



**CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
MONDAY, JUNE 2, 2025 at 6:00 PM**

1. CALL TO ORDER

A. ROLL CALL

B. INVOCATION: Lamar Green, Daphne Fire Department

C. PLEDGE OF ALLEGIANCE

2. APPROVE MINUTES

A. May 19, 2025 regular meeting

3. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE - Phillips

Review the minutes from the May 2025 meeting

Treasurer's Report for April 2025: Unrestricted Fund Balance - \$33,321,956

Total Cash Balance - \$52,285,638

Sales Tax for March 2025: \$2,437,477.75;

Lodging tax for March 2025: \$188,099.03

Debt Summary - April 2025: Warrants - \$28,986,132

Capital Leases: General Fund - \$310,193; Enterprise Fund - \$957,391

B. BUILDINGS & PROPERTY COMMITTEE- Goodlin

C. PUBLIC SAFETY COMMITTEE - Hughes

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Olen

E. PUBLIC WORKS COMMITTEE - Conaway

4. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS - Adrienne Jones

B. DAPHNE PUBLIC SCHOOL COMMISSION - Conaway

C. DOWNTOWN REDEVELOPMENT AUTHORITY - Conaway

D. INDUSTRIAL DEVELOPMENT BOARD - Scott

E. LIBRARY BOARD - Goodlin

F. PLANNING COMMISSION - Olen

- i. Review the minutes from the April 24, 2025 meeting and the report from the May 22, 2025 meeting.

G. RECREATION BOARD - Hughes

H. UTILITY BOARD - Coleman

5. PUBLIC PARTICIPATION

6. MAYOR'S REPORT

7. CITY ATTORNEY REPORT

8. DEPARTMENT HEAD REPORTS

9. CITY CLERK'S REPORT

- A. MOTION** to approve the 140 - Special Events Retail to Mancis Antique LLC located at 704 Belrose Avenue and authorize the Mayor to execute a Special Events Right of Way Use Agreement.
- B. MOTION** to approve the 020 - Restaurant Retail Liquor to Grizzly Pizza LLC located at 1709 Main Street.
- C. MOTION** to approve the 020 - Restaurant Retail Liquor to S Brooks LLC dba Whiskey Bay Bar and Grill located at 29875 US Highway 98.
- D. MOTION** to approve the Ballin' on Belrose Run/Walk Challenge on May 16, 2026 from 6:30am - 1:00pm with a road closure of Belrose Avenue.
- E. MOTION** to approve the Encourage Your Heart 3rd Bi-Annual Grief and Loss Awareness Day on September 27, 2025 from 10:00am - 2:00pm in City Hall Parking Lot (1705 Main Street, Daphne).

10. RESOLUTIONS

- A. 2025 - 38 - Resolution Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property - 2005 Ford F150, Pews, Bench, Court Furnishings**
- B. 2025 - 39 - Resolution Authorizing the Mayor to Execute a Right-of-Way Access Agreement with Baldwin County Trailblazers, Inc.**

11. 2nd READ ORDINANCES

- A. 2025 - 10 - Ordinance Amending the City of Daphne's Ordinance Regulating Parking**

12. 1st READ ORDINANCES

- A. 2025 - 11 - Ordinance Amending the City of Daphne's Land Use and Development Ordinance, Article XXIV: Vacation of Easement and/or Right-of-Way**

13. COUNCIL COMMENTS

14. EXECUTIVE SESSION

15. ADJOURN

May 19, 2025
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 Ron Scott called the meeting to order at 6:00pm.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Ron Scott, Joel Coleman, Angie Phillips, and Ben Hughes

COUNCIL MEMBERS ABSENT: Steve Olen, Tommie Conaway and Doug Goodlin

Also Present: Candace Antinarella, City Clerk; Patrick Dungan, City Attorney; Mayor LeJeune; Lt. Jason Lazzari, Police; Chief Tacon, Fire; Adrienne Jones, Planning; Emmie Powell, Library; Kelli Reid, Finance; Bobby Purvis, Public Works; Troy Strunk, City Development; Schuyler Smith, Junior City Councilmember; Dareon Maynard, Junior City Councilmember; John Wallace Simpson, Junior City Councilmember; Lakyn Coggins, Junior City Councilmember; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Council President Ron Scott.

PROCLAMATION: Mayor LeJeune presented the Mental Health Awareness Proclamation.

PROCLAMATION: Mayor LeJeune presented the National Boat Safety Week Proclamation.

PUBLIC HEARING: City Attorney presented on the proposed amendments to the Land Use and Development Ordinance, Article XXIV, Vacation of Easement and/or Right-of-Way.

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

Public hearing closed at 6:11pm.

3. APPROVE THE MINUTES:

The minutes from the May 5, 2025 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Phillips said the next meeting is June 16th at 4:30pm.

B. BUILDINGS & PROPERTY COMMITTEE

Councilman Goodlin was absent. Council President Scott said the minutes from the April meeting were in the packet.

C. PUBLIC SAFETY COMMITTEE

Councilman Hughes said the next meeting is June 9th at 4:30pm and the minutes from the April meeting were in the packet.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Olen was absent.

E. PUBLIC WORKS COMMITTEE

Councilwoman Conaway was absent.

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

A. **Board of Zoning Adjustments**

Mrs. Jones said the minutes from the August 2024 meeting and the summarization from the May 2025 meeting were in the packet. She said there will be no June meeting.

MOTION by Councilman Hughes to reappoint Carolyn Courson to the Board of Zoning Adjustments for a 3-year term from May 2025 – May 2028. Seconded by Councilwoman Phillips.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Hughes to reappoint James Covert to the Board of Zoning Adjustments for a 3-year term from May 2025 – May 2028. Seconded by Councilwoman Phillips.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Phillips to appoint Miranda Baggett to the Board of Zoning Adjustments for a 3-year term from May 2025 – May 2028. Seconded by Councilman Hughes.

MOTION CARRIED UNANIMOUSLY.

B. **Daphne Public School Commission**

C. **Downtown Redevelopment Authority**

D. **Industrial Development Board**

Councilman Scott said the next meeting is May 20th at 4:30pm.

E. **Library Board**

F. **Planning Commission**

G. **Recreation Board**

Councilman Hughes said the next meeting is June 9th at 6pm in the Jubilee Conference Room.

H. **Utility Board**

Councilman Coleman said the next meeting is May 28th at 5:00pm and the minutes from the March meeting are in the packet.

6. **PUBLIC PARTICIPATION:**

Public participation opened at 6:16pm.

Margie Whiteside, 412 College Avenue, said the coyotes in Daphne are dangerous.

Rebecca Canale, 1503 Captain O'Neal Drive, asks what is the remedy for the coyotes.

Becky Stevens, 2009 Old County Rod, expressed her concerns about the coyotes.

Public participation closed at 6:21pm.

**May 19, 2025
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.**

7. MAYOR’S REPORT:

Mayor LeJeune thanked everyone for coming out to share their thoughts. He said the recent May Day celebration was great and thanked multiple departments and individuals for their help and work with the event. He said Daphne Court is moving to the Civic Center starting the first Tuesday in June.

8. CITY ATTORNEY REPORT:

City Attorney said there was no report.

9. DEPARTMENT HEAD COMMENTS:

Chief Tacon, Fire, said the Fire Department is holding drivers’ test and shared about the upcoming retirement of John Persson.

Ange Baggett, Marketing and Tourism, said May Day was a huge success. She reminded everyone the Sunday Concert series ended Sunday evening and Brown Bag by the Bay will continue through May.

Emmie Powell, Library, shared about the Summer Reading Program and its kickoff on June 2nd. She also invited everyone to enjoy the planetarium on June 26th.

Bobby Purvis, Public Works, said the department has been repairing and working on multiple drainage issues and invited everyone to the Public Works’ Day celebration on May 21st.

Kelli Reid, Finance, shared about the recent animal adoption event at Bryant Bank and said department budget worksheets are going out soon.

Schuyler Smith, Junior Council, said applications for the 2025-2026 Junior Council were due last Friday, May 16th.

10. CITY CLERK’S REPORT:

City Clerk said there were 23 applications received for Junior Council and reminded everyone of the upcoming election on August 26th.

**MOTION by Councilman Coleman to approve the Shadow Baron’s Summer Party on June 28, 2025 from 4:00 – 10:00pm with a road closure of Belrose Avenue from Main Street to the rear of the west parking lot on Belrose Avenue. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

11. RESOLUTIONS:

- A. 2025 - 37 - Resolution Authorizing an Appropriation to Engage Wildlife Solutions, Inc. for Coyote Removal and Control Services - \$4,000**

**MOTION by Councilman Hughes to waive the reading of Resolution 2025-37. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to adopt Resolution 2025-37. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**May 19, 2025
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.**

12. 2ND READ ORDINANCES:

- A. 2025 – 08 – Ordinance Establishing a Voting Poll Place for the City of Daphne**
- B. 2025 – 09 – Setting Municipal Election Qualification Fees**

MOTION by Councilman Hughes to waive the reading of Ordinances 2025-08 and 2025-09 Seconded by Councilwoman Phillips.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Hughes to adopt Ordinance 2025-08. Seconded by Councilwoman Phillips.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Hughes to adopt Ordinance 2025-09. Seconded by Councilwoman Phillips.

MOTION CARRIED UNANIMOUSLY.

13. 1ST READ ORDINANCES:

- A. 2025 – 10 – Ordinance Amending the City of Daphne’s Ordinance Regulating Parking**

14. COUNCIL COMMENTS

Councilman Coleman spoke on the recent May Day event and said it was a great day.

