

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
AUGUST 21, 2017

1. CALL TO ORDER

2. ROLL CALL

INVOCATION: Neil Beasley, Community Life Center, Daphne United Methodist Church
PLEDGE OF ALLEGIANCE

- 3. APPROVE MINUTES:** **Council Meeting minutes** – August 7, 2017
 Council Work Session minutes – August 14, 2017

PUBLIC HEARINGS:

1. **Annexation:** **The Citizens Bank**
 Property Located: **Northeast corner of Alabama Highway 181 & Belgrove Avenue**
 Recommendation: **Favorable**

2. **Pre-Zone:** **The Citizens Bank**
 Property Located: **Northeast corner of Alabama Highway 181 & Belgrove Avenue**
 Present Zoning: **RSF-2, Single Family District**
 Requested Zoning: **B-1(a), Limited Local Business**
 Recommendation: **Unfavorable**

3. **NO PUBLIC HEARING - Zoning application withdrawn by owner August 16, 2017**
 Pre-Zone: **WPNVA, LLC, Jay-E, LLC, John White-Spunner & Chester J. Stephan**
 Property Located: **Southeast corner of US Highway 98 & Johnson Road**

4. REPORTS OF STANDING COMMITTEES

- A. FINANCE COMMITTEE – Rudicell**
 Review minutes – July 10, 2017

MOTION: To release \$30,000 encumbrance for Civic Center Digital Sign (FY2005) and include the sign in the Future Projects with a cost of \$50,000.

RESOLUTIONS:

1. **2017-43** – Bid – 2017-Q-Sidewalk on County Road 13: Whispering Pines to Champion Way – TAPNU-TA15(940)

 2. **2017-44** – Authorize the Mayor to enter into agreement with State of AL- 2017 TAP GRANT: TAPAA-TA17(933) – State of Alabama Fiscal Year 2017 Transportation Alternative Program (TAP)

 3. **2017-45** – Bid – 2017-U-Library Roof Restoration

 4. **2017-46** – Retiree Cost of Living: One Time Lump Sum Payment – Act 2017-367
- B. BUILDINGS & PROPERTY COMMITTEE – LeJeune**
 Review minutes – August 7, 2017

- C. PUBLIC SAFETY COMMITTEE – Davis**
- D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Goodlin**
- E. PUBLIC WORKS COMMITTEE – Coleman**

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

- A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones**
- B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway**
- C. INDUSTRIAL DEVELOPMENT BOARD – Davis**
- D. LIBRARY BOARD – Rudicell**
- E. PLANNING COMMISSION – Scott**
- 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

ABC License: CFresh Convenience, LLC – Lake Forest Shell – 050-Retail Beer and 070-Retail Table Wine (off premises only)

ABC License: CFresh Convenience, LLC – Malbis Shell – 050-Retail Beer and 070-Retail Table Wine (off premises only)

ABC License: CFresh Convenience, LLC – Jubilee Shell – 050-Retail Beer and 070-Retail Table Wine (off premises only)

MOTION: To approve YMCA Elf Ride on December 1, 2017

MOTION: To approve Women’s Care Medical Center 5K Life Run on February 24, 2018

MOTION: To approve Daphne Witches Ride on October 29, 2017

10. PUBLIC PARTICIPATION

11. RESOLUTIONS & ORDINANCES

RESOLUTIONS:

- A. 2017-43** – Bid – 2017-Q-Sidewalk on County Road 13: Whispering Pines to Champion Way – TAPNU-TA15(940)
- B. 2017-44** – Authorize the Mayor to enter into agreement with State of AL- 2017 TAP GRANT: TAPAA-TA17(933) – State of Alabama Fiscal Year 2017 Transportation Alternative Program (TAP)
- C. 2017-45** – Bid – 2017-U-Library Roof Restoration
- D. 2017-46** – Retiree Cost of Living: One Time Lump Sum Payment – Act 2017-367
- E. 2017-47** – Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property (Public Works Equipment)
- F. 2017-48** - Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property (Police Vehicles)

2ND READ ORDINANCES:

- A. 2017-60** – Pre-Zone property located Southeast of Corte Road and County Road 13 / Fred Corte
- B. 2017-61** – Pre-Zone property located East side of County Road 13, North of Sehoy Subdivision / Malbis Plantation, Inc.
- C. 2017-62** – Annexation: Property located on the East side of County Road 13, North of Sehoy Subdivision / Malbis Plantation, Inc.
- D. 2017-63** – Zoning of Annexed Property by Legislative Act, Parcel 1, Dollar General Store on Highway 181.
- E. 2017-64** - Zoning of Annexed Property by Legislative Act, Parcel 2, Palladian at Daphne Apartments on Highway 181
- F. 2017-65** - Zoning of Annexed Property by Legislative Act, Parcel 3, Chevron Gas Station on Highway 181
- G. 2017-66** - Zoning of Annexed Property by Legislative Act, Parcel 4, JMO Subdivision on County Road 13 and Champions Way
- H. 2017-67** – Amending the City of Daphne, Alabama Land Use and Development Ordinance 2011-54, as adopted by the City Council on July 18, 2011 amending the table of permitted uses with regard to the C/I, Commercial/Industrial District.

1ST READ ORDINANCES

- A. 2017-68** – Appropriation: Sidewalk on CR-13 from Whispering Pines to Champion Way
TAPNU-TA15(940)
- B. 2017-69** – Appropriation: Library Roof Restoration
- C. 2017-70** – Appropriation: Sidewalks: Park & Pollard Road – TAPPAA-TA17(933)
- D. 2017-71** – Appropriation: Intersection Improvements: County Road 64 & Pollard Road
- E. 2017-72** – Appropriation: Corte Road Improvements PH I & II – Geotechnical Material Testing
- F. 2017-73** – Amending the City of Daphne Pay Scale
- G. 2017-74** – Annexation: The Citizens Bank – Northeast Corner of Belgrove Avenue and Alabama
Highway 181
- H. 2017-75** – Pre-Zone: The Citizens Bank – Northeast Corner of Belgrove Avenue and Alabama
Highway 181
- I. 2017-76** – Amending Job Classification Schedule – Facilities Manager

12. COUNCIL COMMENTS

13. ADJOURN

1. CALL TO ORDER:

There being a quorum present Council President Scott called the meeting to order at 6:37 p.m.

2. ROLL CALL

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

COUNCIL MEMBERS ABSENT: Tommie Conaway; Pat Rudicell.

Also Present: Dane Haygood, Mayor; Candace Antinarella, City Clerk; Jenny White, Assistant City Clerk Adrienne Jones, Planning Director; Patrick Dungan, City Attorney; James White, Fire Chief; David McKelroy, Recreation Director; Richard Merchant, Building Official; Kelli Kichler, Finance Director/Treasurer; David Carpenter, Police Chief; Richard Johnson, Public Works Director; Tonja Young, Library Director; Margaret Thigpen, Civic Center Director.

INVOCATION/PLEDGE OF ALLEGIANCE:

Pastor Charlie Stafford, Coastal Church gave the invocation.

3. APPROVE MINUTES:

There being no corrections the July 17, 2017 City Council meeting minutes stand approved as written.

PUBLIC HEARINGS:

Pre-Zone:	Fred Corte
Property Located:	Southeast of Corte Road and County Road 13
Present Zoning:	RA, Rural Agricultural, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne
Requested Zoning:	PUD, Planned Unit Development
Recommendation:	Unanimous Favorable

Council President Scott opened the Public Hearing at 6:40 p.m. Cathy Barnette with Dewberry Prebble Rish explained the proposed development. No one spoke in favor or against the proposed ordinance. Council President Scott closed the Public Hearing at 6:42 p.m.

Pre-Zone:	Malbis Plantation, Inc.
Property Located:	East of County Road 13, North of Sehoj Subdivision
Present Zoning:	RSF-3, Single Family District, Baldwin County Extraterritorial Planning Jurisdiction
Requested Zoning:	R-3, High Density Single Family Residential District
Recommendation:	Unanimous Favorable

Annexation:	Malbis Plantation, Inc.
Property Located:	East of County Road 13, North of Sehoj Subdivision
Recommendation:	Unanimous favorable to annex into the corporate limits and to adhere to the City's policy regarding connectivity {i.e. in favor of open access between subdivisions}

Council President Scott opened the Public Hearing for the Pre-Zone and Annexation of Malbis Plantation, Inc. at 6:42 p.m. Cathy Barnette with Dewberry Prebble Rish explained the proposed development. Victoria Phelps spoke in favor of the annexation and requested any further developments have turn lanes on the site plan. Council President Scott closed the Public Hearing at 6:47 p.m.

Zoning of Legislative Annexation Territories / Parcel 1

Property Located: Northeast of the intersection of Alabama Highway 181 and County Road 64
Present Zoning: B-3, General Business District Baldwin County Extraterritorial Planning Jurisdiction
Recommended Zoning: B-2(a), General Business Alternate
Recommendation: Unanimous Favorable

Zoning of Legislative Annexation Territories / Parcel 2

Property Located: Northwest of the intersection of Alabama Highway 181 and Sommerset Drive
Present Zoning: RMF-6, Residential Multi-Family, Baldwin County Extraterritorial Planning Jurisdiction
Recommended Zoning: R-7(A), Apartment District
Recommendation: Unanimous Favorable

Zoning of Legislative Annexation Territories / Parcel 3

Property Located: At the southwest intersection of Alabama Highway 181 and Justina Avenue
Present Zoning: B-4, Major Commercial District, Baldwin County Extraterritorial Planning Jurisdiction
Recommended Zoning: B-2, General Business
Recommendation: Unanimous Favorable

Zoning of Legislative Annexation Territories / Parcel 4

Property Located: At the northeast intersection of County Road 13 and Champions Way
Present Zoning: B-3, General Business District, and B-1, Professional Business District, Baldwin County Extraterritorial Planning Jurisdiction
Recommended Zoning: B-2(a), General Business Alternate
Recommendation: Unanimous Favorable

Council President Scott opened the Public Hearing for the Zoning of Parcels 1-4 of the Legislative Annexation Territories at 6:48 p.m. Adrienne Jones, Planning Director explained the location and proposed use of the four parcels. Mayor Haygood explained the Annexation by Legislative Act process. Victoria Phelps spoke in favor of the zoning of all four parcels. Council President Scott closed the Public Hearing at 6:55 p.m.

Amendment to the Land Use & Development Ordinance 2011-54 / Section 35-3, Table of Permitted Uses and Conditions, Commercial/Industrial District

Recommendation: Unanimous Favorable

Council President Scott opened the Public Hearing at 6:55 p.m. Adrienne Jones, Planning Director explained a list of 19 uses to add to the C/I District. Mayor Haygood discussed the Land Use Ordinance. No one spoke in favor or against the proposed ordinance. Council President Scott closed the Public Hearing at 7:02 p.m.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE – Rudicell given by Scott
The next Finance Committee minutes will be August 14, 2017.

B. BUILDINGS & PROPERTY COMMITTEE – LeJeune
Councilman LeJeune stated that surplus property is being disposed of and the D 'Olive boat ramp is almost complete.

C. PUBLIC SAFETY COMMITTEE – Davis
The July 17, 2017 minutes are in the packet. Discussion of Fire Station #5 and expansion of police station.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Goodlin

No report.

E. PUBLIC WORKS COMMITTEE – Coleman

The July 10th Museum minutes are in the packet. Recommendations to council for Mr. Armstrong and Ms. Barnette to serve on the Environmental Advisory Committee.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. *Board of Zoning Adjustments* – Adrienne Jones

No report.

B. *Downtown Redevelopment Authority* – Conaway by Scott

The June DRA minutes are in the packet and next meeting will be July 26 at 5:30 p.m.

MOTION by Councilman LeJeune to accept and approve the Downtown Redevelopment Authority's Revised Development Area map. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY

C. *Industrial Development Board* – Davis

The June 28 IDB minutes are in the packet and board is looking into meeting more frequently. Attended Water Board presentation with Mayor and working out utility details for DISC. Hoping to break ground end of August or early September.

D. *Library Board* – Rudicell

No report.

E. *Planning Commission* – Scott

The Planning Commission will meet on July 27, 2017.

F. *Recreation Board* - LeJeune

Fall sports will be beginning very soon.

G. *Utility Board* – LeJeune

June 28 minutes in the packet. The work on Main Street will be done mid-September. Approval of fund for a pilot project regarding waste water.

6. MAYOR'S REPORT

Mayor Haygood discussed the utility pilot program and the ability to handle waste on a small footprint.

Mayor Haygood welcomed Betsy Schneider, the City's new Operations Director.

Angie Phillips was appointed to the Planning Commission.

Mayor Haygood thanked Kelli Kichler and the Finance Department who was awarded the CAFR Award from GFOA.

The budget should be to the Council in the coming weeks with the hope of being adopted by October 1, 2017.

The City received the insurance renewal and it has increased 12.96% or approximately \$400,000.

7. CITY ATTORNEY REPORT:

Patrick Dungan asked that the Alligator Alley discussion be help over to the next meeting.

8. DEPARTMENT HEAD COMMENTS:

Richard Johnson – the road widening on Co Rd. 13 is underway.

9. CITY CLERK'S REPORT:

MOTION: To approve ABC License – Southwood Enterprises, LLC – 020-Restaurant Retail Liquor

MOTION BY Councilman LeJeune to approve the ABC License for Southwood Enterprises, LLC. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

10. PUBLIC PARTICIPATION

Thomas Warner – Discussed the Joe Lewis Patrick Park and said it is long overdue for upgrades.

Victoria Phelps – Lake Forest POA – Ms. Phelps thanked the Beautification Committee and Public Works Committee. She is an advocate for sidewalks and walking trails.

John Lake – Mr. Lake asked the council to consider sidewalks on Highway 98. There are currently goat paths to walk on. There need to be connectivity as this is a safety issue.

Ms. Boykin – Spoke about the Museum project of brick pavers to financially support the museum.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

2017-42 - 2017-V-Tiawasee Creek Tributary Stream Restoration

MOTION BY Councilman LeJeune to waive the reading of Resolution 2017-42. Seconded by Councilman Davis.
MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman LeJeune to adopt Resolution 2017-42. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY

ORDINANCES:

2nd READ

2017-56. . . . Appropriation: Fire Station #5 Architectural Design & Civil/Site Design

2017-57. . . . Appropriation: Main Street Drainage Study: Daphne Civic Center to Yancey Branch

2017-58. . . . Establish Surety Bond Limits – New City Clerk

2017-59. . . . Garbage Collection Ordinance

MOTION BY Councilman LeJeune to waive the reading of Ordinance 2017-56. Seconded by Councilman Davis.
MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Davis to adopt Ordinance 2017-56. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY

**MOTION BY Councilman LeJeune to waive the reading of Ordinance 2017-57. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman LeJeune to adopt Ordinance 2017-56. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman LeJeune to waive the reading of Ordinances 2017-58 & 59. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman LeJeune to adopt Ordinance 2017-58. Seconded by Councilman Davis.
MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Davis to adopt Ordinance 2017-59. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY**

1st READ

- A. **2017-60** – Pre-Zone property located Southeast of Corte Road and County Road 13 / Fred Corte
- B. **2017-61** – Pre-Zone property located East side of County Road 13, North of Sehoj Subdivision / Malbis Plantation, Inc.
- C. **2017-62** – Annexation: Property located on the East side of County Road 13, North of Sehoj Subdivision / Malbis Plantation, Inc.
- D. **2017-63** – Zoning of Annexed Property by Legislative Act, Parcel 1, Dollar General Store on Highway 181.
- E. **2017-64** - Zoning of Annexed Property by Legislative Act, Parcel 2, Palladian at Daphne Apartments on Highway 181
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- G. **2017-66** - Zoning of Annexed Property by Legislative Act, Parcel 4, JMO Subdivision on County Road 13 and Champions Way
- H. **2017-67** – Amending the City of Daphne, Alabama Land Use and Development Ordinance 2011-54, as adopted by the City Council on July 18, 2011 amending the table of permitted uses with regard to the C/I, Commercial/Industrial District.

12. COUNCIL COMMENTS

Councilman Coleman mentioned that he is sensitive to sidewalks on Highway 98.

Councilman Davis welcomed Betsy Schneider. He will have another “part-time job” until June and will continue on the Council unless the “job” changes.

Councilwoman Scott welcomed Betsy Schneider and mentioned the senate election next Tuesday and encouraged everyone to vote.

Mayor Haygood discussed the Tiawasee restoration and proposed Highway 98 sidewalks. He also offered his condolences to a Public Works employee, Willie Curry, in the loss his wife.

13. ADJOURN:

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

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:41 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Candace G. Antinarella, City Clerk

Ron Scott, Council President

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

Also present: Dane Haygood, Mayor; Candace Antinarella, City Clerk; Jay Ross, City Attorney

Council President Scott called the meeting to order at 6:33 p.m.

