

**FEBRUARY 6, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Scott called the meeting to order at 6:30 p.m.

2. ROLL CALL

COUNCIL MEMBERS PRESENT: Tommie Conaway; Pat Rudicell; Joel Coleman; Doug Goodlin; Ron Scott; Robin LeJeune; Joe Davis.

Also Present: Mayor Haygood; Rebecca Hayes, City Clerk; Jenny White, Assistant City Clerk; Patrick Dungan, City Attorney; James White, Fire Chief; Vickie Hinman, HR Director; Richard Merchant, Building Official; David McKelroy, Recreation Director; Margaret Thigpen, Civic Center Director; Adrienne Jones, Planning Director; Kelli Kichler, Finance Director/Treasurer; David Carpenter, Police Chief; Richard Johnson, Public Works Director; Tonja Young, Library Director; Don Ouellette, Environmental Advisory Committee; Willie Robison, BZA; Bob Segalla, Utility Board; Mickey Boykin, Museum; Dorothy Morrison, Beautification/DRA; Tomasina Werner, Beautification; Al Guarisco, Village Point Foundation; Bob Segalla, Utility Board; Daniel Dyas, DRA; Tim Patton, Volkert; Severia Campbell Morris, Councilwoman for Prichard; Anthony Thompson, Assistant to Ms. Morris.

Absent: Jay Ross, City Attorney.

INVOCATION/PLEDGE OF ALLEGIANCE:

Pastor Ben Ragsdale, Campus Pastor, City Hope Church , Foley for gave the invocation.

3. APPROVE MINUTES:

There being no corrections to the January 17, 2017 council meeting minutes they stand approved as written.

PUBLIC HEARING: Pre-Zone: Joseph A. Allegri, Jr.

Location:	Northwest of the Intersection of County Road 64 And Alabama Highway 181
Present Zoning:	R-A, Rural Agricultural District, B-3, General Business District and B-4, Major Commercial District
Requested Zoning:	PUD, Planned Unit Development
Recommendation:	Due to a lack of a super majority of members present There is no recommendation

Mr. Craig Dyas gave the presentation along with the Planning Director, Adrienne Jones.

Council President Scott opened the Public Hearing at 6:58 p.m.

Mrs. Marissa Renaker – 8977 Parliament Circle, Chamberlain Trace – likes the PUD, but feels the submission is too vague, and she is concerned about the multi-family aspect of the project.

Mr. Bob Segalla – Daphne – a former Planning Commission member – feels the project should have a recommendation from the Planning Commission.

Ms. Stephanie Middleton – 10059 County Road 64 – (*speaking for her mother*) she is for the project, but they need to consider flooding in the area. The area cannot sustain any more water run-off. She thinks the developer and the city should be careful with a concrete footprint. She mentioned that the schools are crowded now and with more children being added will cause more over-crowding.

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Mrs. Joy Davis – 25630 Alabama Highway 181 – spoke concerning flooding and drainage, the area cannot take any more water run-off.

Mr. Brian Stuart – 25900 Tealwood Drive – is in favor of the project going back to the Planning Commission. He thinks it is a great project, but needs flushing out.

Mr. Daniel Dyas – 1615 6th Street – spoke in favor of the project.

Mr. Willie Robison – 560 Stuart Street – Mentioned a typo on the listing of ordinances for 2017-10 listing the address for the pre-zone as County Road 13 instead of County Road 64.

4. REPORT OF STANDING COMMITTEES:

A. *FINANCE COMMITTEE* – Rudicell

The next meeting will be Monday at 4:30 p.m.

B. *BUILDINGS & PROPERTY COMMITTEE* – LeJeune

The committee met this afternoon, and are working on doing something with the Scenic Overlook.

C. *PUBLIC SAFETY COMMITTEE* – Davis

The minutes for the January 17th meeting are in the packet. Discussion was held on moving the sub-station at Jubilee Square into the Scenic Overlook. The next meeting will be February 20th at 4:30 p.m.

D. *CODE ENFORCEMENT/ORDINANCE COMMITTEE* – Goodlin

The minutes for the January 17th meeting are in the packet. The committee has recommend adoption of Ordinance 2017-09. The next meeting will be February 20th at 5:30 p.m.

