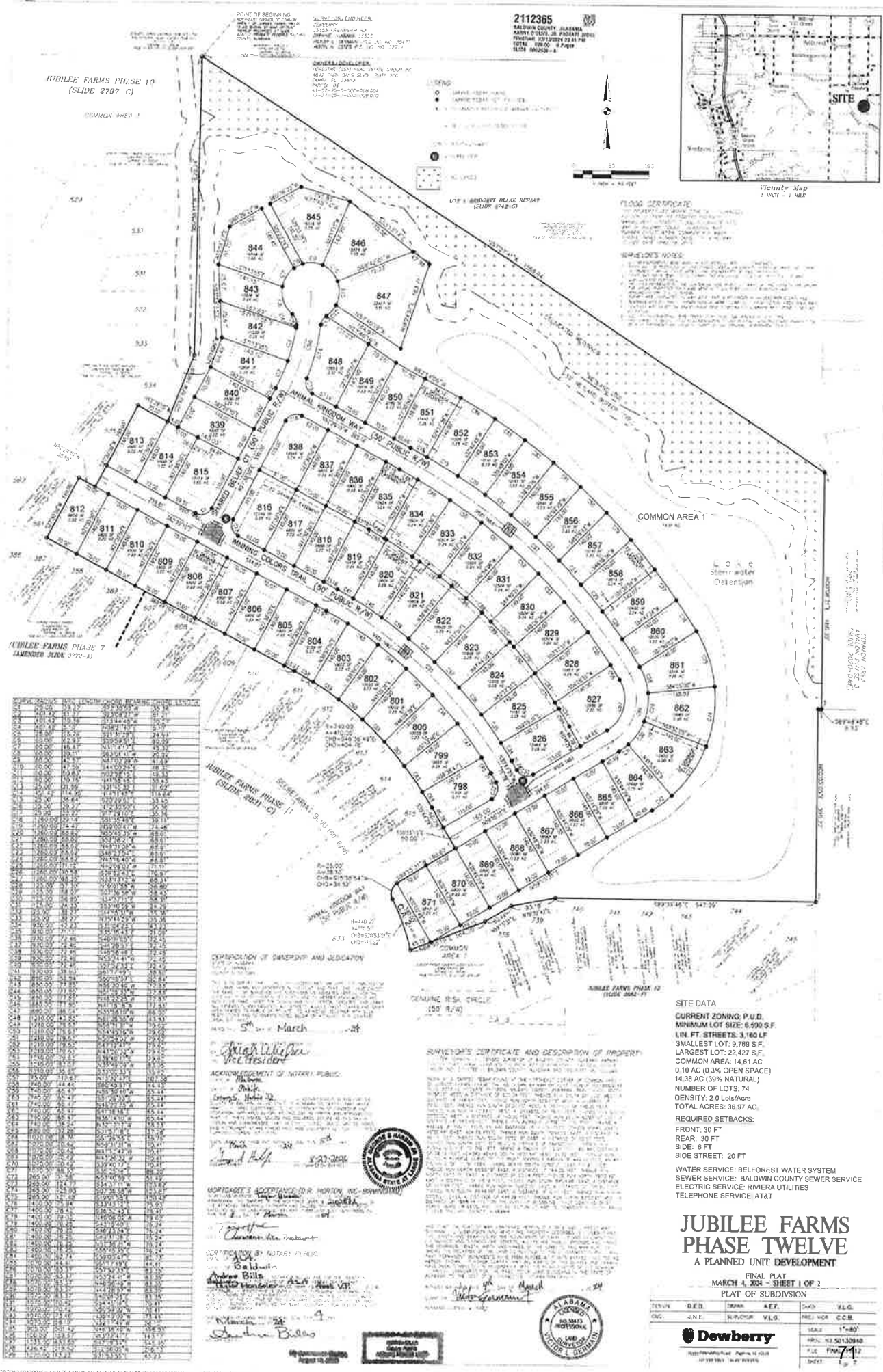
a portion of Animal Kingdom Way (1493 linear feet), a 50-ft right of way; a portion of Winning Colors Trail (1118 linear feet), a 50-ft right of way; and a portion of Shared Belief Ct (549 linear feet), a 50-ft right of way.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF _____, 2024.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, MMC, City Clerk

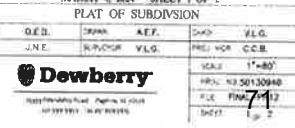


801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899
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SITE DATA
CURRENT ZONING: P.U.D.
MINIMUM LOT SIZE: 8,500 S.F.
LIN. FT. STREETS: 3,160 LF
SMALLEST LOT: 9,789 S.F.
COMMON AREA: 14,61 AC
0.19 AC (0.3% OPEN SPACE)
14.38 AC (30% NATURAL)
NUMBER OF LOTS: 74
DENSITY: 2.0 Lots/Acre
TOTAL ACRES: 36.97 AC
REQUIRED SETBACKS:
FRONT: 30 FT
REAR: 30 FT
SIDE: 6 FT
SIDE STREET: 20 FT
WATER SERVICE: BELFOREST WATER SYSTEM
SEWER SERVICE: BALDWIN COUNTY SEWER SERVICE
ELECTRIC SERVICE: RIVERA UTILITIES
TELEPHONE SERVICE: AT&T

JUBILEE FARMS PHASE TWELVE A PLANNED UNIT DEVELOPMENT

FINAL PLAT MARCH 4, 2024 - SHEET 1 OF 2 PLAT OF SUBDIVISION					
DEVELOPER	J.E.B.	DESIGNER	A.E.F.	DRAWN	V.L.G.
OWNER	J.N.E.	REVIEWER	V.L.G.	PREPARED	C.C.B.
Dewberry				SCALE	1"=80'
				PLAT NO.	13 50130940
				FILE NO.	71
				SHEET	1 OF 2



**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: April 29, 2024
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development 
CC: Josh Newman, City Engineer, Ronnie Huskey, Public Works Director, William Eringman,
Deputy Director Public Works, and Natasha Miles, Planner
SUBJECT: Jubilee Farms, Phase Twelve, Acceptance of Roads and Rights-of-Ways

LOCATION: Southeast of Alabama Highway 181 and Secretariat Boulevard

RECOMMENDATION: At the April 25, 2024 regular meeting of the City of Daphne Planning Commission, eight members were present. The motion carried unanimously for a favorable recommendation for the acceptance of the rights-of-way of Animal Kingdom Way, Winning Colors Trail, and Shared Belief Court.