Councilman Hughes shared that it was National EMS week and commended all those who serve and work in that capacity.

Councilwoman Phillips congratulated the high school graduates and reminded everyone school ends on Thursday.

Council President Scott said the Junior Council has been a great thing and thanked the Mayor’s office responding to the coyote situation.

Mayor LeJeune wished everyone a Happy Memorial Day.

15. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 6:43PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, MMC, City Clerk

Ron Scott, Council President



**CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
MAY 19, 2025 at 4:30 P.M.**

1. CALL TO ORDER/ROLL CALL

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

Present were:

Chairperson Mrs. Angie Phillips
Councilman Mr. Joel Coleman

Councilman Mr. Ron Scott
Councilman Mr. Ben Hughes

Also Present: Mayor Robin LeJeune, Finance Director Mrs. Kelli Reid, Revenue Officer Mrs. Connie Champion, Human Resource Deputy Director Mrs. Jensen Carrell, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Mr. Troy Strunk, Fire Chief Mrs. LeAnn Tacon, Director of Events and Marketing Mrs. Ange Baggett, Public Works Director Mr. Bobby Purvis, Community Development Director Adrienne Jones, and City Attorney Mr. Patrick Dungan.

Junior City Council – Schuyler Smith, Lakin Coggin, and Dareon Maynard.

2. PUBLIC PARTICIPATION

Ms. Victoria Phelps thanked the Mayor and Council for all the progress that has been made across the City and presented several projects that she would like to see completed in various parts of the City.

3. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous meeting minutes were approved.

4. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Jensen Carrell reviewed the Human Resources Report:

- Posted/Reposted Positions – 17

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

- Safety Coordinator inspected departments: Public Works, Recreation, and Library.
- Flagger Training at Public Works – May 8
- Safety Committee meeting – May 28
- Other HR Projects: Annual Employee Compliance Training, Fire Apparatus Driver's Test, Police Promotion Test, Tyler Conference.

5. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – April, 2025

Mrs. Champion reviewed the following reports and information:

- Code enforcement issued 14 warnings resulting in businesses becoming compliant and \$14,031.31 in revenue.
- New Businesses with a physical location in Daphne - 30
- Simplified Sellers Use Tax collections - \$187,087.57 and YTD collections - \$1,474,457.56
- Total Business Licenses issued were 70 new and 113 renewals for a total of 183 in April 2025

6. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: March, 2025

Mrs. Reid reviewed the Sales & Use Tax Reports: \$2,437,477.75 was collected for March, 2025 which was up \$13,118.90 from March 2024's collections:

- YTD Variance over Budget - \$1,013,597.98

B. Lodging Tax Collections, March, 2025

Mrs. Reid reviewed the Lodging Tax Collections Report and noted the collections for March, 2025 were \$188,099.03 which is up \$35,266.30 from March 2024's collections.

- YTD Variance over Budget - \$86,333.85
- Recreation balance for related purchases - \$735,597.91
- Unreserved balance for Bayfront related purchases - \$1,549,026.77

C. Occupancy Fee Tax Collections Report March, 2025

Mrs. Reid reviewed the Occupancy Fee Tax Collections Report and noted the collections for March, 2025 were \$49,176.00 which is up \$25,503.50 From March 2024 collections.

- Reserved balance for Occupancy Fee - \$320,431.50

Discussion continued on the status of the FEMA grant for Olde Towne Daphne improvements and the expected changes in FEMA funding for hurricanes and disasters.

7. FINANCIAL SCHEDULES & REPORTS**A. Financial Reports****1. Treasurer's Report: April, 2025**

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT As of April 30, 2025					
Account Type/Title	4/30/2025	3/31/2025	Increase (Decrease) from last Month	4/30/2024	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS					
Major	\$ 22,192,295	\$ 23,246,593	\$ (1,054,298)	\$ 15,098,902	\$ 7,093,393
Charles	11,129,661	11,036,854	92,807	10,414,615	\$ 715,046
Total Unrestricted Cash Balance	33,321,956	34,283,447	(961,491)	25,513,517	7,808,439
SPECIAL REVENUE FUNDS					
4 CENT GAS TAX	371,898	366,976	4,922	307,393	64,505
7 CENT GAS TAX	390,311	384,133	6,178	309,213	81,098
10 CENT GAS TAX	384,889	368,027	16,862	281,781	103,108
TREE & FLOWER	4,717	4,717	-	10,287	(5,570)
ANIMAL SHELTER FUND	146,181	242,085	(95,903)	1,113,839	(967,658)
MOBILE INFIRMARY BUILDING	86,472	78,340	8,132	71,201	15,271
FEDERAL DRUG FORFEITURES	271,190	272,209	(1,020)	356,103	(84,913)
LOCAL DRUG FORFEITURES	85,149	85,149	-	95,435	(10,286)
LIBRARY	80,479	68,559	11,921	61,889	18,590
COURT TRAINING & EQUIPMENT	43,643	43,086	557	42,511	1,132
COURT/CORRECTION	528,641	539,376	(10,735)	500,596	28,045
LODGING TAX	2,605,056	2,478,854	126,202	2,211,312	393,744
AGENCY FUNDS					
SELF INSURANCE	219,681	220,825	(1,144)	237,509	(17,828)
OPEB TRUST INVESTMENT FUND	1,887,720	1,875,356	12,364	1,512,460	375,260
	7,106,027	7,027,692	78,335	7,111,529	(5,502)
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	7,543,998	6,369,395	1,174,603	7,089,558	454,440
2023 CONSTRUCTION FUND	4,008,996	4,861,295	(852,299)	9,227,530	(5,218,534)
	11,552,995	11,230,690	322,304	16,317,088	(4,764,093)
DEBT SERVICE FUNDS					
DEBT SERVICE	304,661	27,048	277,613	431,231	(126,570)
Total Restricted Cash Balance	18,963,683	18,285,431	678,252	23,859,848	(4,896,165)
Total City Cash Balance	\$ 52,285,638	\$ 52,568,878	\$ (283,239)	\$ 49,373,365	\$ 2,912,273
	Encumbrance Total as of		4/30/2025	\$ 204,232.21	

The Treasurer's Report as of April, 2025 Total Unrestricted Cash Balance - \$33,321,956 and Total City Cash Balance - \$52,285,638 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance - \$204,232.21 as of April, 2025.

Mrs. Reid reviewed the Encumbrance Report.

Discussion was made on the status of the Revision of the Land Use Ordinance project.

3. Outstanding Appropriations

Mrs. Reid reviewed the Outstanding Appropriations report.

4. Financial Overview: Debt Summaries & Monthly Financial Statements

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), April, 2025
 - Outstanding Warrant Balance as of April, 2025: \$28,986,132
 - Outstanding Capital Lease Balance as of April, 2025:
 - General Fund: \$310,193
 - Enterprise Fund: \$957,391
- Overtime Report YTD
- Monthly Financial Statements, March 2025
 - General Fund YTD Budgetary Net Income: \$7,569,766 which is more \$4,028,176 than the prior YTD net income
 - Solid Waste Fund Transfers \$5,071
 - Civic Center Fund Transfers \$155,140

5. Summary of Budgetary Amendments

Mrs. Reid reviewed the General Fund budgetary amendments made to the FY2025 Budget.

- Total Appropriations Year to Date – \$1,741,168
- Adjusted Expenses over Revenue – (\$1,738,163)

6. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary.

B. Bills Paid Reports – April, 2025

The Bills Paid Report was previously presented electronically.

8. BIDS & APPROPRIATIONS (*Resolution*)

A. Olde Towne Coyote Removal Services - \$4,000

Mrs. Angie Phillips reviewed the Olde Town Coyote Removal Services resolution and noted that \$4,000 was needed for the contract. She noted this was previously discussed in the Buildings and Property Committee Meeting.

MOTION BY Mr. Scott to recommend to Council to adopt a Resolution amending the budget to appropriate \$4,000 for Olde Towne Coyote Removal Services. Seconded by Mr. Hughes.
MOTION CARRIED UNANIMOUSLY

9. SURPLUS

A. Surplus: 2005 F150 2 Door Truck-V#1116, Pews, Bench, Court Miscellaneous Furnishings

Mrs. Reid discussed the items needing to be declared surplus.

MOTION BY Mr. Hughes to recommend to Council to declare certain property surplus and authorize the Mayor to dispose of the following surplus property: 2005 F150 2 Door Truck-V#1116, Pews, Bench, Court Miscellaneous Furnishings. Seconded by Mr. Coleman.
MOTION CARRIED UNANIMOUSLY

10. NEW BUSINESS

Discussion was made on the purpose of the public hearing to be held at tonight's Council meeting with Mr. Dungan explaining the changes.

Additionally, Mayor LeJeune discussed the recent state legislation and the failure of passage of the local annexation bill for the City of Daphne.

11. OLD BUSINESS

There was no new business discussed.

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

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: May 27, 2025
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development *AJ*
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 April 24, 2025 and the report of the regular meeting of May 22, 2025 for placement on the June 2, 2025 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 April 24, 2025
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 5:02 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Bobby Purvis
Oliver Roberts
John Peterson, Vice Chairman
Andrew Prescott, Chairman
Lucy Watkins
Steve Olen
Nathan Jones

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Brittany Epling, Planner
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development
Andy Bobe, City Engineer

The Chairman asked for input regarding the March 27, 2025 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

Old Business:

The Chairman called for the next order of business: The Enclave at Irongate, Phase 1 and Phase 2 Preliminary Subdivision Plat Review.

