

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
JUNE 5, 2017

1. CALL TO ORDER

2. ROLL CALL

INVOCATION / Reverend Brad McClain

PLEDGE OF ALLEGIANCE

3. APPROVE MINUTES: Council meeting minutes / May 15, 2017

Special Called Council meeting minutes / May 16, 2017

Special Called Council meeting minutes / June 1, 2017

Amended May 15, 2017 minutes / **NO ACTION REQUIRED**

VOTE: City Clerk Position

PUBLIC HEARINGS:

1. Pre-Zone: George Kalasountas
Property Located: On the south side of U.S. Highway 90 at Renaissance Blvd.
Present Zoning: RSF-1, Single Family District, Baldwin County Extraterritorial Jurisdiction
Requested Zoning: B-2(a), General Business Alternate District
Recommendation: Unanimous Favorable
3. Annexation: George Kalasountas
Property Located: On the south side of U.S. Highway 90 at Renaissance Blvd.
Recommendation: Unanimous Favorable

4. REPORTS OF STANDING COMMITTEES:

A. FINANCE COMMITTEE / Rudicell

B. BUILDINGS & PROPERTY COMMITTEE: LeJeune
Review minutes / May 1st

C. PUBLIC SAFETY COMMITTEE: Davis
Review minutes / May 15th

D. CODE ENFORCEMENT / ORDINANCE COMMITTEE: Goodlin
Review minutes / May 15th

E. PUBLIC WORKS COMMITTEE: Coleman

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. BOARD OF ZONING ADJUSTMENTS: Adrienne Jones

B. DOWNTOWN REDEVELOPMENT AUTHORITY: ConawayReview minutes / May 24th**C. INDUSTRIAL DEVELOPMENT BOARD:** DavisReview minutes / May 22nd**D. LIBRARY BOARD:** Rudicell**E. PLANNING COMMISSION:** ScottReview minutes / April 27th / Staff Report / May 25th meeting**F. RECREATION BOARD:** LeJeune**G. UTILITY BOARD:** LeJeune**6. MAYOR'S REPORT****7. CITY ATTORNEY REPORT****8. DEPARTMENT HEAD REPORTS****9. CITY CLERK'S REPORT**

a.) Discuss changing the July 3, 2017 council meeting date

10. PUBLIC PARTICIPATION**11. RESOLUTIONS & ORDINANCES****RESOLUTIONS:**

a.) 2017-31.ADEM 319 Tiawasee Creek Sub-Watershed Management Project (FY17)

b.) 2017-32.Authorizing All-Way Stops at the Intersection of Frederick Boulevard & Dimitrios Avenue

ORDINANCES:**2ND READ**

a.) 2017-37.Pre-Zone Property Located on the East Side of Pollard Road, North of Creekside Subdivision / R-3, High Density Single Family District / S. Hickory, Inc.

b.) 2017-38.To Annex Property Contiguous to the Corporate Limits of the City of Daphne / S. Hickory. Inc.

d.) 2017-39.Pre-Zone Property Located Southeast of Alabama Highway 181 and Austin Road / PUD / Bertolla Properties, Inc.

c.) 2017-40.To Amend the City of Daphne Land Use and Development Ordinance 2011-54 / Article 38, Section 2 Residential High Rise Overlay Condominium District

d.) 2017-41.Appropriation of Funds: 2017 Interest Payment for Recreation Park Facilities Improvements

- e.) 2017-42. Appropriation of Additional Funds: Legislative Legal Advertising Budget
- f.) 2017-43. Appropriation of Seven Cent Gas Tax Funds: Project STPOA-0216(250): Intersection Improvements: County Road 13 Turning Lanes at Sehoy Boulevard and Longue Vue Drive (*French Settlement*)
- g.) 2017-44. Authorizing the City of Daphne to Accept Credit Cards
- h.) 2017-45. Pre-Zone Property Located on the Southside of U.S. Highway 90 at Renaissance Blvd. / George Kalasountas
- i.) 2017-46. Annexation: Property Located on the Southside of U.S. Highway 90 at Renaissance Blvd. / George Kalasountas

1ST READ

- a.) 2017-47. Adjust Speed Limits and Post Speed Limit Signs in the City of Daphne
- b.) 2017-48. Policy For Naming City Owned Public Buildings, Properties, Parks and Park Facilities

12. COUNCIL COMMENTS

13. ADJOURN

**CITY OF DAPHNE
CITY COUNCIL**

ROLL CALL

CITY COUNCIL:

COUNCILWOMAN CONAWAY	PRESENT____	ABSENT____
COUNCILMAN RUDICELL	PRESENT____	ABSENT____
COUNCILMAN COLEMAN	PRESENT____	ABSENT____
COUNCILMAN GOODLIN	PRESENT____	ABSENT____
COUNCILMAN LEJEUNE	PRESENT____	ABSENT____
COUNCILMAN DAVIS	PRESENT____	ABSENT____
COUNCIL PRESIDENT SCOTT	PRESENT____	ABSENT____

MAYOR:

MAYOR HAYGOOD	PRESENT____	ABSENT____
----------------------	--------------------	-------------------

CITY CLERK:

REBECCA HAYES	PRESENT____	ABSENT____
----------------------	--------------------	-------------------

CITY ATTORNEY:

JAY ROSS	PRESENT____	ABSENT____
-----------------	--------------------	-------------------

**MAY 15, 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; Adrienne Jones, Planning Director; Jay Ross, City Attorney; Patrick Dungan, City Attorney; James White, Fire Chief; David McKelroy, Recreation Director; Vickie Hinman, HR Director; Richard Merchant, Building Official Kelli Kichler, Finance Director/Treasurer; David Carpenter, Police Chief; Richard Johnson, Public Works Director; Tonja Young, Library Director; Tomasina Werner, Beautification Committee.

Absent: Margaret Thigpen, Civic Center Director.

INVOCATION/PLEDGE OF ALLEGIANCE:

Youth Minister Josh Raybon with the Eastern Shore Baptist Church gave the invocation.

3. APPROVE MINUTES:

Councilman Davis asked that the motion on page eight regarding the new Mardi Gras group be amended to include the councilman's name that made the motion, and asked that the motion on page nine to waive the reading of resolutions 2017-26 and 2017-27 be amended because Councilwoman Conaway cannot make the motion and second the motion. Council President Scott said the May 1, 2017 council meeting minutes stand approved as amended. The May 8, 2017 work session minutes stand approved as written.

PROCLAMATION: "National Safe Boating Week / May 20-26, 2017

Mayor Haygood read and presented the proclamation to Joseph Connor with the US Coast Guard Auxiliary Flotilla 36.

PROCLAMATION: "Public Works Week" May 21-27, 2017

Mayor Haygood read and presented the proclamation to Richard Johnson, Public Works Director.

PUBLIC HEARINGS:

- | | | |
|-------------------|--|----------------|
| 1. Annexation: | Fred L. Corte | |
| Property Located: | Southeast of County Road 13 and Corte Road | <u>2017-36</u> |
| Recommendation: | Unanimous Favorable | |

Mr. Steve Pumphrey with Dewberry|Prebble-Rish stated that the owner, Mr. Fred L. Corte has requested the annexation be withdrawn and be placed on the June 19, 2017 city council meeting.

Council President Scott said that Mr. Corte would be responsible for the cost of republishing the changed public hearing date. Mr. Pumphrey agreed to pay the extra cost.

**MAY 15, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

MOTION BY Councilman LeJeune to reset the Public Hearing date for June 19, 2017 to consider annexation of property located southeast of County Road 13 and Corte Road, Mr. Fred L. Corte with the developer paying the cost of re-advertising. Seconded by Councilman Davis.

AYE Conaway, Rudicell, Goodlin, LeJeune, Davis, Scott

ABSTAIN

Coleman

MOTION CARRIED

- | | | |
|-------------------|---|----------------|
| 2. Pre-Zone: | S. Hickory, Inc. | |
| Property Located: | On the East side of Pollard Road, north of Creekside Subdivision | <u>2017-37</u> |
| Present Zoning: | RSF-2, Single Family District, Baldwin County Extraterritorial Jurisdiction | |
| Requested Zoning: | R-3, High Density Single Family Residential District | |
| Recommendation: | Unanimous Favorable | |
| | | |
| 3. Annexation: | S. Hickory, Inc. | |
| Property Located: | On the East side of Pollard Road, north of Creekside Subdivision | <u>2017-38</u> |
| Recommendation: | Unanimous Favorable | |

Mr. William Miller with South Branch, LLC representing the owner gave the presentation.

Council President Scott opened the Public Hearing at 6:50 p.m.

No one spoke for or against the proposed pre-zoning or annexation.

Council President Scott closed the Public Hearing at 6:54 p.m.

- | | | |
|-------------------|---|----------------|
| 4. Pre-Zone: | Bertolla Properties, LLC | |
| Property Located: | Southeast of Alabama Highway 181 and Austin Road | |
| Present Zoning: | RSF-2, Single Family District, and RA, Rural Agricultural District, Baldwin County Extraterritorial Planning Jurisdiction | <u>2017-39</u> |
| Requested Zoning: | Planned Unit Development (PUD) | |
| Recommendation: | Unanimous Favorable | |

Councilman Coleman recused himself from the Public Hearing.

Mr. Steve Pumphrey with Dewberry|Prebble-Rish gave the presentation.

Council President Scott opened the Public Hearing at 7:14 p.m.

Mr. Mike Rader – Avalon Subdivision – spoke regarding his concerns of having bearing on council’s decision since he lives outside the city limits. He spoke against the proposed pre-zoning.

Mr. Carl Miles – Avalon Subdivision – spoke regarding the schools being already overcrowded, and spoke against the proposed pre-zoning saying it will not be a slow build, they will build as fast as they sell because it is all about making money.

**MAY 15, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Mr. Dan Blackburn - representing Mr. Dick Higbee whose land is landlocked by this project and said right now the ingress and egress is only by consent of the Bertolla family, and with the sale of the property that will end. He asked that the proposed pre-zone be subject to an agreement with Mr. Higbee.

Mr. Jeff Shoemaker – Avalon Subdivision – spoke regarding the two pods separated by the wetlands saying that he is concerned about drainage, where is the water going. He said there is no place for the water to go.

Ms. Jessica McDill – representing Mr. Bertolla, said she believes the matter of Mr. Higbee being landlocked is not appropriate for discussion in this setting that they are in discussion with Mr. Higbee.

Mr. Rod Drummond – Ridgewood Drive – spoke regarding PUD's saying it is a developer's dream and a neighbors nightmare. He also spoke regarding detention ponds.

Mrs. Stephanie Alexander – Austin Bridges Subdivision - spoke against the proposed pre-zoning. She feels that they are a part of the Daphne community even though they are not in the city limits.

Ms. Emily Alexander – Austin Bridges Subdivision – spoke concerning the overcrowding of the schools now, and the adding of more students makes her concerned about the quality of education.

Council President Scott closed the Public Hearing at 7:37 p.m.

5. Amendment to the Land Use and Development Ordinance: Article 38, Residential High Rise Overlay District, Section 2, Height Exceptions and District Map **2017-40**
Recommendation: Favorable

Ms. Cheryl Stovall gave the presentation.

Council President Scott opened the Public Hearing at 8:00 p.m.

Mr. Mark Leftsby – 2nd Street – spoke against the proposed amendment to the Land Use Ordinance, and is concerned about the look of the city coming across the Bay Way.

Council President Scott closed the Public Hearing at 8:02 p.m.

6. Ordinance 2017-34 / Repealing and Replacing Ordinance 2016-61 Regarding the Rules and Regulations for Daphne City Parks / Drones

Mayor Haygood gave the presentation.

Council President Scott opened the Public Hearing at 8:06 p.m.

No one spoke for or against Ordinance 2017-34.

Council President Scott closed the Public Hearing at 8:07 p.m.

**MAY 15, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE – Rudicell

The minutes for the May 8th meeting are in the packet.

Treasurer's Report / April 2017

As of April, 2017 Total Unrestricted Cash Balance - \$ 13,689,247 and Total City Cash Balance - \$34,294,401

TREASURER'S REPORT					
As of April 30, 2017					
Account Type/Title	4/30/2017	3/31/2017	Increase (Decrease) from last Month	4/30/2016	Increase (Decrease) from Last Year
Total Unrestricted Cash Balance	13,689,247	15,683,820	(1,994,573)	12,860,088	829,159
Total Restricted Cash Balance	20,605,154	6,342,279	14,262,875	7,622,050	12,983,104
Total City Cash Balance	\$ 34,294,401	\$ 22,026,099	\$ 12,268,302	\$ 20,482,138	\$ 13,812,263
Encumbrance Total as of 4/30/2017				\$ 420,857.71	

Sales & Use Tax Collections / March 2017

\$1,413,341.61 was collected for March, 2017 which was up \$90,762.24 from March 2016's collections:

- YTD Variance over Budget - \$ 185,203

Lodging Tax Collections / March 2017

Report for April, 2017.

- Unreserved balance for Bayfront related purchases - \$616,304
- Recreation related purchases - \$ 1,432,100

MOTION BY Councilman Rudicell to authorize the Mayor to enter into an agreement for architectural services with Walcott Adams Verneuille Architects for the Library: "The Porch Project". No second required (*Out of Committee*)

MOTION CARRIED UNANIMOUSLY

B. BUILDINGS & PROPERTY COMMITTEE – LeJeune

The minutes for the May 1st meeting are in the packet.

MOTION BY Councilman LeJeune to approve the new design for the ingress/egress within the parcel for the new boat launch. No seconded required. (*Out of committee*)

MOTION CARRIED UNANIMOUSLY

C. PUBLIC SAFETY COMMITTEE – Davis

The committee met today, and the minutes will be in the next packet. The next meeting will be June 19th.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Goodlin

The committee met today, and the next meeting will be June 19th. The committee discussed the speed limit ordinance, and an ordinance pertaining to naming of city property, and council rules of procedure.

**MAY 15, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

E. PUBLIC WORKS COMMITTEE – Coleman
No report. The next meeting will be June 5th.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Adrienne Jones
No report.

B. Downtown Redevelopment Authority – Conaway
The April 26th minutes are in the packet. The next meeting will be May 24th at 5:30 p.m.

C. Industrial Development Board – Davis
The next meeting will be May 22nd at 6:00 p.m. They will be going out for bids July 1st, August 1st award bid, August 10th notice to proceed is commenced and August 31st contractor begins.

D. Library Board – Rudicell
No report.

E. Planning Commission – Scott
The March 23rd minutes and the staff report for the April 27th meeting are in the packet.

MOTION BY Councilman Rudicell to set a Public Hearing Date for June 19, 2017 to consider revisions to the City of Daphne Zoning Map. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

F. RECREATION BOARD - LeJeune
No report.

G. Utility Board – LeJeune
No report.

6. MAYOR'S REPORT

Mayor Haygood reported on a Mutual Aid Agreement for disaster response that was recently brought to his attention which will replace the one that is already in effect. EMA could not find agreements for all the towns and cities involved and wanted to start fresh.

MOTION BY Councilwoman Conaway to add a motion to authorize the mayor to enter into a South Alabama Mutual Aid Agreement to the council meeting agenda. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to authorize the mayor to enter into a South Alabama Mutual Aid Agreement. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

**MAY 15, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

7. CITY ATTORNEY REPORT:

Mr. Ross spoke regarding the top five candidates for the position of City Clerk. He said there is one or more that have requested confidentiality, and Mrs. Hinman will call tomorrow to see if they still want to proceed. Mr. Ross will consult with the League of Municipalities on the matter of confidentiality. Mr. Ross will be in touch with council tomorrow.

8. DEPARTMENT HEAD COMMENTS:

David Carpenter – Police Chief – reported that May 14-20 is Law Enforcement Week, and today is Law Enforcement Memorial Day. There have been 48-49 officers killed.

David McKelroy – Recreation Director – reported Brown Bag by the Bay is Thursday 11:30-1:30 until the end of May. Sunday is the last of the Sunday Sunset Series.

9. CITY CLERK'S REPORT:

MOTION BY Councilman Rudicell to set a Special Called council meeting for June 1, 2017 at 5:00 p.m. for the purpose of interviewing for the position of City Clerk. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Davis to authorize the Mayor to enter into an agreement with Southern Communications Service, Inc. (Southern Linc) for antenna space. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMLOUSLY

Mrs. Hayes reminded council of the Special Called Council meeting tomorrow at 4:00 p.m. for the strategic plan.

10. PUBLIC PARTICIPATION

No one spoke.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) 2017-28. Support for Start of Construction & Demolition (C&D) Landfill Operations for the City of Daphne's Tallent Lane Facility ADEM Permit Approval, April 18, 2017
- b.) 2017-29. Revisions to the City of Daphne Street Map
- c.) 2017-30. Acceptance of Streets and Drainage / Located in the Caroline, Phase Three B

**MAY 15, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

- a.) 2017-28. . . . Support for Start of the Construction & Demolition (C&D) Landfill Operations for the City of Daphne's Tallent Lane Facility ADEM Permit Approval, April 18, 2017
b.) 2017-29. . . . Revisions to the City of Daphne Street Map
c.) 2017-30. . . . Acceptance of Streets and Drainage / Located in the Caroline Woods, Phase Three B

MOTION BY Councilwoman Conaway to waive the reading of Resolutions 2017-28, 2017-29 and 2017-30. Seconded by Councilwoman Davis.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Conaway to adopt Resolution 2017-28. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to adopt Resolution 2017-29. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to adopt Resolution 2017-30. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY

ORDINANCES:

2ND READ ORDINANCES

- a.) 2017-34. Repealing and Replacing Ordinance 2016-61 Regarding The Rules and Regulations for Daphne City Parks
b.) 2017-35. Establishing a Policy for Events Held Within the City of Daphne

- a.) 2017-34. . . . Repealing and Replacing Ordinance 2016-61 Regarding The Rules and Regulations for Daphne City Parks
b.) 2017-35. . . . Establishing a Policy for Events Held Within the City of Daphne

MOTION BY Councilman Goodlin to waive the reading of Ordinances 2017-34, and 2017-35. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Goodlin to adopt Ordinance 2017-34. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Davis to adopt 2017-35. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

**MAY 15, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

MOTION BY Councilman LeJeune to postpone Ordinance 2017-36 as a 1st Read until the June 19, 2017 council meeting. Seconded by Councilman Davis.

AYE Conaway, Rudicell, Goodlin, LeJeune, Davis, Scott

ABSTAIN Coleman

MOTION CARRIED

1ST READ

- a.) **2017-36.**To Annex Property Contiguous to the Corporate Limits of the City of Daphne / Fred L. Corte
- b.) **2017-37.**Pre-Zone Property Located on the East Side of Pollard Road, North of Creekside Subdivision / R-3, High Density Single Family District / S. Hickory, Inc.
- c.) **2017-38.**To Annex Property Contiguous to the Corporate Limits of the City of Daphne / S. Hickory. Inc.
- d.) **2017-39.** Pre-Zone Property Located Southeast of Alabama Highway 181 and Austin Road / PUD / Bertolla Properties, Inc.
- e.) **2017-40.** To Amend the City of Daphne Land Use and Development Ordinance 2011-54 / Article 38, Section 2 Residential High Rise Overlay Condominium District
- f.) **2017-41.**Appropriation of Funds: 2017 Interest Payment for Recreation Park Facilities Improvements
- g.) **2017-42.**Appropriation of Additional Funds: Legislative Legal Advertising Budget
- h.) **2017-43.** Appropriation of Seven Cent Gas Tax Funds: Project STPOA-0216(250): Intersection Improvements: County Road 13 Turning Lanes at Sehoy Boulevard and Longue Vue Drive (*French Settlement*)
- i.) **2017-44.**Authorizing the City of Daphne to Accept Credit Cards
- j.) **2017-45.**Pre-Zone Property Located on the Southside of U.S. Highway 90 at Renaissance Blvd. / George Kalasountas
- k.) **2017-46.** Annexation: Property Located on the Southside of U.S. Highway 90 at Renaissance Blvd. / George Kalasountas

Ordinances 2017-36, 2017-37, 2017-38, 2017-39, 2017-40, 2017-41, 2017-42, 2017-43, 2017-44, 2017-45 and 2017-46 are a 1st Read.

12. COUNCIL COMMENTS

Councilman Davis – spoke regarding the tragedies at the Police Department.

Councilman LeJeune – congratulated all the graduates.

**MAY 15, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Councilman President Scott – said they need to take a look at budgeting funds for teams going to state championships.

Mayor Haygood – reported that he reached out to the Board of Education and had some communication with superintendent Eddie Tyler, and they are aware of the city’s request to be at the June 12th work session, and they find that agreeable. He relayed the request for them to help council to understand where they are from an education and facility standpoint and what plans they have for Daphne schools. Mayor Haygood also spoke regarding the tragedies at the Police Department, and he said he was proud of the Police Department, Fire Department and Public Works for the respect shown during a funeral Friday during a funeral procession. He thanked them for all that they do.

13. ADJOURN:

MOTION BY Councilman Coleman to adjourn. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:37 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Rebecca A. Hayes, City Clerk

Ron Scott, Council President

**MAY 16, 2017
SPECIAL CALLED
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
4:00 P.M.**

1. CALL TO ORDER

There being a quorum present Council President Rudicell called the meeting to order at 4:05 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; Jay Ross, City Attorney; Adrienne Jones, Planning Director; Dan Lumpkin, Lumpkin & Associates.

1. Strategic Plan

Mr. Lumpkin presented a power point presentation of a compilation of the answers from the questionnaire council submitted. *(Presentation attached to these minutes)*

Pointers from Mr. Lumpkin on the plan:

- Always consider when considering statements: How do you define it and how do you measure it
- Encouraged council to review mission statement
 1. It is different to say it and another to do it
 2. Have intentional choice of words
 3. Every word should have an operation – Is it measurable
 4. If you say need to do it *(vision statement)* ask how do we know it when we see it and what are the ratio's *(measurable)*
- People support what they help to create
- The more positive you are affects people and makes them have a positive attitude
- Plan year by year
- You can make history or be history

There being no further business to discuss the meeting adjourned at 5:30 p.m.

Respectfully submitted by,

Certification of Presiding Officer:

Rebecca A. Hayes, City Clerk

Ron Scott, Council President



Strategic Plan

Work Session I

City of Daphne, Alabama

May 16, 2017

Copyright; Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

How would you Describe the City of Daphne?

- Growing community, on the Eastern Shore of Mobile Bay
- Good Schools
- Recreation opportunities
- Safe, friendly, happy and good-natured people
- Small town feel
- Diverse community, age, gender, race, education, retirees, and working families

May 16, 2017

Copyright; Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

2

Organization Information

Daphne City Government is comprised of a seven member City Council elected from single member districts and a Mayor elected at-large.

- * Founded in 1927
- * 275 Employees
- * \$28 Million General Fund Budget

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

3

The Role of the City Council

- Appoint the constitutional positions required by State Law
- Enact legislation that results in a healthy, safe and financially viable city
- Work with the Mayor as a team to oversee the financial, safety, health and property of our community
- Oversee large scale contractual needs
- Allocate resources to achieve the vision of the City

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

4

The Role of the Mayor

- Serve as the Chief Executive Officer of the City Government
 - To provide leadership to the city and it's employees
 - To direct the efforts of all city departments to meet the needs of the city
- Establish a vision for the future of the city and provide guidance to keep us focused
- Act as the "face of city" within the community
- Work with other public and private entities to promote the interest of the city
- Work with the council to facilitate agreement and help the governing body (mayor and council) reach mutual agreement and take actions that move our city forward

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

5

The Role of the Council Member

- To represent the best interests of all citizens of the City collectively and individually
- To serve on advisory council committees and appoint members to various established boards and commissions for the purpose of fulfilling their respective missions
- To work together collaboratively to reach a shared vision on major issues affecting the City
- To consider the needs and interests of their individual districts and be a voice on their behalf
- To work with other council members and the Mayor, collaboratively, to reach agreement and move our city forward
- To offer insight, and guidance and to contribute to constructing exploration of issues/concerns with the intention of reaching constructive decisions quickly and efficiently

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

6

Proposed Mission Statement Review

“Our mission is to serve our citizens and visitors with a caring attitude including respect, trust, innovation, inclusion, flexibility and communication. We will strive to promote a well-designed municipality, sustain and protect our resources, deliver timely professional services and maintain public safety. We are proud of our character, history, culture and the quality of life afforded by our community we all enjoy.”

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

7

Proposed Mission Statement Review

- Intentional choice of wording
- Keyword Identification
- Keyword Reflection
 - Agreement on definition
 - What does it mean?
 - Agreement on related activities
 - How do you know it when you see it?
 - Identify metrics to show achievement
 - How do you measure progress in this area?

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

8

“Caring Attitude”

- Listen to our Citizens
- Courteous and friendly behaviors
- Create Civic Pride
- Care for concerned citizens and employees
- Prompt, compassionate attention to issues/concerns
- Listening and helping those we communicate with “feel understood” and heard

May 16, 2017

Copyright; Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

9

Respect

- Treat all citizens as “Customers”
- Mutual respect
- Embrace our diversities and provide a voice for everyone
- Demonstrate genuine concern to our citizens

May 16, 2017

Copyright; Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

10

Trust

- To demonstrate accountability, genuine interest, honesty and integrity in our behavior (thoughts, words and actions)
- Transparency in written and electronic information
- To see every opportunity as a chance to work together

May 16, 2017

Copyright, Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

11

Innovation

- Embrace technology to better serve our citizens
- Demonstrate new ideas / methods we have accomplished each year
- Visible change in Technology, Science, Communication, and the latest advances in municipalities
- Providing our residents with “user friendly” apps, websites, customer service, applications, permits, licenses

May 16, 2017

Copyright, Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

12

Flexibility

- Always seeking new approaches to old problems
- Service Availability 24/7
- Operating efficiency that gets things done in less time

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

13

Communication

- Making it easy for any citizen or employee to know what is going on in our city
- Shared meaning and shared understanding among all concerned in our community
- Share information in a timely manner

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

14

Well Designed Municipality

- Update of our Comprehensive Plan
- “Cutting edge” in urban design
- Proactive attitude toward development
- Restoring old Infrastructure while investing in the new

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

15

Sustain and Protect our Resources

- Partner with Environmental Groups
- “Develop” our bay fronts and surrounding natural water systems
- “Future focused” approach to our environmental needs
- Infrastructure maintenance includes environmental sustainment and protection

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

16

Maintain Public Safety

- Meet standards to qualify for recognition as one of the safest cities in Alabama
- Focus on Public Safety as a priority
- “Safe to walk in our neighborhoods” attitude in all areas of the city
- Prioritizing Police, Fire, Pubic Works, Water, Sewer, Parks

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

17

Character

- Mutual respect of all neighborhoods in the City
- Investment priorities align with the things we say we are about
- Support diversity in families, religions, age groups
- Be open and honest in all our dealings

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

18

Culture

- Providing investment and support for the arts in our community
- Welcoming contribution from various diverse cultures that make up our population
- Emphasizing our rich heritage among our citizens
- Marketing our culture as a strength internally and externally to our City

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

19

Quality of Life

- Development of “bay front life”, including concerts, activities, events
- Having strong non-work activities that contribute to a relaxed, suburban, safe environment with green spaces and waterfront development
- Intentional promotion of Daphne as a proud community, emphasizing public safety, infrastructure and schools

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

20

Environmental Scan

A broader view of what is occurring around us.