1. PRESENTATION: Park City Update

Tim Patton, Engineer with Volkert gave an update on the Daphne Park Improvements.

2. DISCUSS: Strategic Plan

Reviewed previously proposed updates to the Vision and Mission statements. The next Strategic Plan meeting is August 17, 2017 to decide goals and make additional changes.

3. DISCUSS: Committee Meeting Schedule

Meeting schedule changes as follows:

First Monday of the month: 4:30 Ordinance Committee 5:30 Public Works

Second Monday of the month: 4:30 Buildings & Property 5:30 Public Safety

Third Monday of the month: 4:30 Finance

This schedule will begin September 2017.

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:14 P.M.

Respectfully submitted by,

Certification of Presiding Officer:

Candace G. Antinarella,
City Clerk

Ron Scott,
Council President

To: Office of the City Clerk
From: Adrienne D. Jones, ^{AD}
Director of Community Development
Subject: The Citizens Bank, Pre-zoning Amendment
Date: June 26, 2017

MEMORANDUM

PRESENT ZONING: RSF-2, Single Family District,,
Baldwin County Exterritorial
Planning Jurisdiction

PROPOSED PRE-ZONING: B-1(a), Limited Local Business

LOCATION: Northeast corner of Alabama Highway
181 & Belgrove Avenue

RECOMMENDATION: At the Thursday, June 22, 2017,
regular meeting of the Daphne
Planning Commission, eight members
were present, and the motion carried
for an unfavorable recommendation
for B-1(a) 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 to set
a public hearing for August 21, 2017.

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



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted May 12, 2017

Application Number:

Planning Commission Public

ZA- or PZA-17-06

Hearing Date: June 22, 2017

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):

PPIN#(s):

NE Corner 181st Belgrave Ave

098461

Gross Site Area (acreage):

1.36 Acres

Requested Zoning or Pre-Zoning: B1 A

Current Zoning Designation(s):

Amended Request:

RSF-2

Initials:

Date:

Current Land Use:

VACANT

Anticipated Land Use:

Commercial

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":

Lot 1 Belle Pointe Sub slide 2452-C

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:

The Citizens Bank, Paul Davis

(251) 517-9601

Mailing Address:

P.O. Box 1249 Fairhope AL 36533

Phone/Fax:

E-mail: pdavis@enterprise.net

Name of Authorized Agent:

Citizens Bank, Paul Davis or Brian Britt, Kopcsky Britt

Mailing Address:

PO Box 1249 Fairhope AL 36533

Phone/Fax: 251-928-9900

E-mail:

Name of Developer*:

n/a

Phone/Fax:

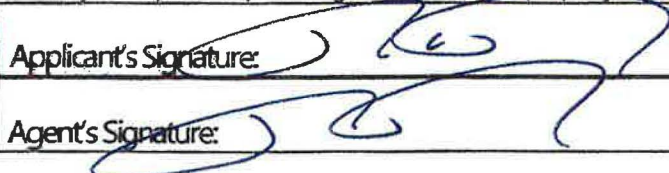
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Other:

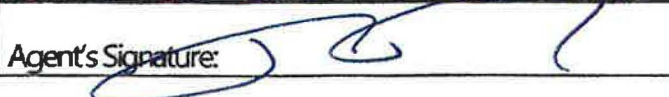
Phone/Fax:

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 5/14/17

Agent's Signature: 

Date 5/16/17

THE CITIZENS BANK

PRE-ZONING AND ANNEXATION

**NORTHEAST CORNER OF ALABAMA HIGHWAY 181 AND BELGROVE AVENUE
BALDWIN COUNTY, ALABAMA**

EXHIBIT "A"

**LEGAL DESCRIPTION OF PROPERTY TO BE PRE-ZONED AS B-1(A) AND ANNEXED
TO THE CITY OF DAPHNE:**

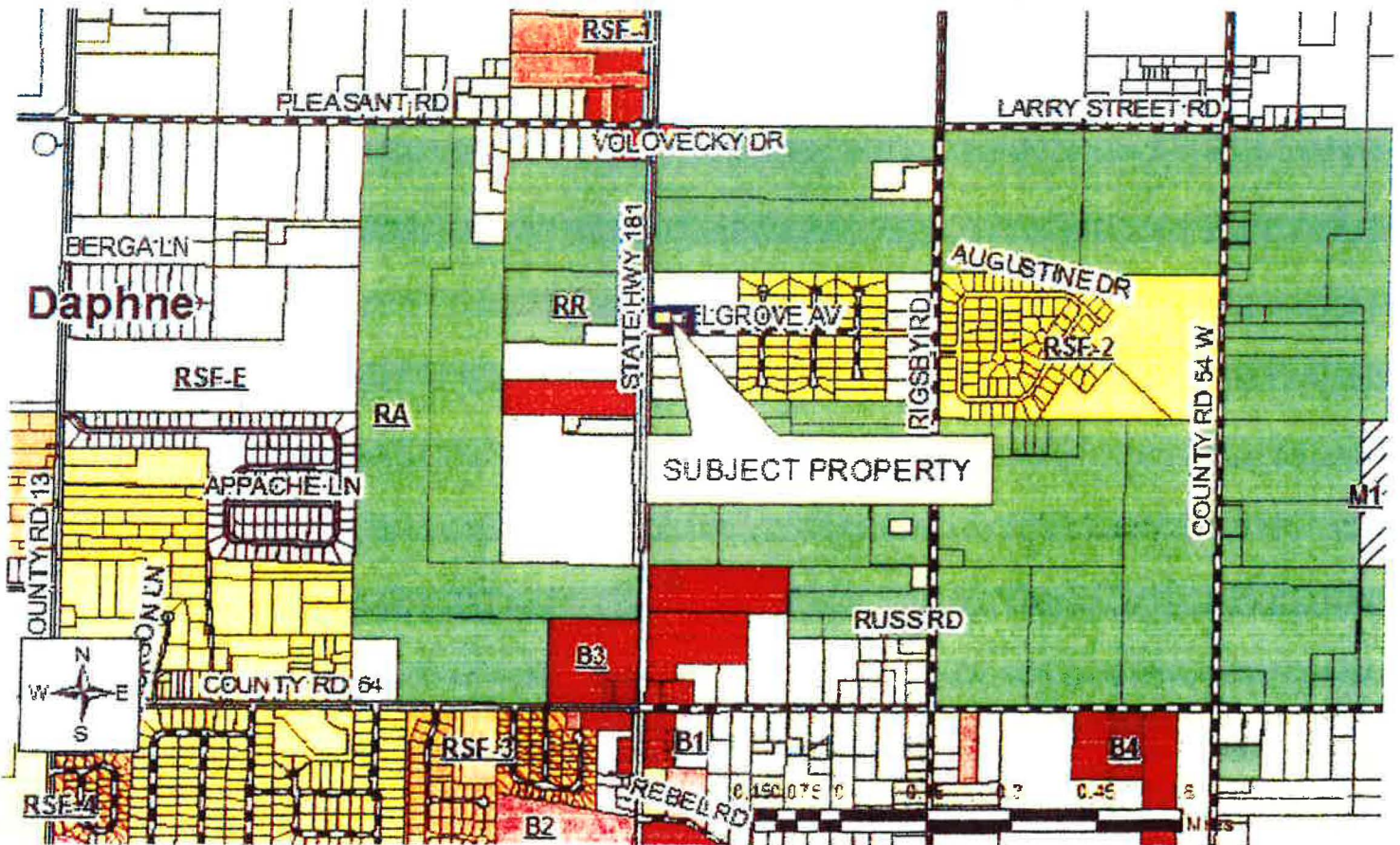
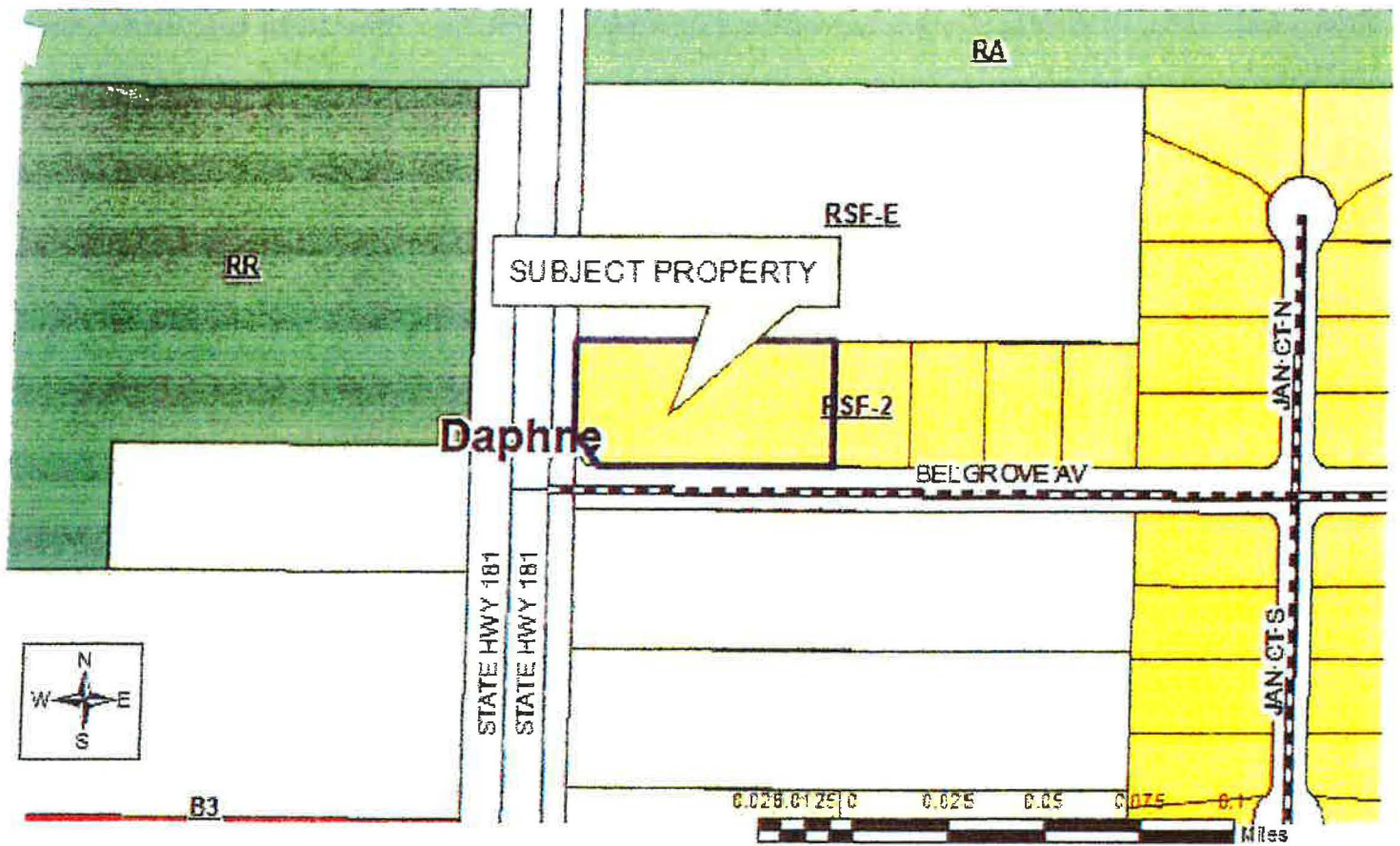
BEING MORE PARTICULARLY DESCRIBED AS:

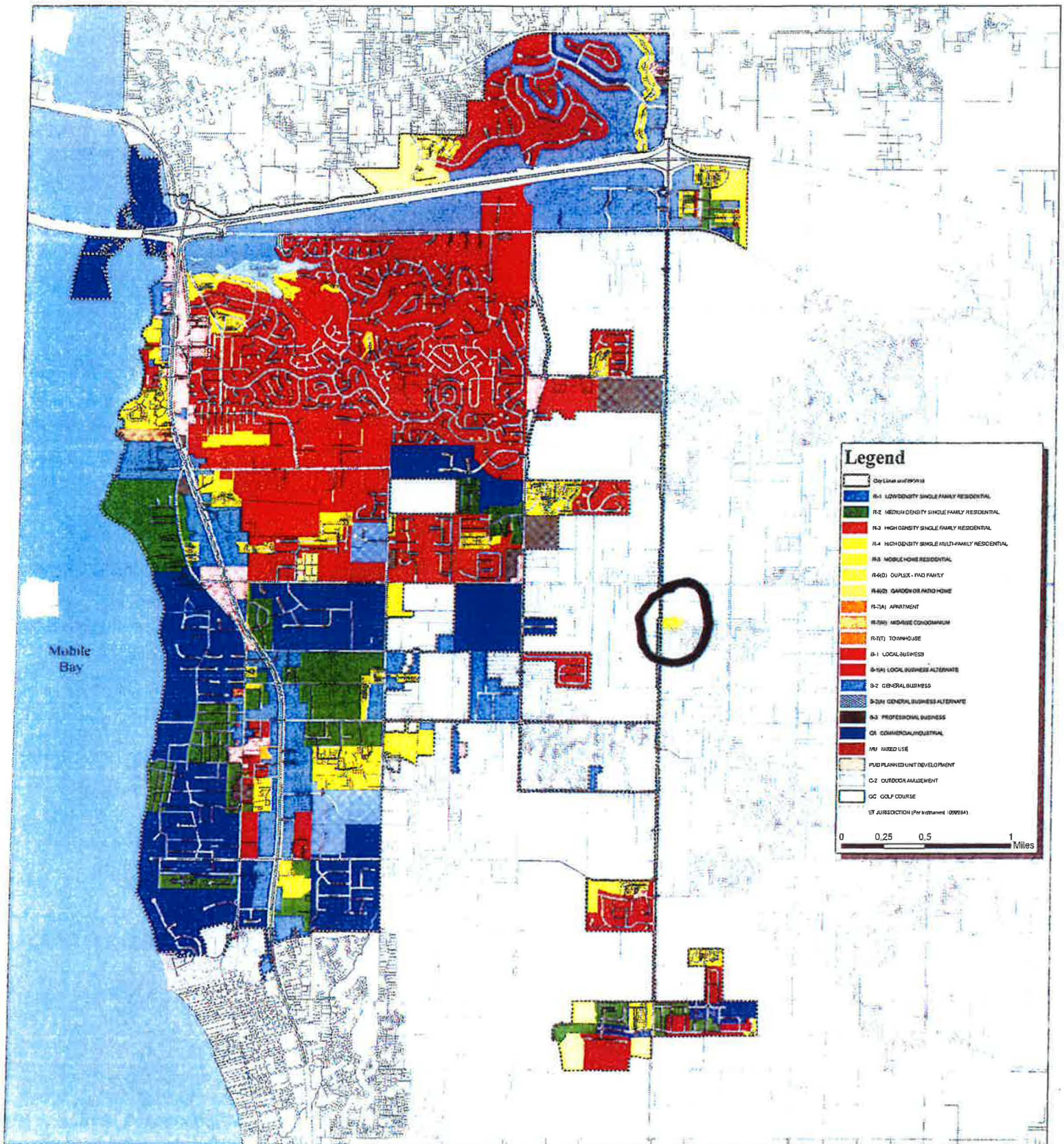
**LOT 1, BELLE POINTE SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED
IN SLIDE NUMBER 2452-C AND CONTAINING 1.36 ACRES MORE OR LESS AND
LYING IN SECTION 14, TOWNSHIP 5 SOUTH, RANGE 2 EAST IN THE RECORDS IN
THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.**

2452-C

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Locator Map





Information contained in the data distributed by the City of Daphne is derived from a variety of public and private sources and is not to be dependent, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranty, expressed or implied as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of the information or data contained in or generated from the City Geographic Information System. Additionally, the City of Daphne or any agent, servant, or employee thereof assumes no liability associated with the use of the data, and assumes no responsibility for maintaining it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Department of Community Development at 251-621-3184.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THE 21ST DAY OF NOVEMBER, 2016.