An introductory presentation was given by the agent, Chloe Kelly. She provided a summary of the preliminary subdivision plat as presented on the meeting agenda and requested to table the associated applications until the next regular meeting as direction from the U.S. Army Corps of Engineers on the jurisdictional determination is still pending.

The Chairman opened the floor for the 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. Jones to waive the 30-day rule provided in Section 17-3(d)(3)(d) and delayed action on the preliminary plat until May Regular Planning Commission Meeting. There was no discussion on the motion. The motion carried unanimously.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of April 24, 2025
Council Chamber, City Hall - 5:00 P.M.**

New Business:

The Chairman called for the next order of business: Patch Place Master Plan Review and Patch Place, Phase 1 Final Plat Review.

An introductory presentation was given by the agent, Price Hightower. He provided a summary of the master plan review and final subdivision plat review of Phase 1 as presented on the meeting agenda. He stated that a financial guarantee has been provided in lieu of the required improvements in coordination with the City Engineer to allow sufficient time for the contractor to address the outstanding deficiencies with regard to stabilization, lift station and the finalization of Parker Lane.

The Chairman asked about staff comments. Mr. Bobe stated that he does not have an issue with moving forward with the project because issues are actively being addressed for engineering and environmental programs, and the final plat will not be signed until such time the subdivision is complete.

The Chairman asked about the comments from the Baldwin County Highway Department and Daphne Utilities. Mr. Hightower stated that Parker Lane was constructed per city regulations for conveyance from Baldwin County to the City of Daphne. The right-of-way construction is acceptable to the City Engineer, but is pending the requested modifications by the county inspector and striping once the pavement has cured. Bobby Riis, representative of Tower Homes, advised that the inspection for the lift station is set for Friday, April 25th, and that the other comments are being addressed.

Mr. Olen asked for a summarization of the remaining issues. Mr. Bobe stated the major issue is the stabilization of the entire site, near the lift station and around the inlets.

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

A motion was made by Mr. Olen and seconded by Mr. Peterson to approved the Patch Place Subdivision Master Plan. There was no discussion. The motion carried unanimously.

A motion was made by Mr. Olen and seconded by Mr. Jones to postpone the review of Patch Place, Phase 1 final subdivision plat until the May 22, 2025 Planning Commission meeting. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: Rowan Oak Division on Friendship Road Preliminary/Final Subdivision Plat Review.

An introductory presentation was given by the agent, Chloe Kelly. She provided a summary of the preliminary/final subdivision plat as presented on the meeting agenda. She stated this subdivision is part of the preparation for a closing on a parcel relative to Rowan Oak Subdivision.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of April 24, 2025
Council Chamber, City Hall - 5:00 P.M.**

The Chairman opened the floor for the 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. Roberts and seconded by Mr. Jones to approve Rowan Oak Division on Friendship preliminary/final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.

The Chairman called for the next order of business: Stanton Highway 98 Preliminary/Final Subdivision Plat Review.

An introductory presentation was given by the agent, Aaron Collins. He provided a summary of the preliminary/final subdivision plat as presented on the meeting agenda.

The Chairman opened the floor for the 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. Roberts and seconded by Mr. Jones to approve Stanton Highway 98 preliminary/final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.

The Chairman called for the next order of business: Faulkner's Place at Rowan Oak, Phase 6 Preliminary Subdivision Plat Review.

An introductory presentation was given by the agent, Grayson Bertolla. He provided a summary of the preliminary subdivision plat as presented on the meeting agenda.

The Chairman asked for staff comments. Mr. Bobe advised that all comments have been addressed, except for the presentation of the Enhanced BMP Plan as requested by the Environmental Programs Manager.

The Chairman opened the floor for the 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. Peterson to approve The Reserve at Daphne, Phase 6 with a condition that the Site Disturbance Permit shall not be issued until after an Enhanced BMP Plan has been submitted to and approved by the Environmental Programs Manager. There was no discussion on the motion. The motion carried unanimously.

The Chairman called for the next order of business: The Estate of Georgianne Simms Pre-Zoning Amendment and Annexation Request.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of April 24, 2025
Council Chamber, City Hall - 5:00 P.M.**

An introductory presentation was given by the agent, Aaron Collins. He provided a summary of the pre-zoning and annexation request as presented on the meeting agenda. He advised the applicant has requested annexation into the city for the purpose of the construction of Rich's Carwash.

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

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

The Chairman called for the next order of business: The Official Zoning Map and Official Street Map Update.

Mrs. Jones provided a list of amendments within the Planning Commission Report Packet to codify the Official Zoning Map and Official Street Map from November 1, 2024 through April 30, 2025. Mrs. Epling placed the maps on the screen and requested approval of the amended Official Zoning Map and Official Street Map.

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

A motion was made by Mr. Peterson and seconded by Mr. Jones to set forth a favorable recommendation to City Council to amend the Official Zoning Map and Official Street Map. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: 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.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of April 24, 2025
Council Chamber, City Hall - 5:00 P.M.**

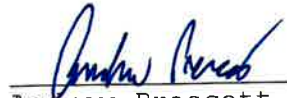
Troy Strunk, Executive Director, City Development provided an update on the absence of Richard Johnson and the progression of his recovery. The Chairman presented the upcoming meeting dates. Site Preview is May 14th and the Regular Meeting is May 22, 2025.

There being no further business, the meeting was adjourned at 5:25 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: May 22, 2025


Andrew Prescott, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 22, 2025
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

AJ

1. **CALL TO ORDER:** 5:02 p.m.
2. **CALL OF ROLL:** Andrew Prescott, Steve Olen, John Peterson, Bobby Purvis, Oliver Roberts, Kevin Spriggs and Lucy Watkins
3. **APPROVAL OF MINUTES:**

Review of minutes of the regular meeting of April 24, 2025. (**Approved**)
4. **OLD BUSINESS:**

A. IRONGATE PRELIMINARY SUBDIVISION PLATS REVIEWS:

1. **File SDP25-09: (Approved with conditions that the Site Disturbance Permit shall not be issued until after an Enhanced BMP plan has been submitted to and approved by the Environmental Programs Manager and a condition to stay out of the wetland and wetland buffer areas until such time as the City receives confirmation regarding the Jurisdictional Determination provided by the appropriate regulatory agency (U.S. Army Corps of Engineers))**

Subdivision: The Enclave at Irongate, Phase 1

Zoning: *PUD, Planned Unit Development*

Location: Northeast of the intersection of Austin Road and Alabama Highway 181

Area: 28.70 Acres $\pm$, 55 single family residential lots

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

Developer: 68 Ventures - Chloe Kelly

Surveyor: S.E. Civil - David Diehl

Engineer: S.E. Civil - Larry Smith

2. **File SDP25-10: (Approved with conditions that the Site Disturbance Permit shall not be issued until after an Enhanced BMP plan has been submitted to and approved by the Environmental Programs Manager and a condition to stay out of the wetland and wetland buffer areas until such time as the City receives confirmation regarding the Jurisdictional Determination provided by the appropriate regulatory agency (U.S. Army Corps of Engineers))**

Subdivision: The Enclave at Irongate, Phase 2

Zoning: *PUD, Planned Unit Development*

Location: Northeast of the intersection of Austin Road and Alabama Highway 181

Area: 32.97 Acres $\pm$, 83 single family residential lots

Owner: Bertolla Properties, LLC

Developer: 68 Ventures - Chloe Kelly

Surveyor: S.E. Civil - David Diehl

Engineer: S.E. Civil - Larry Smith

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 22, 2025
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

B. PATCH PLACE, PHASE 1 FINAL SUBDIVISION PLAT:

1. File SDF25-02: (Approved)

Subdivision: Patch Place, Phase 1

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

Location: Northeast of the intersection of Parker Lane and County Road 13

Area: 4.35 Acres $\pm$, (8) lots

Owner(s): Grant's Mill, LLC - Price Hightower or Bobby Riis

Engineer: Rowe Engineering & Surveying - Jackson Berkgigler

5. NEW BUSINESS:

A. THE CHURCH OF THE HIGHLANDS SITE PLAN REVIEW:

1. File SP25-01: (Approved)

Site: The Church of the Highlands

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

Area: 28.01 Acres $\pm$

Location: Due west of the intersection of Plantation Drive and Alabama Highway 181

Owner: The Church of the Highlands, Inc. - Bruce Adams

Engineer: Gonzalez-Strength & Associates - Todd Smith

B. (DISC MASTER PLAN AMENDMENT), PROSPECT PARK MASTER PLAN REVIEW AND SITE PLAN REVIEW:

1. File MPR25-01: (Approved and supersedes any previously approved master plan)

Presentation to be given by Trey Jinright, Jade Consulting, requesting a master plan review for Prospect Park.

