

**FEBRUARY 20, 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; Adrienne Jones, Planning Director; Kelli Kichler, Finance Director/Treasurer; David Carpenter, Police Chief; Richard Johnson, Public Works Director; Tonja Young, Library Director; Danny Lyndall, Daphne Utilities General Manager; Tim Patton, Volkert; Becky Parke, S.E.E.D.S.

Absent: Jay Ross, City Attorney; Margaret Thigpen, Civic Center Director.

INVOCATION/PLEDGE OF ALLEGIANCE:

Pastor John Martin with Celebration Church gave the invocation.

3. APPROVE MINUTES:

There being no corrections to the February 6, 2017 council meeting minutes they stand approved as written.

PRESENTATION: Dawn House / Kaye Barlow

Ms. Kaye Barlow gave the presentation and invited council to form a golf team and join the golf tournament being held March 18, 2017 at the TimberCreek Golf Club.

MOTION BY Councilman Goodlin that Councilman Davis be Captain of their team, find participates and to get sponsored for the golf tournament being held at the TimberCreek Golf Club on March 18, 2017. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

PRESENTATION: Library Board / Present an Appreciation Plaque to John Lake

Ms. Tonja Young, the Library Director, presented Mr. Lake with the plaque for the 20 plus years he was on the Library Board.

4. REPORT OF STANDING COMMITTEES:

A. *FINANCE COMMITTEE* – Rudicell

The February 13th minutes are in the packet.

**FEBRUARY 20, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Treasurers Report

TREASURER'S REPORT						
As of January 31, 2016						
Account Type/Title	Bank / Brokerage	1/31/2017	12/31/2016	Increase (Decrease) from last Month	1/31/2016	Increase (Decrease) from Last Year
Total Unrestricted Cash Balance		16,056,212	12,228,728	3,827,484	\$ 12,019,334	\$ 4,036,878
Total Restricted Cash Balance		8,694,406	9,147,654	(453,248)	9,101,877	(407,471)
Total City Cash Balance		\$ 24,750,618	\$ 21,376,382	\$ 3,374,236	\$ 21,121,211	\$ 3,629,407
		Encumbrance Total as of		1/31/2017	\$511,647	

Total Unrestricted Cash Balance - \$16,056,212, and Total City Cash Balance - \$24,750,618

Sales & Use Tax Collections / December 2016

\$1,469,560.93 was collected for December, 2016 which was up \$57,614.62 from December 2015's collections: :

- YTD Variance over Budget - \$97,093.82

Lodging Tax Collections / December 2016

Collections for December, 2016 were \$67,053 which is down (\$ 689.87) from December 2015's collections.

- YTD Variance over Budget: (\$2,194.43)

Motion: Form a sub-committee to review the application and pay scale for the City Clerk position

MOTION BY Councilman Goodlin to form a sub-committee to review the application and pay scale for the City Clerk position and submit the information to the full Council. Sub-committee members are Councilman Davis; Councilman Rudicell and Councilwoman Conaway. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

Motion: To authorize to go out to bid for the TimberCreek N. Court drainage project

MOTION BY Councilman Coleman to authorize to go out to bid for the TimberCreek N. Court drainage project. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

B. BUILDINGS & PROPERTY COMMITTEE – LeJeune

The minutes for the January 3rd meeting are in the packet are in the packet.

C. PUBLIC SAFETY COMMITTEE – Davis

The next meeting will be February 20th at 4:30 p.m.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Goodlin

The next meeting will be February 20th at 5:30 p.m.

**FEBRUARY 20, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

E. PUBLIC WORKS COMMITTEE – Coleman

The minutes for the December 3, 2016 and January 3, 2017 meetings are in the packet along with the January 4th Beautification meeting minutes and the December 12, 2016 Museum meeting minutes are in the packet. The next Public Works meeting is March 6th, the next Beautification meeting is March 2nd and the next Museum meeting will be March 13th.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Adrienne Jones

The minutes for the December 2, 2016 meeting and the Staff Report for the February 2nd meeting are in the packet. The next meeting will be March 2nd. Mrs. Jones reported two members terms are expiring Billy Mayhand and Frank Lamb. Mr. Mayhand is interested in being reappointed, but Mr. Lamb is not interested in being reappointed. There are two supernumerary vacancies Bill Scully resigned and Herb Cole moves up to being a member.

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 special called minutes for the February 9th meeting are in the packet. They adopted a resolution to select an engineer for the DISC project. The next meeting will be March 20th.

D. Library Board – Rudicell

The next meeting will be the second Thursday in March. They have now raised \$20,000 for the porch addition.

E. Planning Commission – Scott

The next Planning Commission meeting is Thursday at 5:00 p.m.

F. RECREATION BOARD - LeJeune

The December 14, 2016 meeting minutes and February 8, 2017 minutes are in the packet. There was a motion to approve the low bid for Park Drive. Work will start in March.