[Signature]
Don Haynes, Mayor

ATTEST:
[Signature]
Rebecca A. Hayes, City Clerk

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eds
engineering development systems
engineering • software • manufacturing • services
21154 industrial court • daly city, ca 94015
(415) 886-2421 • fax (415) 886-2422

D.R. HORTON INC.
25366 Profit Drive
Daphne, AL 36526

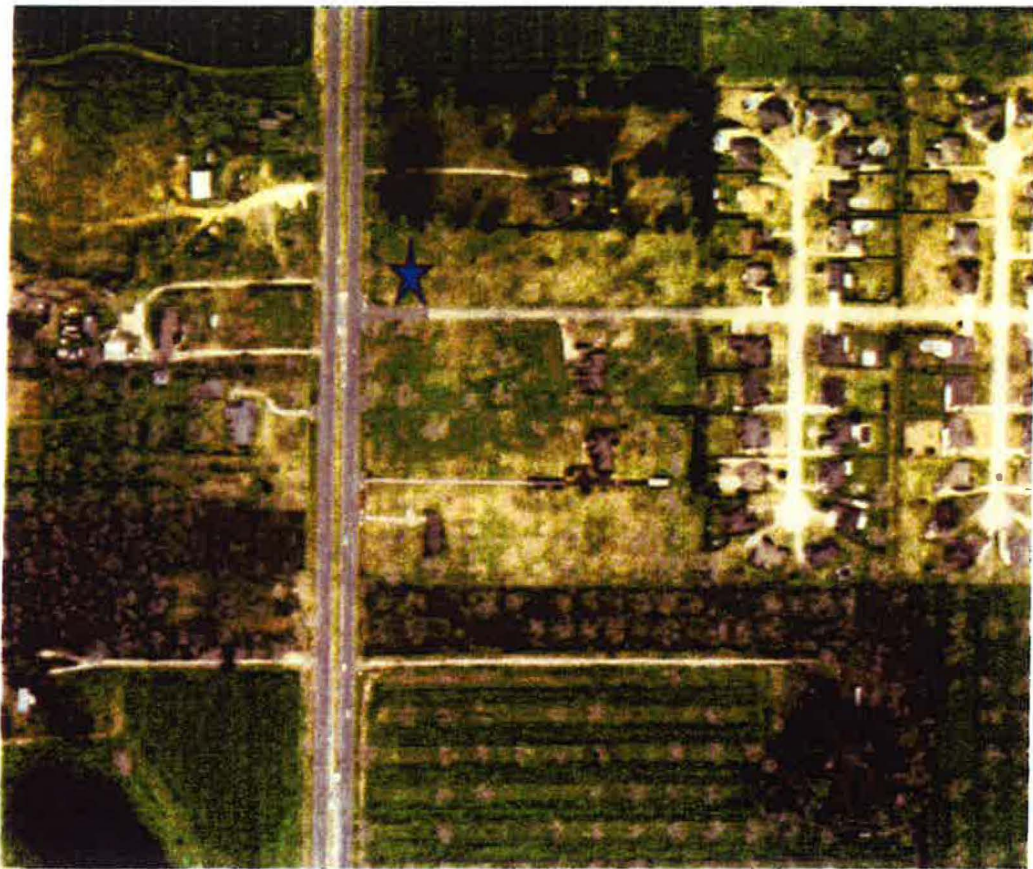
ROY & CYNTHIA WULFF TRUST
26730 State Highway 181
Daphne, AL 36526

RAYMOND BRUCE SANDERS, JR
26675 State Highway 181
Daphne, AL 36526

DANNY & DONNA PARKS
26626 State Highway 181
Daphne, AL 36526

JESSIE GRADDICK III
26615 State Highway 181
Daphne, AL 36526

PLANNING COMMISSION
PREZONING REQUEST FOR
THE CITIZENS BANK



COMMUNITY DEVELOPMENT

PREZONING REQUEST FOR THE CITIZENS BANK 1.36 acres

Owner: The Citizens Bank

Existing Conditions: 1.36 acres+/- undeveloped land

Existing Zoning: Residential Single Family (RSF-2) in Baldwin County

Proposed Zoning: B-1(A) Limited Local Business

Surrounding Zonings/Uses:

North – Residential Single Family Estate (RSF-E) in Baldwin County

South – Residential Single Family Estate (RSF-E) in Baldwin County

East – Residential Single Family (RSF-2) in Baldwin County

West – R-R, Rural Residential

Existing Utility Service Providers:

Belforest Water, Baldwin County Sewer/Daphne Utilities, AT&T, Fairhope Gas

Electric – Riviera Utilities

Affected City Service Providers:

Fire Protection-Station 3 Police Protection-Police Beat 3

Public Works

The Comprehensive Plan:

The comprehensive plan's overarching policy regarding land development encourages harmony and compatibility. **Goal:** Provide a land use plan for the City of Daphne, which supports the City's economic development, housing, transportation, and open space, recreation and education goals in a manner that maintains and promotes Daphne's unique image and quality of life. **Objective:** Encourage development of sound and cohesive residential areas which meet the housing needs of current and potential residents.

Goal: Grow sensibly by anticipating land use needs. **Objective:** Promote and manage growth on undeveloped lands in a manner that will be compatible with, and complementary to, existing adjacent developed properties.

Existing Conditions:

The subject property is a 1.35 acre lot located along Highway 181 at the northeast intersection of Belgrove Avenue. The property is zoned Residential Single Family (RSF-2) in Baldwin County. It is Lot 1 of Belle Pointe Subdivision, a 4 lot subdivision zoned RSF-2. There is a single family residence to the north and one to the south across Belgrove Avenue. This intersection is the gateway and only existing ingress/egress into the Belgrove Estates neighborhood. Belgrove Avenue is a 60-ft wide right of way which currently provides the sole access to Belle Pointe Subdivision (recorded as slide 2452-C in Baldwin County Probate Records) and Belgrove Estates (recorded as slide 1708 A & B in Baldwin County Probate Records in Baldwin County Probate Records). According to the record plat, Lot 1 of Belle Pointe has restricted road access. Although there is 125 feet of road frontage along Alabama Highway 181 the note on the record plat states the following: *"Lots abutting Highway 181 shall have access to Belgrove Avenue only."*

The Baldwin County Commission recently rezoned property in the general vicinity to commercial. Late 2016 land located west of the subject property (26675 Hwy 181) was rezoned by the Commission from RSF-E to RR, Rural Residential, to—according to the application—allow storage buildings to be sold on the parcel. There are other properties zoned commercial located north of the subject property at the intersection of Pleasant Road and Highway 181 and to the south along Highway 181, Dollar General, which is zoned B-3. These properties were zoned in 2008 with the establishment of District 15. The newest business in the area is located at 26503 State Hwy 181, southwest of the subject property. The business is Belforest Pointe Events Center and is zoned B-3.

The DISC (Daphne Innovation + Science Complex) site at the northwest intersection of Highway 181 and Champions Way is the most recently approved commercial zone on Highway 181 in the City of Daphne. The site was zoned B-3, Professional Business and annexed in 2016 (Ordinance 2016-21 and Ordinance 2016-45).

Staff Comments:

The applicant proposes to zone the property to B-1(a), Limited Local Business. According to *Ordinance 2016-39, An Ordinance Amending the City of Daphne, Alabama Land Use & Development Ordinance 2011-54, as adopted by the City Council on July 18, 2011 Creating a New Zoning District, B-1(a), Limited Local Business District*, the district might be appropriate in situations where the more extensive business districts would allow businesses that could threaten to have too adverse an impact on the surrounding neighborhood. B-1(a) was created to be a more

restrictive subset of the B-1, Local Business district. See Ordinance 2016-39 for the full list of permitted uses and conditions of the B-1(a) district.

Recommendation:

Highway 181 is spotted with commercial zoning from Highway 31 in Spanish Fort to Highway 98 in Fairhope. As a matter of natural progression, this north-south corridor that connects traffic to Interstate 65 much like Highway 98 and Highway 59 will continue to be developed for commercial usage. Commercial zoning at and near major intersections such as Highway 31 and 90, County Road 64, 104, 48 and 44 is to be expected. The territory between those intersections along Highway 181 is considered to be transitional in nature.

The subject property is in a transitional area, flowing from commercial to residential back to commercial between Highway 181 intersection with Pleasant Road and the Highway 181 intersection with County Road 64. The proposed B-1(a) zoning is one of two zoning districts that may be considered in this transitional area. B-3, Professional Business is the second option.

Consider the following Land Use & Development Ordinance excerpts from Article 12, Establishment of Districts in the decision making process of the appropriateness of both:

12-1 GENERAL PROVISIONS

The City of Daphne is hereby divided into zoning districts as described below and as shown on the official Zoning District Map, for the purpose of:

- (a) Providing a residential environment free of incompatible uses and safe from natural and manmade hazards.
- (b) Promoting, where possible, planned residential, commercial, and industrial areas in appropriate locations with appropriate standards and minimum service cost to local government.
- (c) Providing a compact convenient urban pattern for urban areas.
- (d) Providing a level of flexibility of control sufficient to promote innovation and creativity in community development and to encourage maximum living comfort and convenience at the lowest cost.
- (e) Promoting the Comprehensive Plan for the City of Daphne.

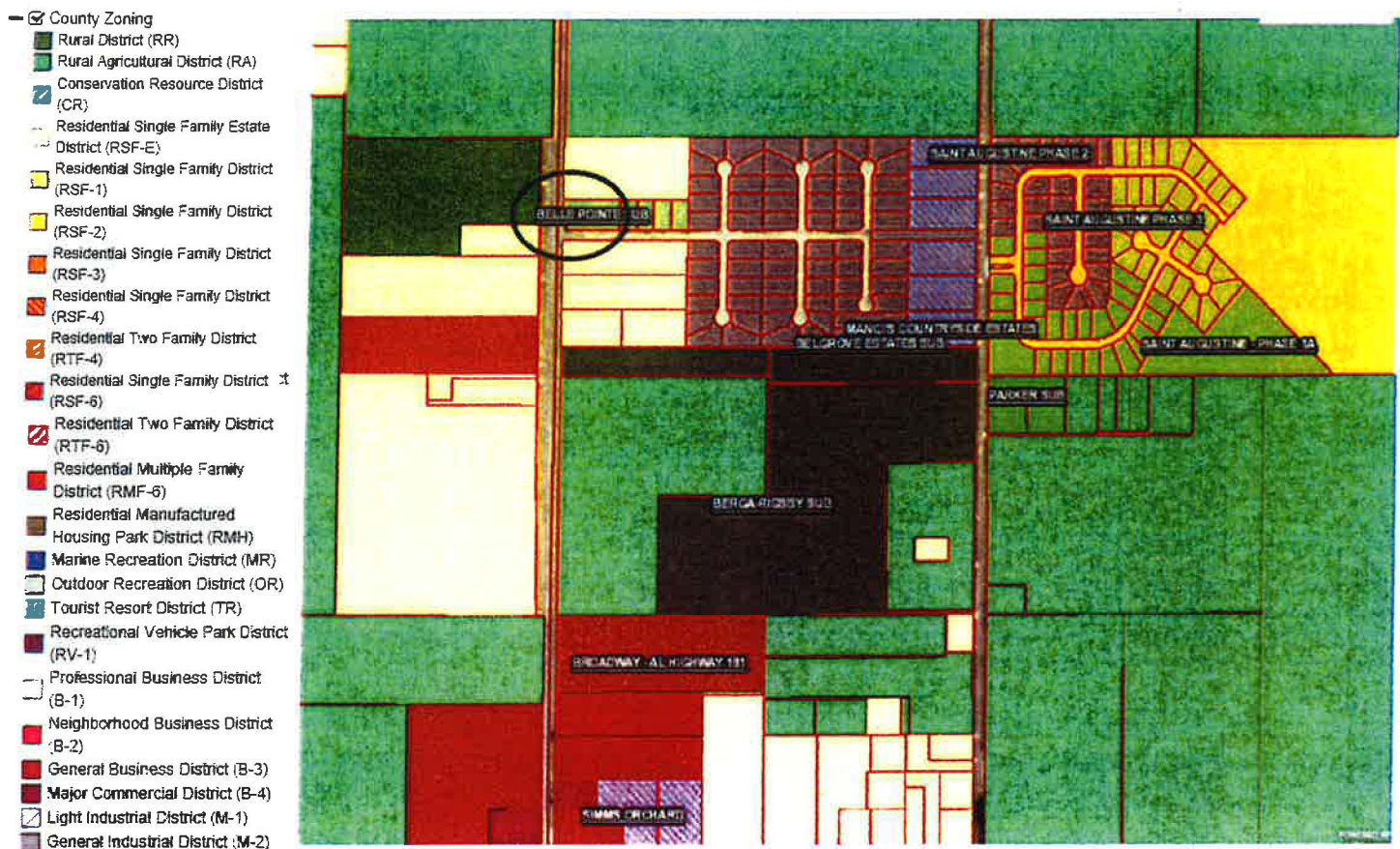
12-4 BUSINESS DISTRICTS

- (b) B-1(a), Limited Local Business District: B-1(a), Limited Local Business District: This district is intended to allow a restricted variety of small retail stores as well as

personal service establishments in or near residential neighborhoods. In general where B-1, Local Business District, is a permissible district so shall B-1(a), Limited Local Business District also be allowed. And, where B-1, Local Business District, is a prohibited district so shall B-1(a), Limited Local Business District also be prohibited.

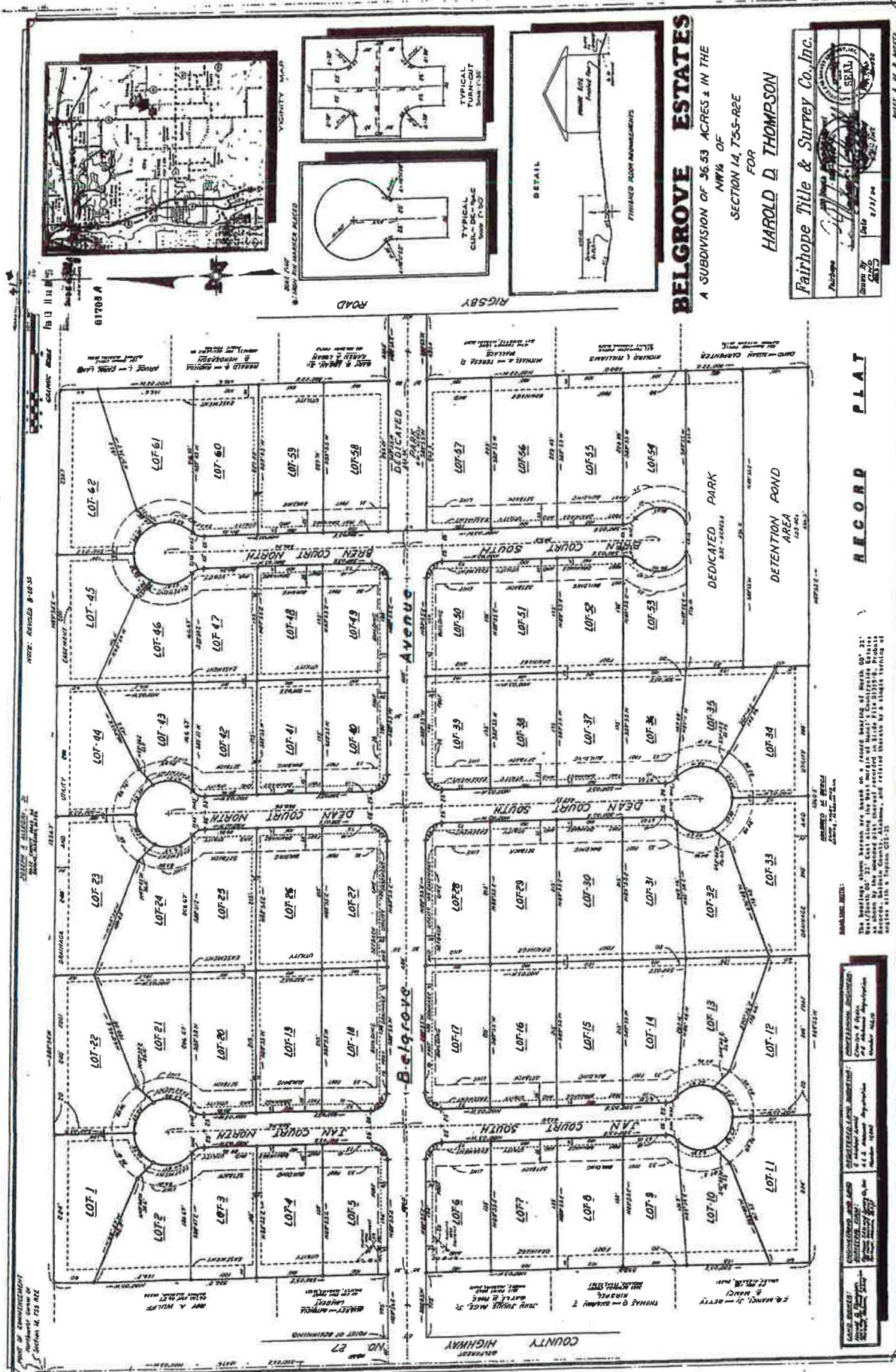
(e) B-3, Professional Business District: This district is established to provide an opportunity for business establishments of a professional nature and is restricted to offices and businesses which provide specific corporate functions or professional services to the general public, but not the sale of goods or services at retail or wholesale.

Adjoining property owner notices have been distributed 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.