E. *PUBLIC WORKS COMMITTEE* – Coleman

The committee met this afternoon, and one item discussed was the paving of Corte Road. Councilman Coleman announced there are three (3) vacancies on the Environmental Advisory Committee. The deadline to apply is February 9th. He asked if anyone is interested to send a resume to the City Clerk. The next meeting will be February 6th at 5:30 p.m.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. *Board of Zoning Adjustments* – Adrienne Jones

The board met February 2nd and considered one (1) variance request to reduce the on-site parking for multi-family dwellings to 1.2/unit, in lieu of the required 2.0/unit. The request was denied.

B. *Downtown Redevelopment Authority* – Conaway

The minutes for the January 25th meeting are in the packet. The next meeting will be February 22nd.

C. *Industrial Development Board* – Davis

The minutes for the January 23rd meeting are in the packet. The next meeting will be a special called meeting for February 9th at 6:00 p.m. to choose an engineering firm for the DISC project. He mentioned that Toni Fassbender has submitted her resignation as of today. There are two terms that have expired and are open for resumes. The two members would like to be reappointed to the board.

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MOTION BY Councilman Davis to appoint to the Industrial Development Board:

- 1. Don Ruble (*to finish the term of Jeffrey Ramsland*) February 2017 - December 2020**
- 2. Scott Koser February 2017 – December 2020 (*finish the term of Pokey Miller whose term expired December 2014*)**
- 3. Steven Carey February 2017 – December 2021 (*to finish term of Toni Fassbender*)**

Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY

D. Library Board – Rudicell

The porch expansion fund is continuing to grow. They now have raised \$18,000. The board will not meet in February. The next meeting will be the second Thursday in March.

E. Planning Commission – Scott

The December 15, 2016 minutes are in the packet along with the Staff Report for the January 26, 2017 meeting.

MOTION BY Councilman Goodlin to set a Public Hearing date for March 6, 2017 and approve advertising to consider: Amendment to the Land Use and Development Ordinance 2011-54 / Article 17, Section 17-4 Procedures for Subdivision Review, Final Plat Application, Addition of Sidewalk Bonds. Seconded by Councilman Rudicell.

MOTION CARRIED UNANIMOUSLY

F. RECREATION BOARD - LeJeune

The board will meet February 8th at 6:30 p.m. The bids for the site work came in more than expected.

G. Utility Board – LeJeune

There are two (2) first read ordinances on the agenda, and one for surplus property and the other consent to lease property. Councilman LeJeune reported that the ribbon cutting, open house and tour for the Olde Towne Daphne Water Treatment Facility will be on February 24th at 10:30 a.m.

6. MAYOR'S REPORT

Mayor Haygood mentioned that Councilwoman Servia Campbell Morris from the City of Prichard was present to see how our government worked. He reported on the Recreation Facilities and the bid, help with traffic on Whispering Pines adding an access and lengthening the school lane and improvements to Joe Patrick and Buddy Alphonse parks.

7. CITY ATTORNEY REPORT:

No report.

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8. DEPARTMENT HEAD COMMENTS:

David McKelroy – Recreation Director – gave the sports reports for Daphne.

David Carpenter – Police Chief - asked everyone to be vigilant that the homicide suspect has not been captured.

Richard Johnson – Public Works Director – reported Arbor Day will be February 18th 8:00 a.m. in front of the Recreation Center. They have more fruit trees this year.

Adrienne Jones – Planning Director – reported the upcoming projects.

9. CITY CLERK’S REPORT:

a.) Events Permit / Bayside Medical Missions / 5K and 1 Mile Fun Run / September 16, 2017

b.) Events Permit / Prodissee Pantry Turkey Trot / 5K / Fun Run & Festival / October 28, 2017

MOTION BY Councilman Rudicell to approve the Events Permits for Bayside Medical Missions / 5K and 1 Mile Fun Run / September 16, 2017 and Prodissee Pantry Turkey Trot / 5K and Fun Run & Festival / October 28, 2017. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

10. PUBLIC PARTICIPATION

Earlene Harris – Thanked council for funding the project at the Park City Park. She spoke regarding the sign for the renamed Buddy Alphonse Park.

Mr. William Benbow – 910 Main Street – spoke regarding the chamber abandoning the Scenic Overlook. He feels it should stay a Welcome Center, and that Olde Towne Daphne should be designated a Historic District.