Local Economic Trends

- Impact of Online purchases on our tax base
- Unmanaged rapid development in our City
- Economic growth outside the city limits
- Rapid growth

Political Trends

- Schools
 - BCBE lack of funding to provide adequate classrooms
 - Strategy regarding our School system to support our fast growing community
- Revenue impact from business license exemptions
- Lack of return of Daphne generated county tax dollars (road & bridge)
- Inadequate revenue source for major road projects
 - ALDOT for U.S. Hwy 98
 - Mobile River Bridge & Bayway Project
 - New city streets and repaving initiatives

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

23

Social Trends

- Online shopping
 - Revenue Impact
 - Brick and mortar store impact
- Less reliance on Churches and centers of activities
- I-devices limiting quality human interaction
- Need for increasing diversity within City
- Public Scrutiny Law Enforcement

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

24

Technological Trends

- Improved mapping technology (GIS)
 - Inventory all streets, sidewalks, storm water drainage, detention ponds, fire hydrants and accident locations
- GPS
- Increased cell phone coverage
- Broadband availability and speeds
- High speed internet on our traffic signals
- DISC Project

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

25

SWOT Analysis

- Elements
 - Internal Factors
 - Strengths
 - Weaknesses
 - External Factors
 - Opportunities
 - Threats
- Outcomes
 - Using Resources Efficiently
 - Improve Operations
 - Enhance Image
 - Discover Opportunities
 - Address Risks
 - Competitive Positioning

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

26

Perceived Strengths in our City

- Location, waterfront
- Family focused community
- Good relationship between Mayor and Council
- Public Safety (strong Police and Fire Departments)
- Quality Education
- Recreational Diversity
- Friendly Citizenry

May 16, 2017

Copyright; Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

27

Perceived Weaknesses in our City

- Growing base of city employees approaching retirement age
- Impact of growth on traffic congestion
- Not much growth in industry versus retail

May 16, 2017

Copyright; Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

28

How to contribute to the strengths?

- Add facilities on the bay front to extend pier and water accessibility
- Ensure competitive employee compensation
- Intentional new development and annexations
- Improved Quality School System
- Debt reduction

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

29

How to address weaknesses

- Add to the capacity of our roads
- Support downtown redevelopment
- Encourage growth in retail and industry
- Planned, intentional growth

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

30

Greatest opportunities

- Complete Strategic and Comprehensive planning
- Address the Schools issue
- Develop our Water front and its use
- Improve green space and Parks and Recreation
- Develop walking path along Bay Front from Village Point and connect with Gator Alley Boardwalk
- Amphitheatre on the bay front owned by the City
- Development of 1-10 County Road 13 Interchange

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

31

Possible threats

- Weather related threats affecting our life
- Closing of more retail stores and the abandoning of shopping facilities
- Reducing revenues necessary to keep pace with the growth
- Rapid uncontrolled growth that has no stake in City of Daphne needs
- Revenue erosion
- Lack of engagement from the general public in our City

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

32

Paradigm Question

- What seems impossible to do today but if it could be done would fundamentally change Daphne?
 - Municipal School System
 - Redefine City Limits to control growth
 - Impact Fees
 - More Development and Parking in Downtown Daphne
- Explore more “outside the box” possibilities

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

33

Proposed Vision Statement Review

“The City of Daphne is committed to a family oriented environment that promotes high quality of life, strong sense of community and the fostering of education, culture and business.”

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

34

Proposed Vision Statement Review

- Where do you want to go?
- Intentional choice of wording
 - Wording establishes Goals/Objectives
 - Translate Goals to achievable activities
 - Establish metrics and means of measurement

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

35

Where do you want to go?

- 3 Things we need to be doing in 5-10 years we are not doing today:
 - Outdoor physical amenities (e.g. bike trails, kayaking, launches, walking trails, sidewalks)
 - Broadcast of city council meetings
 - Public waterfront access & amenities (e.g. amphitheater, pier, waterfront festivals)
 - Revitalizing Downtown Daphne
 - Connectivity in the City
 - Make Daphne a healthy community
 - Establish a city school system
 - Water features, splash pads , water park type facility
 - Regional collaboration and exploration of innovative funding (e.g. tolls) to attain Mobile River Bridge
 - Attract post-secondary academic presence to Daphne

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

36

Strong and Diverse Economy

- Revenue increases from all major sources (sales tax, ad valorem tax, business licenses and building permits)
- Increased non-retail employment inside the city
- Implement and keep current a strong comprehensive growth plan
- Find the path to continued excellence of our school systems
- Focus on economic growth and job growth
 - Targeted sectors – e.g. Technology and Advanced Manufacturing
- Implement development impact fees

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

37

Safe and Secure Community

- Improvement in crime statistics
- Improve fire department response times
- Continue to be listed as one of the safest cities in Alabama
- Resources to provide more cameras to detect criminal activity
- Promote safety of people, places & things
- Residents and police officers work together to make neighborhoods safer

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

38

Thriving and Livable Neighborhoods

- Work with the different neighborhoods to encourage community interaction by permitting neighborhood block parties
- Continue sidewalks throughout the city (e.g. a mile a year)
- Working with developers to manage growth
- Connect new neighborhoods with older and downtown area
- Create a sense of community
- Create a city school system
- Improve communication between local subdivision POA's and the city

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

39

Well Managed City

- Continue to be awarded the CAFR (Comprehensive Accounting and Financial Reporting) designation
- Keep the total number of employees in ratio to the population of Daphne at or less than today
- Inside & outside communication
- Evaluate all aspects of city provided services and potential services

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

40

Positive Image

- Continue to be listed or in the conversation as the best small towns to live/retire or raise a family
- Friendly & Welcoming to visitors
 - Appeal to multiple user groups
 - Medium to Long Term visitors (e.g. "snowbirds")
 - Short Term
 - Tourists
 - Event Driven Visitors (e.g. Recreation tournament participants)
- Avoid major public disagreements between the mayor and council
- Safe environment
- Positive and pleased citizenry

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

41

Healthy and Active Citizenry

- Add more sidewalks, walking and bicycle paths
- Publicize city employee health styles
- Increase water activities
 - include a City Aquatics Center

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

42

Enhance Transportation and Infrastructure

- Enhance connectivity from existing subdivisions
- Construct traffic circles where applicable and beneficial
- Endeavor to improve infrastructure on major arterials (Hwy 98, Hwy 90, CR13, CR64, Whispering Pines Rd, Corte Rd) collaboratively with ALDOT, Baldwin County and Eastern Shore MPO
- Establish a baseline from which we can compare ourselves
- I-10 Mobile River Bridge widening
- Additional East-West corridor(s) to connect Hwy 98 to Hwy 181
- Design and implement a storm-water plan
- Encourage and promote more turning lanes

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

43

Vision Statement Summary

- Proposed Vision Statement establishes strong Goals and Objectives
- Identify actions to support goals/objectives
 - Good start on identifying preliminary supporting actions
 - Stronger consensus needed on supporting actions
- Establishing metrics to measure progress
 - Measurement = accountability
 - Measurement = What is the evidence we are making progress?
 - Measurement should be more than a yes/no checkbox
 - Without identification of measurability, a supporting action is meaningless
 - Meaningless supporting actions should be deleted
 - A system and process to track metrics is necessary
 - Establishment of metrics, stakeholders, and input frequency are essential

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

44

Your thoughts on: Actions to take now

- Continue to grow the city's tax base
- Add Fire Station to serve the existing population in the high growth area of Hwy 181 south of CR64
- Establish/improve communication between the city and Property Owners Associations
- Promote the Daphne Innovation Science Complex (DISC)
- Advertise the City of Daphne in appropriate publications
- Set a policy to build sidewalks each fiscal year
- Pave Corte Road from CR13 to Hwy 181

May 16, 2017

Copyright: Lumpkin & Associates, all rights reserved
www.lumpkinassociates.com

45

**JUNE 1, 2017
SPECIAL CALLED
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:20 P.M.**

1. CALL TO ORDER

There being a quorum present Council President Rudicell called the meeting to order at 4:45 p.m.

2. ROLL CALL

COUNCIL MEMBERS PRESENT: Tommie Conaway; Pat Rudicell; Joel Coleman; Doug Goodlin; Ron Scott; Robin LeJeune (*arrived at 4:52 pm*); Joe Davis.

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Jay Ross, City Attorney; Vickie Hinman, HR Director.

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Haygood gave the invocation.

3. INTERVIEWS FOR THE POSITION OF CITY CLERK

Council interviewed Ms. Julie Ramm and Mrs. Candace Antinarella for the position of City Clerk for the City of Daphne.

Council President Scott stated that the vote for the position will be on the council meeting agenda for Monday, but it will be up to council whether to proceed with the vote.

There being no further business to discuss the meeting adjourned at 6:45 p.m.

Respectfully submitted by,

Certification of Presiding Officer:

Rebecca A. Hayes, City Clerk

Ron Scott, Council President

MAY 1, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

Amended minutes from the
May 15, 2017 Council Meeting

F. RECREATION BOARD - LeJeune

Councilman LeJeune said that some councilmembers toured the Park Drive Site after the Volunteer Breakfast last Wednesday to see the progress being made on the facilities.

G. Utility Board – LeJeune

The board met Wednesday, and they are amending the standard construction specifications. The changes will be on the website. They also worked out the Spanish Fort billing issue.

6. MAYOR'S REPORT

Mayor Haygood spoke regarding the dedication of the gazebo at Mayday Park. He thanked the Beautification Committee for their help. He mentioned that Mr. Al Guarisco brought him a CD with the 1958 May Day Celebration on it. He said these are available at the Museum for \$6.00. He reported that the county will help with paving Corte Road by preparing the road bed, using resources to get the right-of-ways and transfer Corte Road by Quit Claim deed to the City of Daphne.

7. CITY ATTORNEY REPORT:

Mr. Ross stated there were two matters to consider in Executive Session one is pending litigation and the other is one threatened litigation. The session should take about 20 minutes.

8. DEPARTMENT HEAD COMMENTS:

Richard Johnson – Public Works Director – reported Public Works Week is the third week in May, Public Works Day at Lott Park is Wednesday May 17th and May 20th is Keep Daphne Beautiful Day at City Hall.

9. CITY CLERK'S REPORT:

a.) Event Permit / Scott Ward Memorial 5K / Family Fun Run / November 11, 2017

MOTION BY Councilman Davis to approve the Event Permit / Scott Ward Memorial 5K / Family Fun Run / November 11, 2017. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

b.) **MOTION:** To approve the Eastern Shore Carnival Association Mardi Gras Group to parade as one of the four approved Mardi Gras groups in the City of Daphne

MOTION BY Councilman Davis approve the Eastern Shore Carnival Association Mardi Gras group to parade as one of the four approve Mardi Gras groups in the City of Daphne. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

Mrs. Hayes reported that the Volunteer Breakfast was a great success. She thanked council and the mayor for sponsoring the event for the volunteers. All the volunteers felt special and appreciated.

10. PUBLIC PARTICIPATION

Mrs. Dorothy Morrison – 26197 Via Del San Francesco – thanked council for the gazebos at the parks.

MAY 1, 2017
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

Ms. Courtney Vaughn – 809 Trione Street – spoke regarding putting lights in the parking lot at Gator Alley.

Mr. Willie Robison – 560 Stuart Street – spoke regarding the improved sound system, and thanked council for the Volunteer Breakfast. Great to see council literally serving the citizens of Daphne.

Mr. Johnny Hall – Daphne – spoke regarding the rezoning of the Kalasountas property in Malbis.

Ms. Yelding – Warren Drive – asked for details on the Education Advisory Committee.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) 2017-26. Approving the City of Daphne's Participation in the State of Alabama "Back to School" Sales Tax Holiday
- b.) 2017-27. Establishing an Education Advisory Committee

- a.) 2017-26. Approving the City of Daphne's Participation in the State of Alabama "Back to School" Sales Tax Holiday
- b.) 2017-27. Establishing an Education Advisory Committee

MOTION BY Councilwoman Conaway to waive the reading of Resolutions 2017-26 and 2017-27. Seconded by Councilwoman Goodlin.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Davis to adopt Resolution 2017-26. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to adopt Resolution 2017-27. Seconded by Councilman Davis.

MOTION BY Councilman LeJeune to amend Resolution 2017-27 to say "that the by-laws are to be written by the committee and approved or modified by the city council, and any subsequent amendments are to be approved by the city council." Seconded by Councilman Davis.

VOTE ON AMENDMENT

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Davis to amend Resolution 2017-27 : "Section 2 to be rewritten to read "nine (9) members, seven (7) nominations by the city council and two (2) members by the mayor which will be approved by the city council and the terms of the committee will run concurrently with the city council's term. Seconded by Councilman LeJeune.

VOTE ON AMENDMENT

AYE Coleman, Goodlin, LeJeune, Davis, Scott NAY Conaway MOTION CARRIED

VOTE ON MAIN MOTION AS AMENDED

MOTION CARRIED UNANIMOUSLY

PUBLIC HEARING
JUNE 5, 2017

TO CONSIDER:

1 . Pre-Zone:

Property Located:

Present Zoning:

Requested Zoning:

Recommendation:

George Kalasountas

On the south side of U.S. Highway 90 at Renaissance Blvd.

RSF-1, Single Family District, Baldwin County Extraterritorial Jurisdiction

B-2, General Business District

Unanimous Favorable

2. Annexation:

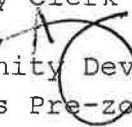
Property Located:

Recommendation:

George Kalasountas

On the south side of U.S. Highway 90 at Renaissance Blvd.

Unanimous Favorable

To: Office of the City Clerk
From: Adrienne D. Jones, 
Director of Community Development
Subject: George Kalasountas Pre-zoning
Amendment
Date: March 27, 2017

MEMORANDUM

PRESENT ZONING: RSF-1, Single Family District,
Baldwin County Exterritorial
Planning Jurisdiction

PROPOSED PRE-ZONING: B-2, General Business

LOCATION: On the south side of U. S. Highway
90 at Renaissance Boulevard

RECOMMENDATION: At the Thursday, March 23, 2017,
regular meeting of the Daphne
Planning Commission, six members
were present, and the motion carried
for a unanimous favorable
recommendation as B-2(a) in lieu of
B-2 for the above mentioned pre-
zoning amendment.

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

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

Thank you,
ADJ/jv

attachment(s)

1. Pre-zoning Application
2. Legal Description (Exhibit A)
3. Boundary Survey (Exhibit B)
4. Adjacent property owners list
5. Community Development Report
6. Citizen Comments

Memorandum

To: Daphne Planning Commission

From: Christopher Grant, PLA (Thompson Engineering – Director of Planning)
Representing Infirmary Health on behalf of Mr. George Kalasountas

Date: Wednesday, March 22, 2017

Subject: **Pre-zoning and Annexation of George Kalasountas Property from RSF-1 to B-2**
17.8 Acres located on US Highway 90 near Hwy 181

Dear Daphne Planning Commission Members,

It has been brought to my attention that you all may have received a memorandum from Mr. Normond McAllister, Jr. (representing the Malbis/Vlahos Lane Homeowners Association). In his memorandum, Mr. McAllister mentions that B-2 zoning is least appropriate and that B-2(a) allows for uses that would be objectionable for the re-zoning of Mr. Kalasountas' property. Mr. McAllister also suggests that the B-3 zoning category is more appropriate for the use of medical office buildings.

My client has spoken with Mr. McAllister on several occasions and discussed these matters with him. See below for a list of items for consideration in making the appropriate decision for the re-zoning and annexation of this property.

- 1) Yes, B-3 zoning allows for several of the uses my client is considering for a medical office complex. However, many of the permitted uses within B-3 zoning, are NOT allowed "by right", but only if you come back to the planning commission for approval or "special exception approval" at a later date.
- 2) B-3 zoning also does not allow for Bakery, Restaurants, Lunch Counters, Candy Store, Convenience Store, Delicatessens, Gift Shops, Grocery Store, Gyms, Day Care Centers, Medical Labs, Laundry Service, Library, Office Buildings – General (Office Buildings – Professional is only allowed within B-3), Surgical or Dental Supplies Retail, etc. Although my client may not need all of these uses, they certainly may need many of them.
- 3) The proposed B-2 zoning category is the appropriate zoning category due to the close proximity (directly adjacent to the North and East) of other parcels of land zoned B-2 and is aligned with the vision set forth at this intersection in the City of Daphne Comprehensive Master Plan.

Thank you all for your consideration of this pre-zoning and annexation request. As you know, this is a very important project that seeks to bring valuable health care to the residents of this region.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Grant', written in a cursive style.

Christopher Grant, PLA

Cc. Mark Nix (Infirmary Health)
Dennis Summerford (Infirmary Health)

APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted

2/23/17

Application Number:

Planning Commission Public

ZA-

or

PZA- 17-03

Hearing Date:

3/23/17

Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection):
1,660 feet West of Intersection Highway 90 and Highway 181
South side of Highway 90 George Kalasountas property

PPIN#(s): 58644
99323
102355

Gross Site Area (acreage): 17.8 acres

Requested Zoning or Pre-Zoning: B-2, General Business

Current Zoning Designation(s):
RSF-1 Baldwin County

Amended Request:

Initials:

Date:

Current Land Use:
Residential

Anticipated Land Use:
Commercial

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":
Lots 1, 2, and 3 A Replat of Property for George Kalasountas # 2, recorded on Slide 2520-F

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).

Annexation Subdivision Site Plan Special Exception Variance Specify Other

APPLICANT & AGENT INFORMATION

**If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent and provide a copy of Articles of Incorporation.*

Name of Current Owner: George P. Kalasountas

Mailing Address:
9563 Malbis Lane Daphne, Alabama 36526

Phone/Fax:
E-mail:

Name of Authorized Agent:
Thompson Engineering Johnny E. Holley

Office:251-665-5416
Cell:251-599-2298

Mailing Address:
2970 Cottage Hill Road, Suite 190 Mobile, Alabama 36606

Phone/Fax:
E-mail: jholley@thompsonengineering.com

Name of Developer*:

Phone/Fax:
E-mail:

Other:

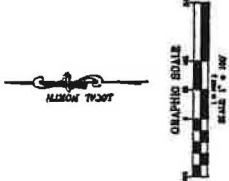
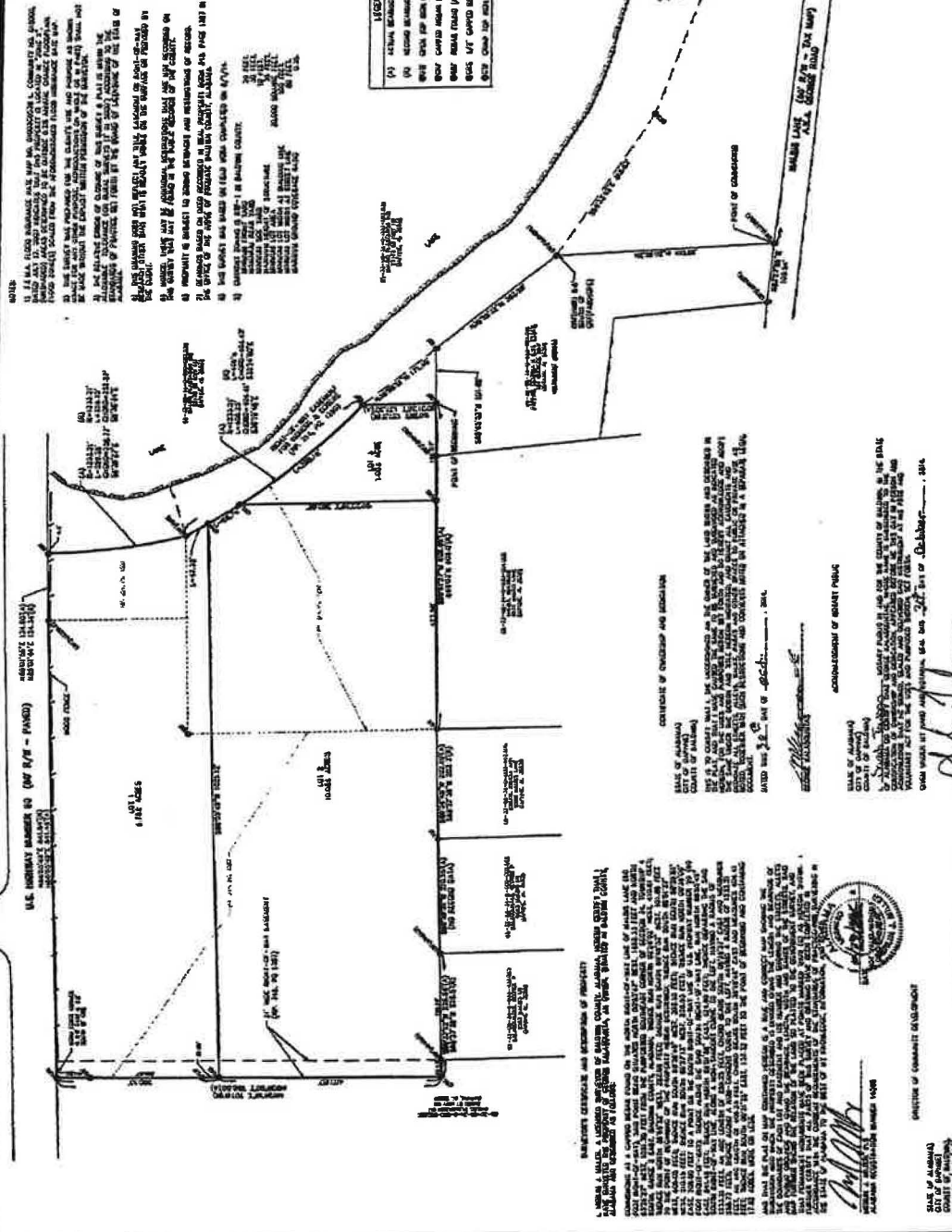
Phone/Fax:
E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature:	Date
Agent's Signature: 	Date 2/20/2017

"Exhibit A"
Legal Description

Lots 1, 2, and 3 A Replat of Property for George P. Kalasountas #2 as recorded in the office of the Judge of Probate Baldwin County, Alabama *as sheet # 2520 F.*

[illegible][illegible]

RECENTLY RECEIVED AND ACCEPTED FOR DEPOSIT
FROM A. WALKER, A LICENSED SURVEYOR OF BALTIMORE COUNTY, ALABAMA, HEREIN CERTIFY THAT I
HAVE EXAMINED THE FOREPART OF SAID MAP, AND IT BEING TRUE, I HAVE SIGNED THE SAME, BEING
AND BEING THE FOREPART OF SAID MAP, AND IT BEING TRUE, I HAVE SIGNED THE SAME, BEING

WETFOOT ONE-STOP SERVICE

STAFF OF BUREAU)

ACQUISITION OF SPANISH AS A SECOND LANGUAGE

STATE OF ALABAMA
CITY OF MOBILE
COUNTY OF MOBILE

BEFORE ME, the undersigned authority, on this _____ day of _____, 20____, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public in and for the County of Mobile, in the State of Alabama.

My commission expires this _____ day of _____, 20____.

CONCLUSIONS AND RECOMMENDATIONS

[illegible]

INVESTIGATOR'S SIGNATURE AND OFFICIAL CAPTION

McCrory Williams

3207 INTERNATIONAL DRIVE, SUITE G
MOBILE, ALABAMA 36608
PHONE: (251) 476-4720
FAX: (251) 476-4721
EMAIL: mobile@mcswire.com

SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN	DATE: JUL 2, 2014	ISSUES SET MAP	APPROVED BY:
A REPLAT OF PROPERTY FOR GEORGE MALASOUNTAS # 2			

**Lots 1, 2, and 3 A Replat of Property
for George Kalasountas #2**

ADJACENT PROPERTY OWNER'S LIST

New Renaissance 16 LLC
2711 Centerville Road, Suite 400
Willington, Delaware 19808

MYMS Inc.
Post Office Box 160812
Mobile, Alabama 36616

Malbis Place LLC
28396 Highway 181, Suite D
Daphne, Alabama 36526

Kalasountas, George P.
9563 Malbis Lane
Daphne, Alabama 36526

Malbis, Gertrude
9655 Malbis Lane
Daphne, Alabama 36526

ARC Light LLC
112 Clubhouse Drive
Fairhope, Alabama 36532

Esfahani Real Estate Holdings of Alabama
29732 Fredrick Boulevard
Daphne, Alabama 36526
Malbis Plantation Inc.
29470 State Highway 181
Daphne, Alabama 36526

Ridlon, Felicia Ann
9595 Malbis Lane
Daphne, Alabama 36526

Pappas, Despina K. (Life Estate)
104 Glencoe Way
Dothan, Alabama 36305

PLANNING COMMISSION
PREZONING REQUEST FOR
GEORGE KALASOUNTAS



COMMUNITY DEVELOPMENT

**South of Renaissance Boulevard, across Highway 90
(Kalasountas)
17.8 acres**

Owner: George Kalasountas

Existing Conditions: 17.8 acres of undeveloped land

Existing Zoning: Baldwin County Zoning - RSF-1, Single Family District

Proposed Pre-zoning: B-2, General Business

Surrounding Zonings/Uses:

North – B-2, General Business/Renaissance Center Commercial Subdivision

South - Baldwin County Zoning - RSF-1, Single Family District/houses

East - Baldwin County Zoning - RSF-1, Single Family District/drainage way-pond

West - Baldwin County Zoning - RSF-1, Single Family District/Mt. Aid Church

Existing Utility Service Providers:

Gas, Water & Sewer – Daphne Water

Electric—Riviera Utilities

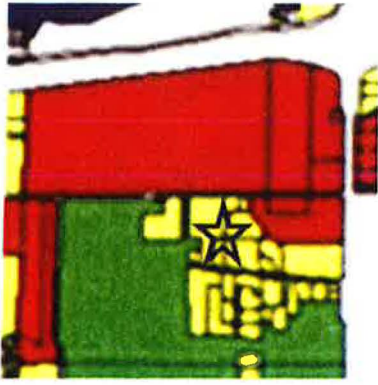
Affected City Service Providers:

Fire Protection-Station 3 or 4

Police Protection-Police Beat 3

Public Works

Baldwin County Schools—n/a



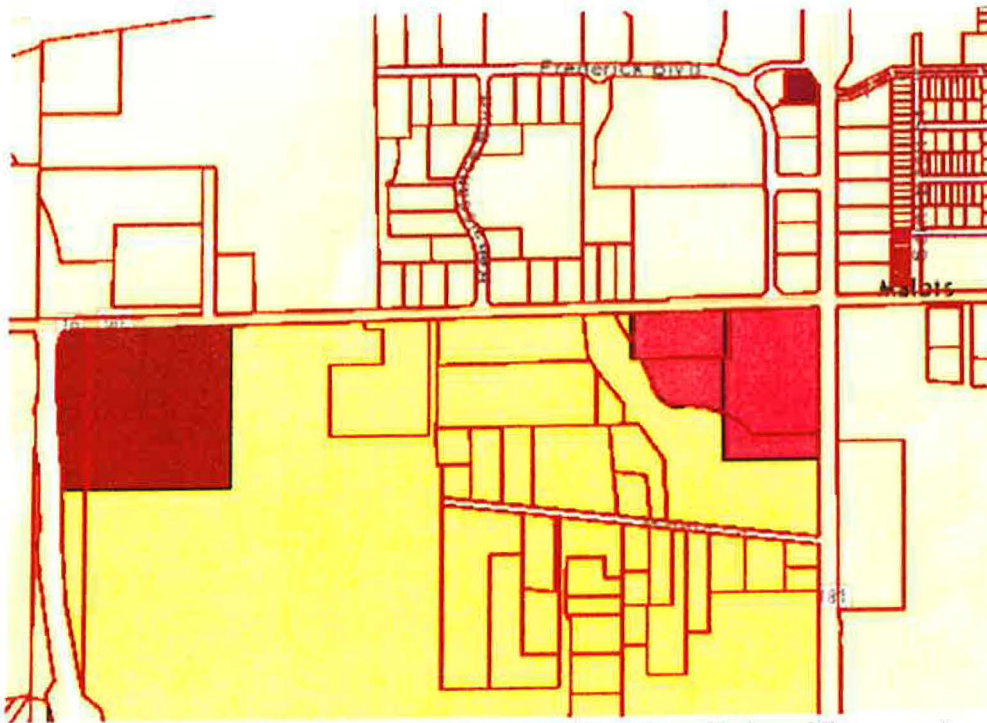
The Comprehensive Plan presents the subject property as future residential use. However, the location along Highway 90 lends itself to some commercial use. The commercial zoning is compatible with the existing developed land and zoning located in the city.

The 17 acre site is an undeveloped parcel south of land located in the City of Daphne. Commercial zoning along Highway 90 is consistent with the land within the city limits. B-2(A) General Business Alternate is a new zoning district that can be considered if the Planning Commission and/or City Council find such in the best interest of the city. There is a church and cemetery located to the west and houses to the south. The applicant has not provided any particular use(s) that would be associated with the land. Such information would be helpful in determining which option would be most appropriate.