25

708-1



Adjacent Subdivision

CITY OF DAPHNE

ORDINANCE NO. 2016-39

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

**CREATING A NEW ZONING DISTRICT
B-1(a), LIMITED LOCAL BUSINESS DISTRICT**

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

WHEREAS, at the special called City of Daphne Planning Commission meeting on May 5, 2016 the Commission considered certain proposed amendments to the City of Daphne Land Use & Development Ordinance, Ordinance 2011-54, and any amendments to the same and set forth a unanimous favorable recommendation to the City Council of the City of Daphne; and,

WHEREAS, the B-1(a), Limited Local Business District, is to be a more restrictive subset of the existing B-1, Local Business District, B-1(a) is a new and separate zoning district with many of the same restrictions and conditions applicable to B-1; and,

WHEREAS, the B-1(a) zone might be appropriate in situations where the more extensive business districts would allow businesses that could threaten to have too adverse an impact on the surrounding neighborhood; and,

WHEREAS, the North American Industry Classification System (NAICS), most current edition was adopted as a reference to the Land Use & Development Ordinance, Ordinance 2011-54 as amended, as an expansion of uses similar in nature, but not expressly provided in the Table of Permitted Uses; and,

WHEREAS, it is the City's intent that any proposed use that is inconsistent with the provisions of Article XXXV or uses similar in nature thereto as found in the NAICS manual shall be considered as prohibited in any B-1(a), Limited Local Business District; 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 June 20, 2016; and,

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

SECTION I: THIS SECTION HEREBY AMENDS THE LAND USE AND DEVELOPMENT ORDINANCE AS FOLLOWS:

- A. Add B-1(a), Limited Local Business District, to Section 12-2, List of Zoning Districts and Section 14-2, Uses Permitted.
- B. Add B-1(a) to Section 12-4, Business Districts, and also renumber each subsequent subsection header accordingly.

B-1(a), Limited Local Business District: This district is intended to allow a restricted variety of small retail stores as well as personal service establishments in or near residential neighborhoods. In general where B-1, Local Business District, is a permissible district so shall B-1(a), Limited Local Business District also be allowed. And, where B-1, Local Business District, is a prohibited district so shall B-1(a), Limited Local Business District also be prohibited.

- C. Add B-1(a) to Section 13-4, Requirements for lot area, width, coverage, density, height and other factors. Said requirements shall be the same standards as in a B-1, Local Business District.
- D. Add B-1(a) to Section 13-6, Minimum zoning district setback requirements. Said requirements shall be the same standards as in a B-1, Local Business District.
- E. Add B-1(a) to Section 14-17, Setbacks. Said requirements shall be the same standard as in a B-1, Local Business District.
- F. Add B-1(a) to Section 19-9, Buffer zone requirements (a)(v) as follows: Where a business district, B-1, Local Business, B-1(a), Limited Local Business, or B-3, Professional Office, abuts any part of a residential district, a ten-foot-wide buffer zone shall be required.
- G. Add B-1(a) to Section 33-10, Permitted signs as follows: (c) Wall-mounted signs: Each establishment in a shopping center or each business premises in B-1, Local Business, B-1(a), Limited Local Business, B-2, General Business, B-3, Professional, and C/I, Commercial/Industrial, districts may acquire an additional permit for a wall-mounted sign of a size not to exceed the lesser of three hundred fifty (350) square feet or thirty (30) percent of the surface frontal area of its building or portion of building.
- H. Add B-1(a) to 33-11, Schedule of permitted sign requirements. Said requirements shall be the same standard as in a B-1, Local Business District.
- I. Add B-1(a) to Section 36-16, Setbacks. Said requirements shall be the same standard as in a B-1, Local Business District.

SECTION II: THIS SECTION HEREBY ADDS TO AND AMENDS LAND USE AND DEVELOPMENT ORDINANCE ARTICLE XXXV, PERMITTED USES AND CONDITIONS AS FOLLOWS:

- A. Add B-1(a), Limited Local Business District, to the List of Districts in Section 35-2, List of districts and cross reference for R-4 designation.
- B. Amend Section 35-3, Permitted Uses & Conditions Table, to permit in B-1(a), Limited Local Business District, the following uses **as permissible by right**:

Accessory buildings and uses, when located on the same lot or parcel as the principal structure or use and customarily incidental thereto, provided the requirements in all pertinent sections of this Ordinance are met;

Apparel and accessory store; Appliance store; Art gallery or museum; Art supplies; Bakery, retail; Barber shop or beauty parlor; Book store; Camera and photographic supply store; Candy, nut and confectionery store; Catering shop or service; Churches and related accessory buildings; City Hall, police station, fire station, courthouse, federal office building and similar public building; Club or lodge, fraternal, civic, charitable or similar organization, public or private, but not including any such club, lodge or organization, the chief activity of which is a service or product customarily carried on as a business; Dairy products sales; Delicatessen; Drug Store; Dry goods or fabric store; Employee credit union office; Floor covering sales and service; Floral shop;

Fruit and produce, retail; Gift shop; Grocery store, retail; Hardware store, retail, wholesale, storage and sales; Hobby shop and supply store; Home occupation; Ice cream parlor; Interior decorating shop; Laboratory, medical or dental; Laundry, self-service; Laundry, and dry cleaning pick-up station; Leather goods or luggage goods store; Library; Loan office; Locksmith; Music store; News stand; Office buildings, general; Office buildings, professional; Office equipment and supplies, retail; Optician; Paint and wallpaper store; Photographic studio and/or processing; Shoe repair shop; Shoe store, retail; Sporting goods store; Studio for dance or music; Studio for professional work or teaching of fine arts such as photography, drama, speech and painting; Tailor shop; Toy store; Variety store.

C. Amend Section 35-3, Permitted Uses & Conditions Table, to permit in B-1(a), Limited Local Business District, the following uses as permissible upon approval of the Planning Commission:

Ambulance/EMS service; Bank, including drive-in bank; Cafe, grill, lunch counter and drive-in restaurant, and restaurant but not including night club, bar, tavern; Clinic, dental, medical or psychiatric for humans; Dry cleaning shop, including self-service; Fix-it shop, including small appliance repair; Funeral home, mortuary or undertaking establishment; Gymnasium, commercial; Printing, blueprinting, bookbinding, photostating, lithographing and publishing establishment; Temporary uses, including revival tents, sale of Christmas trees, carnivals, sale of seasonal fruit and vegetables from roadside stands, and similar uses, for a period not to exceed four (4) weeks in any calendar year; Art sculptures, statues, monuments; Business machines sales and service; Business school or college; College or university, provided that they are located on a lot fronting on an arterial street or road and that no building is located within 100 feet of any property line; Electric power substation; need not be enclosed within a structure, but must be secured by a chain link or similar fence, or raised above ground so as to be inaccessible to unauthorized persons; requires visual screen in most districts; Clinic, convalescent or nursing home, extended care facility or sanitarium for humans; Natural preservation areas including bird and wildlife sanctuaries, nature and hiking trails; Post office; Telephone exchange; Theater, indoor.

D. Amend Section 35-3, Permitted Uses & Conditions Table, to permit in B-1(a), Limited Local Business District the following uses as permissible upon approval of a Special Exception:

Pet shop; Picture framing and/or mirror silvering; Tourist home

All other sections, articles and/or content of the City of Daphne Land Use and Development Ordinance shall remain the same and shall be unchanged by this ordinance.

SECTION III: CONFLICT WITH OTHER ORDINANCES

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

SECTION IV: SEVERABILITY

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

SECTION V: EFFECTIVE DATE

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 5TH DAY OF JULY, 2016.



Dane Haygood, Mayor

ATTEST:



Rebecca A. Hayes, City Clerk

**PUBLIC COMMENTS
SUBMITTED TO THE
PLANNING COMMISSION**

June 12, 2017

To: City of Daphne Planning Commission
1705 Main Street
Daphne, Alabama 36526

From: Belle Pointe and Belgrove Estates' Homeowners
Daphne, Alabama 36526

Subject: PROTEST PETITION TO COMMERCIAL REZONING BY CITIZENS BANK OF LOT 1 AT THE INTERSECTION OF BELGROVE AVENUE AND HIGHWAY 181

Parcel Identification Number: 05-43-06-14-0-000-003.002.

We, the undersigned owners of property affected by the requested zoning change, do hereby protest against any change in the zoning, which would zone the property to any classification other than RSF-2 Single Family District. We protest this application for rezoning for the following reasons:

The property is most suitable as a residential space as demonstrated by the many families that live in Belgrove Estates off Belgrove Avenue, as well as the contiguous residential lots 2,3,4 and 5 in Belle Pointe Subdivision. It is vital that the property remain as is currently zoned since it is located at the main entrance of Belgrove Estates and on Belgrove Avenue, which is the only egress and ingress to Belle Pointe and Belgrove Estates Subdivisions. Traffic flow and traffic safety would be a major factor affecting both subdivisions if the zoning were changed to B-1(a). Additionally, the proposed commercial zoning aligned with four residential sites (Belle Pointe Subdivision) all to be completed on 1,056 feet (1/5 mile) of road frontage constitutes economic obsolescence as this zoning would alter the image of and undermine the character of our neighborhood adversely impacting overall community property values. There is no compensation for loss in property value resulting from zoning ordinances of this nature. Lot 1, the parcel of land requested to be rezoned by Citizens Bank constitutes 46% of the subdivision in Belle Pointe Subdivision (See Plat attached) Additionally, there are no other commercial buildings located on Highway 181 at the entrance of a subdivision.

The re-zoning application of a parcel of land to a classification that differs from the general surrounding area would be solely in the interest of the applicant. Singling out a small parcel of land for a use entirely different from that of the surrounding area could only be for the benefit of the owner of such property and to the detriment of other surrounding property owners. (Belgrove Estates is contiguous to Belle Pointe Subdivision) The proposed commercial development is not consistent with the adjacent existing development as they are all zoned residential.

As demonstrated, there are absolutely no compelling reasons to consider a zoning change. In fact, there is substantial evidence that to rezone the property would be unconscionable. We strongly urge you to do what is best for the residents of Belgrove Estates and Belle Pointe, Baldwin County, Daphne, Alabama, by opposing the rezoning of this property, thus preserving the character of our neighborhoods, their property values and the safety of our residents. (The request to have this parcel of land rezoned to commercial by Colony Homes was heard by the Baldwin County Planning Commission on May 7, 2015 at which time the Commission voted to recommend denial of the request based on access being limited to Belgrove Avenue, as well as strong opposition from the neighboring residents.) The zoning request by Citizens' Bank was denied by the Bay Minette Commission in April, 2017 and Citizens Bank is currently suing Baldwin County over the decision.) We do thank you for your time and consideration in this matter.

We, the undersigned residents of Belgrove Estates and Belle Pointe, oppose the rezoning and commercial development of the property located at the northeast intersection of Belgrove Avenue and Highway 181.

Baldwin County Commission
c/o Baldwin County Planning & Zoning Department
22251 Palmer Street
Robertsdale, Alabama 36567
Re: Case No. Z-17009, Citizens Bank Property

Dear Commissioners,

I am writing to you as a 14-year resident of Belgrove Estates who is unable to attend the April 4, 2017, meeting due to my employment. On behalf of all the residents of Belgrove Estates and the residents and future residents of Belle Pointe Subdivision, I would like to express my sincere hope that you will agree with the recommendation of the Planning & Zoning Board to deny the B-2 zoning sought for Lot 1 and keep it zoned as RSF-2.

Belgrove Estates is one of the original subdivisions located on the former County Road 27 corridor in the Belforest area. It represents a stable, established community of citizens, many of whom have resided there since its inception. For over a decade we have witnessed firsthand the impending growth of this area, and while we do not wish to impede the wave of progress, we would obviously like to preserve the residential character of Belgrove Avenue, beginning with the entrance to our two subdivisions. Our neighbors frequently utilize this entire street to walk for exercise and enjoyment, and our children and grandchildren ride bicycles and get on and off the school bus on this road. We feel that putting any type of business in Lot 1 would increase vehicle and delivery truck traffic through our entire neighborhood, thereby limiting our use and enjoyment of our property, as well as our sense of safety and security.

The fact of the matter is that Belle Pointe Lot 1 has never been actively marketed as a residential home site by any developer. When the subdivision and RSF-2 designation were granted only a couple of years ago, Colony Homes immediately sought to rezone it as B-1 in a vain attempt to either "flip" the lot in order stay afloat or increase their borrowing ability to try and remain solvent. I believe there are options for situating a home on this lot that would place it farther from Highway 181 than the two end homes in Sommerset once their property was taken to accommodate increasing the road to four lanes. There is also a recently constructed residential home farther north that fronts the road and has access directly on 181.

With these facts in mind, I implore you to give the Belle Pointe Subdivision a chance to succeed as originally granted, with the highest and best use being residential, and not to punish the long-time residents of this area for the poor financial decisions of Colony Homes. I also thank you for your service and dedication to the citizens of Baldwin County.

Highest regards,



Deanna Jones

D Hart

From: Derek Douglas <derekrdouglas@gmail.com>
Sent: Wednesday, February 01, 2017 3:01 PM
To: D Hart
Subject: Rezoning Lot 1 Belle Pointe Belgrove Ave

Dear Ms. Hart

I am writing to ask that you deny the request to rezone Lot 1 of Belle Pointe subdivision. We are against the commercial zoning since we live in Belle Pointe Subdivision (Lot 5) and have 3 small children under the ages of 4. The zoning would affect our family's quality of life, our children's safety, and without a doubt, cause a decline in our property value. Who wants to live 4 lots down from a commercial building? We bought this house less than 2 years ago with the assurance that it would be all residential homes. Our main concerns are our children and their having to grow up in a subdivision with a commercial building located in it. Belle Pointe Subdivision is only 1/5 mile so the presence of a commercial building would ruin the landscape of this small strip of residential parcels. This would be the only subdivision with a commercial building at its entrance if it were to be approved. We strongly oppose this rezoning and ask that you deny it based on what is equitable for the homeowners who live off Belgrove Avenue.

Thank you for your consideration.

Sincerely,
Derek and Natalie Douglas

<u>RESIDENT NAME</u>	<u>ADDRESS</u>
1. <u>Mrs. Donald Williams</u>	<u>10174 Belgrave Ave Al 36526</u>
2. <u>William Williams</u>	<u>10174 belgrave ave Daphne AL 36521</u>
3. <u>Helen W. in</u>	<u>10174 belgrave ave Daphne AL 36526</u>
4. <u>Peggy Hayda</u>	<u>26607 Jan Court S 36526</u>
5. <u>Paul Hayda</u>	<u>26607 Jan Court S</u>
6. <u>Charles Anderson</u>	<u>26607 Jan Court S</u>
7. <u>Patricia Croft</u>	<u>26591 Jan Ct. S.</u>
8. <u>Gale Croft</u>	<u>26591 Jan Ct. S.</u>
9. <u>Thomas Croft</u>	<u>26591 Jan Ct. S.</u>
10. <u>Mr. & Mrs. Mack Basaye</u>	<u>26579 Jan Ct. South</u>
11. <u>Mr & Mrs. James Blubagh</u>	<u>26606 Jan Court South</u>
12. <u>Kaitlyn Blubagh</u>	<u>26606 Jan Court South</u>

RESIDENT NAMEADDRESS

1. Mr. & Mrs. MacGowan 26728 Jan Ct. N. Daphne, AL 36526
2. Mr. & Mrs. Michael Findley 26694 Jan Ct. N. Daphne, AL 36526
3. Sarah Beth Findley 26694 Jan Ct N, Daphne, AL 36526
4. Donna & Eric Nicholas 26744 Jan Ct N. Daphne, AL 36526
5. Louis Minton/Dawn Minton 26709 Jan Ct. N. Daphne, AL 36526
6. Cathy & Ken Lushby 26729 Jan Ct North Daphne AL 36526
7. Yvonne & Ray Craig 26739 Jan Ct N Daphne AL 36526
8. Scott & Judy Chappin 26741 Jan Ct N. Daphne, AL 36526
9. Marina Hodge 26652 Jan Ct. N Daphne 36526
10. M. & Mrs. Roy Wall 26730 State Hwy 181, Daphne 36526
11. Ray Loebe 26730 State Hwy 181, Daphne 36526
12. Robert F. Dawson 26730 Jan Ct. Daphne 36526

13. John P. Williams 10204 Belgrove Ave
Scott/Denise Farmer 26626 Jan Ct. South
14. Mr and Mrs. Jack R. Brown 26592 Jan CTS
15. Mrs. Michael Donaldson 26564 S Jan Ct
16. Kathleen Tryjinski 26580 Jan Ct. S.
17. Richard Tryjinski 26580 Jan Ct. S.
Lydia Bridges
Wendy Krish
18. George F. Rush 26631 Jan Ct S
19. A. L. Wilh 10204 BELGROVE AVE
20. _____
21. _____
22. _____
23. _____
24. _____
25. _____
26. _____
27. _____