Mr. Rod Drummond – Ridgewood Drive – spoke regarding the outcome of the Super Bowl.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

a.) 2017-05.Acceptance of Streets and Drainage / Located in the Brookhaven Subdivision, Unit 3

MOTION BY Councilman Rudicell to waive the reading of Resolutions 2017-05. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Davis to adopt Resolution 2017-05. Seconded by Councilman Rudicell.

MOTION CARRIED UNANIMOUSLY

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ORDINANCES:

2ND READ

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a.) **2017-06.** Appropriation of Funds: Basketball Courts at Joe Patrick Park and Buddy Alphonse Park

b.) **2017-07.** Regulate Transportation Network Companies

2017-06.Appropriation of Funds: Basketball Courts at Joe Patrick Park and Buddy Alphonse Park

MOTION BY Councilwoman Conaway to waive the reading of Ordinance 2017-06. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to adopt Ordinance 2017-06. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

2017-07.Regulate Transportation Network Companies

MOTION BY Councilman LeJeune to waive the reading of Ordinance 2017-07. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Davis to adopt Ordinance 2017-07. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

1ST READ ORDINANCES

a. **2017-08.**Commercial Solid Waste Collection Services and Franchises

b. **2017-09.** Repealing and Replacing Ordinance No. 2006-65 and Ordinance 2008-42
Related to Towing and Recovery Rotation Services for the City of Daphne

c. **2017-10.**Pre-Zone Property Located Northwest of the Intersection of County Road 64 and AL Highway 181 and AL Highway 181 / Joseph A. Allegri, Jr. Properties I & II / PUD
Planned Unit Development

d. **2017-11.**Consenting to the Sale by the Utilities Board of the City of Daphne of
Certain Surplus Personal Property

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- e. 2017-12. Consenting to the Lease of Certain Property by the Utilities Board of the City
of Daphne / Right-of-Entry Agreement / ALAPT, LLC

MOTION BY Councilman LeJeune to suspend the rules to consider sending Ordinance 2017-10 back to the Planning Commission. Seconded by Councilman Davis.

ROLL CALL VOTE

Conaway	Aye	LeJeune	Aye
Rudicell	Nay	Davis	Aye
Coleman	Aye	Scott	Nay
Goodlin	Nay		

MOTION FAILS

ORDINANCES 2017-08, 2017-09, 2017-10, 2017-11 AND 2017-12 ARE FIRST READ

12. COUNCIL COMMENTS

Councilman Davis – commented on Ordinance 2017-10, and making the city attractive for people to come into Daphne. He mentioned the number of children coming into Daphne.

Councilman LeJeune – appreciated everyone coming out tonight. He commented on Ordinance 2017-10 as being purely a time saving matter instead of going another two (2) weeks. They are moving forward on the new recreation facilities. He thanked Councilman Rudicell for the interview he did regarding a city school system on TV. He mentioned that the School Board is fighting back quickly, and it makes you wonder why they are so vehement about Daphne pulling out of the county system.

Councilman Goodlin – said that he enjoyed the council retreat, and he learned a lot. He was glad to have the chance to talk about plans for the city. He spoke regarding making Daphne bike friendly. He appreciated Mr. Dyas coming to the meeting, and appreciated the Italian theme of his project.

Councilman Coleman – spoke regarding PUD's, and said that he learned a lot during the retreat. He said it takes a great amount of detail with the project, and he likes Mr. Dyas's project.

Councilman Rudicell – said that he has faith in the Planning Commission.

Councilwoman Conaway – appreciates the folks coming out and voicing their concerns.

Council President Scott – said that it is possible that Ordinance 2017-10 could possibly be approved at the next meeting. He said that he does not want some bit-box store coming to that spot. He said this is a well planned development. He appreciated all the people coming out.

Mayor Haygood – spoke regarding Mr. Benbow's concerns about the Scenic Overlook saying it will stay a public access, and regarding a Historical District he said that Olde Towne has a special overlay district. He mentioned council toured villages at the retreat and saw how to encourage keeping a village appeal. He said it is important to vet the Dyas project fully. He

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7hopes the developer will have listened to the people's concerns and button up those concerns. He mentioned that the Mardi Gras parades are February 17th and February 25th.

13. ADJOURN:

MOTION BY Councilman Coleman to adjourn. *Seconded by Councilman Rudicell.*

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:10 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Rebecca A. Hayes, City Clerk

Ron Scott, Council President