Community Development Recommendation: Approval.

Adjoining property owner notices have been distributed, a zoning notification sign has been posted, and the notice for a public hearing for this petition has been properly advertised in the Courier in accordance with applicable sections of the Code of Alabama.

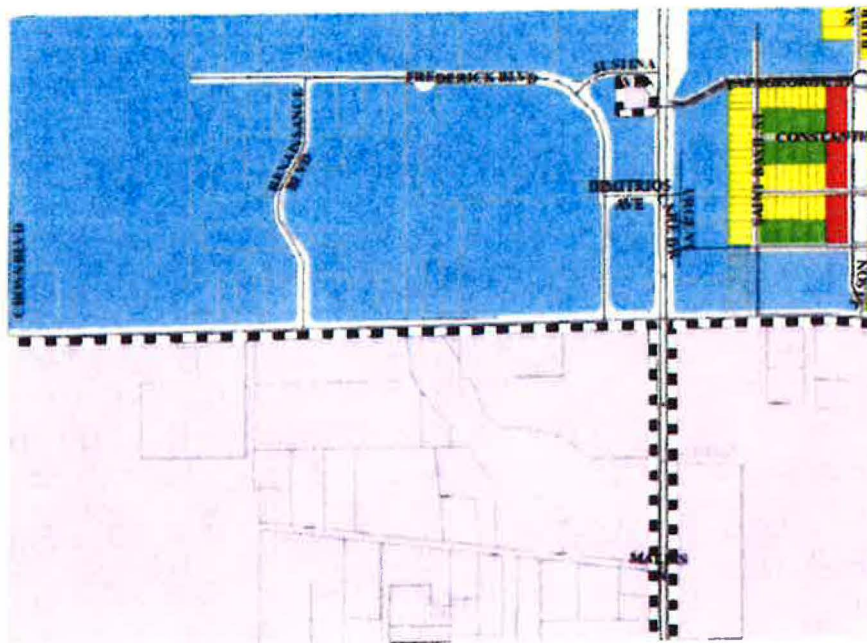


- ☒ County Zoning
- Rural District (RR)
- Rural Agricultural District (RA)
- Conservation Resource District (CR)
- Residential Single Family Estate District (RSF-E)
- Residential Single Family District (RSF-1)
- Residential Single Family District (RSF-2)
- Residential Single Family District (RSF-3)
- Residential Single Family District (RSF-4)
- Residential Two Family District (RTF-4)

Baldwin County Zoning Map Excerpt

District 15

Excerpt from City of Daphne Official Zoning Map



Legend

- R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL
- R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL
- R-3 HIGH DENSITY SINGLE FAMILY RESIDENTIAL
- R-4 HIGH DENSITY SINGLE MULTIFAMILY RESIDENTIAL
- R-5 MOBILE HOME RESIDENTIAL
- R-601 DUPLEX - TWO FAMILY
- R-602 GARDEN OR PATIO HOME
- R-701 APARTMENT
- R-702 MID-RISE CONDOMINIUM
- R-703 TOWNHOUSE
- B-1 LOCAL BUSINESS
- B-101 LOCAL BUSINESS ALTERNATE
- B-2 GENERAL BUSINESS

Section 5.2 B-2, Neighborhood Business District

5.2.1 Purpose and intent. The purpose and intent of the B-2 Neighborhood Business District is to provide a limited commercial convenience facility, servicing nearby residential neighborhoods, planned and developed as an integral unit.

5.2.2 Permitted uses. The following uses are permitted as of right, or as uses accessory to permitted uses in the B-2, Neighborhood Business District:

- | | |
|--|--|
| (a) All uses permitted by right under the B-1 zoning designation | (w) Floor covering sales or service |
| (b) Antique store | (x) Florist |
| (c) Apparel and accessory store | (y) Fraternity or sorority house |
| (d) Appliance store including repair | (z) Fruit and produce store |
| (e) Art gallery or museum | (aa) Gift shop |
| (f) Art supplies | (bb) Hardware store, retail |
| (g) Bait store | (cc) Ice cream parlor |
| (h) Bakery retail | (dd) Interior decorating shop |
| (i) Bed and breakfast or tourist home | (ee) Laundry, self service |
| (j) Bicycle sales and service | (ff) Lawnmower sales and service |
| (k) Boarding, rooming or lodging house, dormitory | (gg) Locksmith |
| (l) Book store | (hh) Music store |
| (m) Café | (ii) Neighborhood convenience store |
| (n) Camera and photo shop | (jj) News stand |
| (o) Candy store | (kk) Paint and wallpaper store |
| (p) Car wash | (ll) Picture framing and/or mirror silvering |
| (q) Catering shop or service | (mm) Restaurant |
| (r) Copy shop | (nn) Shoe repair shop |
| (s) Delicatessen | (oo) Shoe store |
| (t) Discount/variety store (not to exceed 8,000 square feet) | (pp) Sign shop |
| (u) Drug store (not to exceed 8,000 square feet) | (qq) Sporting goods store |
| (v) Fixture sales | (rr) Tailor shop |
| | (ss) Tobacco store |
| | (tt) Toy store |

Section 5.1 B-1, Professional Business District

5.1.1 Purpose and intent. The B-1, Professional Business and Office District, is intended to allow a concentration of office type buildings and land uses that are most compatible with, and located near, residential areas. Most B-1 commercial, professional and business office districts will be placed in close proximity to residential areas, and therefore serve as a transitional zoning district between residential areas and higher intensity commercial zoning districts. The types of office uses permitted are those that do not have high traffic volumes throughout the day, which extend into the evening hours. They will have morning and evening short-term peak conditions. The market support for these office uses should be those with a localized basis of market support as opposed to office functions requiring inter-jurisdictional and regional market support. Because office functions have significant employment characteristics, which are compounded when aggregations occur, certain personal service uses shall be permitted, to provide a convenience to office-based employment. Such convenience commercial uses shall be made an integral part of an office building as opposed to the singular use of a building.

5.1.2 Permitted uses. The following uses are permitted as of right, or as uses accessory to permitted uses in the B-1, Professional Business and Office District:

- | | |
|---|--|
| (a) Accessory structures and uses | (j) Fire station |
| (b) Bank | (k) Laboratory (scientific, medical or dental) |
| (c) Barber shop or beauty parlor | (l) Library |
| (d) Child care center | (m) Office |
| (e) Child care institution | (n) Optician |
| (f) Church or similar religious facility | (o) Police station |
| (g) Clinic or dentist office (medical, dental, psychiatric) | (p) Post office |
| (h) Club or lodge | (q) School (public or private) |
| (i) Extraction or removal of natural resources on or under land | (r) Silviculture |
| | (s) Studio for dance, music, photography, painting, etc. |
| | (t) Water well (public or private) |

TO: Daphne Planning Commission
FROM: Normond B. McAllister, Jr., President
Malbis/Vlahos Lane Homeowners Association
SUBJECT: Rezoning of George Kalasountas 17.8 acres between U.S. Highway 90 and Malbis Lane

1. There are fourteen (14) homeowners in our association. Four of these families are directly south of and adjacent to the Kalasountas property. George Kalasountas is the only homeowner in the neighborhood that is not a member.
2. We all recognize Mr. Kalasountas's right to sell his property. We feel that a change in zoning to affect a sale should be scrutinized and considered carefully by the commission.
3. Attached you will note a highlighted copy indicating permitted uses and conditions. I have noted those uses by right, planning commission approval and special exception.
4. I have highlighted B-2 in pink only because red highlighting was not available. B-2(a) has been highlighted in yellow and B-3 highlighted in green.
5. Obviously B-2 would be the least appropriate zoning. B-2(a) also allows uses that would be objectionable. If the zoning were to be changed B-3 would accommodate the proposed use as medical office buildings and would allow some additional uses to support that activity.
6. These are the allowable uses under B-3 that would accommodate the proposed use as medical offices and their support:
 - A. Ambulance/EMS service
 - B. Bank, including drive-in bank.
 - C. Business school or college (nursing school)
 - D. Churches and related accessory buildings.
 - E. Clinic, dental, medical or psychiatric for humans.
 - F. Clinic, convalescent or nursing home.
 - G. College or university.
 - H. Employee credit union.
 - I. Hospital
 - J. Office buildings, professional
 - K. Optician
 - L. Post office
 - M. Printing, blueprinting, bookbinding, etc.
7. Many of the uses for B-2 and B-2 (a) would not be appropriate because of the church on the west property line and the homeowners to the south and southeast. Please review the attached list to confirm these objectionable uses.

I request that you consider the homeowners and if there is to be any change in zoning from R-1 coming into the city that it does not go beyond B-3. This would meet the stated purpose of a medical office facility and the required support businesses.

City of Esplanade Land Use & Development Ordinance Article 35
35-2 LIST OF DISTRICTS & CROSS REFERENCE FOR R-4 DESIGNATION

Residential Zoning Districts

R-1, Low Density Single Family Residential District
R-2, Medium Density Single Family Residential District
R-3, High Density Single Family Residential District
R-4, High Density Single & High Density Multi-Family Residential District
R-5, Mobile Home District
R-6(D), Duplex-Two Family District
R-6(G), Garden or Patio Home District
R-7(A), Apartment District
R-7(M), Mid-Rise Condominium District
R-7(T), Townhouse District

Business Districts

B-1, Local Business District
B-1(a), Limited Local Business District

B-2, General Business District

B-2(a), General Business Alternate District

B-3, Professional Business District

MU, Mixed Use District

Industrial Districts

C/I, Commercial Industrial District

Outdoor Amusement District

C-2, Outdoor Amusement District

Golf Course District

GC, Golf Course District

Planned Unit Development District

PUD, Planned Unit Development

The term R-4 shall be synonymous with the newly adopted zoning designations as provided in *Article 12, Establishment of Districts*. **The Planning Commission shall no longer consider zoning or rezoning amendments for an "R-4 zoning district."** All existing R-4, High Density Single and Multi-Family Residential Districts shall be developed in accordance with the standards provided herein; however, R-6(G), R-6(D), R-7(A), R-7(M) and R-7(T) shall be respectively considered for all garden/patio homes, duplexes, apartments, mid-rise condominiums and townhouses requests.

(a) Uses Permitted in the City Community Standards Ordinance:

Any use, as permitted in Ordinance 2013-38, Community Standards Ordinance, except a tattoo facility, may be permitted in a B-2 (General Business) zone district upon Planning Commission review and approval, or in a C/I (Commercial/Industrial) zone district by right. A tattoo facility may be permitted in a B-1 (Local Business) zone district upon Planning Commission review or B-2 zone by right. In all cases, the provisions of Ordinance 2013-38 must be satisfied for each use noted therein. *(Added 09/03/13 per Ordinance 2013-46)*

Note: Properties subject to a substantial change in use may be required to make site improvements including but not limited to parking, buffering, landscaping or other improvement necessary to meet the spirit and intent of the Land Use and Development Ordinance as determined by the Director of Community Development in the administrative review process.

SECTION 35-3 PERMITTED USES & CONDITIONS	By Right	Planning Commission Approval	Special Exception BZA Approval
Automobile and truck sales and service; but not including commercial wrecking, dismantling, or auto salvage yard; need not be enclosed within a structure provided the unenclosed part shall comply with the requirements for maintenance of off-street parking facilities	B-2, C/I		
Automobile and truck service station including minor repair, subject to the requirements listed under Special Provisions, where the primary function is retail sale of gasoline, oil, grease, tires, batteries and accessories and where services are limited to installation of the items sold, washing, polishing, tire changing, greasing and minor repairs, but not including commercial wrecking, dismantling or auto salvage yard, major mechanical overhauling or body work; fuel pumps need not be enclosed within a structure	C/I	B-1, B-2	
Bakery, retail	B-1, B-1(a) B-2, B-2(a)		
Bakery, wholesale	B-2, C/I		
Bank, including drive-in bank	B-1, B-2 B-2(a), B-3	B-1(a)	
Barber shop or beauty parlor	B-1, B-1(a) B-2, B-2(a)		
Barber and beauty supplies and equipment sales	B-2, B-2(a), C/I		
Bed & Breakfast		R-1, R-2, R-3	

SECTION 35-3 PERMITTED USES & CONDITIONS	By Right	Planning Commission Approval	Special Exception BZA Approval
Bus and railroad terminal facilities	B-2, C/I		
Business machines sales and service	B-2, B-2(a), C/I	B-1, B-1(a)	
Business school or college		B-1, B-1(a), B-2 B-2(a), B-3	
Butane and other liquefied petroleum gas products storage and sales; need not be enclosed within a structure			B-2, C/I
Cabinet or carpenter shop; customized marble, granite, stone countertops	B-2, C/I		
Cafe, grill, lunch counter and restaurant but not including night club, bar, tavern and drive-in restaurant	B-1, B-2, B-2(a)		
Cafe, grill, lunch counter and drive-in restaurant, and restaurant but not including night club, bar, tavern		B-1(a)	
Camera and photographic supply store	B-1, B-1(a) B-2, B-2(a)		
Candy, nut and confectionery store	B-1, B-1(a) B-2, B-2(a)		
Canvas products manufacture	C/I	B-2	
Carting, express, crating, hauling, storage	B-2, C/I		
Catering shop or service	B-1, B-1(a) B-2, B-2(a)		
Cemetery, subject to requirements of the Special Provisions			R-1, R-2, R-3, R-4, R-5
			B-1, B-2 B-3, C/I
			C-2, GC

SECTION 35-3 PERMITTED USES & CONDITIONS	By Right	Planning Commission Approval	Special Exception BZA Approval
Contractor's storage yard for vehicles, equipment, materials and supplies; need not be enclosed within a structure, but must be enclosed within a solid fence to screen view; chain link or similar open fence may be permitted if a screen planting adequate to obstruct the view is provided	B-2, C/I		
Convenience store	B-2	B-1, B-2(a)	
Correctional, detention or penal institution			B-2, C/I
Dairy equipment sales	B-2, C/I		
Dairy products sales	B-1, B-1(a) B-2, B-2(a)		
Delicatessen	B-1, B-1(a) B-2, B-2(a)		
Department store	B-2(a) B-2		
Dog pound; need not be enclosed within a structure	C/I	B-2	
Drive-in restaurant	B-2, B-2(a)	B-1	
Drug Store	B-1, B-1(a) B-2, B-2(a)		
Dry cleaning shop, including self-service	B-1, B-2(a), B-2	B-1(a)	
Dry goods or fabric store	B-1, B-1(a) B-2, B-2(a)		
Dwelling, one-family	R-1, R-2, R-3, R-4		
Dwelling, two-family	R-4		

SECTION 35-3 PERMITTED USES & CONDITIONS	By Right	Planning Commission Approval	Special Exception BZA Approval
Food locker plant including rental of lockers for the storage of food; cutting and packaging of meats and game, but not the slaughtering of animals or fowl.	B-2, C/I		
Food products processing plant	B-2, C/I		
Food products, wholesale storage and sales	B-2, C/I		
Freight depot, railway or truck	C/I	B-2	
Fruit and produce, retail	B-1, B-1(a), B-2	B-2(a)	
Funeral home, mortuary or undertaking establishment	B-1, B-2	B-1(a)	
Furniture and home furnishing store, including office furniture and equipment	B-2, B-2(a), C/I		
Furniture repair, including upholstering and refinishing	B-2, B-2(a), C/I		
Gas regulator station		R-1, R-2, R-3 R-4, R-5	
		B-1, B-2	
		B-2(a), B-3, C/I C-2, GC	
Gift shop	B-1, B-1(a) B-2, B-2(a)		
Grocery store, retail	B-1, B-1(a), B-2	B-2(a)	
Gymnasium, commercial	B-1, B-2, B-2(a)	B-1(a)	
Hardware store, retail, wholesale, storage and sales	B-1, B-1(a), B-2	B-2(a)	
Hatchery, poultry or fish	C/I		

**SECTION 35-3
PERMITTED USES &
CONDITIONS**

By Right

**Planning Commission
Approval**

**Special Exception
BZA Approval**

Heating and plumbing equipment, supplies and service	B-2, C/I		
Hobby shop and supply store	B-1, B-1(a) B-2, B-2(a), C/I		
Home occupation	R-1, R-2, R-3, R-4, R-5		
	B-1, B-1(a), B-2 B-2(a), B-3		
Hospital		B-1, B-2 B-2(a), B-3	R-1, R-2, R-3, R-4, R-5
Hotel	B-2	B-1, B-2(a)	
Extended stay hotel facility	B-2		B-2(a)
Motel	B-2	B-1, B-2(a)	
Ice cream parlor	B-1, B-1(a) B-2, B-2(a)		
Ice plant	C/I		
Industrial park	C/I		
Innovative design developments		R-4	
Institution for children or the aged, day care			R-1, R-2, R-3, R-4, R-5 B-1, B-2, B-2(a)
Interior decorating shop	B-1, B-1(a) B-2, B-2(a)		
Junk yard including storage, baling or sale of rags, paper, iron or junk; need not be enclosed within a structure but must be enclosed within a fence of sufficient height to obstruct view and noise; chain link or similar fence may be permitted if screen planting is provided.	C/I		

SECTION 35-3 PERMITTED USES & CONDITIONS	By Right	Planning Commission Approval	Special Exception BZA Approval
Kindergarten, play school or day care center, public or private, provided that all activities are carried on in an enclosed building or fenced yard and that all applicable federal, state and local requirements are met.			R-1, R-2, R-3, R-4, R-5 B-1, B-2, B-2(a)
Laboratory, scientific	C/I		B-2, B-2(a)
Laboratory, medical or dental	B-1, B-1(a) B-2, B-2(a), C/I		
Landscape garden sales; need not be enclosed within a structure	B-1, B-2, C/I	B-2(a)	
Laundry, self-service	B-1, B-1(a) B-2, B-2(a)	R-4	
Laundry, and dry cleaning pick-up station	B-1, B-1(a) B-2, B-2(a)		
Laundry and dry cleaning plant	B-2, C/I		
Laundry, linen supply or diaper service	B-2, B-2(a), C/I		
Leather goods or luggage goods store	B-1, B-1(a) B-2, B-2(a)		
Liquor, wine or beer sales not to be consumed on premises and meeting local and state requirements.	B-1, B-2, B-2(a)		
Library	R-1, R-2, R-3, R-4, R-5		
	B-1, B-1(a) B-2, B-2(a)		
Loan office	B-1, B-1(a) B-2, B-2(a)		
Locksmith	B-1, B-1(a) B-2, B-2(a)		
Lodging and tourist homes			R-4 B-1, B-2, B-2(a)
Lumber yards and building materials; need not be enclosed within a structure	B-2, C/I		

SECTION 35-3 PERMITTED USES & CONDITIONS	By Right	Planning Commission Approval	Special Exception BZA Approval
Marine stores and supplies	B-2, B-2(a), C/I		
Manufactured home	R-5	R-3, R-4	
Mobile Home and/or Mobile Home park	R-5		
Mobile Home subdivision	R-5		
Motorcycle sales, service, and repair	B-2, C/I	B-2(a)	
Music store	B-1, B-1(a) B-2, B-2(a)		
Natural preservation areas including bird and wildlife sanctuaries, nature and hiking trails		R-1, R-2, R-3 R-4, R-5 B-1, B-1(a) B-2, B-2(a)	
News stand	B-1, B-1(a) B-2, B-2(a)		
Night club, bar, tavern and cocktail lounge when separate from a restaurant	B-1, B-2		
Office buildings, general	B-1, B-1(a) B-2, B-2(a), C/I		
Office buildings, professional	B-1, B-1(a) B-2, B-2(a), B-3		
Office equipment and supplies, retail	B-1, B-1(a) B-2, B-2(a)		
Oil and gas exploration and production activities			R-1, R-2, R-3, R-4, R-5
			B-1, B-2 B-2(a), B-3, C/I
			C-2, GC
Optician	B-1, B-1(a) B-2, B-2(a), B-3		
Paint and wallpaper store	B-1, B-1(a) B-2, B-2(a), C/I		
Painting and decorating contractor	B-2, C/I		

To: Office of the City Clerk
From: Adrienne D. Jones,
Director of Community Development
Subject: George Kalasountas Annexation Petition
Date: March 27, 2017

MEMORANDUM

PRESENT ZONING: RSF-1, Single Family District,
Baldwin County Exterritorial
Planning Jurisdiction

LOCATION: On the south side of U. S. Highway
90 at Renaissance Boulevard

RECOMMENDATION: At the Thursday, March 23, 2017,
regular meeting of the Daphne
Planning Commission, six members
were present, and the motion carried
for a unanimous favorable
recommendation for the above
mentioned annexation petition.

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

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

Thank you,
ADJ/jv

attachment(s)

1. Petition for Annexation
2. Legal Description (Exhibit A)
3. Boundary Survey (Exhibit B)
4. Community Development Report

**PETITION FOR ANNEXATION OF CERTAIN PROPERTY
INTO THE CORPORATE LIMITS OF THE MUNICIPALITY
OF THE CITY OF DAPHNE, ALABAMA**

(_____)

The undersigned, George P. Kalasountas, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, George P. Kalasountas, to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of its petition:

1. **Description of Property:** The description of the property which the petitioner requests to be annexed into the City of Daphne is described in **Exhibit "A"** attached hereto and made a part of this petition as fully set out herein (the "**Property**").

2. **Map of Property:** Attached hereto as **Exhibit "B"** and made a part of this petition, is a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne.

3. **Owner:** The petitioner, George P. Kalsountas, is the owner of the property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. **Specific Conditions:** This petition is conditioned upon the adoption of an ordinance, which shall specifically include the conditions requested below upon annexing the property into the corporate limits of the City of Daphne.

Requested zoning, if other than R-1: B-2

Any other conditions which may apply upon annexation:

5. **Code:** This Petition is filed pursuant to the provisions of Article 21, Chapter 42, Title 11, Code of Alabama, 1975, as amended.

DATED this 21st day of February, 2017

Respectfully submitted by,

George P Kalasountas

Name of Owner (Print)

[Signature]

Name of Owner (Signature)

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Mary T. Larkin, the undersigned Notary Public in and for said county and state, hereby certify that George P Kalasountas has signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 21st day of February, 2017

Mary T. Larkin
NOTARY PUBLIC

My commission expires: 10-30-2018

Owner's Address

9563 Malbis Ln
Daphne, AL 36526

ADDITIONAL INFORMATION

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file this written petition asking and requesting that our property as described be annexed to the City of Daphne, Alabama, under the authority of Section 11-42-20 through 11-42-24, Code of Alabama 1975. Initials: DK

We further certify that said property is contiguous to the city limits of Daphne, Alabama. A map and written legal description of said property is hereto attached. Initials: DK

We certify that the property is a single or multiple parcels under single or multiple ownership.

Initials: DK

We certify that we fully understand that upon annexation, the subject property shall be subject to all laws and codes administered by the City of Daphne, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Daphne.

Initials: DK

Option# 1: We do hereby request pre-zoning of the subject property to the following zoning classification(s): B-2, and certify that a petition for rezoning, associated fees and documents have been submitted prior to or concurrently with this petition. Initials: DK

Or

Option# 2: We do hereby certify that we understand fully that upon annexation the subject property will be zoned R-1, Low Density Single Family Residential.

Initials: _____

We do hereby request that the Planning Commission and City Council give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Daphne, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this, the 22nd day of Feb, 2017.

Legal Description Attached (Exhibit A)? Yes Map or Survey Attached (Exhibit B)? Yes
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission
Attached (Exhibit C)? Yes Acreage 17.8
Subdivision Name A Replat of Property for George Kalasountas # 2 Lot Number(s) 3

Names and Signature of ALL property owners:

Signature: [Signature] Signature: _____

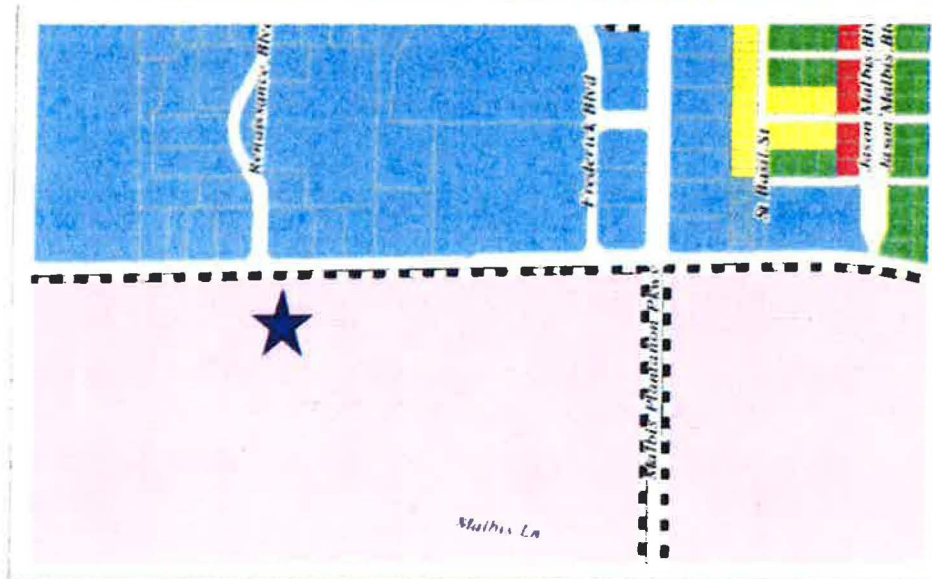
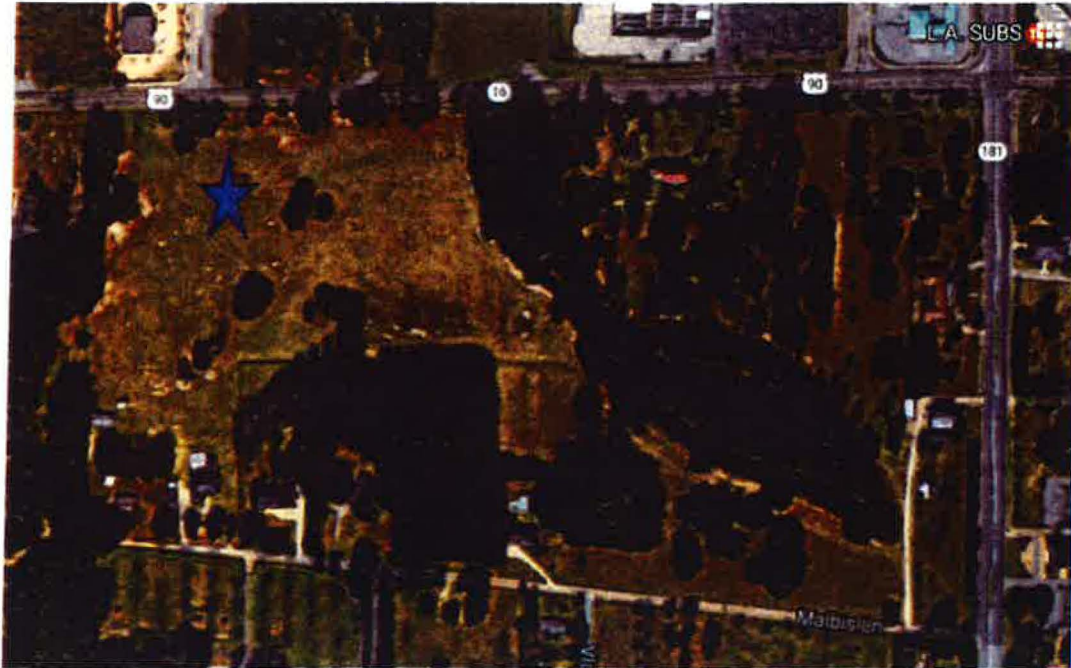
Printed Name: George P. Kalasountas Printed Name: _____

Mailing Address: 9563 Malbis Lane Mailing Address: _____
Daphne, Alabama 36526

"Exhibit A"
Legal Description

Lots 1, 2, and 3 A Replat of Property for George P. Kalasountas #2 as recorded in the office of the Judge of Probate Baldwin County, Alabama - *Slide #2520F*

PLANNING COMMISSION
ANNEXATION REQUEST FOR
GEORGE KALASOUNTAS



**COMMUNITY DEVELOPMENT
ANNEXATION REQUEST**

**South Side of U.S. Highway 90 at Renaissance Boulevard
(George Kalasountas)
17.82 acres**

EXCERPT FROM ARTICLE 23-1 PROCEDURE [FOR ANNEXATION REQUESTS]

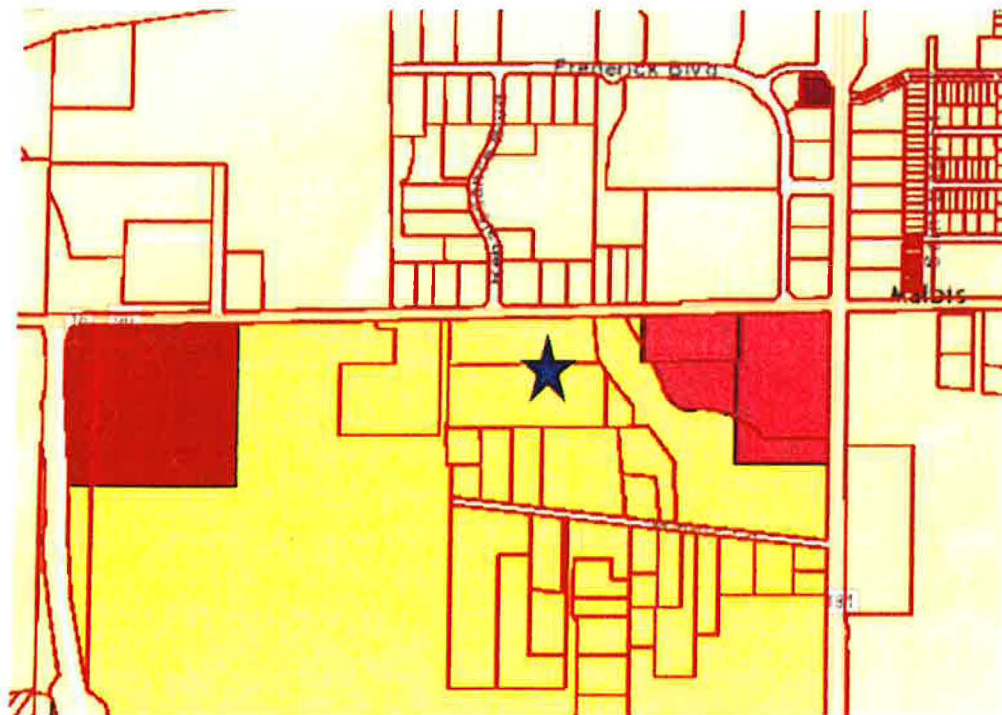
The application shall be reviewed by the Planning Commission at its next regular meeting and said Commission shall have thirty (30) calendar days from said regular meeting within which to submit a recommendation to the City Council. If the Commission fails to submit a recommendation to the City Council within the thirty (30) calendar day period, it shall be deemed to have approved the proposed amendment...Before enacting any amendment to this Ordinance, a public hearing thereon shall be held by the City Council with proper notice as required by law. Said public hearing shall be held at the earliest possible time to consider the proposed annexation, and the Council shall take action on said proposed annexation within forty-five (45) calendar days from the date of the public hearing except in the case where the tentative action is not in accordance with the Planning Commission's certified recommendation.