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

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

Thank you,
ADJ/jv

Attachment(s)

cc: file

1. Correspondence from project engineer requesting acceptance
2. Petition for Acceptance of Rights-of-Way
2. Record plat

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

SUBDIVISION NAME: Jubilee Farms Phase Twelve

THIS PETITION FOR ACCEPTANCE OF ROADS AND/OR RIGHTS-OF-WAY is made this 25th day of March, 2024 by Forestar (USA) Real Estate Group Inc., hereinafter called "the subdivider," owner of certain property located in the City of Daphne, Alabama known as Jubilee Farms Phase Twelve to be recorded in the office of the Judge of Probate of Baldwin County, Alabama; and,

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

WHEREAS, a bond is required by the City as a condition of the acceptance of any new roads or rights-of-way as outlined in Article XVII in an amount equal to twenty percent (20%) of all street and drainage improvements in the subdivision as a warranty for such improvements to last for a period of two (2) years after the date of dedication and upon acceptance by the City Council, the subdivider has provided a \$ 309,306.00 maintenance bond; and,

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

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

NOW, THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the subdivider does hereby dedicate the roads and rights-of-way in said subdivision to the City of Daphne, a municipal corporation, as per the favorable recommendation of the City of Daphne Planning Commission voted upon at its meeting held on April 25, 2024. Said subdivision according the plat recorded in the Judge of Probate, Baldwin County, Alabama and said streets being named as follows:

Name of Right of Way	Length (linear feet)	Width (feet)
Animal Kingdom Way	1,493 lf	50 ft
Winning Colors Trail	1,118 lf	50 ft
Shared Belief Ct	549 lf	50 ft

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

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

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

Respectfully submitted,

Forestar (USA) Real Estate Group Inc.
Name of Individual or Corporation (Printed)

By:

Sarah Wicker
(Print Legibly and Sign)

Its:

Vice President
(Print Legibly)

STATE OF ~~ALABAMA~~
COUNTY OF ~~BALDWIN~~

I, the undersigned Notary Public in and for said State and County, hereby certify that Sarah Wicker whose name as Vice President of Forestar (USA) Real Estate Group Inc. an Delaware ~~Alabama~~ corporation or as owner of _____ is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer or owner and with full authority, executed the same voluntarily on the day same bears date.

Given under my hand and official seal on this the 22nd day of January, 2024.

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



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

Favorable recommendation on behalf of Daphne Public Works:



City Engineer
City of Daphne

Favorable recommendation on behalf of Daphne Planning Commission:



Andrew Prescott
Planning Commission Chairman
City of Daphne

22

[illegible]

3-7-26

[illegible]

Paul R. Jones

Step 2

 Amy McPherson

$\frac{d}{dt} \left(\frac{1}{\sqrt{1-v^2/c^2}} \right) = \frac{v}{c^2} \frac{dv}{dt}$

[illegible][illegible]

FINAL PLAN
MARCH 4, 2004 - SHEET 2 OF 2

 Dewberry

January 22, 2024

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

RE: JUBILEE FARMS PHASE TWELVE
ENGINEER'S CERTIFICATION

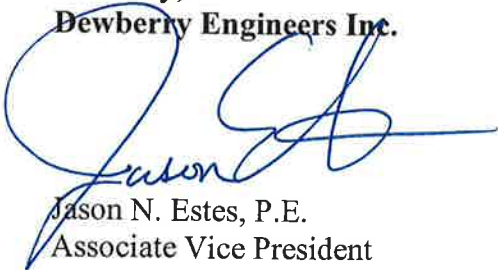
Dear Mrs. Jones:

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

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

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

Sincerely,
Dewberry Engineers Inc.

A handwritten signature in blue ink, appearing to read "Jason", is written over the printed name and title of the signatory.

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

JNE/db

**CITY OF DAPHNE
RESOLUTION 2024-21**

REVISIONS TO CITY OF DAPHNE STREET MAP

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on April 25, 2024, approved a favorable recommendation to the City Council of the City of Daphne, Alabama for a revision to the City of Daphne Street Map as presented at said meeting; and

WHEREAS, said revision to street map is necessary due to additional streets being added to and accepted by the City; and

WHEREAS, the City Council of the City of Daphne, Alabama, after due consideration, and upon the recommendation of the Planning Commission of the City of Daphne, believes it is in the best interest of the health, safety and welfare of the citizens of the City to accept the revisions to the City of Daphne Street Map; and

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

SECTION I: ADOPTION OF MAP

THAT the City of Daphne Street Map was considered by the City of Daphne Planning Commission on April 25, 2024, and having made a favorable recommendation to the City Council and said revised map being attached hereto as Exhibit “A” is hereby adopted as the official “City of Daphne Street Map.”

SECTION II: REPEALER

THAT Resolution 2023-54 entitled “Revisions to City of Daphne Street Map” is hereby repealed in its entirety and any Resolution(s) or parts of Resolution(s) conflicting with the provisions of this Resolution are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