G. Utility Board – LeJeune

There will be an open house and ribbon cutting on February 24th for the new water treatment plant 10:30 a.m. at 1608 6th Street. Danny Lyndall, General Manager of Daphne Utilities reported a sewage spill that happened Sunday due to equipment failure. A pipe came loose, and they did not find out about it until Monday. It was a large spill, and he had to report the amount and get in touch with the media, TV and Bay Keepers who will check D'Olive Creek for quality.

6. MAYOR'S REPORT

Mayor Haygood reported that the entrance welcome sign at I-10 is completed, and he hopes councils likes it. He said he needs to discuss signs for all the entrances into Daphne with council, and ALDOT has asked to update their maintenance agreement for signs saying they will not be responsible for the maintenance of the signs. He reported a tentative groundbreaking date of March 9th for the Park Drive facility. He said that he has engaged a local firm to help with the strategic plan, Dan Lumpkin and Associates. He will be meeting with him soon and come back to council.

7. CITY ATTORNEY REPORT:

No report.

**FEBRUARY 20, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

8. DEPARTMENT HEAD COMMENTS:

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

Richard Johnson – Public Works Director – thanked council and everyone that helped with the Arbor Day tree give-away. The trees were gone by 9:15 a.m.

9. CITY CLERK'S REPORT:

a.) Events Permit / Loyal Order of the Fire Truck / Mardi Gras / February 26, 2017

MOTION BY Councilman Rudicell to approve the Events Permits for Loyal Order of the Fire Truck / Mardi Gras / February 26, 2017. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

b.) ABC License / Pigeon Hole / 040 – Retail Beer (On or Off Premises) / 060 – Retail Table Wine (On or Off Premises)

MOTION BY Councilman LeJeune to approve the ABC License for Pigeon Hole / 040 – Retail Beer (On or Off Premises) / 060 – Retail Table Wine (On or Off Premises). Seconded by Councilman Rudicell.

AYE Conaway, Rudicell, Coleman, Goodlin, LeJeune, Davis

ABSTAIN Scott

MOTION CARRIED

c.) **MOTION:** To authorize the City Clerk to issue a Request for Proposal to qualified individuals and firms to perform a Feasibility Study regarding the creation of a municipal school system

MOTION BY Councilman LeJeune to authorize the City Clerk to issue a Request for Proposal to qualified individuals and firms to perform a Feasibility Study regarding the creation of a municipal school system. Seconded by Councilman Goodlin.

AYE Rudicell, Coleman, Goodlin, LeJeune, Davis, Scott

NAY Conaway

MOTION CARRIED

10. PUBLIC PARTICIPATION

Mr. John Lake – 110 Paige Circle – spoke regarding the request for a RFP for a school feasibility study saying council needs to ask what is the city's role in this study to help schools.

Ms. Stephanie Middleton – Captain O'Neal Drive – spoke regarding flooding south of CR 64 at Chamberlain Trace. She said that they need to consider other ways to deal with the flooding than detention ponds.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

a.) **2017-06.**Declaring Certain Property Surplus (*Furniture; Kronos Time Clocks; Deck Mower; Condor Dual Drive*)

b.) **2017-07.**Appoint a Director to the Renaissance Cooperative District

**FEBRUARY 20, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

- c.) 2017-08.Appoint a Director to the Renaissance Improvement District
- d.) 2017-09.Bid Award: Daphne Sports Complex Phase 2 / H.O. Weaver & Sons, Inc.
- e.) 2017-10.Bid Award: Renovations for Fire Station #2 / Highland Wake Construction, LLC
- f.) 2017-11.Corte Road Improvements, Phase I & II / Between CR 13, SR 181 and Austin Road / Support of Roadway Improvements

- a.) 2017-06. ...Declaring Certain Property Surplus (Furniture/Kronos Time Clocks/Deck Mower/Condor Dual Drive
- b.) 2017-07. ...Appoint a Director to the Renaissance Cooperative District / Joe Davis
- c.) 2017-08. ...Appoint a Director to the Renaissance Improvement District / Joe Davis
- d.) 2017-09. ... Bid Award: Daphne Sports Complex, Phase 2 / H.O. Weaver & Sons, Inc.
- e.) 2017-10. ...Bid Award: Renovations for Fire Station #2 / Highland Wake Construction, LLC
- f.) 2017-11. ...Corte Road Improvements, Phase I & II / Between CR 13, SR 281 and Austin Road / Support of Roadway Improvements

MOTION BY Councilman Rudicell to waive the reading of Resolutions 2017-06, 2017-07, 2017-08, 2017-09, 2017-10 and 2017-11. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Rudicell to adopt Resolution 2017-06. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to adopt Resolution 2017-07. Seconded by Councilman Goodlin

AYE Conaway, Rudicell, Coleman, Goodlin, LeJeune, Scott

ABSTAIN Davis

MOTION CARRIED

MOTION BY Councilman Goodlin to adopt Resolution 2017-08. Seconded by Councilwoman Conaway.