23-2 PROCEDURE FOR ZONING NEWLY ANNEXED LAND

Any land annexed to the City of Daphne hereafter shall be classified as an R-1, Low Density Single Family Residential District *unless otherwise recommended by the Planning Commission through the zoning amendment procedure provide in Article 22-1, Zoning Amendment Procedures*. In such case, City Council may consider, after due process of publication and hearing as required by law, specific applications to zone newly annexed land into one or more existing or proposed new zoning classifications recommended by the Planning Commission. Multiple zoning requests for a single parcel shall be subject to the *Article 17, Subdivision Regulations and/or the Article 30, Planned Unit Development* regulations as applicable.

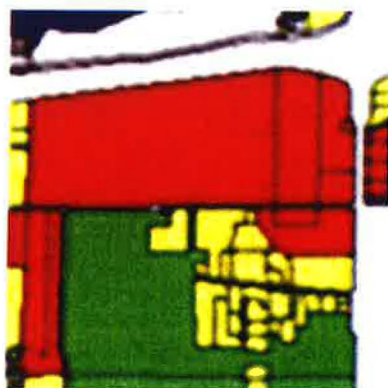
REQUEST

The applicant has submitted a petition to annex 17.82 acres of land into the corporate limits of Daphne with B-2 General Business zoning and a request to annex the property. The property in Eastern Shore Park Overlay (Eastern Shore Park and Renaissance Center) to the north is zoned B-2, General Business. Property to the east, the Simmons property and the Infirmary Health Systems, Incorporated land at the intersection of Highway 90 and Alabama State Road 181 are now zoned B-2, Neighborhood Business, in Baldwin County. (County zoning per Z-15030 and Z-15029.)



RECOMMENDATION

Commercial zoning along Highway 90 is consistent with the land within the city limits. B-2(A) General Business Alternate is a new zoning district that can be considered if the Planning Commission and/or City Council find such in the best interest of the city. There is a church and cemetery located to the west and houses to the south. The applicant has not provided any particular use(s) that would be associated with the land. Such information would be helpful in determining which option would be most appropriate. The Comprehensive Plan encourages expansion and annexation of land contiguous to the corporate limits.



Associated Application-PZA17-03 Pre-zone 68.87 acres to B-2.

Code of Alabama Section 11-52-85

PRE-ZONING TERRITORY PROPOSED FOR ANNEXATION

Section 11-52-85 of the Code of Alabama allows “pre-zoning of property.” In this case, both requests have been submitted concurrently and are moving on the same path. The Planning Commission will make a recommendation to Council for zoning and also make a recommendation for annexation.

Code of Alabama Section 11-52-85

Pre-zoning of territory proposed for annexation by municipality. (*Highlights by staff*)

(a) A municipality which exercises its authority to zone territory within its corporate limits may pre-zone territory proposed for annexation into the corporate limits of the municipality prior to the effective date of the annexation by complying with this article. If all the requirements, including all notice and public hearing requirements, of this article are met, **the zoning shall become effective upon the date the territory is annexed into the corporate limits, or upon the date the zoning process is completed, whichever is later.**

(b) A municipality which exercises its authority to zone territory within its corporate limits shall pre-zone territory as provided in subsection (a) and issue a statement of zoning classification to an affected property owner if the individual property owner residing in the area to be annexed requests in writing that a zoning determination be made pursuant to this section prior to being annexed.

(c) Any pre-zoning established by a municipality pursuant to this section for territory proposed for annexation shall be null and void as to any portion of the territory that is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law.

(d) Nothing contained in this section shall allow a municipality to zone territory outside the corporate limits of the municipality that is not in the process of being annexed into the corporate limits of a municipality as provided by law.

(e) Section 6-5-127 shall be applicable to any property pre-zoned pursuant to this section.

(Act 2009-629, p. 1926, §1.)

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

**On the Southside of U. S. Highway 90 at Renaissance Boulevard
George Kalasountas**

WHEREAS, on the 21st day of February, 2017, being the owner of all real property, hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

WHEREAS, said petition did contain the signatures of all owners of the described territory, and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

WHEREAS, after proper publication, a public hearing was held by the City Council on May 15, 2017 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on March 23, 2017, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property.

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

SECTION ONE: ANNEXATION

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

SECTION TWO: ZONING

At the June 5, 2017 regularly scheduled City Council meeting Ordinance 2017-__ was adopted pre-zoning the said property as B-2, General Business District.

SECTION THREE: DESCRIPTION OF TERRITORY

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

Legal Description for Annexation:

Lots 1, 2, and 3 A Replat of Property for George P. Kalasountas #2 as recorded in the office of the Judge of Probate Baldwin County, Alabama

SECTION FOUR: MAP OF PROPERTY

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit "A" and attached hereto a map of the property (*Exhibit "B"*) showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

SECTION FIVE: PUBLICATION

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, THIS THE _____ DAY OF _____, 2017.**

**Dane Haygood,
Mayor**

ATTEST

**Rebecca A. Hayes,
City Clerk**

“Exhibit A”
Legal Description

Lots 1, 2, and 3 A Replat of Property for George P. Kalasountas #2 as recorded in the office of the Judge of Probate Baldwin County, Alabama

[illegible][illegible]

FIRST NOTICE OF PUBLIC HEARING

Notice is hereby given the first time that the City Council of the City of Daphne will hold a Public Hearing on May 15, 2017 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance annexing certain property into the City of Daphne as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk

PROPOSED ORDINANCE:

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-**

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

**On the Southside of U. S. Highway 90 at Renaissance Boulevard
George Kalasountas**

WHEREAS, on the 21st day of February, 2017, being the owner of all real property, hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

WHEREAS, said petition did contain the signatures of all owners of the described territory, and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

WHEREAS, after proper publication, a public hearing was held by the City Council on May 15, 2017 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on March 23, 2017, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property.

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

SECOND NOTICE OF PUBLIC HEARING

Notice is hereby given the second time, the first notice was given April 12, 2017, that the City Council of the City of Daphne will hold a Public Hearing on May 15, 2017 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance annexing certain property into the City of Daphne as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk

PROPOSED ORDINANCE:

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-**

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

**On the Southside of U. S. Highway 90 at Renaissance Boulevard
George Kalasountas**

WHEREAS, on the 21st day of February, 2017, being the owner of all real property, hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

WHEREAS, said petition did contain the signatures of all owners of the described territory, and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

WHEREAS, after proper publication, a public hearing was held by the City Council on May 15, 2017 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on March 23, 2017, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property.

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

BUILDINGS & PROPERTY COMMITTEE MEETING

**Monday, May 1, 2017, 4:30 p.m.
City Hall, Executive Conference Room,
1705 Main Street, Daphne, AL 36526**

MEETING MINUTES

COUNCIL PRESENT: Chair Councilman Robin LeJeune; Councilwoman Tommie Conaway; Councilman Pat Rudicell; Councilman Joel Coleman; Councilman Doug Goodlin; Councilman Ron Scott; and Councilman Joe Davis

ALSO PRESENT: Jay Ross, City Attorney; Patrick Dungan, City Attorney; Rebecca Hayes, City Clerk; Jenny White, Assistant City Clerk (Recording Secretary); Kelli Kichler, Finance Director; Richard Johnson, Director Public Works; BJ Enringman, Deputy Director Public Works; Ashley Campbell, Environmental Programs Manager; David McKelroy, Recreation Director; Margaret Thigpen, Civic Center Director; Kara Wilbourn, Marketing Coordinator; Selena Vaughan, Chair, Village Point Bayfront Properties; Danny Calhoun, Attorney; Jim Cornell, Carolyn Cornell, John Lake, and John Peterson

1) CALL MEETING TO ORDER / ROLL CALL

There being a quorum present Chair Councilman Robin LeJeune called meeting to order at 4:30 pm.

2) PUBLIC PARTICIPATION

Danny Calhoun, Jim Cornell, and Carolyn Cornell attended meeting reference Lake Forest Marina.

3) APPROVAL OF MINUTES: APRIL 3, 2017

Chair Councilman Robin LeJeune noted April 3, 2017 minutes are approved as written.

4) CITY BOAT RAMP ACCESS PROJECTS REPORT: RICHARD JOHNSON

Richard Johnson gave report on City Boat Ramp Access Projects. Richard presented new D'Olive Boat Ramp Park Redesign.

MOTION BY Councilman Ron Scott to recommend to Council new design of site plan with ingress/egress within the parcel

Seconded by Councilman Doug Goodlin

Aye, All in favor

MOTION CARRIED UNANIMOUSLY

Richard reported May Day Access is being reviewed by State.

5) SURPLUS PROPERTY: KELLI KICHLER

Kelli Kichler reported no Surplus Property Report.

6) CIVIC CENTER & BAYFRONT PAVILION REPORT: MARGARET THIGPEN

Margaret Thigpen gave Civic Center & Bayfront Pavilion Report for April.

Civic Center Report

- April 2017 revenue for the Civic Center totaled \$23,099.000/Increase from April 2016
- FY 2016-2017 YTD Projected Year End Revenue/\$189,514.50
- April 2017 Deposits/\$17,238.00
- FY 2016-2017 YTD Deposits/\$115,338.00

Bayfront Park Pavilion Report

- April 2017 Revenue/\$5,646.00/Decrease from April 2016
- FY 2016-2017 YTD Projected Year End Revenue/\$63,897.50
- April 2017 Deposits/\$7,920.00
- FY 2016-2017 YTD Deposits /\$46,720.50

Daphne Convention & Visitor's Bureau

- DiscoverDaphne.org
- Visitors Guide – In the process
- Facebook – Featuring an attraction every other week or so
- Alabama Coasting
- Ad/s and Article – Quarterly distribution, 2,000 condo rooms, 70+ hotels

Upcoming Public Events/Consumer Shows

- Eastern Shore Chamber of Commerce Mayor's Prayer Breakfast – Thursday, May 4, 2017
- Spanish Fort Graduation Rain Backup – Monday, May 15, 2017
- Sunset Series at Bayfront Park – Sunday, May 21, 2017
- WJ Carroll Graduation – Wednesday, May 24, 2017
- Daphne Library Summer Reading Kickoff – Monday, June 5, 2017

Misc.

- Event Assistant Position Filled – Kristopher "Kris" Jackson
- Tourism/Hotel Meeting – May 4, 2017
- National Travel/Tourism Day, May 9, 2017
- ACAE Tradeshow – May 15, 2017 (Three bookings from last year tradeshow)
- Attending Southeastern Tourism Society – May 15-19, 2017
- Baldwin County EMA Exercise – June 1, 2017

7) BUILDING INSPECTION MONTHLY REPORT: ASHLEY CAMPBELL

Ashley Campbell gave Building Inspection Report for April.

- Total Building Permits/ 144
- Total Permit Building Permit Fees/ \$36,212.74
- New Home Permits / 10
- CO's / 21

8) RECREATION REPORT: DAVID MCKELROY

David McKelroy gave Recreation Report for April.

Senior Programs

Lunch	714
Exercise	155
Yoga	250
Cards/Games	75
Total	1194

Weekly Classes

Hard Body Workout	53
Zumba	96
Discover Dance	88
Karate	14
Total	251
Fitness Center	1267
Total	1267
Civic Groups	121
Total	121
Sr. Programs/Classes Total	2833

ATHELTICS

Youth Baseball Lott Park	444
Youth Softball Trione	80
Youth Soccer	
Recreation	461
Club	158
Adult Softball	200
Co-Ed Softball	100
Total	1443
USSSA Girl's Softball	
24 Teams – 2 Days	285+
Daphne Strike Soccer	
80+ Teams – 2 Days	850+
Daphne High School JV Softball	
10 Teams – 2 Days	150+
USSSA Men's Softball	
12 Teams – 1 Day	150+
USSSA Girls' Softball	
17 Teams – 1 Day	225+
Total	1660
Athletics Total	3103

9) LIBRARY REPORT: TONYA YOUNG

Tonja Young gave Library Report. Tonja discussed Walcott Adams Verneuille Architects proposal received for Daphne Public Library "Porch Project" totaling \$18,600.00.

MOTION BY Councilman Ron Scott to recommend to Council that we allow the Library to go forward with the Porch Project with appropriated budgeted funds

Seconded by Councilman Joe Davis

Aye, All in favor

MOTION CARRIED UNANIMOUSLY

Tonja reported two (2) grants awaiting answer.

Richard Johnson commented bids are authorized for roof.

10) VILLAGE POINT BAYFRONT PROPERTIES

Ashely Campbell commented the 2nd read of Ordinance 2017-30 Appropriation of Funds - Invasive Species Control for Bayfront and Village Point Wetlands Areas is on agenda for tonight's City Council Meeting.

11) BAYFRONT MASTER PLAN & IMPROVEMENT COMMITTEE

Councilman Joel Coleman reported no report.

12) OLD BUSINESS

CITY PARKS SIGNAGE SPECIFICATION

Kara Wilbourn discussed estimate from Fairhope Foundry LLC reference casting a one of a kind historic marker for the City of Daphne. Markers are to be 18'h x 24'w and to include logo at top and base (collar) for mounting at \$2,250.00/each. Mounting 6' post \$100.00. The total estimate is \$2,350.00/each with mounting. If we prefer aluminum we can subtract \$200.00. Considering our climate, bronze tends to hold up better and the surface is easier to maintain. Aluminum will come with a painted finish and bronze will have a brown patina.

Councilman Ron Scott requested Historical Park Signs List.

Councilman Ron Scott recommended five (5) year plan on park signs.

Kelli Kichler suggested adding \$2,500.00 in budget for park sign.

Chairman Councilman Robin LeJeune asked that we do nothing with estimate at this time. Chairman commented we need ordinance on signage and further discussion on budget. Chairman prefers bronze sign.

DAPHNE WELCOME CENTER – BALDWIN REGIONAL AREA TRANSPORTATION SYSTEM (BRATS)

Richard Johnson commented appraisal received on property, moving forward.

SOUTHERN LINC – JUSTICE CENTER

Chairman Councilman Robin LeJeune requested Southern Linc remain on agenda for next month.

13) NEW BUSINESS

Chair Councilman Robin LeJeune inquired on Hotel Multiplan.

Richard Johnson commented Hotel Multiplan would be discussed at meeting tomorrow.

14) ANY OTHER BUILDINGS & PROPERTY BUSINESS

Councilman Ron Scott requested clean up schedule for Gator Ally Strip.

15) NEXT MEETING

Next meeting scheduled for Monday, June 5, 2017

15) ADJOURN

Chair Councilman Robin LeJeune adjourned meeting at 5:13 p.m.

Public Safety Committee

Monday, May 15, 2017

Councilman Pat Rudicell
Councilman Doug Goodlin
Councilman Robin LeJeune
Councilman Ron Scott
Fire Chief James White
Public Works Director, Richard Johnson

Police Chief David Carpenter
Captain Scott Taylor
Tracy Bishop - Secretary
Councilwoman Tommie Conaway
Councilman Joe Davis
Councilman Joel Coleman

Committee Members Attending:

Councilman Joe Davis, Councilman Pat Rudicell, Councilman Ron Scott, Councilman Joel Coleman, Councilman Doug Goodlin, Public Works Director Richard Johnson, Chief David Carpenter, Captain Jud Beedy, Chief James White, Richard Johnson.

CALL TO ORDER

Councilman Pat Rudicell **convened** the meeting at 4:30 p.m.

PUBLIC PARTICIPATION – Tom Walker from McAdams Avenue was in attendance. He advised that we have property to build Fire Station #5. He understands that it will be a very long process to get an architect, fire trucks, and manpower to staff it. Probably a 2 to 3 years process. ISO said that the city needs Station #5. In 14 years all we have is a piece of property. With the addition of Bellaton, Oldfield, 900 lots on Austin Road we need to fast track. D.R. Horton needs to help financially. Councilman Rudicell asked about Impact Fees. Tom brought paperwork back from the fire academy in 2003 on impact fees. Impact fees of 1 or 2 percent would help the city fund construction. We've added 800 homes in the last 4 years. Rudicell asked if the impact fees will keep people from moving to Daphne. Councilman Scott stated we must have a study. To his knowledge the fees are split with certain amounts being spent on fire, police, roads, etc. We decided last time this was brought up not to enforce it. Orange Beach and Fairhope have enacted impact fees. You have to ask the question: Do you want to grow ad valorem by annexation or by a 1 time impact fee. We need to look at that at work session. Scott asked Chief White if he had applied for the safer grant. Chief stated no. He said it's just a guessing process. It's hard to justify now but it doesn't hurt to apply.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from April 17, 2017 were approved as read.

POLICE DEPARTMENT

- A. New Business** - Chief went over the stats and D-runs. This week is Law Enforcement Memorial Week. There have been 48 in the line of duty deaths to date in the United States.

FIRE DEPARTMENT

- A: New Business** – Chief White went over his stats. Chief had a conversation with Richard Johnson to try and move things along at Station 2. Communication has fallen off. Richard Johnson will get together with the architect tomorrow and see what's going on. Councilman Davis asked if the building inspector helps to head off these kind of issues. Johnson responded "Yes" and that he will get to the bottom of the issue tomorrow. Councilman Davis asked Johnson to send out an email to committee members with an update.

Chief White stated he received another resignation from one of his fire fighters who has taken a position in Orange Beach. Councilman Davis ran an average salary for fire fighters (attached). Foley are the highest paid fire fighters in southwest Alabama.

Old Business – Richard Johnson advised that he has not put up the stop signs at Dimitrios/Frederick yet until he advised the businesses in the area what was going to happen at that intersection. Johnson also advised that he needed some guidance on the traffic calmers. He has heard from citizens that are for and against them. Kudo's to the fire and police departments who worked an accident in front of French Settlement that my son and I were involved in. Both were very professional and kind. Councilman Rudicell thanked Code Enforcement for going out on the empty lot issue from last month's meeting. It seems to be rectified. Councilman Scott asked if there was any way to get subdivisions that are looking to expand to have to install turn lanes into their subdivision to relieve traffic. I believe it is warranted. Richard Johnson stated that the city should hire a couple of traffic engineers.

OTHER BUSINESS – Councilman Goodlin asked if we needed to make a motion concerning Fire Station #5 what is the next step. We have land now. Do we adjust in the next year's budget? How do we do that? Richard Johnson said he would get some numbers together for us. Chief Carpenter, do you want any space in Station #5. Carpenter stated "No". Davis asked would it help if this committee recommends that we move forward with Fire Station #5 does that help the process. Scott said it certainly would not hurt. This is a high priority and we've needed this for some time. Johnson said we could budget for planning process in 2018, with a goal for construction in early 2019. Do we want to take the model they used at FS #1 or do we want to go with ground up construction. Councilman Scott mentioned that we had rough renderings when we were talking about moving Station #2 to Park Drive. I would think to fast track this we could do plans in FY2017, have construction in FY2018. Councilman Rudicell is looking at making a wish list on major end items concerning excess reserves. If this is going to use excess reserves I don't mind asking the mayor to stretch the budget to pay for this instead of burning up all of the excess reserves because there are other projects out there that need to be taken care of. Councilman Davis said one thing that comes to mind, do we have a motion for just the fire station or for public safety. Police space in shopping center is not adequate. Overlook project went down in flames. Beedy said we've already looked at a couple of pieces of property. Councilman Davis asked if we should put the two together? Johnson said he could get some figures together for the PD. Councilman Scott said at this point the PD is not ready for design until a piece of property is found. Do each independently. Send to Finance for Richard to go ahead and work up some design numbers for Station#5. Goodlin seconded. Motion passed. Told police to move with site location and next meeting we will work on figures.

ADJOURN

There being no further business to discuss, Councilman Scott made a motion to adjourn the meeting at 5:27 p.m. The next meeting will be Monday, June 19, 2017 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,



Public Safety Committee May 15,2017

QUESTION – What is the average salary for a firefighter ?

Average Salary (site Comparably)

DAPHNE \$ 37,992

~~FAIRHOPE \$ 46,332~~

FOLEY \$ 42,013

TUSCLOOSA \$ 45,679

ALABAMA \$ 42,016

Daphne is 10 % less than the state average & Foley !

Daphne is 22 % less than Fairhope !

While the number of firefighters, years of experience, & education levels effect this data, we need to address short term and long term compensation !

9/25/15
Foley

Foley Rookie Firefighters Highest Paid In Region



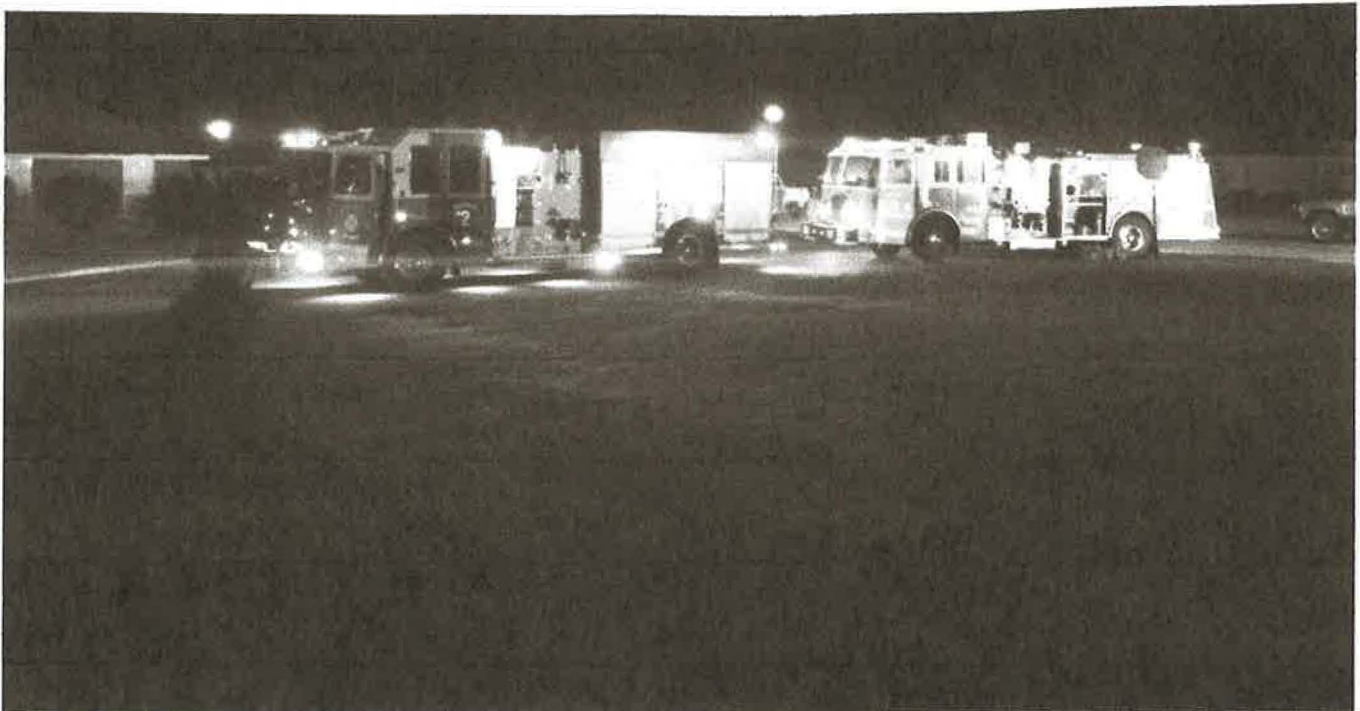
By **Pat Peterson** (<http://wkrg.com/author/pat-peterson/>)

Published: September 25, 2015, 6:03 pm | Updated: September 25, 2015, 6:38 pm

The starting salary for a Foley rookie firefighter is \$42,013, the highest in Southwest Alabama.

The city is hiring 9 new firefighters. The 9 recruits will be hired by the end of the year. They'll be stationed at the new fire house near the sports tourism complex on the Foley Beach Express.

The city is taking applications through the end of the month.



Foley is a good place to start a fire career.

FOLEY, AL- Rookie firefighters in Foley make more than New York City rookies.