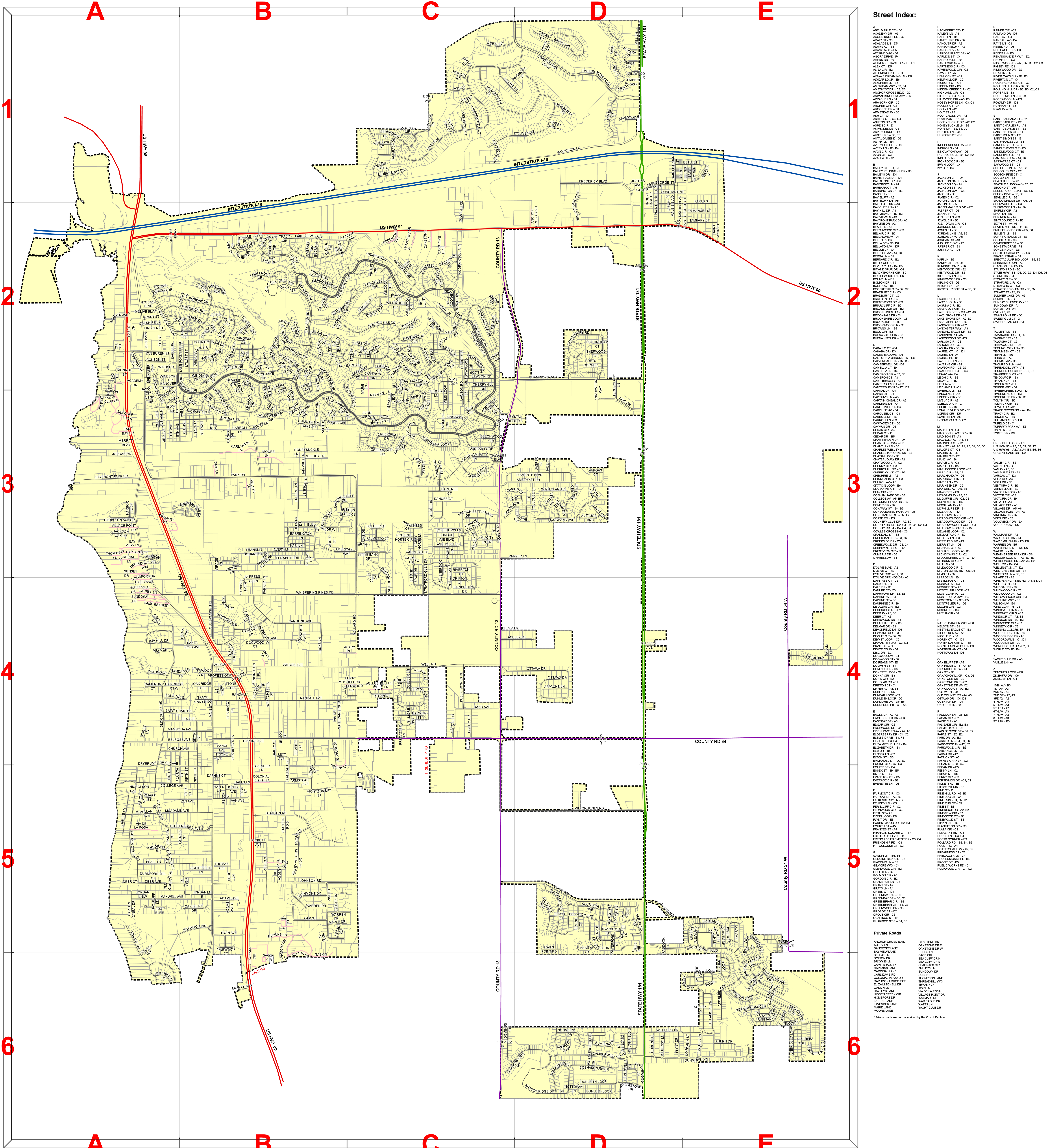
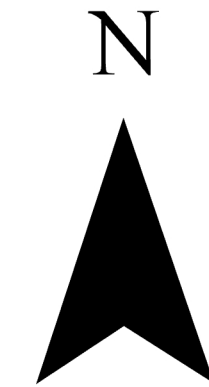
THAT This Resolution shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne, Alabama.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF _____, 2024.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, MMC, City Clerk



Maps serve a purely illustrative function and do not constitute a legally certified survey. The information within the datasets disseminated by the City of Daphne is sourced from a diverse range of both public and private origins, which are generally considered to be reliable. However, the City of Daphne does not provide guarantees as to the accuracy, comprehensiveness, or completeness of this information. Some streets are not City maintained, but are located within City limits. The City of Daphne disclaims all express or implied warranties concerning the accuracy, comprehensiveness, accuracy, reliability, or appropriateness of the information or data originating from the city Geographic Information System.

Furthermore, the City of Daphne, its representatives, agents, or employees assume no liability associated with the utilization of this data and accept no responsibility for its maintenance in any manner or form. For any inquiries related to zoning or any dataset, please direct your queries to the City of Daphne, Community Development Department at 251-620-1000.

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: April 29, 2024
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Official City of Daphne Street Map Update

A handwritten signature in black ink, appearing to be "A. Jones", written over the "FROM:" line of the memorandum.

At the April 25, 2024 regular meeting of the City of Daphne Planning Commission, eight members were present. The motion carried unanimously to set forth a favorable recommendation to approve the Official City of Daphne Street Map (codifications were approved between November 1, 2023 through April 30, 2024).

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

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

Thank you,
ADJ/jv

Attachment(s)

cc: file

Background:

This map update includes amendments which have resulted from City Council's adoption of Street Acceptance resolutions that occurred between the months of November 30, 2023 and April 30, 2024

Staff Recommendation:

Staff recommends that the Planning Commission set forth a favorable recommendation to City Council to adopt the amended Official Street Map.

Legislative Annexation	Governor Approval Date	Act #	Zoning Classification	Property Size (Acres)
N/A	-	-	-	-
Annexation by Council Action	Council Approval Date	Council Action Ordinance #		Property Size (Acres)
N/A	-	-		-
Street Acceptances	Approved	Resolution #	Linear Feet	Miles
Hope Vineyards Phase 1 A	12/14/23	2024-03	3,942	0.746
Hope Vineyards Phase 3	12/14/23	2024-04	998	0.189

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2024-08**

**Ordinance to Pre-Zone Property Located Northeast of County Road 64 and Alabama
Highway 181
The Estate of Georgianne Simms**

WHEREAS, Estate of Georgianne Simms by Carl E. Johnson, 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 B-3, General Business, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, be pre-zoned as B-2(a), General Business Alternate, prior to annexation into the City of Daphne; and

WHEREAS, said real property is located Northeast of County Road 64 and Alabama Highway 181, being more particularly described as follows:

Legal Description for Property to be Pre-Zoned:

Lot A of Simms Subdivision, By Map Or Plat Thereof Recorded At Slide 2929-E, Probate Records, Baldwin County, Alabama. Being A Resubdivision Of Lot 1C, Simms-Foster Subdivision As Recorded In Slide 2825-A, A Resubdivision of Multiple Parcels, Including Lot 1, Simms Orchard, As Recorded At Slide 1844-A.