2. File SP25-03: (Approved with conditions that the Site Disturbance Permit shall not be issued until after a Cooperative Maintenance Agreement has been submitted to and approved by City Development, and resolving minor landscape and irrigation plan comments identified by staff)

Site: Prospect Park (Street Improvements & Landscaping)

Zoning: *PUD, Planned Unit Development*

Location: Southwest of Champions Way and Alabama Highway 181

Area: 43.40 Acres $\pm$

Owner: Fortuna Investments, LLC, Industrial Development Board and the City of Daphne

Developer: 68V Commercial Pay Dirt, LLC - Cameron Thatcher or Drew Dolan

Engineer: Jade Consulting - Trey Jinright or Paul Marcinko

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 22, 2025
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

C. WATER OAKS OFFICE SITE PLAN REVIEW:

1. File SP25-04: (Approved with a condition that the applicant shall provide a geotechnical report to the City Engineer for review and approval)

Site: Water Oaks Office

Zoning: *C/I, Commercial/Industrial*

Location: Northeast of Stanton Road and Profit Drive

Area: 1.75 Acres $\pm$

Owner: Thomas Investment Holdings, LLC - Trey Davis

Engineer: Wooten Engineering - Jason Wooten

D. AMUZU REQUEST FOR WAIVER TO THE SIDEWALK REQUIREMENT AND PRELIMINARY/FINAL SUBDIVISION PLAT REVIEW

1. Request for waiver to the sidewalk requirement. (Tabled by the applicant until the regular meeting of June 26, 2025)
2. File SDPF25-03: (Tabled by the applicant until the regular meeting of June 26, 2025)

Subdivision: Amuzu

Zoning: *R-2, Medium Density Single Family*

Location: Northwest of the intersection of Daphne Avenue and Pollard Road

Area: 3.15 Acres $\pm$, (3) lots

Owner: Juris Biometrics - Cheryl Amuzu

Agent: Dewberry - Cathy Barnette and Kiersten Cavender

Surveyor: Dewberry -Victor Germain

E. OAK GROVE ESTATES MODIFICATION TO WETLAND BUFFER REQUIREMENT AND MASTER PLAN:

3. Request for modification to buffer requirement for wetland area. (Withdrawn by the applicant)
4. File MPA25-01: (Tabled by the applicant until the regular meeting of June 26, 2025)

Presentation to be given by Jason Wooten, Wooten Engineering, requesting an amendment to the master plan for Oak Grove Estates.

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 22, 2025
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

F. ADMINISTRATIVE PRESENTATION:

1. SMALL'S SMOKEHOUSE SECOND EXTENSION REQUEST:

File AP25-07: . (Approved)

Presentation to be given by Fred Small, Small's Smokehouse, requesting the second extension of time for the site plan and site disturbance permit for Small's Smokehouse: the site plan was approved by the Planning Commission on May 26, 2022; a site disturbance permit was issued on May 22, 2023; and, a one-year extension was granted on May 1, 2024.

6. PUBLIC PARTICIPATION: None presented.

7. ATTORNEY'S REPORT: No report.

8. COMMISSIONER'S COMMENTS: Mr. Spriggs commented about jurisdictional wetlands (see minutes for details).

9. DIRECTOR'S COMMENTS: Director presented the upcoming meeting dates. Site Preview is June 18th and the Regular Meeting is June 26, 2025. She commented about the distribution of a Land Use and Development survey. She said enjoy your holiday!

10. ADJOURNMENT: 5:28 p.m.



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20250516093052852



Type License: 140 - SPECIAL EVENTS RETAIL

State: \$150.00 County: \$233.00

Type License:

State: County:

Trade Name: **MANCIS ANTIQUE LLC**

Filing Fee: \$50.00

Applicant: **MANCIS ANTIQUE CLUB**

Transfer Fee:

Location Address: 704 BELROSE AVE DAPHNE, AL 36526

Mailing Address: 1715 MAIN STREET DAPHNE, AL 36526

County: BALDWIN Tobacco sales: NO

Tobacco Vending Machines:

Product Type:

Type Ownership: LLC

Book, Page, or Document info: 328-653

Do you sell Draft Beer?:

Date Incorporated: 02/10/2015 State incorporated: AL

County Incorporated: BALDWIN

Date of Authority: 02/23/2015

Federal Tax ID: 47-3077005

Alabama State Sales Tax ID: R009132071

Name:	Title:	Date and Place of Birth:	Residence Address:
JOHN MCDERMOTT THOMPSON 4671906 - AL	MEMBER	11/6/1962 MOBILE	261 LEVERT ST MOBILE, AL 36607
GARRETT PAUL DELUCA 7547130 - AL	MEMBER	01/19/1990 MOBILE	199 RIDGEWOOD DR DAPHNE, AL 36526
HARRY PATRIDGE JOHNSON 2769374 - AL	MEMBER	12/6/1950 MOBILE	901 CAPTAIN O'NEAL DAPHNE, AL 36526

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: GARRETT DELUCA

Home Phone: 251-421-0279

Business Phone: 251-375-0543

Cell Phone:

Fax:

E-mail: GARRETT.DELUCA@GMAIL.COM

PREVIOUS LICENSE INFORMATION:

Previous License Number(s)

Trade Name:

License 1:

Applicant:

License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20250516093052852



If applicant is leasing the property, is a copy of the lease agreement attached? YES
Name of Property owner/lessor and phone number: MANCI ENTERPRISES LLC 251-415-1000
What is lessors primary business? PHYSICIAN
Is lessor involved in any way with the alcoholic beverage business? NO
Is there any further interest, or connection with, the licensee's business by the lessor? NO

Does the premise have a fully equipped kitchen? YES
Is the business used to habitually and principally provide food to the public? NO
Does the establishment have restroom facilities? NO
Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? YES

Will the business be operated primarily as a package store? NO
Building Dimensions Square Footage: 3900 Display Square Footage:
Building seating capacity: 16 Does Licensed premises include a patio area? NO
License Structure: SINGLE STRUCTURE License covers: OTHER
Number of licenses in the vicinity: 1 Nearest: 1
Nearest school: Nearest church: Nearest residence: 0 blocks
Location is within: CITY LIMITS Police protection: CITY

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)? YES

Name:	Violation & Date:	Arresting Agency:	Disposition:
N/A - OCCURRED MORE THAN 10 YEARS AGO	N/A - OCCURRED MORE THAN 10 YEARS AGO	N/A - OCCURRED MORE THAN 10 YEARS AGO	N/A - OCCURRED MORE THAN 10 YEARS AGO
N/A - OCCURRED MORE THAN 10 YEARS AGO	N/A - OCCURRED MORE THAN 10 YEARS AGO	N/A - OCCURRED MORE THAN 10 YEARS AGO	N/A - OCCURRED MORE THAN 10 YEARS AGO



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20250516093052852



Initial each

Signature page

In reference to law violations, I attest to the truthfulness of the responses given within the application.

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

In reference to Special Retail or Special Events retail license, Wine Festival and Wine Festival Participant Licenses, and Food or Beverage Truck Licenses, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): Gannett Deluna

Signature of Applicant:

Notary Name (print): Dorothy Cordell

Notary Signature: Dorothy Watson Cordell Commission expires: 10/23/28

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20250516093052852



Private Clubs / Special Retail / Special Events / Wine Festival or Wine Festival
Participants licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

Agent's Initials:

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: 06/27/2025 Ending Date: 06/29/2025

Special terms and conditions for special event/special retail:

BEER WINE AND LIQUOR; NO TO-GO SALES

Wine Festival / Wine Festival Participant licenses (5 Days or Less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

Does anyone involved with this license application have any monetary interest in any other ABC licensed/permitted establishment?: ALL MEMBERS ARE PARTNERS AT OTHER RESTAURANTS IN MOBILE AND BALDWIN COUNTY: MARKET BY THE BAY, CALLAGHAN'S, NIXONS
License Covers: PARKING LOT BEHIND THE BUILDING AND PORTION OF THE ROAD AT THE INTERSECTION OF BELROSE AVE AND MAIN STREET

Are there any special restrictions, instructions, and/or conditions for this license?: LICENSE IS VALID FOR 7 DAYS OR LESS. EVENT WILL BE HELD JUNE 27 THOUGH JUNE 29. NO ALCOHOL IS ALLOWED TO LEAVE THE LICENSED PREMISE. NO TO GO SALES OF ALCOHOL PERMITTED.

Receipt Confirmation Page

Receipt Confirmation Number: **20250516093052852**
Application Payment Confirmation Number: **64862397**

Payment Summary	
Payment Item	Fee
Application Fee for License 140	\$50.00
Total Amount to be Charged	\$50.00

License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
140 - SPECIAL EVENTS RETAIL	\$233.00	\$150.00	\$383.00
			\$0.00
Total Amount to be Charged	\$233.00	\$150.00	\$383.00

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 140 - SPECIAL EVENTS RETAIL
License Type 2:
License County: BALDWIN
Business Type: LLC
Trade Name: **MANCIS ANTIQUE LLC**
Applicant Name: **MANCIS ANTIQUE CLUB**
Location Address: 704 BELROSE AVE
DAPHNE, AL 36526

Mailing Address: 1715 MAIN STREET
DAPHNE, AL 36526

Contact Person: GARRETT DELUCA
Contact Home Phone: 251-421-0279
Contact Business Phone: 251-375-0543

Contact Fax:

Contact Cell Phone:

Contact Email Address:

Contact Web Address:

Contact Relationship to Applicant: OWNER

CASE NO 2025-2

AB. LICENSE ROUTING

DATE RECEIVED BY REVENUE DIV 5/19/25 CAC
DATE FORWARDED TO POLICE DEPT 5/19/25 CAC
DATE RECEIVED BY POLICE DEPT 5/19/2025 KCF
DATE 5/20/2025 APPROVED ☒ DISAPPROVED ☐

POLICE DEPT SIGNATURE [Signature]
DATE RETURNED TO REVENUE DIV 5/20/2025 KCF
DATE FORWARDED TO CITY CLERK 5/20/25 CAC
DATE RECEIVED BY CITY CLERK _____
SCHEDULED DATE ON AGENDA _____

Council Action: ☐ APPROVED ☐ DISAPPROVED ☐ TABLED

COMMENTS: _____

Rescheduled for Council Agenda Date: _____

Council Action: ☐ APPROVED ☐ DISAPPROVED ☐ TABLED

COMMENTS: _____

DATE RETURNED TO REVENUE DIV.: _____

DATE RETURNED TO TAXPAYER _____
OR TO ABC FIELD OFFICE _____ (per taxpayer request)

SPECIAL EVENT RIGHT-OF-WAY USE AGREEMENT

This Special Event Right-of-Way Use Agreement (this “Agreement”) is entered into this ____ day of _____, 2025, by and between the City of Daphne, an Alabama municipal corporation (the “City”), and _____ (the “Event Sponsor”), a [legal entity type, e.g., LLC or individual], with its principal place of business located at _____.