Monthly Report March 2017

Patrol Division		Detective Division:		JAIL:			Animal Control		Crimes Reported This Month:	
(Capt.Beedy/Lt.Hempfleng)		(Capt.Beedy/Lt. Gulsby)		(Capt. Taylor/Lt. Yelding)			(Capt. Taylor/ Lt.Yelding)			
						YTD				
# Complaints	1,332	# New Cases Received:	68	Total Arrestees Received & Processed:	196	999			Arson	0
Accidents, Private Property	11	# Previous Unsolved Cases:	76	Arrestees by Agency:			#Complaints	53	Burglary – Commercial	4
Accidents, Roadway	68	# Cases Solved:	40	Daphne PD	137	688	#Follow-ups	18	Burglary – Residence	3
Accidents, Traffic Homicide	0	Resulting in Total Arrests:	6	BCSO	13	69	#Citations	2	Burglary - Vehicle	15
Arrest, Controlled Substance	3	Felonies:	4	Spanish Fort PD	46	222	# Warnings	27	Criminal Mischief	2
Arrest, Drug Paraphernalia	4	Misdemeanors:	2				#Felines Captured	13	Disorderly Conduct	2
Arrest, Felony Marijuana	1	Houses Searched	0	Troopers	0	0	#Canines Captured	25	Domestic Disturbance	4
Arrest, Misdemeanor Marijuana	3			Other Agencies	0	3	#Other Captured	4	False Info to Police	1
Arrest, Alias Warrant	67						#Returned to Owner	13	Felony Assault	1
Arrest, DUI	13	Warrants:					#Adopted Out	1	Felony Theft	13
Arrest, Felony	7	Served	10				#Euthanized - Adoptable	0	Harassment	2
Arrest, Misdemeanor	106	Agency Assists	0	Highest	28		#Euthanized - Unadoptable	9	Identity Theft	0
Assists, Motorist / Citizen	172	Recalls (Pd Fines)	21	Lowest	8				Indecent Exposure	0
Citations	322	Total Warrants Served	31						Kidnapping	0
Drug Report	8			Meals Served	1,376	7,704			Menacing	0
Foot Patrols	768	Sex Offender:		Medical Cost	\$5,046.78	\$10,441.89			Misdemeanor Assault	1
Searches, Vehicle	39	New Registration:	0	Worker Inmate Hours	10	261			Misdemeanor Theft	18
Security Checks	1,010	Contact Verification	6						Murder	0
Warnings	253	Total # registered in Daphne	6						Other Death Investigations	0
		DARE:							Public Intoxication	3
		# Hours Report Writing:	2						Public Lewdness	0
		# Students Instructed SRO	20						Receiving Stolen Property	1
Drugs Seized:	8	# Students Instructed DARE	450						Reckless Endangerment	1
Money Seized:	0	# Police Reports by SRO	2						Resisting Arrest	3
Vehicles Seized:	0	# Arrest by SRO	1						Robbery	0
									Sex Crime Investigations	1
		CODE ENFORCEMENT:							Suicide	0
CMV Inspections / CMV OOS	46	Warnings:	124						Suicide, attempted	0
		Citations	0						Theft of Services	0
		Warning Compliance	95						Unauthorized Use of Services	0
		Follow – Up	147						Weapon Offenses	0
		Business License/Enforcement	47						White Collar Crimes	2

68

Approved By: 
 David B. Carpenter, II
 Chief of Police

CITY OF DAPHNE
FIRE DEPARTMENT MONTHLY REPORT
Report Period March 2017

	Current:	FY to Date:
Suppression:		
1-Fire/Explosion:	-	-
10-Fire, Other	0	1
11-Structure Fire/Commercial	0	1
11-Structure Fire/Residential	4	9
12-Fire in Mobile Property used as fixed structure	0	2
13-Mobile Property (vehicle) Fire	0	1
14-Natural Vegetation Fire	1	1
15-Outside Rubbish Fire	0	0
16-Special Outside Fire	0	0
17-Cultivated Vegetable Crop Fire	0	0
2-Overpressure Rupture:	0	0
3-Rescue Call and Emergency Medical Service Incidents:	191	524
4-Hazardous Conditions (No fire):	3	14
5-Service Call:	18	53
6-Good Intent Call:	14	47
7-False Alarm & False Call:	13	45
8-Severe Weather & Natural Disaster:	0	10
9-Other Situation:	1	2
Total Emergency Calls:	245	690
Monthly Total Calls:	250	706
Highest:		
	11:00	11:00
Lowest:		
	<1:00	<1:00
Average (Minutes/Seconds) :		
	5:08	5:08
Training Hours		
	370.24	1168.48
Property Loss - \$		
	\$231,000	\$248,350.00
Fire Personnel Injuries by Fire/Civilian Injuries by Fire		
	0	0
Advance Life Support Rescues		
	169	435
Number of Patients Treated		
	190	506
Child Passenger Safety Seat Inspections/Installations		
	11	30
Pre-Plans		
	47	225
Classes		
	39	104
Persons Attending		
	233	668
Plan Reviews		
	7	10
Final/Certificate of Occupancy		
	5	5
General/Annual Inspections		
	72	232
General/Re-Inspections (Violation Follow-up - Annual)		
	30	44
Business Licenses		
	9	9
All Other/Misc. Activities		
	5	5
Total Activities:	128	305

Authorized by:

James White

CODE ENFORCMENT/ORDINANCE COMMITTEE

*May 15, 2017
City Hall Executive Conference Room
1705 Main Street
Daphne, AL
5:30 P.M.*

*Councilman Goodlin, Chairman
Councilman Ron Scott
Councilman Pat Rudicell
Councilwoman Tommie Conway*

*Councilman Joe Davis
Councilman Joel Coleman
Councilman Robin LeJeune*

I. CALL TO ORDER/ROLL CALL

The chairman declared a quorum was present and called the meeting to order at 5:30 p.m.

Members Present: Doug Goodlin; Ron Scott; Tommie Conaway; Pat Rudicell; Joe Davis; Joel Coleman; Robin LeJeune.

Also Present: Rebecca Hayes, City Clerk / recording secretary; Mayor Haygood; Richard Johnson, Public Works Director; David Carpenter, Police Chief; Jay Ross, City Attorney; Patrick Dungan, City Attorney; Mat Creel and William Kennedy, Code Enforcement.

II. APPROVE MINUTES / April 17, 2017

There being no corrections the minutes for the April 17, 2017 meeting stand approved as written.

III. PUBLIC PARTICIPATION

No one spoke.

IV. ORDINANCE REVIEW/DISCUSSION

1.) Amending the Speed Limit Ordinance 2016-22

The committee discussed the proposed ordinance and wanted Old County Road taken off the table and let it default to 25 m.p.h., and to amend the speed limit for Public Works Road to 35 m.p.h.

MOTION BY Councilman Scott to recommend to full council the revised speed limit ordinance, and place it on the June 5, 2017 council meeting agenda. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY

2.) Naming City Property

Patrick gave a synopsis of the proposed ordinance. It was suggested that deeds be researched prior to naming or renaming city property, and that a public hearing be required before naming or renaming such. The committee agreed that the naming should go to the Buildings & Property Committee before coming to council.

MOTION BY Councilman Scott to recommend to full council the proposed ordinance to regulate the naming of city property, and to be placed on the June 5, 2017 council meeting agenda. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY

3.) Council Rules of Procedure

The committee discussed adding to the rules of procedure that the Mayor can call a special called meeting, and the statute of the code that applies. Also, to add the last sentence from Section VII (B) that says "The presiding officer may grant the councilmember additional comments after all other council

members have had the opportunity to speak” to Section VII (A).

Councilman LeJeune said it would be good if this came back to the next meeting so Councilman Goodlin and Councilman Coleman can look it over to see if there are any other changes they would like to make.

This will come back to the June meeting.

FOR DISCUSSION

a.) How long a building can be in disrepair

The committee discussed that the first thing is to make sure this does not happen. It should be outlined what a nuisance is, and be lenient with time a tarp can be on a roof, because of dealing with insurance companies in the case of a disaster. Jay will look at other cities ordinances, and research state law to help with the problem.

This will come back to the June meeting.

b.) Contract for companies doing business in Daphne

The committee discussed this item with no consensus.

VI. OTHER BUSINES

a.) Allow Chickens within the city limits of Daphne

Mrs. Kelly Hughes sent an email to her council representative requesting that council reconsider the issue of residents inside the city limits having chickens in their yard since Fairhope now allows them within the city limits.

MOTION BY Councilman Rudicell to send the issue of citizens having chickens in their yards within the city limits of Daphne to the Planning Commission to consider amending the Land Use and Development Ordinance. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY

b.) Impact Fees

Councilman Goodlin outlined the rules and uses for impact fees. He is not sure if the code allows this money to spent on schools. It cannot be a revenue source. He said council needs to think about impact fees and look at doing another study.

VII. NEXT MEETING / June 19, 2017

VIII. ADJOURN

MOTION BY Councilman Scott to adjourn. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS THE MEETING ADJOURNED AT 6:25 P.M.

**DOWNTOWN REDEVELOPMENT AUTHORITY
DAPHNE CITY HALL
JUBILEE CONFERENCE ROOM
1506 MAIN STREET, DAPHNE, AL 36526
May 24, 2017**

MEETING MINUTES

MEMBERS PRESENT: Debbie Strahley, Dana Oldham, Belle Laurendine, Dorothy Morrison

ABSENT: Daniel Dyas, Doug Bailey, Patricia Vanderpool, Brandy Lister, Nicole Sims.

Also present: Rebecca Hayes, Ken Balme

There was not a quorum for the meeting.

Next meeting will be June 28, 2017.

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
MAY 22, 2017
6:00 P.M.**

1. CALL TO ORDER/ROLL CALL

There being a quorum present the vice chairman called the meeting to order at 6:05 p.m.

MEMBERS PRESENT – Denis Kearney; Dan Romanchuk; Steve Carey; Don Ruble; Steve Carey.

Absent: John Cox; Scott Koser; Doug Bailey.

Also present – Rebecca Hayes, recording secretary; Councilman Joe Davis; John Peterson, Mott McDonald.

2. APPROVE MINUTES / April 24, 2017 Meeting Minutes

There being no corrections the April 24, 2017 meeting minutes stand approved.

3. PUBLIC PARTICIPATION

No one spoke.

4. OLD BUSINESS

a.) Update on DISC project

No update information. Steve asked Rebecca to contact Lee Lawson and ask him to come to the June meeting.

Dan mentioned that they need a fixed timeline and stick to it, because the bank interest rates are rising and he suggested going ahead and take out the construction loan in order to lock in the interest rate. Dan said he would ask the banks to resubmit quotes for the construction loan and have it for the June meeting.

Steve said a comprehensive timeline needs to be prepared to include when to get the loan, a timeline for buying the rest of the property, and things of this sort.

John Peterson with Mott McDonald gave a presentation of putting together a pattern book for construction to set the design guidelines for park conformity. The pattern book would make the project consistent. Steve asked John to prepare a scope of work, design concept and cost projections for the next meeting. Steve asked Don to help John with this task.

Councilman Davis mentioned that it would be good to contact the marketing company they used for the initial marketing plan. They are the ones that came up with the logo DISC.

Steve said it would be good for them to come to the June meeting.

Steve wants timelines for: 1) grants 2) loan 3) pattern book 4) marketing

c.) Daphne Utilities / Test for a New Well on DISC Property

This will be considered at the June meeting.

5. TREASURERS REPORT: JANUARY 2017

Cash Balance March 31, 2017	\$337,265.90
Cash Balance April 30, 2017:	\$348,433.95

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
MAY 22, 2017
6:00 P.M.**

6. NEW BUSINESS

a.) *Marketing Presentation by John Peterson / Mott McDonald*

The presentation was given earlier in the meeting.

b.) *Contact List for DISC Project*

Steve wants a comprehensive list of anyone involved with the DISC project.

c.) *MOTION: Approve Payment of Invoice for Grant Management, LLC*

MOTION BY Don Ruble to approve payment of the invoice from Grant Management in the amount of \$3,000 (30% - Grant Administration Services through March 3, 2017). Seconded by Dan Romanchuk.

MOTION CARRIED UNANIMOUSLY

d.) *MOTION: Approve Payment of Invoice from Dewberry in the amount of \$15,467.42.*

MOTION BY Don Ruble to approve payment of the invoice from Dewberry in the amount of \$15,467.42. Seconded by Denis Kearney.

Discussion was held on if this invoice included the invoice Rebecca was holding in the amount of \$5,983. The board wanted to wait for clarification of the invoice before authorizing payment.

Don Ruble amended the motion to approve payment of the invoice upon Dan Romanchuk getting clarification of the charges from Andy Bobe. Seconded by Denis Kearney.

MOTION CARRIED UNANIMOUSLY

The board wants a policy on paying bills and how the grant is paid out so everyone will be familiar with how the money goes out.

7. REPORT FROM BALDWIN COUNTY ECONOMIC DEVELOPMENT ALLIANCE

No one was present to give report.

8. OTHER BUSINESS

Dan asked if the Mayor ever said if the IDB is covered by insurance in case they were sued by someone, or if someone was injured on the property. No one has heard anything from the Mayor on this issue.

9. ADJOURN

MOTION BY Don Ruble to adjourn. Seconded by Dan Romanchuk.

MOTION CARRIED UNANIMOUSLY

There being no further business to discuss the meeting adjourned at 7:25 p.m.

The next meeting will be June 26, 2017

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
MAY 22, 2017
6:00 P.M.**

Submitted by:

Rebecca Hayes, Secretary

Certification of Presiding Officer:

Doug Bailey, Vice Chairman

The City of Daphne
Planning Commission Minutes
Regular Meeting of April 27, 2017
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

The regular meeting of the City of Daphne Planning Commission was called to order at 5:04 p.m.

Call of Roll:

Members Present:

Charles Smith, Secretary
Marybeth Bergin, Chairman
Ron Scott, Councilman
Philip Hodgson, Vice Chairman
Andrew Prescott
Chief White

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Brennan Walters, Planner

The first order of business is the approval of the minutes.

Chairman asked for questions, comments or corrections to the minutes *of the regular meeting of March 23, 2017.*

During discussion, Ms. Campbell asked to amend the regular minutes of March 23, 2017 to include a modification to the stream buffer requirements.

Revision to March 23, 2017 regular minutes regarding 5A (1), Site Plan Review, File SP17-06 Johnson Road Grading & Drainage Improvements:

Original motion approved in March:

A Motion was made by Mr. Scott and **Seconded** by Mr. Smith *to approve the site plan for Johnson Road Grading & Drainage, subject to U.S. Army Corps of Engineers and ADEM permitting.*

Amended motion:

An **Amended Motion** was made by Mr. Scott and **Seconded** by Mr. Smith *to approve the site plan for Johnson Road Grading & Drainage, subject to U.S. Army Corps of Engineers and ADEM permitting; Planning Commission also allows a modification to the stream buffer and allows construction therein. There was no discussion on the motion. The Motion carried unanimously.*

The City of Daphne
Planning Commission Minutes
Regular Meeting of April 27, 2017
Council Chamber, City Hall - 5:00 P.M.

After discussion, minutes are approved as amended.

The next order of business is master plan review for South Branch Subdivision.

An introductory presentation was given by William Miller, representative of S. Hickory, Inc., requesting master plan review of South Branch Subdivision located on the east side of Pollard Road, north of Creekside Subdivision.

Chairman asked for Commission questions or comments and has a traffic impact study been provided. Mr. Miller responded the study was presented with the preliminary plat application and noted that the summarization of the study indicated that this subdivision will reduce traffic impacts due to the additional access from this development's connection to the Retreat of Tiawasee through Tiawasee Trace and Stratford Glen Subdivisions.

Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Hodgson and **Seconded** by Mr. Smith **to approve the master plan for South Branch Subdivision, contingent upon annexation into the City of Daphne. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is site plan review for Buckley Dental.

An introductory presentation was given by David Shumer, representative of Barton & Shumer Engineering, requesting site plan review of a dental facility located southwest of the intersection of Mill Lane and Timber Circle and stated that the owner proposes to begin construction once an ADEM permit is issued.

Chairman asked for Commission questions or comments.

Mr. Scott referenced the indemnification form for onsite detention and commented TimberCreek POA requires commercial property owners that utilize the common detention in the residential development to participate in the cost of maintenance.

Mr. Dungan commented that cannot be a condition of approval because TimberCreek POA cannot require participation.

Mr. Scott asked that the owner contact the TimberCreek POA to discuss participation.

Chairman asked for Commission questions or comments and for a motion.

The City of Daphne
Planning Commission Minutes
Regular Meeting of April 27, 2017
Council Chamber, City Hall - 5:00 P.M.

A Motion was made by Mr. Hodgson and **Seconded** by Mr. Scott **to approve the site plan for Buckley Dental. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary plat review for Blackstone Lakes Subdivision.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/Preble-Rish, requesting preliminary plat review of a one hundred seventy-five lot subdivision consisting of approximately seventy-three point three-five acres located southeast of County Road 13 and Corte Road. This is the next step of the process so we can move forward with the development, conditioned upon annexation. The developer plans to improve approximately one-quarter mile of Corte Road to County Road 13 and dedicate the additional right-of-way for improvement to Alabama Highway 181. The southern portion of the lots is a senior living, gated community with the roadways identified as private. This section will not qualify for federal assistance in the case of a natural disaster and will require storm debris to be brought to the public section. Also, there remains an issue with regard to the open ditch that must be addressed.

Mr. Johnson stated the engineer proposes the installation of a concrete lined ditch which will require low maintenance and commented on the improvement of Corte Road. If we can meet the developer's timeline, he will provide a monetary contribution, and the city will improve Corte Road from County Road 13 to Alabama Highway 181. If not, the developer will improve a portion of Corte Road to County Road 13, and the city will improve the remainder of Corte Road to Alabama Highway 181.

Chairman asked for Commission questions or comments and if the subdivision is being built in phases and Mr. Pumphrey responded two phases. Chairman asked is the Commission approving both phases. Ms. Jones responded the overall preliminary plan is submitted for review, and then the subdivision is constructed in phases.

Chairman asked for Commission questions or comments and opened the floor to public participation.

Richard Jaehne, 9499 Bella Drive, is not opposed to the development, and had commented in the past on traffic issues and stated that he presented this plan to the property owners, and there has not been any negative feedback. Two different access points for the construction entrances of Bellaton, Phase Four and Blackstone Lakes Subdivisions is helpful. We also mentioned the desire for the installation of traffic calming devices in Bellaton Subdivision.

The City of Daphne
Planning Commission Minutes
Regular Meeting of April 27, 2017
Council Chamber, City Hall - 5:00 P.M.

Councilman Scott commended Mr. Jaehne's approach when presenting traffic issues and the need for improvements in this area because Corte Road may not have been improved without your input. To the City's credit, we found a way to make the necessary improvements for the benefit of the community. Mr. Jaehne responded regarding traffic concerns at Bellaton Avenue and Alabama Highway, and stated by changing that intersection future accidents will be avoided.

Chairman stated that the Commission will not approve a final plat until such time Corte Road is paved to the entrance of first phase of the development.

Chairman closed public participation.

Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Scott and **Seconded** by Mr. Smith **to approve the preliminary plat for Blackstone Lakes Subdivision, contingent upon annexation into the city; conditioned upon the submission of revisions to address items denoted in a letter dated: April 24, 2017 to the Community Development Director from the Public Works Director and Environmental Programs Manager, and submission of a letter of satisfactory review from the Public Works Director, prior to the issuance of a site disturbance permit. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary/final plat review for the Resubdivision of Wachter Subdivision.

An introductory presentation was given by David Shumer, representative of Barton & Shumer Engineering, of an existing site plan development of which two of the structures have been constructed, and the owner wishes to separate the lots for conveyance.

Chairman asked for Commission questions or comments, and commented that Commissioners will review the plan again when the owner builds the additional structures. Mr. Shumer stated there is an existing structure on the large lot of which the additional structures are proposed so prior to construction the owner must remove that structure and re-subdivide the lot.

Chairman asked for Commission questions or comments and opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A Motion was made by Mr. Hodgson and **Seconded** by Mr. Smith **to approve Wachter 3-lot Subdivision. There was no discussion on the motion. The Motion carried unanimously.**

**The City of Daphne
Planning Commission Minutes
Regular Meeting of April 27, 2017
Council Chamber, City Hall - 5:00 P.M.**

The next order of business is preliminary/final plat review for the Daphne Commercial Storage Subdivision.

An introductory presentation was given by Gerald Byrd, representative of Byrd Surveying, requesting preliminary/final plat review of a one-lot subdivision consisting of approximately one-acre located northwest of the intersection of County Road 64 and Capital Drive and stated we are asking to reduce the minimum side yard restriction on the north side of the property from ten to five feet. The property is zoned B-2, and the side yard setback could be zero as outline in the ordinance.

Chairman asked for Commission questions or comments and stated there were no comments made at site preview.

Mr. Scott commented normally a variance is presented to the BZA. Ms. Jones stated this is not a variance, but rather a request to change a setback on the record plat.

Chairman asked for Commission questions or comments and opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A Motion was made by Mr. Smith and Seconded by Mr. Prescott to approve Daphne Commercial Storage Subdivision, Replat of Lot 5, the Resubdivision of Lot 1 of Highway 64 Commercial Park Subdivision. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is final plat review for Canaan Place Subdivision, Phase Two B.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry Preble-Rish, requesting final plat review of a twenty-six lot subdivision consisting of approximately nine-point three five acres located northwest of the intersection of County Road 54 and 54 East and commented that staff deficiencies have been addressed and Community Development are in receipt of correspondence from utility companies.

Chairman asked is it in the extraterritorial planning jurisdiction which would require a county and city signature. Ms. Jones confirmed. Mr. Pumphrey stated Baldwin County staff deficiencies have been addressed.

Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Hodgson and Seconded by Mr. Prescott to approve Canaan Place Subdivision, Phase Two B.

The City of Daphne
Planning Commission Minutes
Regular Meeting of April 27, 2017
Council Chamber, City Hall - 5:00 P.M.

There was no discussion on the motion. The Motion carried unanimously.

Chairman explained that the agenda item of the application for re-zoning for WPNVA, L.C.C., Jay-E, L.L.C., John White-Spunner & Chester J. Stephan, U.S. Highway 98 and Johnson Road has been postponed to the regular meeting of May 25, 2017.

The next order of business is an administrative presentation of the City of Daphne Zoning and Street Map updates.

Ms. Jones requested acceptance of the zoning and street maps.

Chairman asked for Commission questions or comments and asked for a motion.

A Motion was made by Mr. Hodgson and Seconded by Mr. Scott to setforth a favorable recommendation to City Council to approve the official zoning and street map. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is an administrative presentation for street acceptance for Caroline Woods Subdivision, Phase Three B.

Ms. Jones requested acceptance of the streets in Caroline Woods Subdivision, Phase Three B.

Chairman asked for Commission questions or comments and asked for a motion.

A Motion was made by Mr. Scott and Seconded by Mr. Smith to setforth a favorable recommendation to City Council to accept the right-of-ways within Caroline Woods Subdivision, Phase Three B. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is an administrative presentation for a proposed amendment to the Land Use Ordinance.

Ms. Jones requested that Commissioners review and submit recommendations to Article 35, Section 35-3, Table of Permitted Uses, prior to the next meeting: changes and/or additions which will not adversely affect a Commercial/Industrial zone; and, cumulative uses of a B-2 zone which could be located in a Commercial/Industrial zone as well.

The next order of business is public participation.

Chairman asked for public participation. No one came forward. He closed public participation.

The City of Daphne
Planning Commission Minutes
Regular Meeting of April 27, 2017
Council Chamber, City Hall - 5:00 P.M.

The next order of business is the attorney's report.

Mr. Dungan stated no report.

The next order of business is commissioner's comments.

Mr. Scott asked to implement a method to provide monthly correspondence monthly to the Baldwin County Board of Education regarding new subdivisions. The City Council is in the process of the preparation of a Strategic Plan and requested that the Commissioners begin preparation of an updated Comprehensive Plan.

Mr. Smith commented on an impact fee for a new homeowner. Mr. Scott stated the State of Alabama passed a law which allows the city to charge a reasonable impact fee for development, and a new school districting tax which requires a referendum, but the tax can only be used for school capital and personnel.

Ms. Jones commented that the Mayor and I read the statute and found that the Comprehensive Plan is a streamline of what a master plan should be regarding utility location, roads and transportation and recreation, and there were some items in our existing comp plan that he felt may belong in a strategic plan.

Mr. Dungan suggested review of a recent statute and attorney general opinion which give guidance on the preparation of the Comprehensive Plan.

The next order of business is director's comments.

Ms. Jones presented the following:

- a. City Council's recent action to request the Planning Commission to review and consider cumulative zoning;
- b. Upcoming community events - Brown Bag concerts, Thursday, May 4, 12, 18 & 25 and June 1, 2017, 11:30 a.m. - 1:30 p.m.;
- c. The upcoming meeting dates are site preview, May 17 & regular meeting, May 25, 2017;
- d. Allegri/Volovecky pre-zoning request at 181 & 64, 75 acres, PUD & Mixed Use, requested an additional month extension;
- e. Preconstruction meetings are scheduled for May 2 & 16, 2017, 9:00 - 11:00 a.m.

There being no further business, the meeting was adjourned at 6:10 p.m.

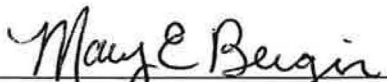
The City of Daphne
Planning Commission Minutes
Regular Meeting of April 27, 2017
Council Chamber, City Hall - 5:00 P.M.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: May 25, 2017



Mary Beth Bergin, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 25, 2017 **REPORT**
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

1. **CALL TO ORDER:** 5:04 P.M.

2. **CALL OF ROLL:** Marybeth Bergin, Andrew Prescott, Philip Hodgson, Ed Kirby and Chief White

3. **APPROVAL OF MINUTES:**

Amended minutes of March 23, 2017, No action is required. Amended motion states, "Approved Johnson Road Grading & Drainage Improvements, subject to U.S. Army Corp of Engineer and ADEM permitting; Planning Commission also allows a modification to the stream buffer and allows construction therein".

Review of minutes for the regular meeting of April 27, 2017 (**APPROVED AS SUBMITTED**)

4. **NEW BUSINESS:**

A. **SITE PLAN REVIEW:**

1. **File SP17-13: (APPROVAL OF SITE PLAN, CONTINGENT UPON COMPLIANCE WITH THE PROVISIONS OF THE LAND USE & DEVELOPMENT ORDINANCE ARTICLE 19-9(A) AND TO APPROVE A WAIVER OF THE SIDEWALK REQUIREMENT).**

Site: Daphne Commercial Storage

Zoning(s): B-2, General Business

Location: Northwest of the intersection of County Road 64 and Capital Drive

Area: 1 ± Acre

Owner(s): 26088 Capital Drive, L.L.C. – John Chapman

Agent: K.V. Properties - Keith Vaughn

Engineer: Barton & Shumer Engineering - David Shumer

2. **File SP17-14: (APPROVED)**

Site: "No Off Season" Athletic Training Facility

Zoning(s): B-2, General Business

Location: Southeast of the intersection of County Road 64 and Friendship Road

Area: 1.35 ± Acres

Owner(s): Willisson Properties, L.L.C. – Gavin Willisson

Engineer: McCrory & Williams, Inc. – Tommy Hassell

B. **PRELIMINARY PLAT REVIEW:**

1. **File SDP17-04: (DUE TO THE LACK OF A SUPER MAJORITY OF MEMBERS PRESENT, ITEM TABLED UNTIL JUNE 22, 2017 MEETING)**

Subdivision: Bailey Place **(PUBLIC HEARING)**

Present Zoning: RSF-3, Single Family District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction

Location: Southwest of County Road 64 and Alabama Highway 181

Area: 5.93 ± Acres, (13) lots

Owner: JIBA Development, L.L.C. – Sands Stimpson

Agent: Dewberry/Preble-Rish - Steve Pumphrey

Engineer: Dewberry/Preble-Rish – Jason Estes

Surveyor: Dewberry/Preble-Rish - David Dichl

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 25, 2017 **REPORT**
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

2. **File SDP17-05: (DUE TO THE LACK OF A SUPER MAJORITY OF MEMBERS PRESENT, ITEM TABLED UNTIL JUNE 22, 2017 MEETING)**

Subdivision: South Branch, Phase One **(PUBLIC HEARING)**

Present Zoning: RSF-2, Single Family District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction

Location: On Pollard Road, east of Eagle Creek Subdivision
Area: 13.49 Acres $\pm$, (29) lots
Owner(s): S. Hickory, Inc. - Charles K. Breland, Jr.
Agent: William Miller, J.D., M.B.A.
Engineer: R-Squared Global, L.L.C. - Barry Dees
Surveyor: R-Squared Global, L.L.C. - B. Craig Johnson

C. PRELIMINARY/FINAL PLAT REVIEW:

1. **File SDPF17-07: (DUE TO THE LACK OF A SUPER MAJORITY OF MEMBERS PRESENT, ITEM TABLED UNTIL JUNE 22, 2017 MEETING)**

Subdivision: Watershed at Tiawasee, Phase 2 **(PUBLIC HEARING)**

Present Zoning: R-1, Low Density Single Family Residential

Location: East of Daintree and Danube Court
Area: 21.33 $\pm$ Acres, (3) lots
Owner(s): Feliciter Investment Group, L.L.C. - Nathan Cox
Agent: Dewberry/ Preble-Rish - Steve Pumphrey
Surveyor: Dewberry/ Preble-Rish - David Diehl

D. ZONING AND PRE/ZONING AMENDMENT PETITION: (PUBLIC HEARINGS)

1. **File Z17-01: WPNVA, L.L.C., Jay-E, L.L.C., John White-Spunner, & Chester J. Stephan (TABLED UNTIL REGULAR MEETING OF JUNE 22, 2017 AT APPLICANT'S REQUEST)**

Present Zoning: R-4, High Density Single and Multi-Family Residential

Proposed Zoning: B-2, General Business

Location: At the Southeast corner of U. S. Highway 98 and Johnson Road
Area: 5.8 Acres $\pm$
Owner(s): WPNVA, L.L.C., Jay-E, L.L.C., John White-Spunner, & Chester J. Stephan
Developer: BFHK, L.L.C. - Keith Baker
Agent: Hutchinson, Moore & Rauch - Doug Bailey & Jaye Robertson

2. **File PZA17-05: Malbis Plantation, Inc. (DUE TO THE LACK OF A SUPER MAJORITY OF MEMBERS PRESENT, ITEM TABLED UNTIL JUNE 22, 2017 MEETING)**

Present Zoning(s): RSF-3, Single Family District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

Proposed Pre-zoning(s): R-3, High Density Single Family Residential

Location: East side of County Road 13, north of Sehoy Subdivision
Area: 77.54 $\pm$ Acres
Owner(s): Malbis Plantation, Inc. - Willard Simmons
Developer: Fortuna Investments, L.L.C. - Nathan Cox
Agent: Dewberry/ Preble-Rish - Steve Pumphrey
Surveyor: Dewberry/ Preble-Rish - David Diehl

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 25, 2017
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

DRAFT

- a. **File ANX17-04: (DUE TO THE LACK OF A SUPER MAJORITY OF MEMBERS PRESENT, ITEM TABLED UNTIL JUNE 22, 2017 MEETING)**

Presentation to be given by Steve Pumphrey, Dewberry/Preble-Rish, representative of Malbis Plantation, Inc., requesting annexation of an seventy-seven point five-four acre parcel into the City of Daphne located on the east side of County Road 13, north of Sehoy Subdivision as R-3, High Density Single Family Residential. The subject property is currently zoned RSF-2, Single Family District, in Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne. Malbis Plantation, Inc. - owner.