WHEREAS, at the regular Planning Commission meeting on February 22, 2024, the Commission considered said request and voted to set forth an unanimously favorable recommendation to the City Council to pre-zone the property B-2(a), General Business Alternate; 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 April 15, 2024; 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 B-2(a), General Business Alternate, 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 B-3, General Business, General Business, 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 _____, 2024.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, MMC, City Clerk



DRAINAGE EASEMENTS
EXTERNAL NEAR AND SIDE BOUNDARY LOT LINES: 15 FEET
INTERNAL NEAR AND SIDE LOT LINES: 7.5 FEET

UTILITY EASEMENTS
EXTERNAL NEAR AND SIDE BOUNDARY LOT LINES: 15 FEET
INTERNAL NEAR AND SIDE LOT LINES: 10 FEET

FLOOD STATEMENT
PROPERTY LIES IN FLOOD ZONE "X" AS SCALED FROM FLOOD INSURANCE RATE MAP NUMBER D100308AAL, COUNTY: BALDWIN, PARCEL: 0555, SURF. "N", MAP REVISED DATE: APRIL 19, 2019

2/04/19
SLIDE 0002829-E

SITE DATA

Planning Dist: 35
Zoning: B-3 (GENERAL BUSINESS)
Total Area: 4.98 AC.
Total Lots: 2
Smallest Lot: 32,770 SF
Largest Lot: 184,473 SF
Street Length: NONE

PARCEL NUMBER
05-48-06-14-0-000-012.000

BUILDING SETBACKS AS PER B-3 ZONING, BALDWIN COUNTY PLANNING DISTRICT 35:
FRONT: 40 FT.
REAR: 25 FT.
SIDE: 15 FT.

FRONT SETBACKS ALONG ALABAMA HIGHWAY 181 AND COUNTY ROAD 64 ARE BASED ON HIGHWAY CONSTRUCTION SETBACK AND ARE AS SHOWN HEREON.

OWNER OF RECORD & SUBDIVIDER:
ESTATE OF GEORGIANNE SIMMS
C/O CARL E. JOHNSON
PO BOX 489
FOLEY, AL 36536

UTILITY PROVIDERS
Water: BELFOREST WATER SYSTEM
Sewer: BALDWIN COUNTY SEWER SERVICE
Power: RIVERA UTILITIES
Telephone: AT&T

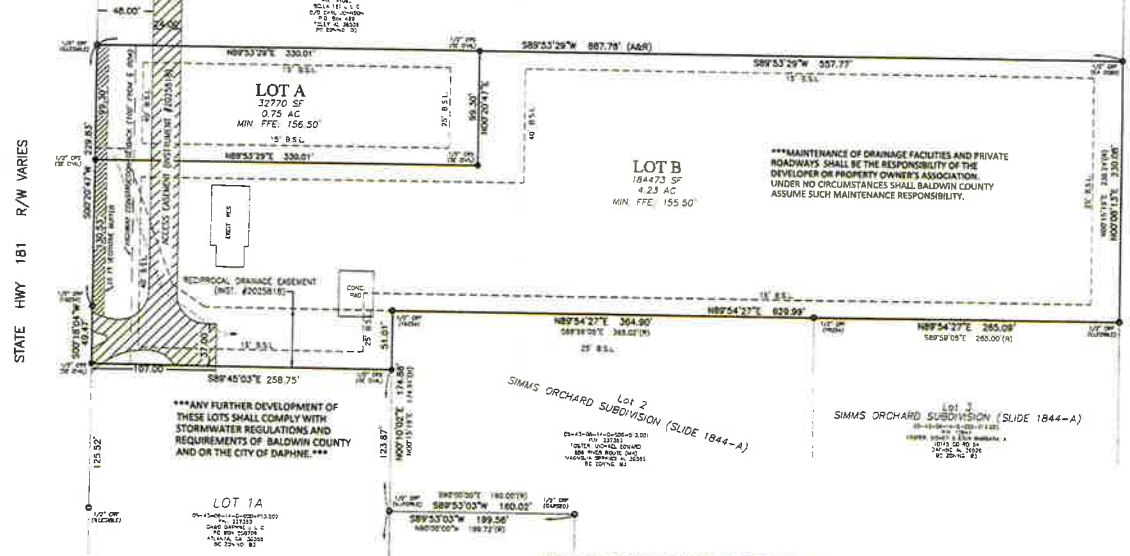
SURVEYOR
S.E. CIVIL ENGINEERING AND SURVEYING, LLC
9969 WINDMILL ROAD
FAIRHOPE, AL 36533
DAVID E. DIEHL, PLS LIC. NO. 26514

- LEGEND:**
- B.S.L. = BUILDING SETBACK LINE
 - (N) = RECORD BEARING/DISTANCE
 - CHS = CAPPED REAR SET (SEE CIV.)
 - CHS = CAPPED REAR ROAD
 - CHS = REAR ROAD (NO CAP)
 - 10 FOOT STUMP DEDICATED HERCITY FOR PUBLIC RIGHT-OF-WAY
 - SECTION LINE
 - ACCESS EASEMENT (INSTRUMENT #2023018)



Vicinity Map
1 Inch = 1 Mile

Exhibit "B"



SURVEYOR'S NOTES:

1. THERE MAY BE RECORDS OF UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF THIS SUBDIVISION.
2. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE, LOCATION, OR EXTENT OF ANY EASEMENTS OR OTHER INSTRUMENTS AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.
3. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE, LOCATION, OR EXTENT OF ANY EASEMENTS OR OTHER INSTRUMENTS AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.
4. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE, LOCATION, OR EXTENT OF ANY EASEMENTS OR OTHER INSTRUMENTS AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.
5. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE, LOCATION, OR EXTENT OF ANY EASEMENTS OR OTHER INSTRUMENTS AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.
6. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE, LOCATION, OR EXTENT OF ANY EASEMENTS OR OTHER INSTRUMENTS AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.