WHEREAS, the Event Sponsor has requested permission to use a portion of the City’s right-of-way located at _____ (the “Premises”) for the purpose of hosting a special event (the “Event”) on _____, 20, during the hours of _____ to _____; and

WHEREAS, the Event Sponsor intends to allow the sale, possession, and consumption of alcoholic beverages within the designated right-of-way area during the Event; and

WHEREAS, the City is willing to grant a temporary, non-exclusive license to use the Premises for the Event, subject to the terms and conditions of this Agreement and applicable laws and regulations, including approval by the Alabama Alcoholic Beverage Control (ABC) Board.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. **License to Use Premises.** The City hereby grants to the Event Sponsor a temporary, non-exclusive license to use the Premises for the Event on the terms and conditions set forth herein. The Event Sponsor’s use of the Premises shall be limited to the activities described in the Event application submitted to the City and incorporated herein by reference.

2. **Compliance with Laws.** The Event Sponsor shall comply with all applicable federal, state, and local laws, including but not limited to the rules and regulations of the Alabama Alcoholic Beverage Control Board. The Event Sponsor shall obtain all necessary permits and approvals for the sale, possession, and consumption of alcoholic beverages on the Premises.

3. **Event Responsibilities.** The Event Sponsor shall:

- a. Provide a detailed site plan, including boundaries of the licensed area and access points for ingress and egress.
- b. Ensure the Premises is secured, monitored, and managed to maintain order and prevent violations of applicable laws.
- c. Provide adequate security, crowd control, and sanitation measures as required by the City.
- d. Restore the Premises to its original condition immediately following the Event, including the removal of all trash, debris, and temporary structures.

4. **Indemnification and Insurance.**

a. The Event Sponsor agrees to indemnify, defend, and hold harmless the City, its officers, employees, agents, and assigns from and against any and all claims, demands, liabilities, damages, losses, costs, or expenses (including attorney's fees) arising out of or related to the Event Sponsor's use of the Premises.

b. The Event Sponsor shall provide proof of general liability insurance, including host liquor liability coverage, in an amount not less than \$1,000,000 per occurrence, naming the City as an additional insured.

5. **Termination.** The City reserves the right to terminate this Agreement immediately upon written notice to the Event Sponsor if the Event Sponsor fails to comply with the terms of this Agreement or if termination is necessary to protect public health, safety, or welfare.

6. **No Property Interest.** This Agreement does not convey any property interest in the Premises to the Event Sponsor. The rights granted herein are temporary and revocable.

7. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements or understandings, whether written or oral, related to the subject matter hereof.

8. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Alabama.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

CITY OF DAPHNE, ALABAMA

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, MMC, City Clerk

EVENT SPONSOR

By: _____

Name: _____

Title: _____

Date: _____



STATE OF ALABAMA

ALCOHOLIC BEVERAGE CONTROL BOARD

ALCOHOL LICENSE APPLICATION

Confirmation Number: 20250515155646718



Type License: 020 - RESTAURANT RETAIL LIQUOR

State: \$300.00 County: \$440.00

Type License:

State: County:

Trade Name: GRIZZLY PIZZA

Filing Fee: \$50.00

Applicant: GRIZZLY PIZZA LLC

Transfer Fee:

Location Address: 1709 MAIN ST DAPHNE, AL 36526

Mailing Address: 102 W CHURCH ST ATMORE, AL 36502

County: BALDWIN Tobacco sales: NO

Tobacco Vending Machines:

Product Type:

Type Ownership: LLC

Book, Page, or Document info: 001-007-6160

Do you sell Draft Beer?:

Date Incorporated: 05/04/2023 State incorporated: AL

County Incorporated: ESCAMBIA

Date of Authority: 05/04/2023

Federal Tax ID: 923866992

Alabama State Sales Tax ID: R011803433

Name:	Title:	Date and Place of Birth:	Residence Address:
NICHOLAS MANUEL KARVELAS 1069224 - AL	PARTNER	12/01/1992 LAGRANGE GEORGIA	105 W HOMER ST ATMORE, AL 36502
ALEXANDER GRIFFIN KARVELAS 10633072 - AL	PARTNER	08/10/1998 ATLANTA GEORGIA	102 W LAUREL ST ATMORE, AL 36502

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: NICHOLAS M KARVELAS

Home Phone: 706-443-4999

Business Phone: 706-443-4999

Cell Phone:

Fax:

E-mail: GRIZZLYPIZZALLC@GMAIL.COM

PREVIOUS LICENSE INFORMATION:

Previous License Number(s)

Trade Name: GUIDOS RESTAURANT

License 1: 000292302

Applicant: CONLON PROPERTIES INC

License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20250515155646718



If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
Name of Property owner/lessor and phone number: **VINNYQ LLC 251-266-8649**
What is lessors primary business? **LANDLORD**
Is lessor involved in any way with the alcoholic beverage business? **NO**
Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **YES**
Is the business used to habitually and principally provide food to the public? **YES**
Does the establishment have restroom facilities? **YES**
Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

Will the business be operated primarily as a package store? **NO**
Building Dimensions Square Footage: **2000** Display Square Footage:
Building seating capacity: **100** Does Licensed premises include a patio area? **YES**
License Structure: **SINGLE STRUCTURE** License covers: **ENTIRE STRUCTURE**
Number of licenses in the vicinity: **0** Nearest: **0**
Nearest school: Nearest church: Nearest residence: **0 blocks**
Location is within: **CITY LIMITS** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)? **NO**

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20250515155646718



Initial each

☐ NK
☐ NK

In reference to law violations, I attest to the truthfulness of the responses given within the application.
In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

☐ NK

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

☐ NK

In reference to Special Retail or Special Events retail license, Wine Festival and Wine Festival Participant Licenses, and Food or Beverage Truck Licenses, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

☐ NK

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

☐ NK

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

☐ NK

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

☐ NK

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

☐ NK

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

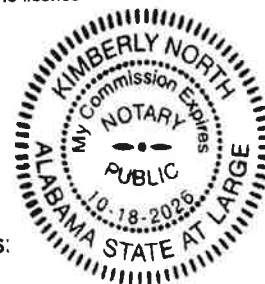
Applicant Name (print): Nicholas M Karvelas

Signature of Applicant: [Signature]

Notary Name (print): Kimberly North

Notary Signature: Kimberly North

Commission expires:



Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:

Receipt Confirmation Page

Receipt Confirmation Number: **20250515155646718**
Application Payment Confirmation Number: **64851449**

Payment Summary	
Payment Item	Fee
Application Fee for License 020	\$50.00
Total Amount to be Charged	\$50.00

License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
020 - RESTAURANT RETAIL LIQUOR	\$440.00	\$300.00	\$740.00
			\$0.00
Total Amount to be Charged	\$440.00	\$300.00	\$740.00

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 020 - RESTAURANT RETAIL LIQUOR

License Type 2:

License County: BALDWIN

Business Type: LLC

Trade Name: **GRIZZLY PIZZA**

Applicant Name: **GRIZZLY PIZZA LLC**

Location Address: 1709 MAIN ST
DAPHNE, AL 36526

Mailing Address: 102 W CHURCH ST
ATMORE, AL 36502

Contact Person: NICHOLAS M KARVELAS

Contact Home Phone: 706-443-4999

Contact Business Phone: 706-443-4999

Contact Fax:

Contact Cell Phone:

Contact Email Address:

Contact Web Address:

CASE NO 2025-3

ABC LICENSE ROUTING

DATE RECEIVED BY REVENUE DIV 5/19/25 CAC
DATE FORWARDED TO POLICE DEPT 5/19/25 CAC
DATE RECEIVED BY POLICE DEPT 5/20/2025 ICRF
DATE: 5/20/2025 / ✓ APPROVED DISAPPROVED

POLICE DEPT SIGNATURE [Signature]
DATE RETURNED TO REVENUE DIV 5/20/2025 ICRF
DATE FORWARDED TO CITY CLERK 5/20/25 CAC
DATE RECEIVED BY CITY CLERK _____
SCHEDULED DATE ON AGENDA _____

Council Action: _____ APPROVED _____ DISAPPROVED _____ TABLED

COMMENTS: _____

Rescheduled for Council Agenda Date: _____

Council Action: _____ APPROVED _____ DISAPPROVED _____ TABLED

COMMENTS: _____

DATE RETURNED TO REVENUE DIV.: _____

DATE RETURNED TO TAXPAYER _____
OR TO ABC FIELD OFFICE _____ (per taxpayer request)



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20250506135447279



Type License: **020 - RESTAURANT RETAIL LIQUOR** State: County:
Type License: State: County:
Trade Name: **WHISKEY BAY BAR AND GRILL** Filing Fee:
Applicant: **S BROOKS LLC** Transfer Fee: \$50.00
Location Address: **28975 US HIGHWAY 98 DAPHNE, AL 36526**
Mailing Address: **7203 RIVER RD BAY MINETTE, AL 36507**
County: **BALDWIN** Tobacco sales: **YES** Tobacco Vending Machines: **0**
Product Type: **01** Type Ownership: **LLC**
Book, Page, or Document info: **001-185-741**
Do you sell Draft Beer?:
Date Incorporated: **04/14/2025** State incorporated: **AL** County Incorporated: **BALDWIN**
Date of Authority: **04/14/2025**
Federal Tax ID: **33-4571116** Alabama State Sales Tax ID: **00000000**