E. ADMINISTRATIVE PRESENTATION:

1. **File AP17-05: (No action taken)**

Presentation by Community Development of a motion made on Monday, April 10, 2017 by Finance Committee and approved by the Daphne City Council on April 17, 2017 to request the Planning Commission to consider an amendment to the provisions of the Commercial/Industrial zoning district in Daphne Commercial Park and Daphne Business Park.

2. **File AP17-06: (No action taken)**

Comprehensive Plan Discussion – Chairman will provide guidance on reviewing the existing plan.

5. **PUBLIC PARTICIPATION:** None presented

6. **ATTORNEY'S REPORT:** No report

7. **COMMISSIONER'S COMMENTS:** None presented

8. **DIRECTOR'S COMMENTS:** Ms. Jones presented the following:

- a. Ordinance Committee requests that the Planning Commission review and consider an amendment to the Land Use Ordinance to allow chickens – hens;
- b. Upcoming community events – Brown Bag concerts, Thursday, June 1, 2017, 11:30 a.m. – 1:30 p.m.;
- c. The upcoming meeting dates are site preview, June 14 & regular meeting, June 22, 2017;
- d. Allegri/Volovecky pre-zoning request at 181 & 64, 75 acres, PUD & Mixed Use, have reached out to agent with no response regarding when it will be brought back to Planning Commission;
- e. Preconstruction meetings are scheduled for May 2 & 16, 2017, 9:00 - 11:00 a.m.

9. **ADJOURNMENT:** 5:20 p.m.

Resolution 2017-31

ADEM 319 Tiawasee Creek Sub-watershed Management Project (FY 17)

WHEREAS, the coastal Alabama is blessed with estuaries that support both fresh and saltwater species and serve as nursery habitat for many commercially and recreationally important fish and shellfish; and

WHEREAS, the Tensaw Appalache watershed, located in Baldwin County, AL is within the Mobile Bay estuary and includes the sub-watersheds of D'Olive Creek, Tiawasee Creek and Joes Branch; and

WHEREAS, the Watershed Management Plan: D'Olive Creek, Tiawasee Creek, and Joe's Branch Watersheds was published in 2010 to guide restoration activities in areas of environmental degradation within the sub-watersheds of D'Olive Creek, Tiawasee Creek and Joe's Branch; and

WHEREAS, this plan recommends and identifies areas for stabilizing of stream segments and improving stormwater management in the D'Olive sub-watershed; and

WHEREAS, the City's goal is to support environmental endeavors which will improve water quality and lessen the potential for impacts to the City's watersheds which are part the greater Mobile Bay estuary.

NOW, THEREFORE, BE IT ORDAINED, that:

1. The City Council of the City of Daphne deems the 2017 ADEM 319 Tiawasse Creek Stream Restoration Project an important component to the Watershed Restoration and approves the City submitting a grant application for a stream restoration along a severely eroding segment of an unnamed tributary to Tiawasee Creek on the north east side of Park Drive and Pollard Road
2. Total project cost being \$191, 992 with the National Fish and Wildlife Foundation paying \$8390 and the City of Daphne providing \$2000 for upfront engineering. The ADEM grant award will be \$181,602. ADEM 319 will provide \$108,961 and the City's local share \$72,641 (40%) which will be provided by the Mobile Bay National Estuary Program's National Fish & Wildlife Foundations D'Olive Watershed Restoration Grant.

The Mayor or his designee is authorized to manage and sign all grant-related documents including grant application, reimbursement requests and periodic reports.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this _____ day of _____, 2017.

Attest:

Rebecca A. Hayes, City Clerk

Dane Haygood, Mayor

**RESOLUTION AUTHORIZING ALL-WAY STOPS AT THE INTERSECTION OF
FREDERICK BOULEVARD AND DIMITRIOS AVENUE – EASTERN SHORE PARK**

WHERE AS, the Citizens and Visitors of Daphne have described in detail the difficulty of traversing the intersection of Frederick Boulevard and Dimitrios Avenue during times of heavy traffic; and

WHERE AS, the growth of new businesses within the Eastern Shore Park and the Renaissance Center has added additional traffic volume to the intersection of Frederick Boulevard and Dimitrios Avenue; and

WHERE AS, Frederick Boulevard and Dimitrios Avenue are City of Daphne Maintained public roads whose posted speed limits are 25 MPH; and

WHERE AS, following the reported concerns of Citizens, Visitors and Public Safety Officials, the Public Safety Committee has made a recommendation to establish an all-way stop condition at intersection of Frederick Boulevard and Dimitrios Avenue; and

WHERE AS, the City of Daphne has determined that the establishments of an all-way stop condition at intersection of Frederick Boulevard and Dimitrios Avenue is warranted;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Daphne that:

- 1.) Authorize Public Works to install the necessary signage, including temporary advance warning signage and flagging at the intersection of Frederick Boulevard and Dimitrios Avenue; and
- 2.) If decorative sign post are desired by the Property Owner Association, then those posts shall be provided by the POA at their cost; and
- 3.) New signage and all-way stop conditions at both intersections shall be installed and implemented by September 30, 2017.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, THIS _____ DAY OF _____, 2017.**

**CITY OF DAPHNE, ALABAMA
AN ALABAMA MUNICIPAL CORPORATION**

DANE HAYGOOD, MAYOR

ATTEST:

REBECCA A. HAYES, CITY CLERK

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-37**

**Ordinance to Pre-Zone Property Located
On the East Side of Pollard Road, North of Creekside Subdivision
S. Hickory, Inc.**

WHEREAS, S. Hickory, Inc. as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently under County zoning as RSF-2, Single Family District, Baldwin County extraterritorial planning jurisdiction, to be pre-zoned as R-3, High Density Single Family Residential District, prior to annexing into the City of Daphne; and

WHEREAS, said real property is on the east side of Pollard Road, north of Creekside Subdivision, and more particularly described as follows:

Legal Description for Pre-zone:

BEGINNING AT A CONCRETE MONUMENT FOUND (3" DIAMETER) MARKING THE NORTH EAST CORNER OF LOT 68, STRATFORD GLENN PHASE 3 AS RECORDED ON SLIDE 2152-F IN PROBATE RECORDS BALDWIN COUNTY, AL., ALSO BEING THE SOUTH WEST CORNER OF LOT 36, THE RETREAT AT TIAWASSEE RECORDED ON SLIDE 2545-B IN PROBATE RECORDS BALDWIN COUNTY, AL., ALSO BEING THE COMMON NORTHERN CORNER FOR LOTS 33 AND 34, FRENCH SETTLEMENT, PHASE 1B AS RECORDED ON SLIDE 2366-E AND 2366-F IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE ALONG THE NORTH LINE OF STRATFORD GLENN PHASE 3 AS RECORDED ON SLIDE 2152-F, THE NORTH LINE OF CREEKSIDE UNIT 2 AS RECORDED ON SLIDE 1779-A, THE NORTH LINE OF BROOKSIDE PATIO HOMES AS RECORDED ON SLIDE 2189-F, ALL BEING RECORDED IN THE PROBATE RECORDS BALDWIN COUNTY, AL., RUN NORTH 89° 38' 35" WEST FOR 2,613.31 FEET TO A 1/2" (#4) REBAR FOUND AT THE NORTH WEST CORNER OF LOT 16 OF SAID BROOKSIDE PATIO HOMES; THENCE ALONG THE EAST RIGHT OF WAY (80') LINE OF POLLARD ROAD RUN NORTH 00° 09' 19" EAST FOR 1,327.66 FEET TO A CAPPED REBAR (CA-0604-LS) THAT LIES 48.66' SOUTHERLY FROM THE SOUTH WEST CORNER LOT 3, THE PRESERVE AT TIAWASSEE RECORDED ON SLIDE 2526-C IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE LEAVING SAID EAST RIGHT OF WAY, RUN SOUTH 89° 38' 52" EAST FOR 2,617.52 FEET TO A 3/4" IRON PIPE FOUND MARKING THE NORTH WEST CORNER OF LOT 46, THE RETREAT AT TIAWASSEE RECORDED ON SLIDE 2545-B IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE ALONG WEST LINE OF SAID RETREAT AT TIAWASSEE, RUN SOUTH 00° 20' 08" WEST FOR 1,327.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 79.72 ACRES MORE OR LESS AND LYING IN SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, ST. STEPHENS MERIDIAN IN BALDWIN COUNTY, ALABAMA.

WHEREAS, at the regular Planning Commission meeting on March 23, 2017, the Commission considered said request and set forth a unanimous favorable recommendation; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on May 15, 2017; and,

WHEREAS, the City Council of the City of Daphne after due consideration and upon consideration of the notes of the Planning Commission, deemed that said application for pre-zoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

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

SECTION I: ZONING

That above described real property is hereby pre-zoned to R-3, High Density Single Family Residential District, City of Daphne. Upon annexation of the property prior to the expiration of the pre-zoning as set forth in Section IV, the property shall be assigned the zoning district in accordance with the pre-zoning and the zoning ordinance and zoning map be amended to reflect the said zoning. Should annexation not occur prior to the expiration of this pre-zoning as set forth in Section IV, this pre-zoning shall have no effect and the designation of a zoning district for the property shall be set forth in the annexation ordinance.

Until such time as the property is annexed to the City of Daphne, the property shall remain in the unincorporated area of Baldwin County and zoned in accordance with the Baldwin County Commission's zoning plan. The County's zoning for the property at the time the request for pre-zoning was submitted was RSF-2, Single Family District, Baldwin County extraterritorial planning jurisdiction.

SECTION II: REPEALER.

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

SECTION III: SEVERABILITY.

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

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

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

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, THIS _____ day of _____, 2017.**

**Dane Haygood,
Mayor**

ATTEST:

**Rebecca A. Hayes,
City Clerk**

EXHIBIT "A"

S. HICKORY, INC.

PRE-ZONING AND ANNEXATION

**NORTH POLLARD ROAD
DAPHNE, BALDWIN COUNTY, ALABAMA**

**LEGAL DESCRIPTION OF PROPERTY TO BE PRE-ZONED AS R3 AND ANNEXED TO
THE CITY OF DAPHNE:**

BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A CONCRETE MONUMENT FOUND (3" DIAMETER) MARKING THE NORTH EAST CORNER OF LOT 68, STRATFORD GLENN PHASE 3 AS RECORDED ON SLIDE 2152-F IN PROBATE RECORDS BALDWIN COUNTY, AL., ALSO BEING THE SOUTH WEST CORNER OF LOT 36, THE RETREAT AT TIAWASSEE RECORDED ON SLIDE 2545-B IN PROBATE RECORDS BALDWIN COUNTY, AL., ALSO BEING THE COMMON NORTHERN CORNER FOR LOTS 33 AND 34, FRENCH SETTLEMENT, PHASE 1B AS RECORDED ON SLIDE 2366-E AND 2366-F IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE ALONG THE NORTH LINE OF STRATFORD GLENN PHASE 3 AS RECORDED ON SLIDE 2152-F, THE NORTH LINE OF CREEKSIDE UNIT 2 AS RECORDED ON SLIDE 1779-A, THE NORTH LINE OF BROOKSIDE PATIO HOMES AS RECORDED ON SLIDE 2189-F, ALL BEING RECORDED IN THE PROBATE RECORDS BALDWIN COUNTY, AL., RUN NORTH 89° 38' 35" WEST FOR 2,613.31 FEET TO A 1/2" (#4) REBAR FOUND AT THE NORTH WEST CORNER OF LOT 16 OF SAID BROOKSIDE PATIO HOMES; THENCE ALONG THE EAST RIGHT OF WAY (80') LINE OF POLLARD ROAD RUN NORTH 00° 09' 19" EAST FOR 1,327.66 FEET TO A CAPPED REBAR (CA-0604-LS) THAT LIES 48.66' SOUTHERLY FROM THE SOUTH WEST CORNER LOT 3, THE PRESERVE AT TIAWASSEE RECORDED ON SLIDE 2526-C IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE LEAVING SAID EAST RIGHT OF WAY, RUN SOUTH 89° 38' 52" EAST FOR 2,617.52 FEET TO A 3/4" IRON PIPE FOUND MARKING THE NORTH WEST CORNER OF LOT 46, THE RETREAT AT TIAWASSEE RECORDED ON SLIDE 2545-B IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE ALONG WEST LINE OF SAID RETREAT AT TIAWASSEE, RUN SOUTH 00° 20' 08" WEST FOR 1,327.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 79.72 ACRES MORE OR LESS AND LYING IN SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, ST. STEPHENS MERIDIAN IN BALDWIN COUNTY, ALABAMA.

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-38**

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

**On the East Side of Pollard Road, north of Creekside Subdivision
S. Hickory, Inc.**

WHEREAS, on the 14th day of February, 2017, being the owner of all real property, hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

WHEREAS, said petition did contain the signatures of all owners of the described territory, and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

WHEREAS, after proper publication, a public hearing was held by the City Council on May 15, 2017 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on March 23, 2017, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property.

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

SECTION ONE: ANNEXATION

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

SECTION TWO: ZONING

At the June 5, 2017 regularly scheduled City Council meeting Ordinance 2017-__ was adopted pre-zoning the said property as R-3, High Density Single Family Residential District.

SECTION THREE: DESCRIPTION OF TERRITORY

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

Legal Description for Annexation:

BEGINNING AT A CONCRETE MONUMENT FOUND (3" DIAMETER) MARKING THE NORTH EAST CORNER OF LOT 68, STRATFORD GLENN PHASE 3 AS RECORDED ON SLIDE 2152-F IN PROBATE RECORDS BALDWIN COUNTY, AL., ALSO BEING THE SOUTH WEST CORNER OF LOT 36, THE RETREAT AT TIAWASSEE RECORDED ON SLIDE 2545-B IN PROBATE RECORDS BALDWIN COUNTY, AL., ALSO BEING THE COMMON NORTHERN CORNER FOR LOTS 33 AND 34, FRENCH SETTLEMENT, PHASE 1B AS RECORDED ON SLIDE 2366-E AND 2366-F IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE ALONG THE NORTH LINE OF STRATFORD GLENN PHASE 3 AS RECORDED ON SLIDE

2152-F, THE NORTH LINE OF CREEKSIDE UNIT 2 AS RECORDED ON SLIDE 1779-A, THE NORTH LINE OF BROOKSIDE PATIO HOMES AS RECORDED ON SLIDE 2189-F, ALL BEING RECORDED IN THE PROBATE RECORDS BALDWIN COUNTY, AL., RUN NORTH 89° 38' 35" WEST FOR 2,613.31 FEET TO A 1/2" (#4) REBAR FOUND AT THE NORTH WEST CORNER OF LOT 16 OF SAID BROOKSIDE PATIO HOMES; THENCE ALONG THE EAST RIGHT OF WAY (80') LINE OF POLLARD ROAD RUN NORTH 00° 09' 19" EAST FOR 1,327.66 FEET TO A CAPPED REBAR (CA-0604-LS) THAT LIES 48.66' SOUTHERLY FROM THE SOUTH WEST CORNER LOT 3, THE PRESERVE AT TIAWASSEE RECORDED ON SLIDE 2526-C IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE LEAVING SAID EAST RIGHT OF WAY, RUN SOUTH 89° 38' 52" EAST FOR 2,617.52 FEET TO A 3/4" IRON PIPE FOUND MARKING THE NORTH WEST CORNER OF LOT 46, THE RETREAT AT TIAWASSEE RECORDED ON SLIDE 2545-B IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE ALONG WEST LINE OF SAID RETREAT AT TIAWASSEE, RUN SOUTH 00° 20' 08" WEST FOR 1,327.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 79.72 ACRES MORE OR LESS AND LYING IN SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, ST. STEPHENS MERIDIAN IN BALDWIN COUNTY, ALABAMA.

SECTION FOUR: MAP OF PROPERTY

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit "A" and attached hereto a map of the property (*Exhibit "B"*) showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

SECTION FIVE: PUBLICATION

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS THE _____ DAY OF _____, 2017.

Dane Haygood,
Mayor

ATTEST

Rebecca A. Hayes,
City Clerk

EXHIBIT "A"

S. HICKORY, INC.

PRE-ZONING AND ANNEXATION

**NORTH POLLARD ROAD
DAPHNE, BALDWIN COUNTY, ALABAMA**

**LEGAL DESCRIPTION OF PROPERTY TO BE PRE-ZONED AS R3 AND ANNEXED TO
THE CITY OF DAPHNE:**

BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A CONCRETE MONUMENT FOUND (3" DIAMETER) MARKING THE NORTH EAST CORNER OF LOT 68, STRATFORD GLENN PHASE 3 AS RECORDED ON SLIDE 2152-F IN PROBATE RECORDS BALDWIN COUNTY, AL., ALSO BEING THE SOUTH WEST CORNER OF LOT 36, THE RETREAT AT TIAWASSEE RECORDED ON SLIDE 2545-B IN PROBATE RECORDS BALDWIN COUNTY, AL., ALSO BEING THE COMMON NORTHERN CORNER FOR LOTS 33 AND 34, FRENCH SETTLEMENT, PHASE 1B AS RECORDED ON SLIDE 2366-E AND 2366-F IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE ALONG THE NORTH LINE OF STRATFORD GLENN PHASE 3 AS RECORDED ON SLIDE 2152-F, THE NORTH LINE OF CREEKSIDE UNIT 2 AS RECORDED ON SLIDE 1779-A, THE NORTH LINE OF BROOKSIDE PATIO HOMES AS RECORDED ON SLIDE 2189-F, ALL BEING RECORDED IN THE PROBATE RECORDS BALDWIN COUNTY, AL., RUN NORTH 89° 38' 35" WEST FOR 2,613.31 FEET TO A 1/2" (#4) REBAR FOUND AT THE NORTH WEST CORNER OF LOT 16 OF SAID BROOKSIDE PATIO HOMES; THENCE ALONG THE EAST RIGHT OF WAY (80') LINE OF POLLARD ROAD RUN NORTH 00° 09' 19" EAST FOR 1,327.66 FEET TO A CAPPED REBAR (CA-0604-LS) THAT LIES 48.66' SOUTHERLY FROM THE SOUTH WEST CORNER LOT 3, THE PRESERVE AT TIAWASSEE RECORDED ON SLIDE 2526-C IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE LEAVING SAID EAST RIGHT OF WAY, RUN SOUTH 89° 38' 52" EAST FOR 2,617.52 FEET TO A 3/4" IRON PIPE FOUND MARKING THE NORTH WEST CORNER OF LOT 46, THE RETREAT AT TIAWASSEE RECORDED ON SLIDE 2545-B IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE ALONG WEST LINE OF SAID RETREAT AT TIAWASSEE, RUN SOUTH 00° 20' 08" WEST FOR 1,327.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 79.72 ACRES MORE OR LESS AND LYING IN SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, ST. STEPHENS MERIDIAN IN BALDWIN COUNTY, ALABAMA.



**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-39**

**Ordinance to Pre-Zone Property Located
Southeast of Alabama Highway 181 and Austin Road
Bertolla Properties, L.L.C.**

WHEREAS, Bertolla Properties, L.L.C. as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently under County zoning as RSF-2, Single Family District, and RA, Rural Agricultural District, Baldwin County extraterritorial planning jurisdiction, to be pre-zoned as Planned Unit Development (PUD) District, prior to annexing into the City of Daphne; and

WHEREAS, said real property is located southeast of Alabama Highway 181 and Austin Road and more particularly described as follows:

Legal Description for Pre-zone:

BEGINNING AT A 3/4" CRIMP TOP IRON PIPE AT THE "LOCALLY ACCEPTED" SOUTHEAST CORNER OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 89°49'02" WEST, ALONG THE SOUTH LINE OF SAID SECTION 26, A DISTANCE OF 2669.96 FEET TO A 1/2" CAPPED REBAR (CA-0604) AT THE SOUTHEAST CORNER OF LOT 28, DUNMORE, PHASE TWO, PART B, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2448-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°11'14" EAST, ALONG THE EAST MARGIN OF SAID DUNMORE, PHASE TWO, PART B AND DUNMORE, PHASE TWO, PART A, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2443-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND A PROJECTION THEREOF, A DISTANCE OF 2671.05 FEET TO 1/2" CAPPED REBAR (CA-1109) AT THE SOUTHEAST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE RUN SOUTH 89°34'24" WEST, ALONG THE SOUTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 2610.05 FEET TO 1/2" CAPPED REBAR (CA-1109) ON THE EAST RIGHT-OF-WAY OF ALABAMA HIGHWAY 181; THENCE RUN NORTH 00°10'51" EAST, ALONG THE EAST RIGHT-OF-WAY OF SAID ALABAMA HIGHWAY 181, A DISTANCE OF 400.02 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN NORTH 89°34'24" EAST, DEPARTING SAID RIGHT-OF-WAY, A DISTANCE OF 1402.13 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN NORTH 00°03'11" EAST, A DISTANCE OF 902.21 FEET TO A 1/2" CAPPED REBAR ON THE SOUTH RIGHT-OF-WAY OF AUSTIN ROAD; THENCE RUN NORTH 89°32'12" EAST, ALONG THE SOUTH RIGHT-OF-WAY OF SAID AUSTIN ROAD, A DISTANCE OF 1256.80 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN NORTH 00°07'47" EAST, ALONG THE EAST RIGHT-OF-WAY OF SAID AUSTIN ROAD, A DISTANCE OF 30.14 FEET TO 1/2" CAPPED REBAR AT THE SOUTHWEST CORNER OF LOT 1 OF AUSTIN BRIDGES, UNIT 1, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2007-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 89°22'04" EAST, ALONG THE SOUTH MARGIN OF SAID AUSTIN BRIDGES, UNIT 1 AND THE SOUTH MARGIN AUSTIN BRIDGES, UNIT TWO, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2082-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, A DISTANCE OF 1297.53 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE SOUTHEAST CORNER OF LOT 18 OF SAID AUSTIN BRIDGES, UNIT TWO; THENCE RUN SOUTH 00°46'05" WEST, A DISTANCE OF 670.61 FEET TO 1/2" REBAR; THENCE RUN NORTH 89°25'58" EAST, A DISTANCE OF 1069.01 FEET TO A 1/2" CAPPED REBAR AT THE NORTHWEST CORNER OF LOT 1 OF STEPHEN SPRINGS, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2346-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°11'38" WEST, A DISTANCE OF 300.66 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE SOUTHWEST CORNER OF LOT 2 OF SAID STEPHEN SPRINGS; THENCE RUN NORTH 89°25'14" EAST, A DISTANCE OF 214.96 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE SOUTHEAST CORNER OF LOT 2 OF SAID STEPHEN SPRINGS; THENCE RUN SOUTH 00°11'25" WEST, A DISTANCE OF 80.01 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE NORTHEAST CORNER OF LOT 3 OF SAID STEPHEN SPRINGS; THENCE RUN SOUTH 89°25'14" WEST, A DISTANCE OF 214.96 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE NORTHWEST CORNER OF LOT 3 OF SAID STEPHEN SPRINGS; THENCE RUN SOUTH 00°11'38" WEST, A DISTANCE OF 145.04 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE NORTHWEST CORNER OF LOT 4 OF SAID STEPHEN SPRINGS; THENCE RUN SOUTH 00°11'38"

WEST, A DISTANCE OF 145.05 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE SOUTHWEST CORNER OF LOT 4 OF SAID STEPHEN SPRINGS; THENCE RUN NORTH 89°58'37" WEST, ALONG AND WITH A BARBWIRE FENCE, A DISTANCE OF 412.34 FEET TO 1-1/2" OPEN END IRON PIPE; THENCE RUN SOUTH 00°02'13" WEST, ALONG AND WITH A BARBWIRE FENCE, A DISTANCE OF 672.87 FEET TO 1/2" CAPPED REBAR (CA-1109) AT THE SOUTHWEST CORNER OF TRACT 1 IN SECTION 26 OF HIGHLAND FARMS, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT MISCELLANEOUS BOOK 1, PAGE 290-291, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 89°47'09" EAST, A DISTANCE OF 1923.05 FEET TO 1/2" REBAR; THENCE RUN NORTH 00°06'23" EAST, A DISTANCE OF 630.48 FEET TO A 1/2" REBAR ON THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY HIGHWAY 54; THENCE RUN SOUTH 89°34'12" EAST, ALONG THE SOUTH RIGHT-OF-WAY OF SAID BALDWIN COUNTY HIGHWAY 54, A DISTANCE OF 60.00 FEET TO 1/2" CAPPED REBAR (CA-1109) AT THE NORTHWEST CORNER OF LOT 1 OF AVALON PHASE 1A, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2104-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°06'23" WEST, A DISTANCE OF 630.25 FEET TO A 1/2" CAPPED REBAR ON THE WEST MARGIN OF LOT 73 OF AVALON, PHASE 3, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2220-D AND 2220-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°23'53" WEST, ALONG THE WEST MARGIN OF SAID AVALON, PHASE 3, A DISTANCE OF 663.68 FEET TO A 1/2" CAPPED REBAR; THENCE RUN SOUTH 88°35'21" EAST, A DISTANCE OF 7.96 FEET TO 5/8" CAPPED REBAR (CA-728); THENCE RUN SOUTH 00°08'21" WEST, CONTINUING ALONG THE WEST MARGIN OF SAID AVALON, PHASE 3, A DISTANCE OF 669.18 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN NORTH 89°48'48" WEST, A DISTANCE OF 6.93 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN SOUTH 00°03'05" WEST, A DISTANCE OF 668.95 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN SOUTH 00°11'04" WEST, ALONG AND WITH A BARBWIRE FENCE, A DISTANCE OF 1319.23 FEET TO A 1/2" CAPPED REBAR (CA-1109) AT A FENCE CORNER AT THE "LOCALLY ACCEPTED" SOUTHEAST CORNER OF TRACT 4 IN SECTION 36 OF SAID HIGHLAND FARMS; THENCE RUN SOUTH 89°55'01" WEST, A DISTANCE OF 1326.54 FEET TO A 2" OPEN END PIPE AT A FENCE CORNER AT THE "LOCALLY ACCEPTED" SOUTHWEST CORNER OF TRACT 4 IN SECTION 36 OF SAID HIGHLAND FARMS; THENCE RUN NORTH 00°55'29" EAST, A DISTANCE OF 1323.76 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 361.55 ACRES, MORE OR LESS, AND LIES IN SECTIONS 25, 26 AND 36, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

WHEREAS, at the regular Planning Commission meeting on March 23, 2017, the Commission considered said request and set forth a unanimous favorable recommendation; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on May 15, 2017; and,

WHEREAS, the City Council of the City of Daphne after due consideration and upon consideration of the notes of the Planning Commission, deemed that said application for pre-zoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

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

SECTION I: ZONING

That above described real property is hereby pre-zoned to Planned Unit Development (PUD) District, City of Daphne. Upon annexation of the property prior to the expiration of the pre-zoning as set forth in Section IV, the property shall be assigned the zoning district in accordance with the pre-zoning and the zoning ordinance and zoning map be amended to reflect the said zoning. Should annexation not occur prior to the expiration of this pre-zoning as set forth in Section IV, this pre-zoning shall have no effect and the designation of a zoning district for the property shall be set forth in the annexation ordinance.