GENERAL NOTES:

1. ACCESS EASEMENT AS SHOWN HEREON SHALL BE MAINTAINED BY PROPERTY OWNER AS DEFINED IN INSTRUMENT #2023018 AND SHALL NOT BE THE RESPONSIBILITY OF BALDWIN COUNTY.
2. THERE IS A DEDICATED HERCITY 10 FOOT STUMP DEDICATED ON EACH SIDE OF LOT AND CROWN AREA LINES UNLESS OTHERWISE NOTED.
3. USE NEAR LANDSCAPE BUFFER ALONG STREET HIGHWAY 181 SHALL COMPLY WITH THE BALDWIN COUNTY ZONING ORDINANCE.
4. ALL UTILITIES SHALL BE CONSTRUCTED UNDERGROUND.
5. DRAINAGE/UTILITY EASEMENTS - EXTERNAL NEAR AND SIDE BOUNDARY LOT LINES 15 FEET HERCITY NEAR AND SIDE LOT LINES 10 FEET.
6. ALL UTILITIES SHALL BE CONSTRUCTED UNDERGROUND.
7. DRAINAGE/UTILITY EASEMENTS - EXTERNAL NEAR AND SIDE BOUNDARY LOT LINES 15 FEET HERCITY NEAR AND SIDE LOT LINES 10 FEET.
8. ALL UTILITIES SHALL BE CONSTRUCTED UNDERGROUND.
9. ALL UTILITIES SHALL BE CONSTRUCTED UNDERGROUND.
10. ALL UTILITIES SHALL BE CONSTRUCTED UNDERGROUND.

SURVEYOR'S CERTIFICATE

I, DAVID E. DIEHL, A LICENSED SURVEYOR OF BALDWIN COUNTY, ALABAMA, HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY OF THE ESTATE OF GEORGIANNE SIMMS, A PROPRIETOR, SITUATED IN BALDWIN COUNTY, ALABAMA, AND DESCRIBED AS FOLLOWS:

LOT 1C SIMMS-FOSTER SUBDIVISION AS RECORDED IN SLIDE 2825-A, A RESUBDIVISION OF MULTIPLE PARCELS, INCLUDING LOT 1, SIMMS ORCHARD, AS RECORDED AT SLIDE 1844-A.

TRACT CONTAINS 4.98 ACRES MORE OR LESS

AND THAT THE PLAT OR MAP CONTAINED HEREON IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED, SHOWING THE LENGTH AND BEARING OF THE BOUNDARIES OF EACH LOT AND EASEMENT, AND ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS AND DIVING THE BEARING, LENGTH, WIDTH AND HANDS OF THE STREETS, ALLEYS AND PUBLIC GROUNDS HAVE BEEN PLACED AT POINTS MARKED THIS (10) AS HEREON SHOWN. I FURTHER CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ALABAMA TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

David E. Diehl
DAVID E. DIEHL, AL PLS. NO. 26514 DATE: 01-02-2024

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.

CERTIFICATE OF THE BALDWIN COUNTY PLANNING DIRECTOR:
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING AT THE BALDWIN COUNTY PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01/02/2024.

Michael J. Taylor
Michael J. Taylor, Director

CERTIFICATE OF APPROVAL BY AT&T
THE UNDERSIGNED, AS AUTHORIZED BY AT&T, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING AT THE BALDWIN COUNTY PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01/02/2024.

David E. Diehl
David E. Diehl, Surveyor

CERTIFICATE OF APPROVAL BY BELFOREST WATER SYSTEM
THE UNDERSIGNED, AS AUTHORIZED BY BELFOREST WATER SYSTEM, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING AT THE BALDWIN COUNTY PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01/02/2024.

David E. Diehl
David E. Diehl, Surveyor

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER
THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING AT THE BALDWIN COUNTY PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01/02/2024.

David E. Diehl
David E. Diehl, Surveyor

CERTIFICATE OF APPROVAL BY E-911 ADDRESSING
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 ADDRESSING, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING AT THE BALDWIN COUNTY PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01/02/2024.

David E. Diehl
David E. Diehl, Surveyor

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY SEWER SERVICE
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY SEWER SERVICE, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING AT THE BALDWIN COUNTY PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01/02/2024.

David E. Diehl
David E. Diehl, Surveyor

CERTIFICATION OF OWNERSHIP AND DEDICATION
I, CARL E. JOHNSON, OWNER OF THE ESTATE OF GEORGIANNE SIMMS, DO HEREBY CERTIFY THAT THE WITHIN PLAT IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED, SHOWING THE LENGTH AND BEARING OF THE BOUNDARIES OF EACH LOT AND EASEMENT, AND ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS AND DIVING THE BEARING, LENGTH, WIDTH AND HANDS OF THE STREETS, ALLEYS AND PUBLIC GROUNDS HAVE BEEN PLACED AT POINTS MARKED THIS (10) AS HEREON SHOWN. I FURTHER CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ALABAMA TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Carl E. Johnson
Carl E. Johnson, Owner

CERTIFICATION BY NOTARY PUBLIC
I, CARL E. JOHNSON, AS NOTARY PUBLIC, DO HEREBY CERTIFY THAT THE WITHIN PLAT IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED, SHOWING THE LENGTH AND BEARING OF THE BOUNDARIES OF EACH LOT AND EASEMENT, AND ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS AND DIVING THE BEARING, LENGTH, WIDTH AND HANDS OF THE STREETS, ALLEYS AND PUBLIC GROUNDS HAVE BEEN PLACED AT POINTS MARKED THIS (10) AS HEREON SHOWN. I FURTHER CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ALABAMA TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Carl E. Johnson
Carl E. Johnson, Notary Public

CERTIFICATE OF APPROVAL FOR RECORDING
STATE OF ALABAMA
COUNTY OF BALDWIN

I, DAVID E. DIEHL, A LICENSED SURVEYOR OF BALDWIN COUNTY, ALABAMA, HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY OF THE ESTATE OF GEORGIANNE SIMMS, A PROPRIETOR, SITUATED IN BALDWIN COUNTY, ALABAMA, AND DESCRIBED AS FOLLOWS:

LOT 1C SIMMS-FOSTER SUBDIVISION AS RECORDED IN SLIDE 2825-A, A RESUBDIVISION OF MULTIPLE PARCELS, INCLUDING LOT 1, SIMMS ORCHARD, AS RECORDED AT SLIDE 1844-A.

TRACT CONTAINS 4.98 ACRES MORE OR LESS

David E. Diehl
DAVID E. DIEHL, AL PLS. NO. 26514 DATE: 01-02-2024

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.