Name:	Title:	Date and Place of Birth:	Residence Address:
SARAH ELIZABETH BROOKS 10108446 - AL	OWNER	06/15/1993 ANNAPOLIS	7203 RIVER RD BAY MINETTE, AL 36507

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? **YES**
Does ABC have any actions pending against the current licensee? **NO**
Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? **NO**
Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? **NO**
Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? **YES**
Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? **NO**
Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? **NO**
Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? **NO**

Contact Person: **SARAH BROOKS** Home Phone: **903-931-2674**
Business Phone: **251-459-0408** Cell Phone:
Fax: E-mail: **S.BROOKSLLC@YAHOO.COM**

PREVIOUS LICENSE INFORMATION: Previous License Number(s)
Trade Name: **WHISKEY BAY BAR AND GRILL** License 1: **012172402**
Applicant: **JML HOLDINGS LLC** License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20250506135447279

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
Name of Property owner/lessor and phone number: **PROPIEDAD LA BAHIA LLC 251-344-5205**
What is lessors primary business? **REAL ESTATE**
Is lessor involved in any way with the alcoholic beverage business? **YES**
Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **YES**
Is the business used to habitually and principally provide food to the public? **YES**
Does the establishment have restroom facilities? **YES**
Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

Will the business be operated primarily as a package store? **NO**
Building Dimensions Square Footage: **4000** Display Square Footage:
Building seating capacity: **85** Does Licensed premises include a patio area? **YES**
License Structure: **SINGLE STRUCTURE** License covers: **ENTIRE STRUCTURE**
Number of licenses in the vicinity: **0** Nearest: **0**
Nearest school: Nearest church: Nearest residence: **0 blocks**
Location is within: **CITY LIMITS** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)? **NO**

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20250506135447279



Initial each

SB
SB

In reference to law violations, I attest to the truthfulness of the responses given within the application.

SB

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

SB

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

SB

In reference to Special Retail or Special Events retail license, Wine Festival and Wine Festival Participant Licenses, and Food or Beverage Truck Licenses, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

SB

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

SB

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

SB

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

SB

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print):

Sarah Brooks

Signature of Applicant:

Sarah Brooks

Notary Name (print):

Dorothy Watson Cordell

Notary Signature:

Dorothy Watson Cordell

Commission expires:

10/23/28

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20250506135447279



Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

Agent's Initials:

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date:

Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

Is the lessor involved in any way with the alcohol beverage business?: THE LESSOR, RUBEN GIMENEZ OF PROPIEDAD LA BAHIA LLC, HOLDS AN ABC LICENSE AS A MEMBER OF PEDROS ROBERTSDALE LLC



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
Confirmation Number: 20250506135447279



NOTICE OF TRANSFER OF ABC LICENSED BUSINESS

NOTE: A Copy of Operating Agreement Must be Attached To Application

CURRENT LICENSEE:
JML HOLDINGS LLC
Address: 28975 US HIGHWAY 98
DAPHNE, AL 36526
Telephone: 251-767-0985

NEW APPLICANT:
S BROOKS LLC
Address: 7203 RIVER RD
BAY MINETTE, AL 36507
Telephone: 251-459-0408

Current License No: 012172402

LICENSED PREMISES ADDRESS: 28975 US HIGHWAY 98 DAPHNE, AL 36526

THE AFORENAMED HEREBY SERVE NOTICE TO THE ABC BOARD OF THE ATTACHED CONTRACTUAL AGREEMENT GOVERNING THE CONTINUATION OF SALES OF ALCOHOLIC BEVERAGES ON THE LICENSED PREMISES.

The Parties to this agreement hereby acknowledge and affirm that the New (Applicant) Licensee will, at all times, act as the AGENT for the Current (Named) Licensee, and the Current Licensee shall act as PRINCIPAL for the purposes of the attached Agreement. The Principal shall be bound by all acts and/or omissions of the Agent in the operation of the licensed premises.

The Current Licensee is now and shall remain liable for any violations of ABC Rules and Regulations or other Alabama Law for the duration of the attached Agreement; and, further, that the Current Licensee has the right and authority, under Alabama Law, to surrender the ABC License to the ABC Board at any time.

The parties acknowledge that the operation of the licensed premises shall remain subject to inspection by ABC Enforcement, and must comply with all State and Local regulations and Laws, and that the local ABC Enforcement District Office must be immediately notified of any change in the attached Agreement.

THE CURRENT LICENSE WILL NOT BE RENEWED.

WITNESS our hands and seals on this the 6 day of May, 2025.

CURRENT LICENSEE (NAMED ON LICENSE)


Print Name:
Title: OWNER

NEW LICENSEE (APPLICANT)

Sarah Brooks
Print Name:
Title: Owner

WITNESS: (By ABC Enforcement)
Revised 9/08

Dorothy Watson Corbell
my commission expires 10.23.28

Receipt Confirmation Page

Receipt Confirmation Number: **20250506135447279**
Application Payment Confirmation Number: **64362005**

Payment Summary	
Payment Item	Fee
Transfer Fee for License 020	\$50.00
Total Amount to be Charged	\$50.00

Application Type

Application Type: TRANSFER

Applicant Information

License Type 1: 020 - RESTAURANT RETAIL LIQUOR
License Type 2:
License County: BALDWIN
Business Type: LLC
Trade Name: **WHISKEY BAY BAR AND GRILL**
Applicant Name: **S BROOKS LLC**
Location Address: 28975 US HIGHWAY 98
DAPHNE, AL 36526

Mailing Address: 7203 RIVER RD
BAY MINETTE, AL 36507

Contact Person: SARAH BROOKS
Contact Home Phone: 903-931-2674
Contact Business Phone: 251-459-0408
Contact Fax:
Contact Cell Phone:
Contact Email Address:
Contact Web Address:

CASE NO 2025-4

ABC LICENSE ROUTING

DATE RECEIVED BY REVENUE DIV 5/27/25 CAC

DATE FORWARDED TO POLICE DEPT. 5/27/25 CAC

DATE RECEIVED BY POLICE DEPT 5/27/2025 KRF

DATE 5/27/2025 ☒ APPROVED ☐ DISAPPROVED

POLICE DEPT SIGNATURE SL B. B.

DATE RETURNED TO REVENUE DIV 5/27/2025 KRF

DATE FORWARDED TO CITY CLERK 5/27/25 CAC

DATE RECEIVED BY CITY CLERK 5/27/25 SL

SCHEDULED DATE ON AGENDA _____

Council Action: ☐ APPROVED ☐ DISAPPROVED ☐ TABLED

COMMENTS: _____

Rescheduled for Council Agenda Date: _____

Council Action: ☐ APPROVED ☐ DISAPPROVED ☐ TABLED

COMMENTS: _____

DATE RETURNED TO REVENUE DIV.: _____

DATE RETURNED TO TAXPAYER _____
OR TO ABC FIELD OFFICE _____ (per taxpayer request)



City of Daphne Event Permit Application

TYPE OF PERMIT:

- ☒ Special Event/Fundraiser ☒ Parade/Run (Streets Use) ☐ Walk (Sidewalks Only)
☐ Athletic Complex/Sporting Event ☐ Other: _____

APPLICANT & ORGANIZATION INFORMATION

ORGANIZATION NAME: 68 Ventures and Baller Dream Foundation
APPLICANT NAME: Kim Garrett
STREET: 707 Belrose Ave. CITY, STATE, ZIP: Daphne, AL 36526
CONTACT PHONE: 251.423.9242 EMAIL: kgarrett@68ventures.com
"ON SITE" CONTACT PERSON DAY OF EVENT: Kim Garrett
CELL PHONE: 251.423.9242 EMAIL: kgarrett@68ventures.com

EVENT INFORMATION

EVENT NAME: Ballin' on Belrose
TYPE OF/PURPOSE OF EVENT: Fundraiser - Run / Walk Challenge
EVENT DATE: Saturday, May 16, 2026 TIME (START- END): 6:30 AM to 1:00 PM
ASSEMBLY TIME: 6:00 AM # PARTICIPANTS/VEHICLES: 200-300
EVENT LOCATION: Belrose Ave. - From Press & Co. to the Bay

FULL DESCRIPTION OF EVENT (PLEASE LIST ANY TENTS, STAGING, PORT-O-LETS, OR SIMILAR ITEMS THAT WILL BE USED ON-SITE): Portolets will be in the gravel parking lot across from the 68V offices and at the bottom of the hill with handwashing stations. There will be 10-15 tents in the gravel parking lot, in front of the 68V office, by the bay, and in front yard across from the 68V office. They will be used for sponsors, registration, first aid, kids games, etc. It will be similar to the last 4 years of the event. There will also be a bounce house across the street as well. Please see included map.

SPECIAL REQUESTS

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

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

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

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

OTHER SPECIAL ITEMS FOR RENT:

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

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

OTHER SPECIAL REQUESTS: May we please have large traffic cones line the center of the course
so runners know to run uphill on the right side and downhill on the left side of the cones?