Until such time as the property is annexed to the City of Daphne, the property shall remain in the unincorporated area of Baldwin County and zoned in accordance with the Baldwin County Commission's zoning plan. The County's zoning for the property at the time the request for pre-zoning was submitted was RSF-2, Single Family District, and RA, Rural Agricultural District, Baldwin County extraterritorial planning jurisdiction.

SECTION II: REPEALER.

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

SECTION III: SEVERABILITY.

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

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

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

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, THIS _____ day of _____, 2017.**

**Dane Haygood,
Mayor**

ATTEST:

**Rebecca A. Hayes,
City Clerk**

JUBILEE FARMS PUD STANDARDS

Jubilee Farms, a Planned Unit Development (PUD), is a 361.55 acre site located southeast of the intersection of Alabama Highway 181 and Austin Road. The property is presently in the extraterritorial jurisdiction of the City of Daphne and is located in Baldwin County Planning District 15 and is zoned RA – Rural Agriculture (approximately 21 acres) and RSF-2 – Residential Single Family. Application has been made to the City of Daphne to Pre-zone this property as a PUD.

The proposed development consists of 914 single family lots, with 367 lots at 52' wide and a minimum of 6,500 sq. ft., and 414 lots at 70' wide and a minimum of 9,800 sq. ft., and 133 lots at 80' wide and a minimum of 12,000 sq. ft. The proposed density of the development is 2.53 units per acre. There are 88.17 acres, or 24.4% of the total site, proposed as common area. These common areas consist of 25.95 acres of formal open space, 53.24 acres of passive open space, and 8.98 acres of jurisdictional wetlands.

The residential lots shall have the following standards:

The 52' wide lots are to have building setbacks of 25' on the front and rear, 6' on the sides, and 15' on the street sides. The 70' wide lots are 30' on the front and rear, 6' on the sides, and 20' on the street sides. The 80' wide lots are 30' on the front and rear, 10' on the sides, and 20' on the street sides. The maximum building heights for all residential lots are to be as per the City's R-3 zoning district. The maximum building coverage of each residential lot is 45%.

All utilities will be constructed underground and water, sewer, electric, and telephone are all available to the site. All roadways within the development will be public and sidewalks will be located on both sides of the proposed roadways. Sidewalks will be installed by the home builder at the time of house construction and will be required to be ADA compliant. All construction will be in accordance to the standards of the City of Daphne.

The stormwater management system will be designed in accordance with the standards of the City of Daphne. All stormwater facilities and structures outside of public right-of-ways will be maintained by the P.O.A. and not the City of Daphne.

A landscape plan will be provided as part of the subdivision process. The required landscaping will be provided in the common areas and installed during construction of the infrastructure adjacent to those common areas. Any additional landscaping will be provided by the home builders and/or the lot owners.

As per the City of Daphne Land Use and Development Ordinance, this development is considered a Large-Scale PUD, due to being over 300 acres in size. Developments of this size do require consideration of public facilities and services. The property owner has donated land to the City that is in the general area of this site, to provide for a Fire Station that can better serve this proposed development and other existing developments within the area. Multiple access points to this development will provide for alternate emergency access locations. A private school has recently been constructed in the near vicinity of this site and the developer will coordinate with the public school system on the proposed development plans and growth rate to assist them in their planning. Traffic studies will be conducted prior to subdivision application of

the first phase. Coordinated efforts are already underway between the City, ALDOT, and the County to realign area roadways and ALDOT has begun the process of surveying and designing the additional lanes for Highway 181 from Milton Jones Road to Alabama Highway 104. These improvements could begin sometime in 2018 and will be instrumental in providing for the additional traffic generated by this and other developments in the area. This development will be constructed in phases with a 15 to 20 year proposed build-out.

Jubilee Farms is to be a unique neighborhood offering varying lot types and amenities. The larger lots are located along the main road that basically runs through the center of the overall development. The other two lot types are divided into multiple separate neighborhoods throughout the development. These lot sizes and the associated building types will provide entry level options for prospective homeowners. Parks are located throughout the development with an approximately 6 acre site provided for multiple type amenities. Also the development provides 24.4% open space, which is almost 2.5 times more than is required in a PUD. Multi-use trails are also located along the common areas around the lakes, through the Parks, and along the rear of lots providing for additional pedestrian activities. As a public benefit the developer proposes a sidewalk along Austin Road adjacent to the development. The amenities, parks, multi-use trails, and sidewalks provide more opportunities for residents to enjoy on-site rather than having to use City parks. Finally the developer has elected to bring this development within the corporate limits of Daphne as opposed to staying in the County.

Covenants and Restrictions will provide for the formation of a Property Owner's Association for the Jubilee Farms development whereby maintenance responsibilities of the common areas and drainage infrastructure outside of public roadways will be established.

EXHIBIT A

LEGAL DESCRIPTION FOR JUBILEE FARMS (BERTOLLA PROPERTY)

BEGINNING AT A 3/4" CRIMP TOP IRON PIPE AT THE "LOCALLY ACCEPTED" SOUTHEAST CORNER OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 89°49'02" WEST, ALONG THE SOUTH LINE OF SAID SECTION 26, A DISTANCE OF 2669.96 FEET TO A 1/2" CAPPED REBAR (CA-0604) AT THE SOUTHEAST CORNER OF LOT 28, DUNMORE, PHASE TWO, PART B, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2448-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°11'14" EAST, ALONG THE EAST MARGIN OF SAID DUNMORE, PHASE TWO, PART B AND DUNMORE, PHASE TWO, PART A, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2443-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND A PROJECTION THEREOF, A DISTANCE OF 2671.05 FEET TO 1/2" CAPPED REBAR (CA-1109) AT THE SOUTHEAST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE RUN SOUTH 89°34'24" WEST, ALONG THE SOUTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 2610.05 FEET TO 1/2" CAPPED REBAR (CA-1109) ON THE EAST RIGHT-OF-WAY OF ALABAMA HIGHWAY 181; THENCE RUN NORTH 00°10'51" EAST, ALONG THE EAST RIGHT-OF-WAY OF SAID ALABAMA HIGHWAY 181, A DISTANCE OF 400.02 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN NORTH 89°34'24" EAST, DEPARTING SAID RIGHT-OF-WAY, A DISTANCE OF 1402.13 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN NORTH 00°03'11" EAST, A DISTANCE OF 902.21 FEET TO A 1/2" CAPPED REBAR ON THE SOUTH RIGHT-OF-WAY OF AUSTIN ROAD; THENCE RUN NORTH 89°32'12" EAST, ALONG THE SOUTH RIGHT-OF-WAY OF SAID AUSTIN ROAD, A DISTANCE OF 1256.80 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN NORTH 00°07'47" EAST, ALONG THE EAST RIGHT-OF-WAY OF SAID AUSTIN ROAD, A DISTANCE OF 30.14 FEET TO 1/2" CAPPED REBAR AT THE SOUTHWEST CORNER OF LOT 1 OF AUSTIN BRIDGES, UNIT 1, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2007-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 89°22'04" EAST, ALONG THE SOUTH MARGIN OF SAID AUSTIN BRIDGES, UNIT 1 AND THE SOUTH MARGIN AUSTIN BRIDGES, UNIT TWO, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2082-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, A DISTANCE OF 1297.53 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE SOUTHEAST CORNER OF LOT 18 OF SAID AUSTIN BRIDGES, UNIT TWO; THENCE RUN SOUTH 00°46'05" WEST, A DISTANCE OF 670.61 FEET TO 1/2" REBAR; THENCE RUN NORTH 89°25'58" EAST, A DISTANCE OF 1069.01 FEET TO A 1/2" CAPPED REBAR AT THE NORTHWEST CORNER OF LOT 1 OF STEPHEN SPRINGS, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2346-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°11'38" WEST, A DISTANCE OF 300.66 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE SOUTHWEST CORNER OF LOT 2 OF SAID STEPHEN SPRINGS; THENCE RUN NORTH 89°25'14" EAST, A DISTANCE OF 214.96 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE SOUTHEAST CORNER OF LOT 2 OF SAID STEPHEN SPRINGS;

THENCE RUN SOUTH 00°11'25" WEST, A DISTANCE OF 80.01 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE NORTHEAST CORNER OF LOT 3 OF SAID STEPHEN SPRINGS; THENCE RUN SOUTH 89°25'14" WEST, A DISTANCE OF 214.96 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE NORTHWEST CORNER OF LOT 3 OF SAID STEPHEN SPRINGS; THENCE RUN SOUTH 00°11'38" WEST, A DISTANCE OF 145.04 FEET TO A 1/2"

CAPPED REBAR (CA-604) AT THE NORTHWEST CORNER OF LOT 4 OF SAID STEPHEN SPRINGS; THENCE RUN SOUTH 00°11'38" WEST, A DISTANCE OF 145.05 FEET TO A 1/2" CAPPED REBAR (CA-604) AT THE SOUTHWEST CORNER OF LOT 4 OF SAID STEPHEN SPRINGS; THENCE RUN NORTH 89°58'37" WEST, ALONG AND WITH A BARBWIRE FENCE, A DISTANCE OF 412.34 FEET TO 1-1/2" OPEN END IRON PIPE; THENCE RUN SOUTH 00°02'13" WEST, ALONG AND WITH A BARBWIRE FENCE, A DISTANCE OF 672.87 FEET TO 1/2" CAPPED REBAR (CA-1109) AT THE SOUTHWEST CORNER OF TRACT 1 IN SECTION 26 OF HIGHLAND FARMS, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT MISCELLANEOUS BOOK 1, PAGE 290-291, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 89°47'09" EAST, A DISTANCE OF 1923.05 FEET TO 1/2" REBAR; THENCE RUN NORTH 00°06'23" EAST, A DISTANCE OF 630.48 FEET TO A 1/2" REBAR ON THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY HIGHWAY 54; THENCE RUN SOUTH 89°34'12" EAST, ALONG THE SOUTH RIGHT-OF-WAY OF SAID BALDWIN COUNTY HIGHWAY 54, A DISTANCE OF 60.00 FEET TO 1/2" CAPPED REBAR (CA-1109) AT THE NORTHWEST CORNER OF LOT 1 OF AVALON PHASE 1A, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2104-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA;

THENCE RUN SOUTH 00°06'23" WEST, A DISTANCE OF 630.25 FEET TO A 1/2" CAPPED REBAR ON THE WEST MARGIN OF LOT 73 OF AVALON, PHASE 3, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2220-D AND 2220-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°23'53" WEST, ALONG THE WEST MARGIN OF SAID AVALON, PHASE 3, A DISTANCE OF 663.68 FEET TO A 1/2" CAPPED REBAR; THENCE RUN SOUTH 88°35'21" EAST, A DISTANCE OF 7.96 FEET TO 5/8" CAPPED REBAR (CA-728); THENCE RUN SOUTH 00°08'21" WEST, CONTINUING ALONG THE WEST MARGIN OF SAID AVALON, PHASE 3, A DISTANCE OF 669.18 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN NORTH 89°48'48" WEST, A DISTANCE OF 6.93 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN SOUTH 00°03'05" WEST, A DISTANCE OF 668.95 FEET TO A 1/2" CAPPED REBAR (CA-1109); THENCE RUN SOUTH 00°11'04" WEST, ALONG AND WITH A BARBWIRE FENCE, A DISTANCE OF 1319.23 FEET TO A 1/2" CAPPED REBAR (CA-1109) AT A FENCE CORNER AT THE "LOCALLY ACCEPTED" SOUTHEAST CORNER OF TRACT 4 IN SECTION 36 OF SAID HIGHLAND FARMS; THENCE RUN SOUTH 89°55'01" WEST, A DISTANCE OF 1326.54 FEET TO A 2" OPEN END PIPE AT A FENCE CORNER AT THE "LOCALLY ACCEPTED" SOUTHWEST CORNER OF TRACT 4 IN SECTION 36 OF SAID HIGHLAND FARMS; THENCE RUN NORTH 00°55'29" EAST, A DISTANCE OF 1323.76 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 361.55 ACRES, MORE OR LESS, AND LIES IN SECTIONS 25, 26 AND 36, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



Jubilee Farms
A Planned Unit Development
Doyle, Alabama

EXHIBIT "B"
BOUNDARY SURVEY

[illegible]

0 Dewberry | **PURPLE-BUSH**

...and the ...

LEGEND

CLUBS MUST CERTIFY:

[illegible][illegible]

LEAVES OF THE PLANT ARE USED AS ANTIMONY AND AS AN ANTIDOTE FOR THE EFFECTS OF THE POISONOUS EFFECTS OF THE PLANT.

THE 2000 RESULTS

FOR YOUR INFORMATION

1991-1992

1000

1000

125

CITY OF DAPHNE

ORDINANCE NO. 2017-40

**Ordinance to Amend the City of Daphne
Land Use and Development Ordinance 2011-54 / Article 38, Section 2
Residential High Rise Overlay Condominium District**

WHEREAS, the Planning Commission of the City of Daphne, Alabama, at its regularly scheduled meeting of March 23, 2017 set forth a favorable recommendation to the City Council of the City of Daphne; 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 15, 2017.

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

SECTION I: This section hereby amends the City of Daphne Land Use and Development Ordinance as follows:

1. AMEND ARTICLE XXXVIII SECTION 1, PURPOSE

District map to include lot 2 and 2a of Westbrook Commercial Park Subdivision as recorded in the office of the Judge of Probate of Baldwin County as instrument #2133-C.

2. AMEND PROVISIONS OF ARTICLE XXXVIII, RESIDENTIAL HIGH RISE OVERLAY DISTRICT, SECTION 2(a), HEIGHT EXCEPTIONS: TO READ AS FOLLOWS:

- a.) Building height may be allowed up to two hundred (200) feet or sixteen (16) stories by the Planning Commission with the exception that any land added to the high rise condominium district boundary after October 2, 2006 may be allowed up to one hundred (100) feet or ten (10) stories by the Planning Commission; and conditioned that the land owner shall impose upon the subject property a restrictive covenant that expressly states that the maximum height for any structure thereupon shall be no greater than one hundred ten (110) feet in height of the above-mentioned revision to the Land Use and Development Ordinance.

SECTION II: CONFLICT WITH OTHER ORDINANCE

That any Ordinance heretofore adopted by the City Council, which is in conflict with this Ordinance, is hereby replaced to the extent of such conflict.

SECTION III: SEVERABILITY

That 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 forced from and after the date of its approval by the City Council of the City of Daphne and publication as required by law.

SECTION V: REPEALER

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, ON THIS THE _____ DAY OF _____, 2017.

Dane Haygood,
Mayor

ATTEST:

Rebecca A. Hayes,
City Clerk

ORDINANCE 2017-41

**2017 Interest Payment (on Debt Issuance) for
Recreation Park Facilities Improvements**

WHEREAS, Ordinance 2016-56 approved adopted the Fiscal Year 2017 Budget on September 19, 2016; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2017 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2017 budget; and

WHEREAS, the City Council of the City of Daphne, Alabama, has reviewed and evaluated the need for certain capital improvements related to the Recreation Parks. Total estimated amount for the Recreation park facilities improvements is \$16,463,550.

WHEREAS, Resolution 2016-14 established a loan with Regions Bank in the amount of \$12,000,000 with a 20 year repayment period and 2 levels of annual debt service payment, and

WHEREAS, the first interest payment in the amount of \$81,620 is due on July 1, 2017 and monies have not been appropriated; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2017 Budget is hereby amended to include an appropriation from the Lodging Tax Fund in the amount of \$81,620 for the July 1, 2017 interest payment due.

ADOTED AND APPROVED OPTION # _____ **this** _____ **day of** _____, 2017.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

City of Daphne, AL Loan Amortization Schedule					
Interest Rate- 3.18%					
Date	Funding	Annual Payment	Interest	Principal	Balance
4/14/2017	\$ 12,000,000.00				\$ 12,000,000.00
7/1/2017		\$ 81,620.00	\$ 81,620.00	\$ -	\$ 12,000,000.00
1/1/2018			\$ 190,800.00	\$ -	\$ 12,000,000.00
7/1/2018		\$ 526,600.00	\$ 190,800.00	\$ 145,000.00	\$ 11,855,000.00
1/1/2019			\$ 188,494.50	\$ -	\$ 11,855,000.00
7/1/2019		\$ 524,989.00	\$ 188,494.50	\$ 148,000.00	\$ 11,707,000.00
1/1/2020			\$ 186,141.30	\$ -	\$ 11,707,000.00
7/1/2020		\$ 523,282.60	\$ 186,141.30	\$ 151,000.00	\$ 11,556,000.00
1/1/2021			\$ 183,740.40	\$ -	\$ 11,556,000.00
7/1/2021		\$ 523,480.80	\$ 183,740.40	\$ 156,000.00	\$ 11,400,000.00
1/1/2022			\$ 181,260.00	\$ -	\$ 11,400,000.00
7/1/2022		\$ 876,520.00	\$ 181,260.00	\$ 514,000.00	\$ 10,886,000.00
1/1/2023			\$ 173,087.40	\$ -	\$ 10,886,000.00
7/1/2023		\$ 877,174.80	\$ 173,087.40	\$ 531,000.00	\$ 10,355,000.00
1/1/2024			\$ 164,644.50	\$ -	\$ 10,355,000.00
7/1/2024		\$ 879,289.00	\$ 164,644.50	\$ 550,000.00	\$ 9,805,000.00
1/1/2025			\$ 155,899.50	\$ -	\$ 9,805,000.00
7/1/2025		\$ 878,799.00	\$ 155,899.50	\$ 567,000.00	\$ 9,238,000.00
1/1/2026			\$ 146,884.20	\$ -	\$ 9,238,000.00
7/1/2026		\$ 880,768.40	\$ 146,884.20	\$ 587,000.00	\$ 8,651,000.00
1/1/2027			\$ 137,550.90	\$ -	\$ 8,651,000.00
7/1/2027		\$ 878,101.80	\$ 137,550.90	\$ 603,000.00	\$ 8,048,000.00
1/1/2028			\$ 127,963.20	\$ -	\$ 8,048,000.00
7/1/2028		\$ 878,926.40	\$ 127,963.20	\$ 623,000.00	\$ 7,425,000.00
1/1/2029			\$ 118,057.50	\$ -	\$ 7,425,000.00
7/1/2029		\$ 879,115.00	\$ 118,057.50	\$ 643,000.00	\$ 6,782,000.00
1/1/2030			\$ 107,833.80	\$ -	\$ 6,782,000.00
7/1/2030		\$ 878,667.60	\$ 107,833.80	\$ 663,000.00	\$ 6,119,000.00
1/1/2031			\$ 97,292.10	\$ -	\$ 6,119,000.00
7/1/2031		\$ 879,584.20	\$ 97,292.10	\$ 685,000.00	\$ 5,434,000.00
1/1/2032			\$ 86,400.60	\$ -	\$ 5,434,000.00
7/1/2032		\$ 878,801.20	\$ 86,400.60	\$ 706,000.00	\$ 4,728,000.00
1/1/2033			\$ 75,175.20	\$ -	\$ 4,728,000.00
7/1/2033		\$ 876,350.40	\$ 75,175.20	\$ 726,000.00	\$ 4,002,000.00
1/1/2034			\$ 63,631.80	\$ -	\$ 4,002,000.00
7/1/2034		\$ 876,263.60	\$ 63,631.80	\$ 749,000.00	\$ 3,253,000.00
1/1/2035			\$ 51,722.70	\$ -	\$ 3,253,000.00
7/1/2035		\$ 875,445.40	\$ 51,722.70	\$ 772,000.00	\$ 2,481,000.00
1/1/2036			\$ 39,447.90	\$ -	\$ 2,481,000.00
7/1/2036		\$ 879,895.80	\$ 39,447.90	\$ 801,000.00	\$ 1,680,000.00
1/1/2037			\$ 26,712.00	\$ -	\$ 1,680,000.00
7/1/2037		\$ 880,424.00	\$ 26,712.00	\$ 827,000.00	\$ 853,000.00
1/1/2038			\$ 13,562.70	\$ -	\$ 853,000.00
7/1/2038		\$ 880,125.40	\$ 13,562.70	\$ 853,000.00	\$ -

ORDINANCE 2017 - 42

Legislative Legal Advertising Budget – Additional Appropriation

WHEREAS, Ordinance 2016-56 approved and adopted the Fiscal Year 2017 Budget on September 19, 2016; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2017 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2017 budget; and

WHEREAS, Zoning ordinances, amendments, and public hearing notices are required to be advertised in the local paper, and

WHEREAS, several of the ordinances adopted for Fiscal Year 2017 have been larger than previous years and there has been an increase in public hearings which require two advertisements each; and

WHEREAS, with the increase in advertising cost for the additional advertisements an additional appropriation is needed for the Legislative budget line item for advertising.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$5,000 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2017 budget for the additional appropriation for Legislative Advertising.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, **this** _____ day **of** _____, 2017.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

ORDINANCE 2017- 43

Project: STPOA-0216(250): Intersection Improvements: County Road 13 Turning Lanes at Sehoy Boulevard and Longue Vue Drive (*French Settlement*)

WHEREAS, Ordinance 2016-56 approved and adopted the Fiscal Year 2017 Budget on September 20, 2016; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2017 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2017 budget; and

WHEREAS, the City of Daphne is a member Government of the Eastern Shore Metropolitan Planning Organization (MPO); and

WHEREAS, the Eastern Shore MPO was formed in June 2012 and has three years to allocate MPO Surface Transportation Project funds through the adoption of the 2040 Long Range Transportation Plan and FY16-19 Transportation Improvement Program (TIP); and

WHEREAS, the City of Daphne appropriated \$67,754 in Ordinance 2015-60 to install Intersection Improvements on County Road 13 at Sehoy Blvd. and Longue Vue Drive (CR 13 Intersection Improvement Project) for inclusion in the FY 2016-2019 Transportation Improvement Program; and

WHEREAS, the project has been moved forward by the MPO and John G. Walton Construction Company, Inc. has been selected as the contractor; and

WHEREAS, the total project cost is \$785,625 (including CE&I) and the City's 20% match is \$166,561; and

WHEREAS, an additional appropriation will be required for the 20% match in the amount of \$98,807 (\$166,561-\$67,754).

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that

- 1). funds in the amount of **\$98,807 from the Seven Cent Gas Tax Fund** are appropriated and made a part of the Fiscal Year 2017 budget for the City's 20% match for the project herein described.
- 2). the Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such project.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this ____ day of _____, 2017.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NUMBER 2017-44**

**AN ORDINANCE AUTHORIZING THE CITY OF DAPHNE
TO ACCEPT CREDIT CARDS**

WHEREAS, Sections 11-103-1 *et seq.*, Code of Alabama (1975), allow a municipal office, department, agency, board, or commission to accept credit card payments for municipal services if authorized by the municipal governing body; and

WHEREAS, the City of Daphne has determined that it is in the best interest of its citizens and the business community to accept credit card payments.

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

The Code of Ordinances of the City of Daphne is hereby amended by adding a new section, designated as Chapter 8, Section 4, as follows:

SECTION I: PAYMENTS BY CREDIT CARD

As authorized by Sections 11-103-1, *et seq.*, Code of Alabama (1975):

- (a) Any office, department, agency, board, or commission of the City is authorized to accept payment by credit card, charge card, and debit card (hereinafter referred to collectively as “credit card”) issued by any bank, foreign lender, domestic lender, or credit card bank as defined in the Alabama Credit Card Act, Sections 5-20-2 through 5-20-16, Code of Alabama (1975). Payment by credit card may be for, but is not limited to, taxes, license and registration fees, court fines, costs and penalties, building permits, filing fees, assessments against property, parks and recreation fees, rental expenses, event admissions, and garbage/trash/recycling collection fees.
- (b) A surcharge or convenience fee shall be added to any credit card payment in an amount not to exceed the transaction fee charged by the credit card issuer or processor. Payment of the surcharge or convenience fee is not refundable.
- (c) With the approval of the City Council, the Mayor is authorized to enter into appropriate agreements with one or more credit card issuers, credit card payment processors, or other appropriate parties as needed to facilitate the acceptance of credit card payments, without the need for competitive bidding to select such party or parties. Each agreement must provide that it may be canceled without penalty at any time by the City upon reasonable notice. No agreement shall exceed three (3) years in term.
- (d) No person or entity making payment by credit card shall be relieved of liability for the face amount of the payment except to the extent that the City realizes full and final payment of the underlying obligation in cash or its equivalent. If full and final payment is not made by the credit card issuer or other guarantor of payment in the credit card transaction, the underlying obligation shall survive and the City shall retain all remedies for enforcement which would have applied if the credit card transaction had not occurred.

(e) A City employee who accepts a credit card payment in accordance with this section and any applicable policy, rule, or regulation of the City shall not thereby incur any personal liability for the final collection of such payments.

(f) The finance director is authorized to establish policies, rules, and regulations governing the acceptance of payment for municipal services by credit card and to disseminate them to all employees.

SECTION II: IDENTITY THEFT PREVENTION

1. In the event that credit card payments to the City that are made over the internet are processed through a third party service provider, such third party service provider shall certify that it has an adequate identity theft prevention program in place that is applicable to such payments.

2. Account statements and receipts for covered accounts shall include only the last four (4) digits of the credit or debit card or the bank account used for payment of the covered account.

SECTION III: SEVERABILITY

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

SECTION IV: REPEALER

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

SECTION V: EFFECTIVE DATE

This Ordinance shall become effective immediately and be in full force after final passage and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA ON THE ____ DAY OF _____, 2017.**

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-45**

**Ordinance to Pre-Zone Property Located
On the Southside of U. S. Highway 90 at Renaissance Boulevard
George Kalasountas**

WHEREAS, George Kalasountas as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently under County zoning as RSF-1, Single Family District, Baldwin County extraterritorial planning jurisdiction, to be pre-zoned as B-2(a), General Business Alternate District, prior to annexing into the City of Daphne; and

WHEREAS, said real property is on the Southside of U.S. Highway 90 at Renaissance Boulevard, and more particularly described as follows:

Legal Description for Pre-zone:

Lots 1, 2, and 3 A Replat of Property for George P. Kalasountas #2 as recorded
in the office of the Judge of Probate Baldwin County, Alabama

WHEREAS, at the regular Planning Commission meeting on March 23, 2017, the Commission considered said request and set forth a unanimous favorable recommendation; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on June 5, 2017; and,

WHEREAS, the City Council of the City of Daphne after due consideration and upon consideration of the notes of the Planning Commission, deemed that said application for pre-zoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

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

SECTION I: ZONING

That above described real property is hereby pre-zoned to B-2(a), General Business Alternate District, City of Daphne. Upon annexation of the property prior to the expiration of the pre-zoning as set forth in Section IV, the property shall be assigned the zoning district in accordance with the pre-zoning and the zoning ordinance and zoning map be amended to reflect the said zoning. Should annexation not occur prior to the expiration of this pre-zoning as set forth in Section IV, this pre-zoning shall have no effect and the designation of a zoning district for the property shall be set forth in the annexation ordinance.