SIMMS SUBDIVISION
A RESUBDIVISION OF LOT 1C
SIMMS-FOSTER SUBDIVISION
AS RECORDED IN SLIDE 2825-A
A RESUBDIVISION OF MULTIPLE PARCELS, INCLUDING LOT 1,
SIMMS ORCHARD, AS RECORDED AT SLIDE 1844-A

S.E. Civil
Engineering & Surveying
9969 WINDMILL ROAD
FAIRHOPE, AL 36533
(205) 964-4444

PRELIM- FINAL PLAT
GEORGIANNE SIMMS

DATE:	01-02-2024
BY:	DAVID E. DIEHL
FOR:	GEORGIANNE SIMMS
PROJECT:	2825-A
FILE:	2825-A
SHEET:	1 OF 1

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2024-09**

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

**Property Located Northeast of County Road 64 and Alabama Highway 181
The Estate of Georgianne Simms**

WHEREAS, on the 17th day of January, 2024, the Estate of Georgianne Simms, 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 February 22, 2024, and the Commission set forth a unanimous 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 April 15, 2024, concerning the petition for annexation.

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

SECTION ONE: ANNEXATION

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

SECTION TWO: ZONING

At the ____, regularly scheduled City Council meeting, Ordinance 2024-__ was adopted pre-zoning the said property as B-2(a), General Business Alternate, 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:

Lot A Of Simms Subdivision, By Map Or Plat Thereof Recorded At Slide 2929-E, Probate Records, Baldwin County, Alabama. Being A Resubdivision Of Lot 1C, Simms-Foster Subdivision As Recorded In Slide 2825-A, A Resubdivision of Multiple Parcels, Including Lot 1, Simms Orchard, As Recorded At Slide 1844-A.

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 “B” 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 _____, 2024.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, MMC, City Clerk



DRAINAGE EASEMENTS
EXTERNAL REAR AND SIDE BOUNDARY LOT LINES: 15 FEET
INTERIOR REAR AND SIDE LOT LINES: 7.5 FEET

UTILITY EASEMENTS
EXTERNAL REAR AND SIDE BOUNDARY LOT LINES: 15 FEET
INTERIOR REAR AND SIDE LOT LINES: 10 FEET

FLOOD STATEMENT
PROPERTY LIES IN FLOOD ZONE "X" AS SCALED FROM FLOOD INSURANCE RATE MAP NUMBER 220358AAL, COUNTY: BALDWIN, PARCEL: 0555, SURF. "N", MAP REVISED DATE: APRIL 19, 2019

2/04/19
SLIDE 0002829-E

Planning Dist: 35
Zoning: B-3 (GENERAL BUSINESS)
Total Area: 4.98 AC.
Total Lots: 2
Smallest Lot: 32,770 SF
Largest Lot: 184,473 SF
Street Length: NONE

PARCEL NUMBER:
05-48-06-14-0-000-012.000

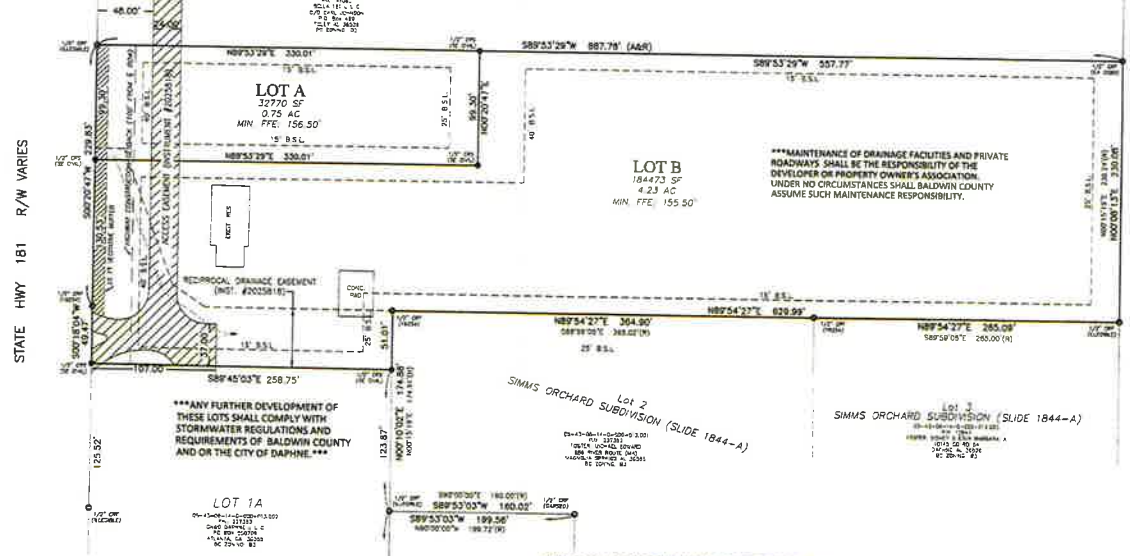
BUILDING SETBACKS AS PER B-3 ZONING, BALDWIN COUNTY PLANNING DISTRICT 35:
FRONT: 40 FT.
REAR: 25 FT.
SIDE: 15 FT.

OWNER OF RECORD & SUBDIVIDER:
ESTATE OF GEORGIANNE SIMMS
C/O CARL E. JOHNSON
PO BOX 489
FOLEY, AL 36536

UTILITY PROVIDERS
Water: BELFOREST WATER SYSTEM
Sewer: BALDWIN COUNTY SEWER SERVICE
Power: RIVERA UTILITIES
Telephone: AT&T

SURVEYOR
S.E. CIVIL ENGINEERING AND SURVEYING, LLC
9969 WINDMILL ROAD
FAIRHOPE, AL 36532
DAVID E. DIEHL, PLS LIC. NO. 26514

Exhibit "B"



- LEGEND:**
- B.S.L. = BUILDING SETBACK LINE
 - (N) = RECORD BEARING/DISTANCE
 - CHS = CAPPED REAR SET (SEE CIV.)
 - CHS = CAPPED REAR ROAD
 - CHS = REAR ROAD (NO CAPS)
 - = 10 FOOT STUMP DEDICATED HERCITY FOR PUBLIC RIGHT-OF-WAY
 - = SECTION LINE
 - = ACCESS EASEMENT (INSTRUMENT #20235818)

SURVEYOR'S NOTES:

1. THERE MAY BE RECORDS OF UNRECORDED DEEDS, EASEMENTS, ENCUMBRANCES, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF THIS SUBDIVISION.
2. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE OF ANY EASEMENTS OR ENCUMBRANCES AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.
3. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE OF ANY EASEMENTS OR ENCUMBRANCES AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.
4. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE OF ANY EASEMENTS OR ENCUMBRANCES AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.
5. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE OF ANY EASEMENTS OR ENCUMBRANCES AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.
6. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE OF ANY EASEMENTS OR ENCUMBRANCES AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.