RESIDENT NAME**ADDRESS**

1. Bill & Darlene Sommer 26692 Dean Ct N Daphne AL 36526
2. Joe & James Luffman 26728 Dean Ct Daphne AL 36526
3. Frank & Margaret Jones 26750 Dean Ct No.
4. David & Catherine Adkins 26740 Dean Ct. N.
5. Michael & Sarah Strand 26731 Dean Ct N
6. Charles P. Warden 26727 Dean Court N Daphne, AL 36526
7. James Igh 26685 Dean Ct. N. Daphne 36526
8. John & Clarence Burgess 10297 Belgrove Ave Daphne 36526
9. Rebecca Bays Stern Wright 26709 Bren Ct Daphne 36526
10. Ronald E. Fletcher 26707 Dean Ct N Daphne, 36526
11. M/n Tony & Della Sanchez 26745 Dean Ct. N. 36526
12. T _____

RESIDENT NAME**ADDRESS**

1. Marcie & Lisa Williams 26606 Dean Ct. S. Daphne, AL 36526
2. Akron Williams 26606 Dean Ct. S. Daphne, AL 36526
3. Kim & Brad Pitt 10272 Belgrave Ave. Daphne AL 36526
4. Taylor Pitt 10272 Belgrave Ave Daphne AL 36526
5. Mark & Jane Blanda 26625 Dean Court S. Daphne, AL 36526
6. Kara & Joe Rose 26593 Dean Ct. S. Daphne AL 36526
7. Will & Lisa Scott 26583 Dean Court S. Daphne AL 36526
8. Mike & Anne Clements 26575 Dean Ct. S. Daphne, AL 36526
9. Susan J. Ames 26580 DEAN CT S, Daphne AL 36526
10. Kim & Kenneth Bertagnoli 26594 Dean CTS Daphne AL 36526
11. Joey & Kristi Laster 26643 Dean CTS, Daphne 36526
12. Robert & Julie
Greenhouse 26626 Dean Ct S. Daphne, 36526

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

**Ordinance to Pre-Zone Property Located
Northeast Corner of Belgrove Avenue and Alabama Highway 181
The Citizens Bank**

WHEREAS, The Citizens Bank 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 District 15, in the extraterritorial planning jurisdiction of the City of Daphne, to be pre-zoned as B-1(a), Limited Local Business District, prior to annexing into the City of Daphne; and

WHEREAS, said real property is Northeast Corner of Belgrove Avenue and Alabama Highway 181, and more particularly described as follows:

Legal Description for Pre-zone:

LOT 1, BELLE POINTE SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED IN SLIDE NUMBER 2452-C AND CONTAINING 1.36 ACRES MORE OR LESS AND LYING IN SECTION 14, TOWNSHIP 5 SOUTH, RANGE 2 EAST IN THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.

WHEREAS, at the regular Planning Commission meeting on June 22, 2017, the Commission considered said request and set forth an unfavorable recommendation for B-1(a), Limited Local Business District; 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 August 21, 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-1(a), Limited Local Business District. 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 District 15, in the extraterritorial planning jurisdiction of the City of Daphne.

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 _____, 20_____.

Dane Haygood,
Mayor

ATTEST:

Candace G. Antinarella,
City Clerk

THE CITIZENS BANK

PRE-ZONING AND ANNEXATION

NORTHEAST CORNER OF ALABAMA HIGHWAY 181 AND BELGROVE AVENUE
BALDWIN COUNTY, ALABAMA

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY TO BE PRE-ZONED AS B-1(A) AND ANNEXED
TO THE CITY OF DAPHNE:

BEING MORE PARTICULARLY DESCRIBED AS:

LOT 1, BELLE POINTE SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED
IN SLIDE NUMBER 2452-C AND CONTAINING 1.36 ACRES MORE OR LESS AND
LYING IN SECTION 14, TOWNSHIP 5 SOUTH, RANGE 2 EAST IN THE RECORDS IN
THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.

2452-C

43

"Exhibit B"

452-C

1202344
SLIDE 00042-4

CERTIFICATION OF OWNERSHIP AND RESIDENCE
I, William R. New, of the County of Alameda, State of California, do hereby certify that the above described property is the property of William R. New, and that he is the owner thereof.

CERTIFICATION OF APPROVAL BY THE COUNTY ENGINEER
I, Carl M. Smith, of the County of Alameda, State of California, do hereby certify that the above described property is the property of William R. New, and that he is the owner thereof.

CERTIFICATE OF APPROVAL BY S-911 ADMINISTRATOR
I, Donald J. Anderson, of the County of Alameda, State of California, do hereby certify that the above described property is the property of William R. New, and that he is the owner thereof.

CERTIFICATE OF APPROVAL BY ELECTRIC COMPANY (POWER UTILITY)
I, Robert A. Cook, of the County of Alameda, State of California, do hereby certify that the above described property is the property of William R. New, and that he is the owner thereof.

CERTIFICATE OF APPROVAL BY FIRE DEPARTMENT
I, William R. New, of the County of Alameda, State of California, do hereby certify that the above described property is the property of William R. New, and that he is the owner thereof.

OWNER'S NOTES
1. The above described property is located in the City of Alameda, State of California.
2. The above described property is located in the City of Alameda, State of California.
3. The above described property is located in the City of Alameda, State of California.
4. The above described property is located in the City of Alameda, State of California.
5. The above described property is located in the City of Alameda, State of California.

DEED DATA
Grantor: William R. New
Grantee: William R. New
Date: 10/1/1990
County: Alameda
City: Alameda
Tract: 10/1/1990
Page: 1

POINT OF BEGINNING
The point of beginning is located at the intersection of the north line of the above described property and the east line of the above described property.

To: Office of the City Clerk
From: Adrienne D. Jones, ^{AD}
Director of Community Development
Subject: The Citizens Bank, Annexation Petition
Date: June 26, 2017

MEMORANDUM

PRESENT ZONING: RSF-2, Single Family District,
Baldwin County Exterritorial
Planning Jurisdiction

PROPOSED PRE-ZONING: B-1(a), Limited Local Business

LOCATION: Northeast corner of Alabama Highway
181 & Belgrove Avenue

RECOMMENDATION: At the Thursday, June 22, 2017,
regular meeting of the Daphne
Planning Commission, eight members
were present, and the motion carried
to annex said property.

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

Upon receipt of said documentation, please prepare an
ordinance for placement on the City Council agenda to set
a public hearing for August 21, 2017.

Thank you,
ADJ/jv

attachment(s)

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

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

(_____)
The undersigned corporation, The Citizens Bank, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, Lot 1 Belle Pointe Subdivision, 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 the 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, The Citizens Bank, 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 include specifically the conditions requested below upon annexing the said property into the corporate limits of the City of Daphne.

Requested zoning, if other than R-1: B1 A

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 11th day of May, 2017

Respectfully submitted,

The Citizens Bank

Name of Corporation

By: [Signature]

Its: Senior Vice President

STATE OF ALABAMA
COUNTY OF BALDWIN

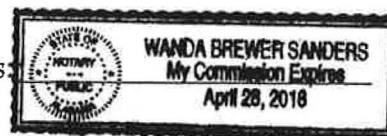
I, Wanda Brewer Sanders the undersigned Notary Public in and for said county and state, hereby certify that Paul H Davis whose name as Senior Vice President of The Citizens Bank, an Alabama corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 11 day of May, 2017.

Wanda Brewer Sanders

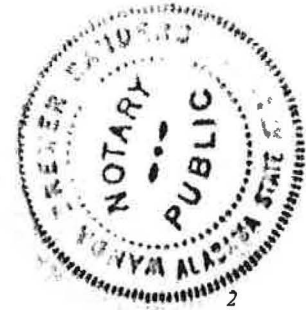
NOTARY PUBLIC

My commission expires



Corporation's Address

104 South Section Street
Fairhope, Al 36532



ADDITIONAL INFORMATION

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

Initials: GA

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: GA

We certify that the property is a single or multiple parcels under single or multiple ownership.
Circle appropriate response:

Initials: GA

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: GA

SELECT ONE OF THE FOLLOWING OPTIONS

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

Initials: GA

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 11th day of May, 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 1.36 +/-

Subdivision Name Belle Pointe Subdivision Lot Number(s) 1

Names and Signature of ALL property owners OR principle of corporation's designee:

Signature: [Signature] Signature: _____

Printed Name: Paul H. Davis Printed Name: The Citizens Bank

Mailing Address: P.O. Box 1249 Mailing Address: _____

Fairhope, AL 36533

THE CITIZENS BANK

PRE-ZONING AND ANNEXATION

**NORTHEAST CORNER OF ALABAMA HIGHWAY 181 AND BELGROVE AVENUE
BALDWIN COUNTY, ALABAMA**

EXHIBIT "A"

**LEGAL DESCRIPTION OF PROPERTY TO BE PRE-ZONED AS B-1(A) AND ANNEXED
TO THE CITY OF DAPHNE:**

BEING MORE PARTICULARLY DESCRIBED AS:

**LOT 1, BELLE POINTE SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED
IN SLIDE NUMBER 2452-C AND CONTAINING 1.36 ACRES MORE OR LESS AND
LYING IN SECTION 14, TOWNSHIP 5 SOUTH, RANGE 2 EAST IN THE RECORDS IN
THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.**

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 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.

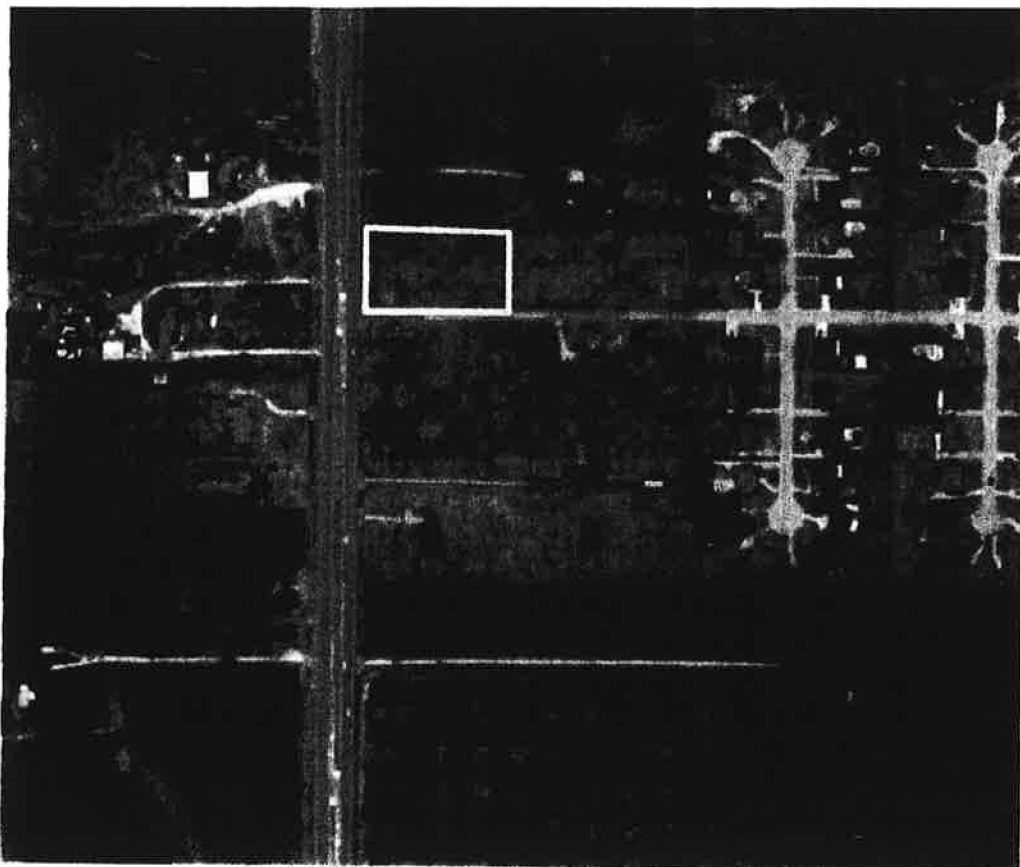
(e) Section 6-5-127 shall be applicable to any property pre-zoned pursuant to this section.

(Act 2009-629, p. 1926, §1.)

PLANNING COMMISSION
ANNEXATION REQUEST FOR
THE CITIZENS BANK



The Jubilee City



**COMMUNITY DEVELOPMENT
ANNEXATION REQUEST**

**Annexation of The Citizens Bank Property
1.36 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 provided 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.

REQUEST

The applicant has requested to annex the subject property into the city limits and has presented a request to pre-zone the land to B-1(A), Limited Local Business. The land is located along the east side of Highway 181, north of the intersection of Belgrove Avenue.

RECOMMENDATION

The Comprehensive Plan encourages expansion and annexation of land contiguous to the existing corporate limits. **Staff recommends approval of the request to annex this land into the City of Daphne.**

Associated Application-PZA17-06 Pre-zone 1.36 acres to B-1(A), Limited Local Business zone.

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

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

**Northeast Corner of Belgrove Avenue and Alabama Highway 181
The Citizens Bank**

WHEREAS, on the 11th day of May, 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 August 21, 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 June 22, 2017, and the Commission set forth a 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 August 21, 2017 regularly scheduled City Council meeting Ordinance 2017-__ was adopted pre-zoning the said property as B-1(a), Limited Local 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:

LOT 1, BELLE POINTE SUBDIVISION, AS PER MAP OR PLAT THEREOF
RECORDED IN SLIDE NUMBER 2452-C AND CONTAINING 1.36 ACRES
MORE OR LESS AND LYING IN SECTION 14, TOWNSHIP 5 SOUTH,
RANGE 2 EAST IN THE RECORDS IN THE OFFICE OF THE JUDGE OF
PROBATE OF 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

Candace G. Antinarella,
City Clerk

THE CITIZENS BANK

PRE-ZONING AND ANNEXATION

**NORTHEAST CORNER OF ALABAMA HIGHWAY 181 AND BELGROVE AVENUE
BALDWIN COUNTY, ALABAMA**

EXHIBIT "A"

**LEGAL DESCRIPTION OF PROPERTY TO BE PRE-ZONED AS B-1(A) AND ANNEXED
TO THE CITY OF DAPHNE:**

BEING MORE PARTICULARLY DESCRIBED AS:

**LOT 1, BELLE POINTE SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED
IN SLIDE NUMBER 2452-C AND CONTAINING 1.36 ACRES MORE OR LESS AND
LYING IN SECTION 14, TOWNSHIP 5 SOUTH, RANGE 2 EAST IN THE RECORDS IN
THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.**

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
JULY 10, 2017
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

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

Present were:

Chairman Pat Rudicell
 Councilwoman Mrs. Conaway
 Councilman Joel Coleman
 Councilman Doug Goodlin

Councilman Ron Scott
 Councilman Robin LeJeune
 Councilman Joe Davis

Finance Director Kelli Kichler, Senior Accountant Suzanne Henson, Human Resource Director Vickie Hinman, Revenue Officer Jamie Smith, Mayor Dane Haygood, and City Attorney Patrick Dungan.

Also Present:

Public Works Director Richard Johnson,
 Civic Center Director Margaret Thigpen,
 City Clerk Candace Antinarella

Police Captain Jud Beedy,
 and Engineer Scott Hutchinson, HMR, LLC.

II. PUBLIC PARTICIPATION

A. Mobile Bay Natural Estuary Program – Community Grant Contribution – Ms. Roberta Swan

Ms. Roberta Swan noted that the Mobile Bay Natural Estuary Program (MBNEP) City has been a partner since 1998 and to date the City has contributed/invested a total of \$176,300. Ms. Swan reviewed the MBNEP's relationship and services provided to the City of Daphne since 1997 including projects MBNEP had worked on as a result of grant monies obtained.