MARKETING & COMMUNICATIONS

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

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

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

Facebook.com? ☐ Yes ☐ No Instagram? ☒ Yes ☐ No LinkedIn? ☐ Yes ☐ No

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

NAME: Same as event contact CONTACT PHONE: _____

OTHER MARKETING REQUESTS: _____

REVENUE/BUSINESS LICENSE

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

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

INDEMNITY & HOLD HARMLESS AGREEMENT

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

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

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

APPLICANT SIGNATURE: _____



DATE: _____

5/22/25

INTERNAL USE ONLY

DATE REC'D: _____

5/22/25

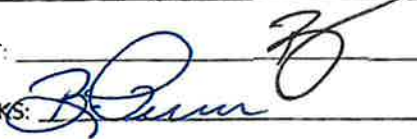
CITY CLERK: _____

FIRE DEPT: _____

S.G. Turner

APPROVED ROUTE: _____

POLICE DEPT: _____



ROUTE MAP ATTACHED: ☐ Yes ☐ No

PUBLIC WORKS: _____

SPORTS & RECREATION: _____

EVENT FEE: ☐ Paid \$ _____ CHK# _____

MARKETING & EVENTS: _____

☐ Waived: _____

** REVENUE: _____

PROOF OF INSURANCE REC'D: ☐ Yes ☐ No

Requesting barricades at Belrose and 6th St. and Belrose and Old County Rd. from 7:30 to 11 a.m.





City of Daphne

Event Permit Application

TYPE OF PERMIT:



Special Event/Fundraiser



Parade/Run (Streets Use)



Walk (Sidewalks Only)



Athletic Complex/Sporting Event



Other: _____

APPLICANT & ORGANIZATION INFORMATION

ORGANIZATION NAME:

Encourage Your Heart

APPLICANT NAME:

Felicia Shephard

STREET:

25550 Pollard Road

CITY, STATE, ZIP:

Daphne, AL 36526

CONTACT PHONE:

251-289-0759

EMAIL:

contact@encourageyourheart.org

"ON SITE" CONTACT PERSON DAY OF EVENT:

Felicia Shephard

CELL PHONE:

251-234-0823

EMAIL:

felicia.shephard@jphoo.com

EVENT INFORMATION

EVENT NAME:

Encourage Your Heart 3rd Bi-Annual Awareness Day
Grief & Loss
Free Community Event for grief resources, healing and support.

TYPE OF/PURPOSE OF EVENT:

Free Community Event

EVENT DATE:

~~9-27-25~~

9-27-25

TIME (START - END):

10a-2p.m.

ASSEMBLY TIME:

8:00 AM.

PARTICIPANTS/VEHICLES:

maybe 150

EVENT LOCATION:

City Hall Parking lot / lawn

FULL DESCRIPTION OF EVENT (PLEASE LIST ANY TENTS, STAGING, PORT-O-LETS, OR SIMILAR ITEMS THAT WILL

BE USED ON-SITE):

Each Resource vendor may have a

tent, 2 chairs pop-up banners. They will have information & free items for community we will play games, give away door prizes and eat w/ Daphne Utilities or any other company that will donate time to this free event.

SPECIAL REQUESTS

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

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

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

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

OTHER SPECIAL ITEMS FOR RENT:

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

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

OTHER SPECIAL REQUESTS: _____

MARKETING & COMMUNICATIONS

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

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

* If Yes, do you wish for your event to be listed and/or shared on:

www.daphneal.com? ☒ Yes ☐ No

Facebook.com? ☒ Yes ☐ No

Instagram? ☒ Yes ☐ No

LinkedIn? ☒ Yes ☐ No

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

NAME: Same as Above CONTACT PHONE: _____

OTHER MARKETING REQUESTS: _____

REVENUE/BUSINESS LICENSE

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

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

INDEMNITY & HOLD HARMLESS AGREEMENT

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

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

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

APPLICANT SIGNATURE: _____



DATE: _____

5-21-2025

INTERNAL USE ONLY

DATE REC'D: _____

5-21-2025

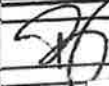
CITY CLERK: _____

FIRE DEPT: _____



APPROVED ROUTE: _____

POLICE DEPT: _____



ROUTE MAP ATTACHED: ☐ Yes ☐ No

PUBLIC WORKS: _____



SPORTS & RECREATION: _____

EVENT FEE: ☐ Paid \$ _____

CHK# _____

MARKETING & EVENTS: _____

☐ Waived: _____

** REVENUE: _____

PROOF OF INSURANCE REC'D: ☐ Yes ☐ No

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2025 - 38**

**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 are 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 items listed below are hereby declared to be surplus property; and

DEPT	EQ/VEH #	DESCRIPTION	VIN/SN
FACILITIES	1116	2005 FORD F150 PU	1FTRX12W35NB86136
COURT		PEWS (14)	
COURT		BENCH (1)	
COURT		MISC COURT FURNISHINGS	

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 _____, 2025.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella MMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2025-39**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY
ACCESS AGREEMENT WITH BALDWIN COUNTY TRAILBLAZERS, INC.**

WHEREAS, Baldwin County Trailblazers, Inc., an Alabama nonprofit corporation, has constructed and maintained informational kiosks along portions of the Eastern Shore Trail, including locations within the public right-of-way within the corporate limits of the City of Daphne; and

WHEREAS, Baldwin County Trailblazers, Inc. intends to apply for grant funding to support improvements and upgrades to its kiosks and has requested formal authorization to perform such work within the City's right-of-way; and

WHEREAS, the City of Daphne supports the mission of Baldwin County Trailblazers, Inc. and recognizes the public benefit of the Eastern Shore Trail and associated infrastructure;

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

The Mayor is hereby authorized to execute, on behalf of the City of Daphne, a Right-of-Way Access Agreement with Baldwin County Trailblazers, Inc., substantially in the form presented to the City Council, and to take such further actions as may be necessary to effectuate the intent of this Resolution.

CITY OF DAPHNE, ALABAMA

Robin LeJeune, Mayor

ATTEST:

Candice G. Antinarella, MMC, City Clerk

RIGHT-OF-WAY ACCESS AGREEMENT

This RIGHT-OF-WAY ACCESS AGREEMENT (“Agreement”) is entered into as of the ____ day of _____, 2025 (the “Effective Date”), by and between the CITY OF DAPHNE, an Alabama municipal corporation (the “City”), and BALDWIN COUNTY TRAILBLAZERS, INC., an Alabama nonprofit corporation (“Trailblazers”).

RECITALS

WHEREAS, Trailblazers is a nonprofit organization that has constructed and maintained informational kiosks along portions of the Eastern Shore Trail, including locations within the public rights-of-way owned or maintained by the City;

WHEREAS, Trailblazers intends to apply for grant funding to support improvements and upgrades to its kiosks;

WHEREAS, Trailblazers has requested formal written permission from the City to allow for maintenance, improvement, and upgrading of kiosks located within the City’s right-of-way;

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the parties agree as follows:

1. **Authorization.** The City hereby grants Trailblazers permission to access and perform maintenance, improvements, and upgrades to its existing kiosks located within the public right-of-way of the Eastern Shore Trail, provided such work does not materially interfere with public use of the right-of-way or create unsafe conditions.

2. **Conditions of Work.** Trailblazers shall:

- a) Notify the City’s Public Works Department at least five (5) business days prior to initiating any work;
- b) Ensure that all work is performed in a safe and professional manner;
- c) Comply with all applicable laws, regulations, and City requirements; and
- d) Be responsible for repairing any damage to the City’s right-of-way resulting from its work.

3. **Ownership and Liability.** Trailblazers shall retain ownership of its kiosks and shall be responsible for all costs associated with their maintenance and improvement. Trailblazers shall indemnify and hold harmless the City from and against any claims, damages, or liabilities arising out of or related to Trailblazers’ use of the City’s rights-of-way under this Agreement.

4. **Term.** This Agreement shall remain in effect unless and until revoked by the City upon thirty (30) days’ written notice to Trailblazers.

5. **Miscellaneous.**

- a) Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Alabama, and the appropriate venue

for any actions arising out of this Agreement shall be Baldwin County, Alabama.

- b) Compliance with Law. Trailblazers hereby agrees to comply strictly with all applicable ordinances of the City and laws of the State of Alabama and of the United States while performing its obligations under the terms of this Contract.
- c) Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes any prior agreements, whether written or oral.
- d) Amendments. Any modification to this Agreement must be made in writing and signed by both parties.
- e) Assignment. Trailblazers acknowledges that its identity and peculiar capacity to provide the services and fulfill its obligations described herein constitute a material consideration for the City's having entered into this Agreement. Therefore, Trailblazers shall not transfer or assign this Agreement or any of the rights or privileges granted herein without the prior written consent of the City; which such consent shall be granted or denied solely at the City's discretion.
- f) Severability. The provisions of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid or unenforceable, such rendering shall not affect the enforceability of the remainder of this Agreement unless the part or parts which are void, invalid or otherwise unenforceable shall substantially impair the value of the entire agreement with respect to any party.
- g) Open Trade. Trailblazers represents and agrees that it is not currently engaged in, nor will it engage in, any boycott of a person or entity based in or doing business with a jurisdiction with which the State of Alabama can enjoy open trade. (Ala. Code § 41-16-5.)

[Remainder of page intentionally blank. Signature page to follow.]

IN WITNESS WHEREOF, we have hereunto set our hands and seals to be effective as of the Effective Date first written above.