GENERAL NOTES:

1. ACCESS EASEMENT AS SHOWN HEREIN SHALL BE MAINTAINED BY PROPERTY OWNER AS DEFINED IN INSTRUMENT 20235818 AND SHALL NOT BE THE RESPONSIBILITY OF BALDWIN COUNTY.
2. THERE IS A DEDICATED HERCITY A 10 FOOT STUMP DEDICATED ON EACH SIDE OF LOT AND CROWN AREA LINES UNLESS OTHERWISE NOTED.
3. THE LANDSCAPE BUREAU ALIEN STATE HIGHWAY 18 SHALL COMPLY WITH THE BALDWIN COUNTY ZONING ORDINANCE.
4. ALL UTILITIES SHALL BE CONSTRUCTED UNDERGROUND.
5. DRAINAGE/UTILITY EASEMENTS - EXISTENTIAL REAR AND SIDE BOUNDARY LOT LINES 15 FEET HERCITY REAR AND SIDE LOT LINES 10 FEET.
6. ALL UTILITIES SHALL BE CONSTRUCTED UNDERGROUND.
7. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE OF ANY EASEMENTS OR ENCUMBRANCES AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.
8. THE SURVEYOR HAS BEEN ADVISED BY THE PROPERTY OWNER THAT THE EXISTENCE OF ANY EASEMENTS OR ENCUMBRANCES AFFECTING THE BOUNDARIES OF THIS SUBDIVISION ARE SHOWN ON THE RECORDS OF THE BALDWIN COUNTY PLANNING DISTRICT 35.

SURVEYOR'S CERTIFICATE

I, DAVID E. DIEHL, A LICENSED SURVEYOR OF BALDWIN COUNTY, ALABAMA, HEREBY CERTIFY THAT I HAVE SURVEYED THE SUBDIVISION OF LOT 1C, SIMMS-FOSTER SUBDIVISION, AS RECORDED IN SLIDE 1844-A, A RESUBDIVISION OF MULTIPLE PARCELS, INCLUDING LOT 1, SIMMS ORCHARD, AS RECORDED IN SLIDE 1844-A.

LOT 1C, SIMMS-FOSTER SUBDIVISION AS RECORDED IN SLIDE 2825-A, A RESUBDIVISION OF MULTIPLE PARCELS, INCLUDING LOT 1, SIMMS ORCHARD, AS RECORDED IN SLIDE 1844-A.

TRACT CONTAINS 4.98 ACRES MORE OR LESS

AND THAT THE PLAT OR MAP CONTAINED HEREIN IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED SHOWING THE LENGTH AND BEARING OF THE BOUNDARIES OF EACH LOT AND EASEMENT AND ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS AND DIVING THE BEARING, LENGTH, WIDTH AND HANDS OF THE STREETS, ALLEYS AND PUBLIC GROUNDS HAVE BEEN PLACED AT POINTS MARKED THIS (10) AS HEREIN SHOWN. I FURTHER CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ALABAMA TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

DAVID E. DIEHL, AL PLS. NO. 26514, DATE 01-02-2024

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.

CERTIFICATE OF THE BALDWIN COUNTY PLANNING DIRECTOR:
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING AT THE BALDWIN COUNTY PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01-02-2024.

CERTIFICATE OF APPROVAL BY AT&T
THE UNDERSIGNED, AS AUTHORIZED BY AT&T, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF LAND IN THE PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01-02-2024.

CERTIFICATE OF APPROVAL BY BELFOREST WATER SYSTEM
THE UNDERSIGNED, AS AUTHORIZED BY BELFOREST WATER SYSTEM, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF LAND IN THE PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01-02-2024.

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER
THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF LAND IN THE PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01-02-2024.

CERTIFICATE OF APPROVAL BY E-911 ADDRESSING
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 ADDRESSING, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF LAND IN THE PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01-02-2024.

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY SEWER SERVICE
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY SEWER SERVICE, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF LAND IN THE PLANNING DISTRICT 35, BALDWIN COUNTY, ALABAMA, THIS 01-02-2024.

CERTIFICATION OF OWNERSHIP AND DEDICATION
I, CARL E. JOHNSON, AS OWNER OF THE WITHIN PLAT, HEREBY CERTIFY THAT THE WITHIN PLAT IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED SHOWING THE LENGTH AND BEARING OF THE BOUNDARIES OF EACH LOT AND EASEMENT AND ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS AND DIVING THE BEARING, LENGTH, WIDTH AND HANDS OF THE STREETS, ALLEYS AND PUBLIC GROUNDS HAVE BEEN PLACED AT POINTS MARKED THIS (10) AS HEREIN SHOWN. I FURTHER CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ALABAMA TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

CERTIFICATION BY NOTARY PUBLIC
I, CARL E. JOHNSON, AS OWNER OF THE WITHIN PLAT, HEREBY CERTIFY THAT THE WITHIN PLAT IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED SHOWING THE LENGTH AND BEARING OF THE BOUNDARIES OF EACH LOT AND EASEMENT AND ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS AND DIVING THE BEARING, LENGTH, WIDTH AND HANDS OF THE STREETS, ALLEYS AND PUBLIC GROUNDS HAVE BEEN PLACED AT POINTS MARKED THIS (10) AS HEREIN SHOWN. I FURTHER CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ALABAMA TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

CERTIFICATE OF APPROVAL FOR RECORDING
STATE OF ALABAMA
COUNTY OF BALDWIN

I, DAVID E. DIEHL, A LICENSED SURVEYOR OF BALDWIN COUNTY, ALABAMA, HEREBY CERTIFY THAT I HAVE SURVEYED THE SUBDIVISION OF LOT 1C, SIMMS-FOSTER SUBDIVISION, AS RECORDED IN SLIDE 1844-A, A RESUBDIVISION OF MULTIPLE PARCELS, INCLUDING LOT 1, SIMMS ORCHARD, AS RECORDED IN SLIDE 1844-A.