Year	City of Daphne	MBNEP Funded Activities	Daphne Specific Activities Supported
1997			
1998	3,200.00		
1999	3,200.00		
2000			
2001	2,600.00		
2002			
2003			
2004			
2005	3,000.00		
2006	3,800.00		
2007	3,000.00	10,000.00	Village Point Park Invasive Species Removal
2008	3,000.00		
2009	3,000.00	125,000.00	D'Olive Watershed Management Plan
2010	3,000.00	15,000.00	LID Incentives Program
		20,000.00	D'Olive Watershed Plan Implementation
2011	3,000.00	645,600.00	ADEM Grant - Joe's Branch restoration
		200,000.00	ALDOT Grant- Joe's Branch restoration
2012	10,000.00		
	500.00	4,000.00	Alligator Alley
		105,850.00	CAST- Stormwater Campaign
2013	10,000.00	15,000.00	Stormwater Education Video
2014	5,000.00		
2015	10,000.00	64,963.00	ADEM Grant - Joe's Branch restoration additional funding
2016	30,000.00		D'Olive Watershed Restoration
		6,781,000.00	D'Olive Watershed Restoration
		5,587,501.00	D'Olive Watershed Restoration additional funding
		90,000.00	Invasive Species Control at Joes Branch
		5,800.00	Educational Signage located at Gator Alley
		17,344.00	Joes Branch Step Pool Maintenance
2017	30,000.00	77,050.00	Joe's Branch Step Pool Maintenance, Cont. D'Olive Watershed Restoration
Subtotal	126,300.00		
2018	50,000.00		D'Olive Watershed Restoration; support of City MS4 requirements
Grand Total	176,300.00	13,764,108.00	\$109. ROI

Ms. Swan noted that the MBNEP had just passed an audit performed by the National Fish and Wildlife. Discussion continued on the \$50,000 appropriation requested. Ms. Swan stated the \$50,000 is requested for operations to help work with property owners, marketing and education such as public service campaigns. Ms. Swan explained that the MBNEP was created as a part of the Clean Water Act and is a program under the environmental Protection Agency. Ms. Swan noted MBNEP receives funding each year (\$600,000) from the EPA which requires a match. Mr. Rudicell asked what the other two surrounding municipalities contribute to the MBNEP. Ms. Swan answered that the City of Fairhope and Spanish Fort both contribute \$5,000 annually. Mrs. Campbell discussed recent projects that MBNEP has helped fund. Discussion continued on the funding request being included in the FY2018 Budget. Discussion continued that some of the previous appropriations had come from the Lodging Tax Fund. Mr. Davis noted he was in favor of this appropriation but he wanted to remind everyone about the current projects that are being funded out of the Lodging Tax Fund and that this request should come from another source.

MOTION BY Mr. Scott to recommend for the appropriation request from Mobile Bay Estuary Program in the amount of \$50,000 be considered in the FY2018 Budget Proposal. Seconded by Mr. Coleman.

MOTION CARRIED UNANIMOUSLY

B. Eastern Shore Chamber of Commerce – Community Grant Contribution – Ms. Casey Williams

Ms. Williams reviewed how the Chamber of Commerce promotes the City of Daphne and the various projects they were working on. Mayor asked how long the dues had been \$6,000. Mr. Scott said as long as he could remember and noted at least for the last 12 years. Discussion continued on the Jubilee Festival. Ms. Williams reviewed new changes the Chamber is working on for the Jubilee Festival this year. Mr. Scott discussed other area festivals and their process for requesting donations from visitors of the festival. Discussion continued on Fairhope's Arts and Crafts festival and the Chambers role in that festival. Ms. Williams discussed the Students Steps program where 265 students were designated as high risk to drop out of school with 36 of those students being from Daphne High School. Mrs. Williams discussed how the Chamber interacts with these students to help keep them in school and guide them to help them make decisions for their future. Ms. Williams stated she was talking to six travel magazines right now and they want to travel here to tour Daphne, Spanish Fort and Fairhope. Mr. LeJeune expressed concerns on the \$15,000 contribution since the Chamber also represents the businesses and noted perhaps the dues amount should be increased. Ms. Williams explained that the Chamber is 1,000 members strong and feels the Chamber connects the Cities and the businesses and provides information.

MOTION BY Mr. Davis to recommend for the appropriation request from Eastern Shore Chamber of Commerce in the amount of \$15,000 be considered in the FY2018 Budget Proposal in addition to the annual dues of \$6,000. Seconded by Mr. Scott.

MOTION CARRIED UNANIMOUSLY

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were approved.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Vickie Hinman reviewed the Human Resource Report including open position status.

Positions

Mechanic
Executive Assistant
Building Inspector
Police Dispatcher
Police Officer (3)
Municipal Operations Director

Status

2nd Posting Deadline 6/28/17
Reviewing Applications
Reviewing Applications
Testing 7/27/17
Testing 7/25/17
Interviewing

PSW, Sr. Street	Interviewing
Building Maintenance Tech.	Interviewing
Facilities Manager	Interviewing
Administrative Secretary (Police)	Oral Board 7/18/17
AV Technician (Library)	Background
Administrative Asst. (Police)	DOP: 6/29/17
City Clerk	DOH: 6/20/17
Firefighter	DOH: 7/6/2017
Fitness Associate (PT)	DOH: 6/15/2017

Safety Committee

Next Safety Committee meeting: August 2 @ 10:00 a.m. The committee discussed and reviewed free Safety training videos available online for employees. The videos are available through AMIC. All employees with access to a computer may view the training video and receive a certificate after completion. Recreation, Library and Civic Center were inspected by the Fire Marshall - No problems to report with these facilities.

Other HR projects/meetings/events:

- Volunteers being trained at receptionist desk
- Updating badges for employees
- Benefits Fair Planning Committee meetings - Event is on July 26
- Cross Training – RSA
- Preparing for Open Enrollment - August

Mrs. Hinman reviewed the status of the open positions and discussion was made on several positions. Discussion was made on the Facilities Manager. The Mayor and Mr. Johnson discussed the skill set needed for this position. Mr. Johnson noted that the pay range is not attracting the skillset the City needs for this position. Mr. Scott asked if Archer had looked at the application submittals received as a result of pay range for the pay grade they approved. Mr. Davis requested that Human Resources contact Archer and advise them of this issue and discuss moving this position to a higher grade.

Mrs. Hinman reminded everyone that the Annual Benefits Fair will be held on July 26th at the Civic Center and all Council and employees are invited.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – June, 2017

Mrs. Smith reviewed the following reports and information:

- Code Enforcement issued 15 warnings, resulting in businesses becoming compliant and \$2,301.50 in Revenue.
- New Businesses with a physical location in Daphne - 13

BUSINESS LICENSE COUNT through 6/30/2017	
Issued THIS MONTH:	
NEW Licenses (2 included with PRIOR YEAR)	44
RENEWAL Licenses (2017)	39
PRIOR YEAR Licenses (2016 and Prior)	2
Total Issued THIS MONTH	85
Total Issued THIS MONTH - PREVIOUS YEAR	130
Net Gain/-Loss Current VS Previous Yr MONTH	-45
Total Issued YTD 2017	4,302
Total Issued YTD - PREVIOUS YEAR	4,362
Net Gain/-Loss Current VS Previous Yr YTD	-60

Business License Fee Historical Comparison 2016 / 2017				
	FY 16	FY 17	+/- Previous Year	Budget 2017 \$2,045,000
October	\$5,892.75	\$7,103.71	\$1,210.96	(\$2,037,896.29)
November	\$7,656.25	\$11,604.68	\$3,948.43	(\$2,026,291.61)
December	\$7,656.25	\$33,347.73	\$25,691.48	(\$1,992,943.88)
January	\$1,236,825.76	\$1,301,664.28	\$64,838.52	(\$691,279.60)
February	\$615,428.56	\$603,134.76	(\$12,293.80)	(\$88,144.84)
March	\$90,794.16	\$154,190.39	\$63,396.23	\$66,045.55
April	\$39,137.36	\$42,906.33	\$3,768.97	\$108,951.88
May	\$27,396.28	\$27,884.36	\$488.08	\$136,836.24
June	\$32,559.45	\$13,209.58	(\$19,349.87)	\$150,045.82
Year to Date	\$2,063,346.82	\$2,195,045.82	\$131,699.00	\$150,045.82

Mrs. Smith noted that a question was asked at last month's Finance Meeting about delinquent wrecker service companies listed and advised that one company was located in the City of Prichard and the other is out of Mississippi. Mrs. Smith stated these were not companies that are on the City's list for wrecker services.

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: May, 2017

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs: \$1,275,291.37 was collected for May, 2017 which was up \$66,142.07 from May 2016's collections: :

- YTD Variance over Budget - \$198,456.93

B. Lodging Tax Collections, May, 2017

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for May, 2017 were \$139,221.34 which is up \$34,738.00 from May 2016's collections .

- YTD Variance over Budget: \$72,794.20

Ms. Kichler noted that Lodging Tax revenues were up approximately \$30,000 due to a delinquent payment from a hotel.

C. Lodging Tax Fund : Statement of Rev over Exp, June, 2017

Mrs. Henson reviewed the Lodging Tax Statement of Revenues over Expenditure report for June, 2017.

- Unreserved balance for Bayfront related purchases - \$ 1,429,626.23
- Recreation related purchases - \$661,576.07

Mrs. Henson noted that recent expenditures for the previous month from the Lodging Tax fund are minimal this last month and are reflected in the report. Mrs. Henson noted the first transfer to Debt Service for the 2017 Warrant debt payment is reflected on the bottom of the report - \$81,620. Mr. Rudicell commented that Mr. Tim Patton from Volkert will be at the August Finance meeting to give an update on the status of the Sports Park projects.

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: June, 2017

Ms. Kichler reviewed the Treasurer's Report:

TREASURER'S REPORT As of June 30, 2017					
Account Type/Title	6/30/2017	5/31/2017	Increase (Decrease) from	6/30/2016	Increase (Decrease) from
Total Unrestricted Cash Balance	12,351,846	12,920,414	(568,568)	11,773,982	577,864
Total Restricted Cash Balance	20,297,642	20,705,451	(407,809)	8,387,947	11,909,695
Total City Cash Balance	\$ 32,649,489	\$ 33,625,865	\$ (976,377)	\$ 20,161,929	\$ 12,487,560
Encumbrance Total as of			6/30/2017	\$ 197,631.34	

The Treasurer's Report as of JUNE, 2017 Total Unrestricted Cash Balance - \$12,351,846 and Total City Cash Balance - \$32,649,489 was presented to be filed for audit.

2. Encumbrance Report

Ms. Kichler reviewed the encumbrance report. Mr. Davis discussed how long the Civic Center Sign (FY2005) and the Communication Equipment (FY2010) had been encumbered and the need to get these items off the list. Mr. Davis asked where the encumbrances are reflected on the City's financial statements. Ms. Kichler referred him to the General Fund Balance sheet where assigned encumbrances are listed as part of the General Fund Balance.

3. Outstanding Appropriations

Ms. Kichler reviewed the outstanding appropriation report and note that several project have been completed or are in the process. Ms. Kichler discussed the status of the following active projects Sehoj and Longue Vue turning lanes, boat ramp, and the sports park projects.

4. Financial Overview: Debt Summaries & Monthly Financial Statements, May, 2017

Ms. Kichler reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), June, 2017
- Budgetary Comparison Schedule, May 2017
- General Fund, May 2017
- Debt Service Fund, May 2017
- Special Revenue Funds, May, 2017
- Capital Projects Funds Balance Sheet, May 2017
- Enterprise Funds Statement of Net Position, May, 2017

General Fund:	<u>FY 2017</u>	<u>FY 2016</u>	<u>Change</u>
• YTD Net Income:	\$1,179,539	\$2,943,653	\$<1,764,114>
• Total sales tax collected year to date is approximately \$330,000 over prior year and \$156,000 over budgeted income			
• Per budget amendment appropriation, \$2,000,000 was transferred in April from the General Fund to the Capital Reserve Fund to help fund recreation improvements			
• Unassigned Fund Balance: \$13,853,391			
• Outstanding Encumbrances: \$420,858			

Debt Service Fund/Outstanding Debt:

- \$12,000,000 Warrants were issued with Regions Bank to fund recreation improvements
- Outstanding Warrant Balance as of April 30, 2017: \$42,153,157
- Outstanding Capital Lease Balance as of April 30, 2017:
 - o General Fund: \$1,203,502
 - o Enterprise Funds: \$262,279

Capital Project Funds (Capital Reserve, 2014 Construction, and 2016 Construction, 2017 Construction):

- 2017 Construction Fund was opened with a transfer of \$11,978,500 from the issuance of the 2017 Warrants
- \$948,598 has been spent in FY 2017 for the Whispering Pines sewer project and the project is nearing completion

Special Revenue Funds (13 separate funds):

- Lodging Tax Fund –
 - o Bayfront Unreserved Fund Balance: \$1,432,101

- o Recreation Unreserved Fund Balance: \$616,304
- o Total lodging tax collected year to date is approximately \$24,000 over prior year and \$36,000 over budgeted income

Enterprise Funds (Solid Waste, Civic Center, and Bayfront):

- Year to date transfers for each of the enterprise funds were as follows:

	<u>FY 2017</u>	<u>FY 2016</u>	<u>Change</u>
Solid Waste Fund \$171,653	\$286,319	\$ <114,666>	
Civic Center Fund \$160,835	\$189,459	\$ <28,624>	
Bayfront Park Fund	\$ 88,152	\$ 90,361	\$ <2,209>

5. Future Projects Summary

Ms. Kichler reviewed the Future Projects Summary report and noted she had removed the Timbercreek Drainage since it had been funded at the last Council meeting.

6. Summary of Budgetary Amendments

Discussion was made on the FY2017 Budget Amendments. Ms. Kichler stated that the amendments adopted to date would leave the FY2017 Budget “as adopted” with a balance of (\$3,106,930). Discussion continued that the final budget balances will change due to adjustments made for revenues received above budget and various expenditures being below budget.

B. Bills Paid Reports – June, 2017

The Bills Paid Report was presented in the packet.

VIII. APPROPRIATION REQUESTS: (Ordinance)

A. Fire Station #5 Design - \$59,890

1. Site Concerns
2. Deed Concerns
3. Appropriation for Architectural Design - \$34,500
4. Appropriation: Civil Package - \$25,390

Mayor Haygood reviewed the project concerns. Mayor Haygood discussed that he had received notification that the property is low and has been reported to be under water during and after heavy rains. Mayor Haygood also noted that there are some deed restrictions that legal is researching concerning the stipulation that property would return to the previous owner if restrictions are violated and not remedied. Mr. Johnson discussed ALDOT’s plans to eradicate the flooding issues. Mr. Johnson stated that site work would require dirt be hauled in to raise the construction site. Discussion continued on moving forward with the appropriation for the Architectural Design. Mr. Scott recommended that the Appropriation for the Civil package also be approved pending the deed restrictions concerns being resolved.

MOTION BY Mr. Scott to recommend to Council to adopt the Ordinance amending the budget to appropriate

- 1) \$34,500 for Architectural Design for Fire Station #5, and
 - 2) 25,390 for the Civil Site Design for Fire Station #5 pending the resolution of deed restrictions and removal of the deed’s reversionary clause, and
 - 3) authorize the Mayor to negotiate the deed restrictions and all associated deed requirements.
- Seconded by Mrs. Conaway.**

MOTION CARRIED UNANIMOUSLY

B. Main Street Drainage Study: Daphne Civic Center to Yancey Branch - \$9,100

Mr. Johnson discussed the drainage issues and citizen’s complaints concerning area of Main Street from Daphne Civic Center to Yancey Branch (East side of Main Street). Mr. Johnson stated that a drainage study for this area would cost approximately \$9,100. Mr. Johnson noted this study would include a complete hydraulic modeling to show results for potential drainage improvement changes.

MOTION BY Mr. Scott to adopt an ordinance appropriating \$9,100 out of the General Fund for the Main Street Drainage Study: from Daphne Civic Center to Yancey Branch (East side of Main Street). Seconded by Mr. Davis.

MOTION CARRIED UNANIMOUSLY

IX. BIDS:

A. 2017-R-POLICE UNIFORMS

Mrs. Henson stated this is an annual bid. Ms. Henson noted that the Police Uniforms were not bid out the last couple years since the expenditures did not exceed the bid limit required to bid but they have this year so it was bid. Mrs. Henson stated that four vendors responded with Galls, LLC being the low bid. Captain Beedy stated the Police department has ordered from Galls, LLC previously and they are happy with Galls, LLC. Mrs. Henson noted monies are budgeted for these uniforms so just a resolution is needed for the bid award.

MOTION BY Mr. LeJeune to recommend to Council to award the Police Uniform bid to Galls, LLC for unit cost bid. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

B. 2017-S-PARK CHEMICALS

Mrs. Henson stated Parks Chemicals is an annual bid. Ms. Henson noted that generally 3-4 bids are received for this bid but only one was received this year. Mrs. Henson stated that the sole bidder was SiteOne Landscape Supply who held the previous contract. Mrs. Henson noted SiteOne declined the extension option due to a couple of the chemicals increasing in cost. Mrs. Henson noted she had added a comparison to last year's bid cost and the cost are very close. A letter from David McKelroy, Recreation/Parks Director recommending the bid be awarded to SiteOne Landscape Supply was included in the packet. Mrs. Henson noted monies are budgeted for these chemicals so just a resolution is needed for the bid award.

MOTION BY Mrs. Conaway to recommend to Council to award the Parks Chemicals bid to SiteOne Landscape Supply for unit cost bid. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

X. NEW BUSINESS

A. Establish Surety Bond Limits – New City Clerk

Mrs. Henson noted that the Alabama League attorneys confirmed that the City Clerk is required to be bonded and the City Attorney researched and agreed. Mrs. Henson noted the City attorney prepared the draft ordinance in the packet for review. The Mayor discussed the City Clerk being codified by ordinance with the other employees/officers so that all City Clerks will be required to be bonded.