AYE Conaway, Rudicell, Coleman, Goodlin, LeJeune, Scott

ABSTAIN Davis

MOTION CARRIED

MOTION BY Councilman LeJeune to adopt Resolution 2017-09. Seconded by Councilman Davis

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Rudicell to adopt Resolution 2017-10. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Goodlin to adopt Resolution 2017-11. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

**FEBRUARY 20, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
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ORDINANCES:

2ND 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 13 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
- 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
- f.) 2017-13. Appropriation of Funds: Renovations for Fire Station #2 (*adopt only*)

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

b.) 2017-09. Repealing and Replacing Ordinance No. 2017-65 and Ordinance 2008-42 Related to Towing and Recovery Rotation Services

MOTION BY Councilman Rudicell to waive the reading of Ordinance 2017-08. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Rudicell to adopt Ordinance 2017-08. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman to waive the reading of Ordinance 2017-09. Seconded by Councilman Davis.

MOTION BY Councilman Rudicell to adopt Ordinance 2017-09. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

**FEBRUARY 20, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

- c.) 2017-10. . . . Pre-Zone Property Located Northwest of the Intersection of CR 13 and AL Highway 181 / Joseph A. Allegri, Jr. Properties I & II / PUD
d.) 2017-11. . . . Consenting to the Sale by the Utilities Board of the City of Daphne of Certain Surplus Personal Property
e.) 2017-12. . . . Consenting to the Lease of Certain Property by the Utilities Board of the City of Daphne
f.) 2017-13. . . . Appropriation of Funds: Renovation for Fire Station #2

MOTION BY Councilman Goodlin to waive the reading of Ordinance 2017-10. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Davis to adopt Ordinance 2017-10. Seconded by Councilman Goodlin.

MOTION BY Councilman LeJeune to amend the motion to send the ordinance back to the Planning Commission for a recommendation. Seconded by Councilman Coleman.

VOTE ON THE AMENDMENT

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

AYE Conaway, Rudicell, Coleman, LeJeune, Scott

NAY Goodlin, Davis

MOTION CARRIED

VOTE ON ORIGINAL MOTION AS AMENDED

AYE Conaway, Rudicell, Coleman, LeJeune, Scott

NAY Goodlin, Davis

MOTION CARRIED

MOTION BY Council Rudicell to waive the reading of Ordinances 2017-11 2017-12 and Ordinance 2017-13. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman LeJeune to adopt Ordinance 2017-11. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman LeJeune to adopt Ordinance 2017-12. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Davis to adopt Ordinance 2017-13. Seconded by Council Coleman.

MOTION CARRIED UNANIMOUSLY

**FEBRUARY 20, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1ST READ ORDINANCES

- a.) 2017-14. Appropriation of Funds: IRS Penalty for late Federal Tax Deposit
- b.) 2017-15. FLSA Overtime Rule on Hold: Return employees to Salary
- c.) 2017-16. Appropriation of Funds: Corte Road Improvements, Phase I & II / Between CR13, SR 181 and Austin Road
- d.) 2017-17. Appropriation of Funds: US 98 & Van Avenue / Preliminary Survey & Engineering / Access Improvements
- e.) 2017-18. Appropriation of Funds: Daphne Sports Complex Phase 2
- f.) 2017-19. Appropriation of Funds: Furnishings for Fire Station #2

ORDINANCES 2017-14, 2017-15, 2017-16, 2017-17, 2017-18 AND 2017-19 ARE FIRST READ

12. COUNCIL COMMENTS

Councilwoman Conaway – from the work session on February 13th there will be an Education Committee formed and they are in the process of gathering information to create application form for citizens to fill out to apply to serve on the committee.

Councilman Rudicell – mentioned again the open house and ribbon cutting for the new water treatment plant on Friday at 10:30 a.m.

Councilman Coleman – commended the staff involved with the Arbor Day tree give-a-way, and said it was a great event.

Councilman LeJeune – appreciates everyone coming out, and reminded everyone there are two Mardi Gras parades this weekend. The Shadow Barons at 6:45 p.m. Saturday and the LOFT parade at 2:29 p.m. Sunday.

Councilman Davis – announced that the ad-hoc committee to address the job description for the City Clerk position will be meeting Thursday at 1:00 p.m. and every Thursday thereafter at 1:00 p.m. until they are done.

Council President Scott – spoke regarding the PUD at the corner of CR 64 and Hwy 181, which is about 70 acres, saying that this area will be a commercial corridor at some point in time. He hopes when it is developed it will be inside the city. He mentioned that it are requirements that engineers have to have a plan to collect the water. There are problems along Highway 181, but that is under ALDOT. He thinks this is a step in the right direction.

Mayor Haygood – mentioned two resolutions that were on the agenda 2017-09 and 2017-10. He said that 2017-09 is a bid award for the site work for the new sports complex, and it is a milestone for the Park Drive complex. Resolution 2017-10 is a bid award for the renovation for Fire Station #2. The firemen there have been working in sub-standard conditions

for a long time, and he is looking forward to the completion of the project. He said that it is council that sets priorities, and the schools will be what council wants them to be. No one can tell council what priorities are. The council can make a difference.

**FEBRUARY 20, 2017
CITY COUNCIL MEETING
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1705 MAIN STREET
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13. ADJOURN:

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

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:36 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Rebecca A. Hayes, City Clerk

Ron Scott, Council President