Until such time as the property is annexed to the City of Daphne, the property shall remain in the unincorporated area of Baldwin County and zoned in accordance with the Baldwin County Commission's zoning plan. The County's zoning for the property at the time the request for pre-zoning was submitted was RSF-1, Single Family District, Baldwin County extraterritorial planning jurisdiction.

SECTION II: REPEALER.

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

SECTION III: SEVERABILITY.

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

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

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

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, THIS _____ day of _____, 2017.**

**Dane Haygood,
Mayor**

ATTEST:

**Rebecca A. Hayes,
City Clerk**

"Exhibit A"
Legal Description

Lots 1, 2, and 3 A Replat of Property for George P. Kalasountas #2 as recorded in the office of the Judge of Probate Baldwin County, Alabama *as side # 2520 F.*

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-46**

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

**On the Southside of U. S. Highway 90 at Renaissance Boulevard
George Kalasountas**

WHEREAS, on the 21st day of February, 2017, being the owner of all real property, hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

WHEREAS, said petition did contain the signatures of all owners of the described territory, and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

WHEREAS, after proper publication, a public hearing was held by the City Council on May 15, 2017 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on March 23, 2017, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property.

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

SECTION ONE: ANNEXATION

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

SECTION TWO: ZONING

At the June 5, 2017 regularly scheduled City Council meeting Ordinance 2017-__ was adopted pre-zoning the said property as B-2, General Business District.

SECTION THREE: DESCRIPTION OF TERRITORY

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

Legal Description for Annexation:

Lots 1, 2, and 3 A Replat of Property for George P. Kalasountas #2 as recorded in the office of the Judge of Probate Baldwin County, Alabama

SECTION FOUR: MAP OF PROPERTY

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit “A” and attached hereto a map of the property (*Exhibit “B”*) showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

SECTION FIVE: PUBLICATION

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS THE _____ DAY OF _____, 2017.

Dane Haygood,
Mayor

ATTEST

Rebecca A. Hayes,
City Clerk

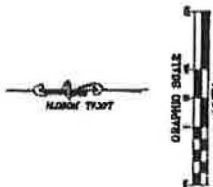
"Exhibit A"
Legal Description

Lots 1, 2, and 3 A Replat of Property for George P. Kalasountas #2 as recorded in the office of the Judge of Probate Baldwin County, Alabama - *Slide #2520F*

A black and white photograph showing a dense, textured surface, possibly a wall or a large piece of fabric. A vertical line runs down the center of the image, dividing it into two halves. The texture is highly irregular and grainy, with many small, dark spots and lines. The overall appearance is somewhat abstract and high-contrast.

[illegible]

PLANTING CROPS & VEGETABLES



1. THE STATE OF TEXAS, County of EL PASO, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears from the records of the County Clerk of said County.

2. WITNESSES my hand and the seal of said County at El Paso, Texas, this 10th day of April, 1934.

3. CLERK OF COUNTY

4. NOTARY PUBLIC

5. NOTARY PUBLIC

6. NOTARY PUBLIC

7. NOTARY PUBLIC

8. NOTARY PUBLIC

9. NOTARY PUBLIC

10. NOTARY PUBLIC

11. NOTARY PUBLIC

12. NOTARY PUBLIC

13. NOTARY PUBLIC

14. NOTARY PUBLIC

15. NOTARY PUBLIC

16. NOTARY PUBLIC

17. NOTARY PUBLIC

18. NOTARY PUBLIC

19. NOTARY PUBLIC

20. NOTARY PUBLIC

21. NOTARY PUBLIC

22. NOTARY PUBLIC

23. NOTARY PUBLIC

24. NOTARY PUBLIC

25. NOTARY PUBLIC

26. NOTARY PUBLIC

27. NOTARY PUBLIC

28. NOTARY PUBLIC

29. NOTARY PUBLIC

30. NOTARY PUBLIC

31. NOTARY PUBLIC

32. NOTARY PUBLIC

33. NOTARY PUBLIC

34. NOTARY PUBLIC

35. NOTARY PUBLIC

36. NOTARY PUBLIC

37. NOTARY PUBLIC

38. NOTARY PUBLIC

39. NOTARY PUBLIC

40. NOTARY PUBLIC

41. NOTARY PUBLIC

42. NOTARY PUBLIC

43. NOTARY PUBLIC

44. NOTARY PUBLIC

45. NOTARY PUBLIC

46. NOTARY PUBLIC

47. NOTARY PUBLIC

48. NOTARY PUBLIC

49. NOTARY PUBLIC

50. NOTARY PUBLIC

51. NOTARY PUBLIC

52. NOTARY PUBLIC

53. NOTARY PUBLIC

54. NOTARY PUBLIC

55. NOTARY PUBLIC

56. NOTARY PUBLIC

57. NOTARY PUBLIC

58. NOTARY PUBLIC

59. NOTARY PUBLIC

60. NOTARY PUBLIC

61. NOTARY PUBLIC

62. NOTARY PUBLIC

63. NOTARY PUBLIC

64. NOTARY PUBLIC

65. NOTARY PUBLIC

66. NOTARY PUBLIC

67. NOTARY PUBLIC

68. NOTARY PUBLIC

69. NOTARY PUBLIC

70. NOTARY PUBLIC

71. NOTARY PUBLIC

72. NOTARY PUBLIC

73. NOTARY PUBLIC

74. NOTARY PUBLIC

75. NOTARY PUBLIC

76. NOTARY PUBLIC

77. NOTARY PUBLIC

78. NOTARY PUBLIC

79. NOTARY PUBLIC

80. NOTARY PUBLIC

81. NOTARY PUBLIC

82. NOTARY PUBLIC

83. NOTARY PUBLIC

84. NOTARY PUBLIC

85. NOTARY PUBLIC

86. NOTARY PUBLIC

87. NOTARY PUBLIC

88. NOTARY PUBLIC

89. NOTARY PUBLIC

90. NOTARY PUBLIC

91. NOTARY PUBLIC

92. NOTARY PUBLIC

93. NOTARY PUBLIC

94. NOTARY PUBLIC

95. NOTARY PUBLIC

96. NOTARY PUBLIC

97. NOTARY PUBLIC

98. NOTARY PUBLIC

99. NOTARY PUBLIC

100. NOTARY PUBLIC

101. NOTARY PUBLIC

102. NOTARY PUBLIC

103. NOTARY PUBLIC

104. NOTARY PUBLIC

105. NOTARY PUBLIC

106. NOTARY PUBLIC

107. NOTARY PUBLIC

108. NOTARY PUBLIC

109. NOTARY PUBLIC

110. NOTARY PUBLIC

111. NOTARY PUBLIC

112. NOTARY PUBLIC

113. NOTARY PUBLIC

114. NOTARY PUBLIC

115. NOTARY PUBLIC

116. NOTARY PUBLIC

117. NOTARY PUBLIC

118. NOTARY PUBLIC

119. NOTARY PUBLIC

120. NOTARY PUBLIC

121. NOTARY PUBLIC

122. NOTARY PUBLIC

123. NOTARY PUBLIC

124. NOTARY PUBLIC

125. NOTARY PUBLIC

126. NOTARY PUBLIC

127. NOTARY PUBLIC

128. NOTARY PUBLIC

129. NOTARY PUBLIC

130. NOTARY PUBLIC

131. NOTARY PUBLIC

132. NOTARY PUBLIC

133. NOTARY PUBLIC

134. NOTARY PUBLIC

135. NOTARY PUBLIC

136. NOTARY PUBLIC

137. NOTARY PUBLIC

138. NOTARY PUBLIC

139. NOTARY PUBLIC

140. NOTARY PUBLIC

141. NOTARY PUBLIC

142. NOTARY PUBLIC

143. NOTARY PUBLIC

144. NOTARY PUBLIC

145. NOTARY PUBLIC

146. NOTARY PUBLIC

147. NOTARY PUBLIC

148. NOTARY PUBLIC

149. NOTARY PUBLIC

150. NOTARY PUBLIC

151. NOTARY PUBLIC

152. NOTARY PUBLIC

153. NOTARY PUBLIC

154. NOTARY PUBLIC

155. NOTARY PUBLIC

156. NOTARY PUBLIC

157. NOTARY PUBLIC

158. NOTARY PUBLIC

159. NOTARY PUBLIC

160. NOTARY PUBLIC

161. NOTARY PUBLIC

162. NOTARY PUBLIC

163. NOTARY PUBLIC

164. NOTARY PUBLIC

165. NOTARY PUBLIC

166. NOTARY PUBLIC

167. NOTARY PUBLIC

168. NOTARY PUBLIC

169. NOTARY PUBLIC

170. NOTARY PUBLIC

171. NOTARY PUBLIC

172. NOTARY PUBLIC

173. NOTARY PUBLIC

174. NOTARY PUBLIC

175. NOTARY PUBLIC

176. NOTARY PUBLIC

177. NOTARY PUBLIC

178. NOTARY PUBLIC

179. NOTARY PUBLIC

180. NOTARY PUBLIC

181. NOTARY PUBLIC

182. NOTARY PUBLIC

183. NOTARY PUBLIC

184. NOTARY PUBLIC

185. NOTARY PUBLIC

186. NOTARY PUBLIC

187. NOTARY PUBLIC

188. NOTARY PUBLIC

189. NOTARY PUBLIC

190. NOTARY PUBLIC

191. NOTARY PUBLIC

192. NOTARY PUBLIC

193. NOTARY PUBLIC

194. NOTARY PUBLIC

195. NOTARY PUBLIC

196. NOTARY PUBLIC

197. NOTARY PUBLIC

198. NOTARY PUBLIC

199. NOTARY PUBLIC

200. NOTARY PUBLIC

201. NOTARY PUBLIC

202. NOTARY PUBLIC

203. NOTARY PUBLIC

204. NOTARY PUBLIC

205. NOTARY PUBLIC

206. NOTARY PUBLIC

207. NOTARY PUBLIC

208. NOTARY PUBLIC

209. NOTARY PUBLIC

210. NOTARY PUBLIC

211. NOTARY PUBLIC

212. NOTARY PUBLIC

213. NOTARY PUBLIC

214. NOTARY PUBLIC

215. NOTARY PUBLIC

216. NOTARY PUBLIC

217. NOTARY PUBLIC

218. NOTARY PUBLIC

219. NOTARY PUBLIC

220. NOTARY PUBLIC

221. NOTARY PUBLIC

222. NOTARY PUBLIC

223. NOTARY PUBLIC

224. NOTARY PUBLIC

225. NOTARY PUBLIC

226. NOTARY PUBLIC

227. NOTARY PUBLIC

228. NOTARY PUBLIC

229. NOTARY PUBLIC

230. NOTARY PUBLIC

231. NOTARY PUBLIC

232. NOTARY PUBLIC

233. NOTARY PUBLIC

234. NOTARY PUBLIC

235. NOTARY PUBLIC

236. NOTARY PUBLIC

237. NOTARY PUBLIC

238. NOTARY PUBLIC

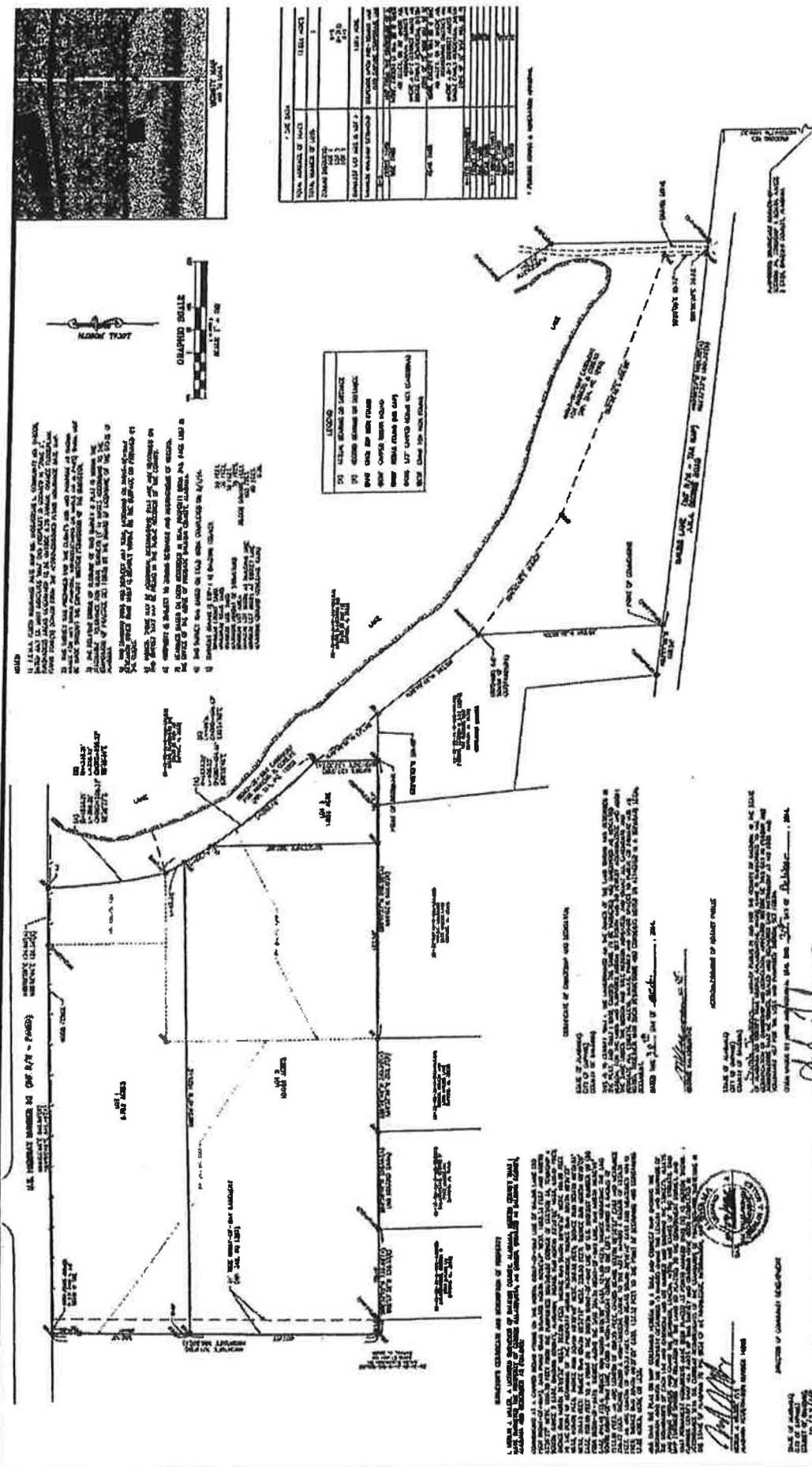
239. NOTARY PUBLIC

240. NOTARY PUBLIC

241. NOTARY PUBLIC

242. NOTARY PUBLIC

LEADS
00 1214 STAMPS 26 SURFAGE
00 4200 STAMPS 26 0011400
0005 0005 200 1000 1000
0005 0005 2000 1000
0005 100 1000 1000
0005 100 1000 1000



University College and University of Maryland

1962-1963, and 1964-1965. The results of the study are shown in Table 1. The results show that the mean number of children per family was 2.1 in 1962-1963, 2.2 in 1963-1964, and 2.3 in 1964-1965. The mean number of children per family was 2.1 in 1962-1963, 2.2 in 1963-1964, and 2.3 in 1964-1965. The mean number of children per family was 2.1 in 1962-1963, 2.2 in 1963-1964, and 2.3 in 1964-1965.

NEW FRONTIERS FOR ENGINEERING IN INDUSTRY

[illegible]

Account

CONCLUSIONS

Abstract

[illegible][illegible]

Adrian P. Jones
 ADRIAN P. JONES, President of the Board of Directors

Exhibit "B"

McCrory Williams

1307 INTERNATIONAL DRIVE, SUITE G
MOBILE, ALABAMA 36604
PHONE: (251) 478-4720
FAX: (251) 478-4721
EMAIL: info@stetson.com

A REPLAY OF PROPERTY
FOR
GEORGE KALASOUNTAS

SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALA

DESIGNER: T=100'	DATE: OCT. 7, 2014	DRAWN BY: MGR	APPROVED BY:	SHEET:
------------------	--------------------	---------------	--------------	--------

SECRET

Results

CITY OF DAPHNE, ALABAMA

ORDINANCE 2017-47

**AN ORDINANCE TO ADJUST SPEED LIMITS
AND TO POST SPEED LIMIT SIGNS**

WHEREAS, the traffic patterns and speeding problems on the public streets, roads, and highways within the City of Daphne have been studied and certain recommendations have been made to the City Council relative to establishing speed limits in accordance therewith; and

WHEREAS, the City Council of the City of Daphne has determined that it is in the best interests of the public health, safety, and welfare of the citizens of Daphne to adjust certain speed limits and post speed limit signs within the corporate boundaries of the City of Daphne; and

WHEREAS, the City Council of the City of Daphne desires to post speed limit signs, which shall reflect the adjusted speed limits, the quantity and location of which shall be determined by the City of Daphne Public Works Department; and

WHEREAS, any violation of the aforementioned posted speed limits shall constitute a traffic offense, pursuant to the Alabama Code, and within the jurisdiction of The City of Daphne Municipal Court.

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

SECTION ONE: PUBLIC STREETS

The speed limit on all public streets, roads and highways located within the City Limits of the City of Daphne, Alabama, excluding U.S. Highway 98, U.S. Highway 90, and State Road 181, are hereby fixed at 25 miles per hour (hereinafter “m.p.h.”) unless listed herein.

SECTION TWO: NEW CITY ROADWAYS

The speed limit on all proposed new (residential or commercial) roadways shall be set at a maximum 25 m.p.h. and all plats, plans, and submissions to the City of Daphne shall reflect the maximum allowable speed for the proposed new roads. Any new roadways proposing speed limit greater than 25 m.p.h. shall be approved by the City Council with a favorable recommendation from the Planning Commission and Public Works Director.

SECTION THREE: SCHOOL ZONES

During the school year and at designated times while school is in session, the speed limit in and through school zones is hereby fixed at 25 m.p.h., unless otherwise posted. Outside of the designated times and/or when school is not in session, the speed limit in the school zone shall conform to the speed limit set in the adjacent areas, unless otherwise posted.

SECTION FOUR:**POSTED SPEEDS FOR LISTED ROADWAYS**

The following Roadways shall have posted speed limits for the extents shown:

Road Name	Speed (m.p.h.)	From	To
Capital Dr	30	Rand Ave	Daphne Ave, CR 64
Champions Way	35	CR 13	St Hwy 181
CR 13	35	CR 64	Whispering Pines Rd
CR 13	45	Milton Jones Rd	CR 64
CR 13	45	Whispering Pines Rd	US Hwy 90
CR 64 (Daphne Ave)	45	US Hwy 98	St. Hwy 181
Daphne Ave	30	Main Street	US Hwy 98
Deer Ave	30	Captain O'Neal	Main St (Scenic 98)
Equity Drive	30	Rand Ave	Daphne Ave, CR 64
Johnson Rd	30	Pine St	N. Main St (Scenic 98)
Milton Jones Rd	35	St. Hwy 181	CR 13
N. Main St	25	D'Olive Blvd	US Hwy 90
N. Main St	35	US Hwy 98	D'Olive Blvd
Park Dr	25	Jenkins Ln	Tallent Ln
Park Dr	35	Tallent Ln	N. Main St
Park Dr (Curve)	15	Pollard Rd	Jenkins Ln
Pinehill Rd	35	Park Dr	N. Main St
Pleasant Rd	35	St. Hwy 181	CR 13
Pollard Rd	35	South City Limits	Brookside Ln
Pollard Rd	25	Brookside Ln	Eagle Dr
Pollard Rd (Curve)	15	Eagle Dr	Park Dr
Public Works Rd	35	Well Rd	Rand Ave
Rand Ave	30	CR 13	Capital Dr
Main St (Scenic 98)	35	Holy Cross Dr	US Hwy 98
Timber Creek Blvd	30	US Hwy 31	St. Hwy 181
Well Rd	30	Pollard Rd	CR 13
Whispering Pines Rd	35	CR 13	S. Main St

SECTION FIVE:**ROADWAYS POSTED AT LESS THAN 25 M.P.H.**

The speed limit on Greenbay Circle is hereby fixed at 20 m.p.h. and the speed limit on Jackson Street is hereby fixed at 15 m.p.h.

SECTION SIX: PENALTY

Any person who is convicted of speeding in excess of the speed limits as set forth in Sections One (1) through Five (5) above shall be fined in accordance with Title 32-5A-8 of the Code of Alabama (1975), as amended or may be amended, and City of Daphne Ordinance 1987-8, as amended.

SECTION SEVEN: REPEALER

Ordinance Nos. 2016-22, 2012-43, and 2002-28 are hereby repealed in their entirety. All Ordinances repealed by those Ordinances shall remain repealed and are not revived. All other City of Daphne Ordinances or parts thereof in conflict with the provision of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION EIGHT: SEVERABILITY

If any article, section, sentence, clause, or phrase in this Ordinance is, for any reason, held to be invalid or unconstitutional by declaration of any Court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this Ordinance.

SECTION NINE: EFFECTIVE DATE

This Ordinance shall take effect as provided by law after passage, approval, and publication.

APPROVED AND ADOPTED by the CITY COUNCIL of the CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2017.

Attest:

DANE HAYGOOD, Mayor

REBECCA A. HAYES, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-48**

**POLICY FOR NAMING CITY-OWNED PUBLIC BUILDINGS,
PROPERTIES, PARKS, AND PARK FACILITIES**

WHEREAS, there is a need to establish criteria and a process for the naming of certain public buildings, properties, parks, and park facilities;

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

SECTION I **CRITERIA FOR THE NAMING OF CITY-OWNED BUILDINGS,
PROPERTIES, PARKS, AND PARK FACILITIES**

1.01 The naming of City-owned public buildings, properties, parks, and park facilities (referred to collectively as “property” within this section) shall be approached with caution, patience, and deliberation. Names submitted for consideration should provide some form of individual identity in relation to the following:

- A. The geographic location of the property.
- B. An adjoining subdivision, street, school, or natural feature. No property shall be given the same name as an existing school site or public facility, except where the sites abut one another.
- C. The property’s purpose.
- D. A natural or geological feature within the City.
- E. An individual or organization that contributed significantly to the acquisition or development of the property to be named. This can include either a deed or substantial monetary contribution, or contribution toward acquisition and/or development of the property (typically not less than 50 percent of the value of the property or improvements).
- F. Outstanding accomplishments by an individual for the good of the community. The quality of the contribution should be considered along with the length of service by the individual.
- G. Any individual who provided an exceptional service to the City of Daphne. While serving in a public office, public officials shall not be considered as a candidate for naming.

1.02 City-owned property shall not ordinarily be named for a living person unless stipulated by a donor as a condition of the donation of property to the City. Naming rights are not guaranteed if the donation of property is a dedication as defined by the City of Daphne Land Use & Development Ordinance. When considering naming City property after an individual, a period of at least two (2) years shall have passed following the death of such person to allow perspective and an appropriate period of reflection.

1.03 City-owned property shall not be assigned a name that is related to a historical event or individual accomplishment until at least one (1) year following the date of the event or accomplishment.

SECTION II **PROCEDURE FOR NAMING CITY-OWNED BUILDINGS & PROPERTIES (OTHER THAN PARKS AND PARK FACILITIES)**

2.01 Whenever the City Council wishes to consider naming a City-owned building or property (other than parks and park facilities), the issue shall be referred to the Council's Buildings and Properties Committee to establish the specific process and to make recommendation(s) to the Council.

2.02 The interior features of a City-owned building may be named separately from the main building subject to the criteria and procedures set forth in this Ordinance.

2.03 If a contest or competition is to be held to determine the name of a public building or property, the Buildings and Properties Committee shall establish guidelines and rules for the contest. No city funds shall be used for any contest prizes.

2.04 Before taking action, the City Council shall provide an opportunity for public comment on the recommendation(s) from the Buildings and Properties Committee.

2.05 Designation of a name shall not prohibit the renaming of the building or property at a future date, or the designation of a sunset for the name at the time of approval. Buildings or properties named after individuals shall not be changed unless the Council determines that, because of the individual's character, the continued use of the name would not be in the best interest of the community.

2.06 Following the naming of a public building or property, the Public Works Department shall identify the specific building or property by appropriate signage specifying the name. All signage shall comply with the City's sign specifications.

SECTION III **PROCEDURE FOR NAMING CITY-OWNED PARKS AND PARK FACILITIES**

3.01 Whenever the City Council wishes to consider naming a City-owned park, park area, or park facility, the issue shall be referred to the appropriate board or committee as determined by the Council, and the board or committee to which the issue is referred shall within sixty (60) days of referral make recommendation(s) to the Council.

3.02 Suggestions for names for parks or park facilities shall be solicited from organizations, neighborhood residents, individuals, and the media. All suggestions must be in writing using a "Park Naming Form" that outlines the naming criteria. The "Park Naming Form" shall be made available on the city website and at City Hall. All suggestions, solicited or not, shall be acknowledged and recorded for consideration by the board or committee to which the issue is referred by the Council.

3.03 If the Council determines that a contest or competition is to be held to determine the name of a public park or park facility, the board or committee to which the issue is referred by the Council shall establish guidelines and rules for the contest. No city funds shall be used for any contest prizes.

3.04 Before taking action, the City Council shall host a public hearing to provide an opportunity for public comment on name recommendations.

3.05 Designation of a name shall not prohibit the renaming of the park or park facility at a future date, or the designation of a sunset for the name at the time of approval. Parks and park facilities named after individuals shall not be changed unless the Council determines that, because of the individual's character, the continued use of the name would not be in the best interest of the community.

3.06 Parks and park facilities that are donated to the City may be named by deed restriction by the donor. The naming and acceptance of land is subject to approval by the City Council.

SECTION IV **MONUMENTS, BENCHES, AND TREES**

4.01 Monuments in honor or in memory of individuals may be permitted on City property with permission from the City Council under the following conditions:

- A. The individual memorialized is closely associated with the area where the monument will be located. The individual memorialized is known to, and revered by, a significant number of City residents.
- B. The monument design is discreet, unobtrusive, and designed to blend into the surrounding area. The location of the monument will be determined by City staff with approval of the City Council.
- C. All costs of design, installation, and maintenance of the monument will be determined by the City and borne by the requestor at the discretion of the City. Only City personnel or City contractors may perform work on City property.
- D. The monument is only a marker and is not a place of worship, a cemetery, or an official gathering place. Flowers and other memorabilia are not permitted and will be removed by City personnel.
- E. The City is not responsible for damage to or deterioration of the monument and may remove it at any time and for any reason as determined by the City Council.

4.02 Benches or trees in honor or in memory of deceased persons may be placed in City parks or other City-owned properties at the discretion of the City Council under the following conditions:

- A. The bench design or tree species shall be subject to approval by the City Council upon recommendation by the Buildings and Properties Committee.
- B. The location of the bench or tree shall be subject to approval by the City Council upon recommendation by the Buildings and Properties Committee.
- C. A relatively small plaque (no larger than five (5) inches by eight (8) inches) with an inscription or other written memorial information may be affixed to the bench or displayed near the tree.

- D. All costs of design, installation, and maintenance of the bench or tree will be determined by the City and borne by the requestor at the discretion of the City. Only City personnel or City contractors may perform work on City property.
- E. The bench or tree is only a marker and is not a place of worship, a cemetery, or an official gathering place. Flowers and other memorabilia are not permitted and will be removed by City personnel.
- F. The City is not responsible for damage to or deterioration of the bench or tree and may remove it at any time and for any reason as determined by the City Council.

SECTION V **SEVERABILITY**

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

SECTION VI **EFFECTIVE DATE**

This Ordinance shall take effect immediately upon its due adoption and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
DAPHNE, ALABAMA THIS THE ----- DAY OF -----, 20---**

DANE HAYGOOD, MAYOR

ATTEST:

REBECCA A. HAYES, CLERK