MOTION BY Mr. Scott to recommend to Council to adopt an ordinance establishing the Surety Bond Limits for designated employees/officers. Seconded by Mrs. Conaway.

MOTION CARRIED UNANIMOUSLY

B. DHS Band Loan - Forgive final \$5,000 payment

Discussion was made on the final payment of \$5,000 due from Baldwin County Board of Education for the Daphne High School (DHS) Band loan. Ms. Kichler reported on behalf of Mrs. Thigpen at the Buildings and Property Meeting that DHS had decided not to hold the Taste of the Eastern Shore (TOES) event this year which was the source of payment for the Band loan. Discussion continued that since the City budgeted a contribution of \$8,000 for the TOES event that the \$5,000 loan should be forgiven. The City attorney, Mr. Patrick Dungan advised that the Council may approve forgiving the loan by motion. Mr. Dungan stated the original Ordinance - 2013-33 needs to be referenced in the motion. Discussion continued that the Mayor will need to subsequently send a letter to BCBE to inform them of the City's action and the resulting termination of the agreement.

MOTION BY Mr. Scott to recommend to Council to forgive the final loan payment due from Baldwin County Board of Education for the benefit of Daphne High School Band in the amount of \$5,000 and to direct that a letter be sent to the Baldwin County Board of Education and Daphne High School notifying them that the final payment has been forgiven and that the Agreement authorized by Ordinance 2013-33 has been satisfied. Seconded by Mr. Davis.

MOTION CARRIED UNANIMOUSLY

C. Employee Pay Plan

Ms. Kichler handed out a draft ordinance proposing to amend the City's pay plan. Mayor Haygood reviewed the pay plan proposal to combine the Public Safety pay plan with the other employee pay plan so the City would have one single pay plan for all employees. Mayor Haygood stated the proposal addresses creating one single pay plan, adjusting pay for retaining and attracting employees, and recognizes longevity. Mayor Haygood stated he wanted to combine the consolidation proposal and a COLA. Ms. Kichler stated this proposal would basically give each employee a step increase in pay with the step position staying the same. Ms. Kichler stated this would help keep the pay plan scale from getting stagnant. Ms. Kichler stated she was still working on the proposal but the estimated cost of the COLA is \$280,000 for a full year and \$210,000 if implemented in January. Discussion continued that the consolidation cost for a full year would be \$60,000 (\$45,000 if implemented in January) and longevity pay - \$60,000 (which would be paid each year). Mayor Haygood stated he still wants to include merit increases for employees in the budget. Ms. Kichler reviewed the estimated full cost for the proposed pay plan would be approximately \$400,000 for a full year and \$315,000 if implemented in January. Discussion continued that this is just a draft proposal. Ms. Kichler noted she was still tweaking the proposal. Mr. Rudicell stated he appreciated this proposal being presented early for review before FY2018 budget discussions.

X. OLD BUSINESS

There was no old business discussed.

XI. ADJOURN The meeting adjourned at 6:24p.m.

BUILDINGS & PROPERTY COMMITTEE MEETING

**Monday, August 7, 2017, 4:30 p.m.
City Hall, Executive Conference Room,
1705 Main Street, Daphne, AL 36526**

MEETING MINUTES

MEMBERS PRESENT: Councilman Joel Coleman; Councilman Doug Goodlin; Councilman Ron Scott; Councilman Robin LeJeune; and Councilman Joe Davis

ALSO PRESENT: Mayor Dane Haygood, Mayor; Patrick Dungan, City Attorney; Candace Antinarella, City Clerk; Kelli Kichler, Finance Director; Betsy Schneider, Operations Director; Suzanne Henson, Senior Accountant; Richard Johnson, Director Public Works; David McKelroy, Recreation Director; Margaret Thigpen, Civic Center; Kim Sparks, Building Official; Dorothy Morrison, Chair, Beautification Committee and Downtown Redevelopment Authority member; Victoria Phelps, President, Lake Forest Property Owners Association; Tim Patton, Volkert, Inc.; Liz Roberts Thomson, Eastern Shore Chamber of Commerce; Andy Bobe, Dewberry-Preble-Rish; Al Guarisco; and John Lake

1) CALL MEETING TO ORDER / ROLL CALL

There being a quorum present Chairman Robin LeJeune called meeting to order at 4:32 pm.

Jenny Opal White, Recording Secretary administered roll call.

2) PUBLIC PARTICIPATION

Victoria Phelps, President, Lake Forest Property's Owner's Association (LFPOA) informed committee of the following.

- Bulkhead Project will commence on September 5, 2017
- Inquired if City of Daphne has interest in acquiring property at Yacht Club Drive
- Working on continued improvements at Central Park for 2018-2019
- Posted two (2) events on Mobile Bay National Estuary Program (MBNEP) DAF Fall Projects effecting D'Olive Creek
- Presentation of Lake Forest Dam Inspection Report will be presented to Lake Forest with results on Thursday, August 10, 2017 at 7:00 p.m.
- Coordinating with Public Works deco signage
- Victoria Phelps thanked Public Works Department for their assistance

Mayor Dane Haygood introduced Betsy Schneider, Operations Director for the City of Daphne.

3) APPROVAL OF MINUTES: JULY 5, 2017

Councilman Robin LeJeune noted there being no corrections to the July 5, 2017 minutes they stand approved as written.

4) CITY BOAT RAMP ACCESS PROJECTS REPORT: RICHARD JOHNSON

Richard Johnson reported on D'Olive Bay and May Day Park. Richard met with supervision on D'Olive Bay project last week. Contractor is awaiting dry weather to pour final apron. Richard is

following up with supervisor to get D'Olive Bay back in operational order by demobilizing and opening to public. Heavy cleaning is on schedule, along with installing portalets and dumpster on site.

Quotes open for May Day Access project on August 8, 2017. A two week turnaround is estimated on project.

5) SURPLUS PROPERTY: SUZANNE HENSON

Suzanne Henson reported on surplus property for the month of July.

Suzanne reported there are surplus vehicle items on GovDeals with end date of August 9, 2017.

Suzanne presented two (2) resolutions to committee.

Suzanne noted Mayor Dane Haygood pulled 2010 patrol cars.

*****(1)***
CITY OF DAPHNE, ALABAMA
RESOLUTION 2017 -**

A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING THE MAYOR TO DISPOSE OF SUCH PROPERTY

WHEREAS, the Department Heads of the City of Daphne have determined that the items listed below are no longer required for public or municipal purposes; and

WHEREAS, the items listed below are recommended for disposal.

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

1. The property listed below is hereby declared to be surplus property, and

DEPT	EQ/VEH#	DESCRIPTION	VIN / SN
Patrol	310	2010 FORD CROWN VIC	2FABP7BV3AX121264
Patrol	210	2010 FORD CROWN VIC	2FABP7BV1AX121263
Patrol	5090	2009 FORD CROWN VIC	2FAHP71V59X146268
Patrol	4090	2009 FORD CROWN VIC	2FAHP71V09X141821
Patrol	2080	2008 FORD CROWN VIC	2FAFP71V28X161039
Patrol	301	2001 FORD CROWN VIC	2FAFP71W71X129735

2. The Mayor is authorized to advertise and accept bids through Govdeals.com as contracted for the sale of such personal property, and
3. The Mayor is authorized to sell said property to the highest bidder and deposit any and all proceeds to the appropriate City Fund. The Mayor is further authorized to direct the disposition of any property which is not claimed by any bidder.

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

*****(2)*****

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

**A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING
THE MAYOR TO DISPOSE OF SUCH PROPERTY**

WHEREAS, the Department Heads of the City of Daphne have determined that the items listed below are no longer required for public or municipal purposes; and

WHEREAS, the items listed below are recommended for disposal.

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

1. The property listed below is hereby declared to be surplus property, and

DEPT	EQ/VEH#	DESCRIPTION	VIN / SN
Mechanical	212	1990 HOMEMADE SM MOWER TRAILER	AL90HM00800011662
Grounds	1450	2013 JD 1565 SERIES II FRONT MOWER- 72" Fastback	1TC1565DJDT120263
Grounds	1446	2013 JD 1565 SERIES II FRONT MOWER- 72" Fastback	1TC1565DPDT120258

2. The Mayor is authorized to advertise and accept bids through Govdeals.com as contracted for the sale of such personal property, and
3. The Mayor is authorized to sell said property to the highest bidder and deposit any and all proceeds to the appropriate City Fund. The Mayor is further authorized to direct the disposition of any property which is not claimed by any bidder and sign all necessary documents.

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

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

MOTION BY Councilman Ron Scott to recommend to Council to dispose of surplus property
Seconded by Councilman Joe Davis
Aye, All in favor
MOTION CARRIED UNANIMOUSLY

6) CIVIC CENTER & BAYFRONT PAVILION REPORT: MARGARET THIGPEN

Margaret Thigpen gave Civic Center & Bayfront Pavilion report for July and August 2017.

JULY REPORT

Civic Center Report

- June 2017 revenue for the Civic Center totaled \$14,346.00/Increase from June 2016
- FY 2016-2017 YTD Projected Year End Revenue/\$203,409.00
- June 2017 Deposits/\$14,141.00
- FY 2016-2017 YTD Deposits/\$152,240.00

Bayfront Park Pavilion Report

- June 2017 Revenue/\$9,893.00/Increase from June 2016
- FY 2016-2017 YTD Projected Year End Revenue/\$71,487.50
- June 2017 Deposits/\$5,948.00
- FY 2016-2017 YTD Deposits /\$61,284.50

AUGUST REPORT

Civic Center Report

- July 2017 revenue for the Civic Center totaled \$17,013.00/Decrease from July 2016
- FY 2016-2017 YTD Projected Year End Revenue/\$211,386.00
- July 2017 Deposits/\$16,657.50
- FY 2016-2017 YTD Deposits/\$168,897.50

Margaret commented this has been the best year in 7 ½ years. She complimented her team.

Bayfront Park Pavilion Report

- July 2017 Revenue/\$3,708.00/Decrease from July 2016
- FY 2016-2017 YTD Projected Year End Revenue/\$75,044.50
- July 2017 Deposits/\$5,886.00
- FY 2016-2017 YTD Deposits /\$67,170.50

Daphne Convention & Visitor's Bureau

- Advertisement in Alabama State Travel Guide – (January – December 2018)
- Visitors Guide – on hold
- Facebook – featuring an attraction every other week or so
- Alabama Coasting – renewed
- Advertisements and Articles – quarterly distribution, 2,000 condo rooms, 70+ hotels

Jubilee Festival of Arts

Liz Roberts Thomson of the Eastern Shore Chamber of Commerce (ESCOC) gave update on upcoming Jubilee Festival of Arts scheduled on September 23-24, 2017 in Downtown Daphne. Liz informed committee the festival will have performing and culinary arts along with entertainment. They have 100 artists confirmed. Advertisement of festival will be displayed on Foley Express billboard. ESCOC will make contact with Lamar to run advertisement of festival on Daphne board.

Tourism/Hotel Meeting

Tourism/Hotel Meeting, September 7, 2017

Daphne Civic Center – Digital Sign

MOTION BY Councilman Ron Scott to move Daphne Civic Center digital sign to Finance Meeting
Agenda on August 14, 2017
Seconded by Councilman Joe Davis
Aye, All in favor
MOTION CARRIED UNANIMOUSLY

7) BUILDING INSPECTION REPORT: KIM SPARKS

Kim Sparks gave the Building Inspection Report for July.

- Total Building Permits / 75
- Total Permit Building Permit Fees / \$49,184.23
- New Home Permits / 168
- CO's / 22

8) RECREATION REPORT: DAVID MCKELROY

David McKelroy gave Recreation Report for July.

SENIOR PROGRAMS

Lunch	835
Exercise	165
Yoga	307
Cards/Games	40
Total	1347

WEEKLY CLASSES

Hard Body Workout	45
Zumba	72
Karate	15
Total	132
Fitness Center	1195
Total	1195
Programs/Classes/Civic Groups Total	2674

Bocce	Wednesday and Thursday at Lott Park
Pickleball – Total 205	Tuesday, Thursday and Sunday morning at Nicholson Center Monday and Wednesday evenings at Lott Park tennis courts

ATHELTICS

Adult Softball (Every Mon., Tue. & Wed.)	500+
Adult Soccer (Every Mon. & Wed.)	200+
Adult Kickball (Every Thursday)	125+
Strike Soccer Camps	100+
Summer Camps @ DHS	292+
Total	1217
USSSA Men's Softball	125+
1 day – 12 teams	
WSL Men's Softball	190+
1 day – 12 teams	
Youth Football Clinic	225+
1 day – Rain Shortened	
USSSA Men's Softball	140+
1 day – 14 teams	
Daphne HS 7 on 7 Football	800+
2 days – 10 teams	
Total	1480

Jubilee Pickleball Club of Daphne, AL
Daphne Pickleball Players and Hours Played

Nicholson Center			Lott Park		
Month	Players	Hours	Month	Players	Hours
Dec. 2016	72	233	Dec. 2016	0	0
Jan. 2017	64	209	Jan. 2017	0	0
Feb. 2017	68	221	Feb. 2017	0	0
Mar. 2017	75	247	Mar. 2017	0	0
Apr. 2017	75	242	Apr. 2017	34	77
May 2017	85	279	May 2017	62	124
Jun. 2017	120	429	Jun. 2017	75	150
Jul. 2017	153	527	Jul. 2017	52	104
Total	712	2387	Total	223	455

Grand Total

Players	Hours
935	2842

Nicholson Center

Sunday 9:00 a.m. – Noon

Tuesday 8:30 a.m. – Noon

Thursday 8:30 a.m. – Noon

Lott Park

Monday 6:00 p.m. – 8:00 p.m.

Wednesday 6:00 p.m. – 8:00 p.m.

9) LIBRARY REPORT:

No report

10) VILLAGE POINT FOUNDATION REPORT:

No report

11) BAYFRONT MASTER PLAN & IMPROVEMENT COMMITTEE REPORT: RICHARD JOHNSON

Richard Johnson requested Bayfront Master Plan & Improvement Committee report move to next month due to time restraint of meeting.

12) OLD BUSINESS

CITY PARKS SIGNAGE SPECIFICATION

No report

DAPHNE WELCOME CENTER

No report

PARK CITY PARK / JAY ROSS AND PATRICK DUNGAN

Patrick Dungan gave Park City Park report. Patrick noted no documents found reference naming rights of Park City Park.

13) NEW BUSINESS

Fire Station #2 Project Report

Richard Johnson gave Fire Station #2 report. Richard reported contractor plans to complete project by end of the month.

Parking at the Library/Recreation/Civic Center Complex

Chairman Robin LeJeune requested parking at the Library/Recreation/Civic Center Complex be taken off of agenda.

Bounds Family YMCA “Elf Ride” Event Permit

MOTION BY Councilman Ron Scott to move Bounds Family YMCA Elf Ride to Council for approval based on attorney opinion Seconded by Councilman Doug Goodlin Aye, All in favor MOTION CARRIED UNANIMOUSLY
--

Chair Robin LeJeune commented ordinance update would be required if new requirements are established.

14) ANY OTHER BUILDINGS & PROPERTY BUSINESS

No further business discussed.

15) NEXT MEETING

Next meeting scheduled for Tuesday, September 5, 2017 at 4:00 p.m.

15) ADJOURN

Chairman Robin LeJeune adjourned meeting at 5:38 p.m. with no further business to discuss.
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STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810092958766



Type License: 050 - RETAIL BEER (OFF PREMISES ONLY) State: County:
Type License: 070 - RETAIL TABLE WINE (OFF PREMISES ONLY) State: County:
Trade Name: LAKE FOREST SHELL Filing Fee:
Applicant: CFRESH CONVENIENCE LLC Transfer Fee: \$100.00
Location Address: 29279 HIGHWAY 98 DAPHNE, AL 36526
Mailing Address: PO BOX 7027 SPANISH FORT, AK 36577
County: BALDWIN Tobacco sales: YES Tobacco Vending Machines: 0
Type Ownership: LLC

Book, Page, or Document info: INST1606503

Date Incorporated: 12/06/2016 State incorporated: AL County Incorporated: BALDWIN

Date of Authority: 12/06/2016 Alabama State Sales Tax ID: R000070097

Federal Tax ID: 20-0472208

Name:	Title:	Date and Place of Birth:	Residence Address:
KEVIN VICTOR SPRIGGS 6248041 - AL	MEMBER	05/31/1963 BLUEFIELD, WV	23 SIGNAL HILL ROAD SPANISH FORT, AL 36527

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

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

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

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

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

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

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

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

Contact Person: KEVIN SPRIGGS

Business Phone: 251-232-9261

Fax:

Home Phone: 251-621-0971

Cell Phone: 251-626-1878

E-mail: DIXIE_DOG@MSN.COM

PREVIOUS LICENSE INFORMATION:

Trade Name: LAKE FOREST SHELL

Applicant: LFS LLC

Previous License Number(s)

License 1: 050-000561402-410

License 2: 070-000561402-410



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810092958766



If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
Name of Property owner/lessor and phone number: **SPRIGGS ENTERPRISES INC 251-232-9261**
What is lessors primary business? **REAL ESTATE**
Is lessor involved in any way with the alcoholic beverage business? **YES**
Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

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

Will the business be operated primarily as a package store? **NO**
Building Dimensions Square Footage: **2800** Display Square Footage:
Building seating capacity: **0** Does Licensed premises include a patio area? **NO**
License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**
Location is within: **CITY LIMITS** Police protection: **CITY**

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

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810092958766



Initial each

KVS
KVS

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

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

KVS

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

KVS

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

KVS

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

KVS

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

KVS

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

KVS

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

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

KVS

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

Applicant Name (print): Kevin V. Spriggs

Signature of Applicant:

Kevin V. Spriggs

Notary Name (print):

Betty G. Dean

Notary Signature:

Betty G. Dean

Commission expires: 1/13/2019

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810092958766



Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

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

Has Agent verified membership applications for each member listed?