CITY OF DAPHNE, ALABAMA

BY _____
Robin LeJeune, Mayor

ATTEST:

BY _____
Candice G. Antinarella, MMC, City Clerk

**BALDWIN COUNTY TRAILBLAZERS, INC.,
an Alabama nonprofit corporation**

By: _____
Its: _____

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2025-10**

**AN ORDINANCE AMENDING THE CITY OF DAPHNE'S
ORDINANCE REGULATING PARKING**

WHEREAS, the City Council of the City of Daphne, Alabama deems it to be in the interest of public safety and for the benefit of its citizens to provide regulations for parking within the City of Daphne; and

WHEREAS, the City Council, after due consideration, has determined that certain revisions to the City of Daphne Parking Ordinance, Ordinance 2006-66, as adopted on September 5, 2006, and codified at Chapter 19, Article III, Division 1 in the City's Code of Ordinances, are necessary for the proper administration of said Ordinance.

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

SECTION 1. AMENDMENT TO SECTION 19-40: DEFINITIONS

Section 19-40 of the City of Daphne Code of Ordinances (adopted as Section I of Ordinance 2006-66) is hereby amended by adding the following definition:

Access aisle. The hash-marked or cross-striped space that is 5 feet or 8 feet wide that is directly next to an accessible parking space, or as otherwise defined by the Americans with Disabilities Act.

**SECTION 2. AMENDMENT TO SECTION 19-41: PARKING SPACES FOR
PHYSICALLY HANDICAPPED; REGULATION**

Section 19-41 of the City of Daphne Code of Ordinances (adopted as Section II of Ordinance 2006-66) is hereby repealed in its entirety and replaced with the following:

- (a) It shall be unlawful for any person who does not have a distinctive special long-term access or long-term disability access license plate or placard or temporary disability placard duly issued to such person and currently in effect to park a vehicle in a parking place designated for individuals with disabilities on any public or private property within the corporate limits or police jurisdiction of the city.
- (b) It shall be unlawful for any vehicle to be parked on an access aisle on any public or private property within the corporate limits or police jurisdiction of the city.
- (c) Upon issuance of a municipal ordinance violation citation for a violation under this section, the violator shall receive a court date in the same manner as traffic citations. If the violator, or person to whom the vehicle was registered at the time the citation was issued, fails to either pay the fine prior to the court date or fails to appear in municipal court at the appointed date and time, the municipal court magistrate may issue a summons to the person or persons to whom the vehicle was registered at the time the citation was issued or the magistrate may issue an arrest warrant for the person to whom the vehicle was registered at the time the citation was issued in lieu of a summons. If a violation of a municipal parking ordinance is heard in municipal court, the municipal court judge shall impose court costs.

- (d) In any prosecution for any violation of the provisions of this section, it shall be prima facie evidence that the owner of such vehicle was operating the same at the time of such alleged violation.
- (e) Upon conviction, notwithstanding any other penalty provision which may be authorized or employed, any person violating this ordinance shall be fined a minimum of fifty dollars (\$50.00) for the first offense, a minimum of two hundred dollars (\$200.00) for the second offense, and a maximum of five hundred dollars (\$500.00) for the third or any subsequent offense. In addition, for the second or any subsequent offense under this section, the person may be ordered by the court to perform a minimum of forty (40) hours of either of the following forms of community service:
 - (1) Community service for a nonprofit organization that serves the disabled community or serves persons who have a disabling disease.
 - (2) Any other community service that may sensitize the persons to the needs and obstacles faced daily by persons who have disabilities.

SECTION 3. INCORPORATION IN THE CODE OF ORDINANCES.

The provisions of this Ordinance shall be included in and incorporated in the Code of Ordinances of Daphne, Alabama, as an addition or amendment thereto, and shall be renumbered, if appropriate, to conform to the uniform numbering system of the Code.

SECTION 4. SEVERABILITY.

The provisions, sections, paragraphs, sentences, clauses, phrases, and parts thereof of this Ordinance are severable, and if any provision, section, paragraph, sentence, clause, phrase, or part thereof of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, then such ruling shall not affect any other provision, section, paragraph, sentence, clause, phrase, or part thereof, since the same would have been enacted by the Council without the incorporation of any such unconstitutional or invalid provision, section, paragraph, sentence, clause, phrase, or part thereof.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective upon its adoption and publication as provided by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this the ____ day of _____, 2025.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, MMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2025-11**

**AN ORDINANCE AMENDING THE CITY OF DAPHNE'S LAND USE AND
DEVELOPMENT ORDINANCE 2011-54, AS ADOPTED BY THE CITY COUNCIL ON
JULY 18, 2011, AS AMENDED**

ARTICLES XXIV: VACATION OF EASEMENT AND/OR RIGHT-OF-WAY

WHEREAS, the City Council of the City of Daphne, after due consideration, believes that certain revisions to the City of Daphne Land Use & Development Ordinance are necessary for the proper administration of said Ordinance; and

WHEREAS, at the City of Daphne Planning Commission regular meeting on March 27, 2025, the Commission considered a proposed amendment to the City of Daphne Land Use & Development Ordinance, Ordinance 2011-54, as previously amended, and set forth a unanimous favorable recommendation to the City Council of the City of Daphne to approve said proposed amendment to multiple sections of the Ordinance to provide technical revisions, primarily to designate the City Engineer as the appropriate officer to fill certain roles previously held by the Public Works Director and to correct minor grammatical and spelling errors; and

WHEREAS, due notice of said proposed amendment has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on May 19, 2025; and

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

**SECTION I: AMENDMENT OF THE LAND USE AND DEVELOPMENT ORDINANCE,
ARTICLE XXIV: VACATION OF EASEMENT AND/OR RIGHT-OF-WAY.**

24-1 PROCEDURE FOR VACATION OF EASEMENT

The city council may, after examination and review thereon, consent to the vacation of public easements upon a request initiated by the Planning Commission, or any person, firm, or a corporation pursuant to the following procedure:

- (a) An application on the prescribed form shall be submitted in writing to the department of Community Development no fewer than thirty (30) days prior to the regularly scheduled meeting of the planning commission and must be accompanied by an adjacent property owners list, deed (proof of ownership), legal description of the easement proposed to be vacated, a current survey, and a map, showing the location of the subject easement and all abutting properties and nearest rights-of-way.
- (b) The applicant shall be responsible for obtaining an easement release, on a form provided by the city, from all utilities that have facilities located within 500 feet of the easement proposed to be vacated. Such form shall contain a request that the utility consent in writing to the vacation or submit written objection thereto. Such written responses shall be provided to the city at the time the application is submitted.

- (c) The application shall be reviewed by the Planning Commission at its next regular meeting and the Planning Commission shall set forth a recommendation to the City Council.
- (d) Prior to acting on an application to vacate an easement, a public hearing thereon shall be held by the City Council with proper notice as required by law. Due notice shall also be given to all abutting property owners of the date, time, and place of said hearing.

Said notice of a vacation of easement shall be published in full for one (1) insertion in a newspaper of general circulation published in the municipality prior to the said public hearing by the City Council.
- (e) Said easement or right-of-way shall be vacated and/or relocated upon the consent by Resolution of the City Council, a certified copy of which shall be recorded in the Office of the Judge of Probate of Baldwin County following the adoption of such resolution.
- (f) Any petition for vacation of easement may be withdrawn prior to action thereon by the Planning Commission or City Council at the discretion of the applicant upon written notice to the planning coordinator in the department of Community Development or City Clerk in the City Clerk's Office, whichever is applicable.

24-2 PROCEDURE FOR VACATION OF RIGHT-OF-WAY PETITION

The City Council may, after examination and review thereon, consent to the vacation of public rights-of-way, in whole or in part, upon a petition submitted by the owner or owners of land abutting any street, alley or dedicated public way, including unused rights-of-way, pursuant to the following procedures:

- (a) A written petition, as described in Alabama Code § 23-4-20, or a written declaration, as described in Alabama Code § 35-2-54, as applicable shall be submitted to the Department of Community Development no fewer than thirty (30) days prior to the regularly scheduled meeting of the Planning Commission and must be accompanied by an adjacent property owners list, deed (proof of ownership), legal description of the right-of-way or portion thereof proposed to be vacated, a current survey, and a map showing the location of the subject right-of-way and all abutting properties.
- (b) The application shall be reviewed by the Planning Commission at its next regular meeting and the Planning Commission shall set forth a recommendation to the City Council.
- (c) Prior to acting on an application to vacate an easement, a public hearing thereon shall be held by the City Council with proper notice shall also be served by U.S. mail at least 30 days prior to the scheduled public hearing on any abutting owners and on any entity known to have facilities or equipment such as utility lines, both above ground or buried, within the public right-of-way of the street or alley or portion thereof, to be vacated.

In accordance with Ala. Act 1973-386, notice of the public hearing shall also be published in a newspaper published in the city for three (3) consecutive weeks. Such notice must contain both a legal description and a layman's general description of the street, alley, highway or portion thereof to be vacated.

- (d) Said right-of-way shall be vacated upon consent by resolution of the City Council, a certified copy of which shall be recorded in the Office of the Judge of Probate of Baldwin county following the adoption of such resolution. If the request for vacation was submitted by written declaration as described in Alabama Code § 35-2-54, a certified copy of said

resolution shall be recorded by the declarant(s) as an attachment to the declaration of vacation.

- (e) Notice of the City Council's action shall be published once in a newspaper in the county no later than fourteen (14) days after the resolution's adoption.

24-3 FEES

An application to the Planning Commission for vacation of easement and/or right-of-way shall be accompanied by the appropriate fee as more specifically enumerated in *Article 34, Schedule of Fees*.

SECTION II: CONFLICT WITH OTHER ORDINANCES

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

SECTION III: 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 IV: 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 June, 2025.

ATTEST:

Robin LeJeune, Mayor

Candace G. Antinarella, MMC, City Clerk