DAVID E. DIEHL, AL PLS. NO. 26514, DATE 01-02-2024

SIMMS SUBDIVISION

A RESUBDIVISION OF LOT 1C, SIMMS-FOSTER SUBDIVISION AS RECORDED IN SLIDE 2825-A

A RESUBDIVISION OF MULTIPLE PARCELS, INCLUDING LOT 1, SIMMS ORCHARD, AS RECORDED IN SLIDE 1844-A

S.E. Civil Engineering & Surveying

9969 WINDMILL ROAD
FAIRHOPE, AL 36532
(205) 964-4444

PRELIM- FINAL PLAT

GEORGIANNE SIMMS

DATE: 01-02-2024

SCALE: 1"=40'

PROJECT: 2825/2024

FILE: SIMMS PRELIM/FINAL

SHEET: 1 of 1

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2024-10**

**AN ORDINANCE TO AMEND THE CITY OF DAPHNE'S LODGING TAX
ORDINANCE 2022-53, AS ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 6, 2022**

WHEREAS, the City Council of the City of Daphne has adopted an Ordinance to Impose Lodging Taxes, as Ordinance No. 2022-53; and

WHEREAS, the City Council wishes to amend said ordinance to further set forth certain reporting requirements of public entities receiving distributions of the proceeds of the City's Lodging Tax.

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

SECTION 1. AMENDMENT OF ORDINANCE 2022-53, SECTION 9, USE OF PROCEEDS.

Section 9 of Ordinance 2022-53 is hereby repealed and replaced in its entirety with the following:

SECTION 9. USE OF PROCEEDS

A. The proceeds collected from the six percent (6%) lodging taxes which are collected described in Section 2(a) and 2(b) are hereby divided as follows:

- (1) Ten percent (10%) shall be paid at least quarterly and used for the purpose of providing funding to the Industrial Development Board (IDB) for the action items, implementation of strategies, and tactics included in the then current Strategic Economic Development Plan as approved and adopted by the City Council. The IDB shall submit annual financial statements within sixty (60) days of the end of the calendar year and monthly bank statements to the City Finance Director as well as minutes of any publicly held meetings to the City Clerk.
- (2) Five percent (5%) shall be paid at least quarterly and used for the action items, implementation of strategies and purpose of providing funding for the Downtown Redevelopment Authority (DRA) as approved by the City Council. The DRA shall submit annual financial statements within sixty (60) days of the end of the calendar year and monthly bank statements to the City Finance Director as well as minutes of any publicly held meetings to the City Clerk.
- (3) Thirty-two percent (32%) shall be used for the purpose of continued bay front uses such as acquisitions, development, and maintenance along with the service of debt incurred through the acquisition of bay front property.
- (4) The remainder of the lodging tax proceeds (53%) shall be used for the purpose of ground related capital for recreation, which does not include such items as trucks or the maintenance of fields.

B. The proceeds collected from the two-dollar (\$2.00) per night per room occupancy fee described

in Section 2(a) shall be deposited into the Lodging Tax Fund to be appropriated by the City Council pursuant to applicable law.

SECTION 2. OTHER PROVISIONS OF ORDINANCE 2022-53 REMAIN IN EFFECT

All other provisions of Ordinance 2022-53 not amended by this Ordinance are hereby ratified and shall remain in effect.

SECTION 3. CONFLICT WITH OTHER ORDINANCES

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

SECTION 4. SEVERABILITY

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

SECTION 5. EFFECTIVE DATE

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ DAY OF _____, 2024.

ATTEST:

Robin LeJeune, Mayor

Candace G. Antinarella, MMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2024-11**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AND
SALE AGREEMENT WITH 68 VENTURES, LLC TO CONVEY CERTAIN REAL
PROPERTY NO LONGER NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES**

WHEREAS, the City of Daphne (the “City”) owns a certain parcel of real property located at the southwest intersection of Champions Way and Innovation Way, having an area of approximately 9.44 acres, being a part and portion of that certain property identified by the Baldwin County Revenue Commissioner as Parcel 05-43-02-03-0-000-003.006, and being more particularly described as Lot 2B according to that certain subdivision plat entitled RE-SUB OF LOT 2, DISC SUBDIVISION, recorded at Slide 2943-E in the probate records of Baldwin County, Alabama (the “Property”); and

WHEREAS, the City Council of the City of Daphne has determined that the Property is no longer needed for public or municipal purposes; and

WHEREAS, according to records of the Baldwin County Revenue Commissioner, the appraised value of the Property is approximately \$243,350.00; and

WHEREAS, in conjunction with the Industrial Development Board of the City of Daphne (the “IDB”), the City solicited offers from multiple potential purchasers for the Property to be purchased along with certain adjacent property owned by the IDB and, after reviewing same, the offer made by 68 Ventures, LLC (“68V”) for the Property in the amount of \$567,300.00 (the “Purchase Price”) was the best offer received; and

WHEREAS, the City Council wishes to accept 68V’s offer and authorize the Mayor to convey title to the Property to 68V, subject to and contingent upon the satisfaction of certain terms and conditions of a Purchase and Sale Agreement by and among the City, the IDB, and 68V, substantially in the form attached hereto as Appendix 1 (the “Agreement”).

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

1. It is hereby established and declared that the real property of the City of Daphne, Alabama, described hereinabove as the “Property,” is no longer needed for public or municipal purposes.

2. The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Daphne, the Agreement in substantially the form attached hereto as Appendix 1, subject to final approval by the City Attorney and formal approval by the IDB, a fully executed copy of which shall be on file in the office of the City Clerk.

3. The Mayor and the City Clerk are hereby authorized and directed, subject to the terms and conditions of the Agreement, to execute and attest, respectively, for and on behalf of the City, a statutory warranty deed, a copy of which shall be on file in the office of the City Clerk, whereby the City shall convey the Property to 68V for and in consideration of the Purchase Price.

4. The Mayor is further authorized to execute any and all other documents and instruments reasonably necessary to complete the conveyance of the Property contemplated in the Agreement as requested by 68V and approved by the City Attorney.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ DAY OF MAY, 2024.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, MMC, City Clerk

APPENDIX 1
FORM OF PURCHASE AND SALE AGREEMENT

(attached)