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

Agent's Initials:

For what purpose is the club organized?

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

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

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

Is the lessor involved in any way with the alcohol beverage business?: OWNS 2
OTHER CONVENIENCE STORES



Receipt Confirmation Page

Receipt Confirmation Number: **20170810092958766**
Application Payment Confirmation Number: **30914892**

Payment Summary	
Payment Item	Fee
Transfer Fee for License 050 and License 070	\$100.00
Total Amount to be Charged	\$100.00

Application Type

Application Type: TRANSFER

Applicant Information

License Type 1: 050 - RETAIL BEER (OFF PREMISES ONLY)
License Type 2: 070 - RETAIL TABLE WINE (OFF PREMISES ONLY)
License County: BALDWIN
Business Type: LLC

Trade Name: **LAKE FOREST SHELL**
Applicant Name: **CFRESH CONVENIENCE LLC**
Location Address: 29279 HIGHWAY 98
DAPHNE, AL 36526

Mailing Address: PO BOX 7027
SPANISH FORT, AK 36577

Contact Person: KEVIN SPRIGGS
Contact Home Phone: 251-621-0971
Contact Business Phone: 251-232-9261
Contact Fax:
Contact Cell Phone: 251-626-1878
Contact Email Address:
Contact Web Address:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810082645502



Type License: 050 - RETAIL BEER (OFF PREMISES ONLY) State: County:
Type License: 070 - RETAIL TABLE WINE (OFF PREMISES ONLY) State: County:
Trade Name: **MALBIS SHELL** Filing Fee:
Applicant: **CFRESH CONVENIENCE LLC** Transfer Fee: \$100.00
Location Address: 29640 HIGHWAY 181 DAPHNE, AL 36526
Mailing Address: PO BOX 7027 SPANISH FORT, AL 36577
County: **BALDWIN** Tobacco sales: **YES** Tobacco Vending Machines: 0
Type Ownership: **LLC**

Book, Page, or Document info: INST 1606503

Date Incorporated: 12/06/2016 State incorporated: **AL** County Incorporated: **BALDWIN**

Date of Authority: 12/06/2016 Alabama State Sales Tax ID: R00070097

Federal Tax ID: 20-0472208

Name:	Title:	Date and Place of Birth:	Residence Address:
KEVIN VICTO SPRIGGS 6248041 - AL	MEMBER	05/31/1963 BLUEFIELD, WV	23 SIGNAL HILL RD SPANISH FORT, AL 36527

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

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

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

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

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

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

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

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

Contact Person: **KEVIN SPRIGGS**

Business Phone: 251-232-9261

Fax:

Home Phone: 251-621-0971

Cell Phone: 251-232-9261

E-mail: **DIXIE_DOG@MSN.COM**

PREVIOUS LICENSE INFORMATION:

Trade Name: **MALBIS SHELL**

Applicant: **MS MSW LLC**

Previous License Number(s)

License 1: 050-000565602-410

License 2: 070-000565602-410



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810082645502



If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
Name of Property owner/lessor and phone number: **SPRIGGS ENTERPRISES INC 251-232-9261**
What is lessors primary business? **REAL ESTATE**
Is lessor involved in any way with the alcoholic beverage business? **YES**
Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

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

Will the business be operated primarily as a package store? **NO**
Building Dimensions Square Footage: **4500** Display Square Footage:
Building seating capacity: **0** Does Licensed premises include a patio area? **NO**
License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**
Location is within: **CITY LIMITS** Police protection: **CITY**

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

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810082645502



Initial each

KVS
KVS

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

KVS

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

KVS

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

KVS

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

KVS

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

KVS

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

KVS

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

KVS

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

KVS

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

Applicant Name (print): Kevin V. Spriggs

Signature of Applicant: Kevin V. Spriggs

Notary Name (print): Betty G. Dean

Notary Signature: Betty G. Dean

Commission expires: 1/13/2019

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810082645502



Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

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

Has Agent verified membership applications for each member listed?

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

Agent's Initials:

For what purpose is the club organized?

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

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

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

Is the lessor involved in any way with the alcohol beverage business?: OWNS 2
OTHER CONVENIENCE STORE PROPERTIES



NOTICE OF TRANSFER OF ABC LICENSED BUSINESS

Betty B. Wlan

Receipt Confirmation Page

Receipt Confirmation Number: **20170810082645502**
Application Payment Confirmation Number: **30913740**

Payment Summary	
Payment Item	Fee
Transfer Fee for License 050 and License 070	\$100.00
Total Amount to be Charged	\$100.00

Application Type

Application Type: TRANSFER

Applicant Information

License Type 1: 050 - RETAIL BEER (OFF PREMISES ONLY)
License Type 2: 070 - RETAIL TABLE WINE (OFF PREMISES ONLY)
License County: BALDWIN
Business Type: LLC

Trade Name: **MALBIS SHELL**

Applicant Name: **CFRESH CONVENIENCE LLC**

Location Address: 29640 HIGHWAY 181
DAPHNE, AL 36526

Mailing Address: PO BOX 7027
SPANISH FORT, AL 36577

Contact Person: KEVIN SPRIGGS

Contact Home Phone: 251-621-0971

Contact Business Phone: 251-232-9261

Contact Fax:

Contact Cell Phone: 251-232-9261

Contact Email Address:

Contact Web Address:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810090658230



Type License: 050 - RETAIL BEER (OFF PREMISES ONLY) State: County:
Type License: 070 - RETAIL TABLE WINE (OFF PREMISES ONLY) State: County:
Trade Name: JUBILEE SHELL Filing Fee:
Applicant: CFRESH CONVENIENCE LLC Transfer Fee: \$100.00
Location Address: 6851 HIGHWAY 90 E DAPHNE , AL 36526
Mailing Address: PO BOX 7027 SPANISH FORT, AL 36577
County: BALDWIN Tobacco sales: YES Tobacco Vending Machines: 0
Type Ownership: LLC

Book, Page, or Document info: INST 1606503

Date Incorporated: 12/06/2016 State incorporated: AL County Incorporated: BALDWIN

Date of Authority: 12/06/2016 Alabama State Sales Tax ID: R000070097

Federal Tax ID: 20-0472208

Name:	Title:	Date and Place of Birth:	Residence Address:
KEVIN VICTOR SPRIGGS 6248041 - AL	MEMBER	05/31/1963 BLUEFIELD, WV	23 SIGNAL HILL ROAD SPANISH FORT, AL 36527

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

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

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

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

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

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

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

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

Contact Person: KEVIN SPRIGGS

Business Phone: 251-232-9261

Fax:

Home Phone: 251-621-0971

Cell Phone: 251-232-9261

E-mail: DIXIE_DOG@MSN.COM

PREVIOUS LICENSE INFORMATION:

Trade Name: JUBILEE SHELL

Applicant: JS LLC

Previous License Number(s)

License 1: 050-000968802-410

License 2: 070-000968802-410



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810090658230



If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
Name of Property owner/lessor and phone number: **SPRIGGS ENTERPRISES INCORPORATED 251-232-9261**
What is lessors primary business? **REAL ESTATE**
Is lessor involved in any way with the alcoholic beverage business? **YES**
Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

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

Will the business be operated primarily as a package store? **NO**
Building Dimensions Square Footage: **1400** Display Square Footage:
Building seating capacity: **0** Does Licensed premises include a patio area? **NO**
License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**
Location is within: **CITY LIMITS** Police protection: **CITY**

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

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810090658230



Initial each

KVS
KVS

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

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

KVS

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

KVS

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

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

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

KVS

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

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

KVS

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

Applicant Name (print): Kevin V. Spriggs

Signature of Applicant: Kevin V. Spriggs

Notary Name (print): Betty G. Dean

Notary Signature: Betty G. Dean

Commission expires: 1/13/2019

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20170810090658230



Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

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

Has Agent verified membership applications for each member listed?

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

Agent's Initials:

For what purpose is the club organized?

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

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

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

Is the lessor involved in any way with the alcohol beverage business?: OWNS 2
OTHER CONVENIENCE STORE PROPERTIES





City of Daphne Event Permit Application

Date of Application: July 27, 2017 Permit Requested: ☐ Event/Fundraiser ☒ ^{Bike} Parade/Run ☐ Band

Contact Information

Organization Name: Bounds Family YMCA
Contact Name: Barbara Hoffman E-mail Address: bhoffman@ysal.org
Address: 8051 Whispering Pines Road Daphne, AL 36526
Primary Phone Number: 251-375-6995 Secondary: 251-626-0888 or 251-970-3003

Event Information

Event Name: Elf Ride Event Date: December 1, 2017
Event Location: City Hall (See attached map) # Participants/Vehicles: 150-200
Start Time: 5:30 pm Stop Time: 7:30 pm Assembly Time: 4:00 - 5:30 pm
Special Requests: _____

Road Closures Requested: ☒ Yes ☐ No

Special Instructions

Approval: Internal Use Only

Date Routed: July 28, 2017
Fire Dept: [Signature]
Police Dept: Richard D. Johnson, PE
Public Works: Johnson, PE
Parks & Recreation: N/A

Approved by Richard D. Johnson, PE
City of Daphne, AL - Division of Public Works
Email: rjohnson@daphneal.com, AL-USA
Date: 2017.08.07 15:25:40 -05'00'

For Special Event/Band Permits:

Council Member: _____

For Parade/Run Permits & Use of City Grounds:

City Council: _____

Parade/Run Permits ONLY

☐ Fee Paid: \$ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4



City of Daphne Event Permit Application

Date of Application: June 28, 2017 Permit Requested: ☐ Event/Fundraiser ☒ Parade/Run ☐ Band

Contact Information

Organization Name: Bounds Family YMCA

Contact Name: Kathy Dunn

E-mail Address: kathydunn010@gmail.com

Address: 9264 Sehoj Blvd, Daphne, AL 36526

Primary Phone Number: 251-281-4816

Secondary: Same

Event Information

Event Name: Elf Ride

Event Date: December 1, 2017

Event Location: City Hall - See Attached Map

Participants/Vehicles: 150-200

Start Time: 5:30 p.m.

Stop Time: 7:30 p.m.

Assembly Time: 4:00 - 5:30 p.m.

Parade/Run Only

Special Requests: _____

Road Closures Requested: ☒ Yes ☐ No

Special Instructions

Approval: Internal Use Only

Date Routed: June 28, 2017

Fire Dept: [Signature]

Police Dept: [Signature]

Public Works: [Signature]

Parks & Recreation: N/A

Only required for all permits except parade/runs

For Special Event/Band Permits:

Council Member: _____

Signature

Signature

For Parade/Run Permits & Use of City Grounds:

City Council: Tabled July 5, 2017

Date of Approval

Parade/Run Permits ONLY

☐ Fee Paid: \$ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4





City of Daphne Event Permit Application

Date of Application: August 3, 2017 Permit Requested: ☐ Event/Fundraiser ☒ Parade/Run ☐ Band

Contact Information

Organization Name: Women's Care Medical Center

Contact Name: Sue Leavins E-mail Address: sue.leavins@womenscaremedicalcenter.org

Address: 18555 Carolina St. P.O. Box 1610 Robertsdale, AL 36567

Primary Phone Number: 251-947-2111 Secondary: 251-406-4007

Event Information

Event Name: 5K Life Run Event Date: February 24, 2018

Event Location: Route 3 (City Hall Start) # Participants/Vehicles: 75

Start Time: 8:00 am Stop Time: 9:00 am Assembly Time: 6:00 am

Special Requests: none

Road Closures Requested: ☒ Yes ☐ No

Special Instructions

Approval: Internal Use Only

Date Routed: August 4, 2017

Fire Dept: [Signature]

Police Dept: [Signature]

Public Works: [Signature]

Parks & Recreation: [Signature]

For Special Event/Band Permits:

Council Member: _____

For Parade/Run Permits & Use of City Grounds:

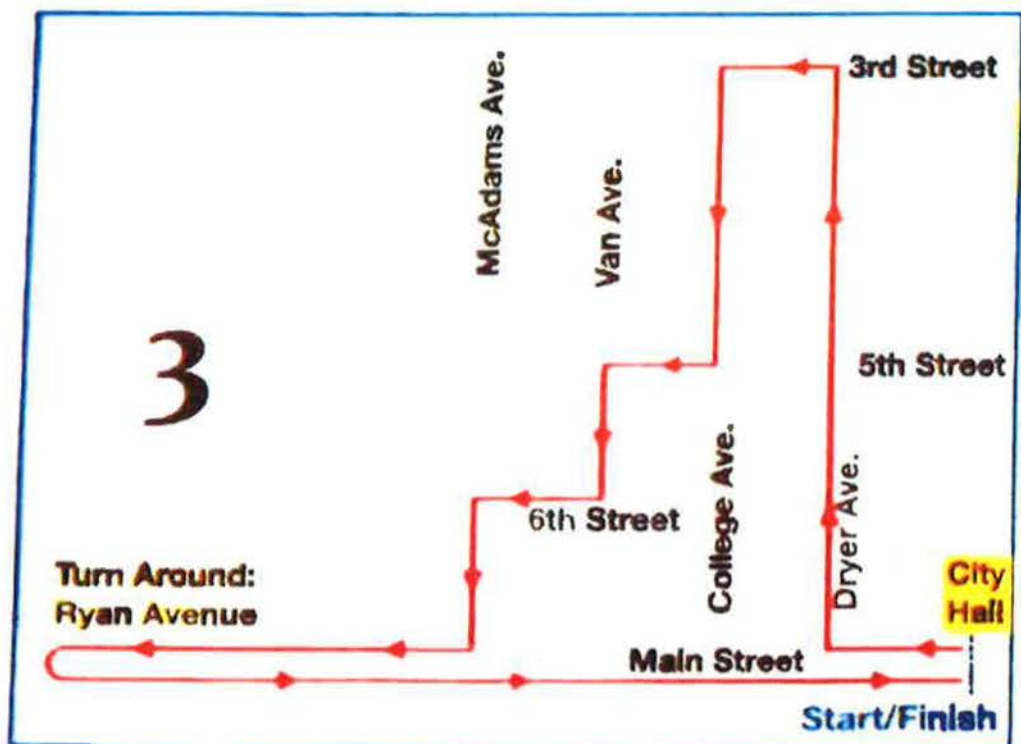
City Council: _____

Parade/Run Permits ONLY

☐ Fee Paid: \$ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4





City of Daphne Event Permit Application

Date of Application: July 21, 2017 Permit Requested: ☒ Event/Fundraiser ☐ Parade/Run ☐ Band

Contact Information

Organization Name: Citizen (Benefit Charity or Animal Shelter)

Contact Name: Harry Johnson E-mail Address: hpjprop@bellsouth.net

Address: 1203 Highway 90, Daphne, AL 36526

Primary Phone Number: 251-454-7550 Secondary:

Event Information

Event Name: Daphne Witches Ride (Bicycle) Event Date: October 29, 2017

Event Location: City Hall # Participants/Vehicles: 500

Start Time: 4:00 pm Stop Time: 6:00 pm Assembly Time: 3:30 pm

Special Requests: Roads closed at Belrose and Main - S. Main and College - College and 6th Street

N. 6th Street and Belrose (See Attached Map) Road Closures Requested: ☒ Yes ☐ No

Special Instructions

See Attached Map of Requested Route. Permit was approved on November 21, 2016. Harry Johnson has requested to move event up to 4:00 pm. Permit is being rerouted for approval.

Approval: Internal Use Only

Date Routed: July 21, 2017

Fire Dept: [Signature]

Police Dept: [Signature]

Public Works: [Signature]

Parks & Recreation: [Signature]

Only required if event interrupts traffic near Daphne parks

For Special Event/Band Permits:

Council Member:
District # Signature

For Parade/Run Permits & Use of City Grounds:

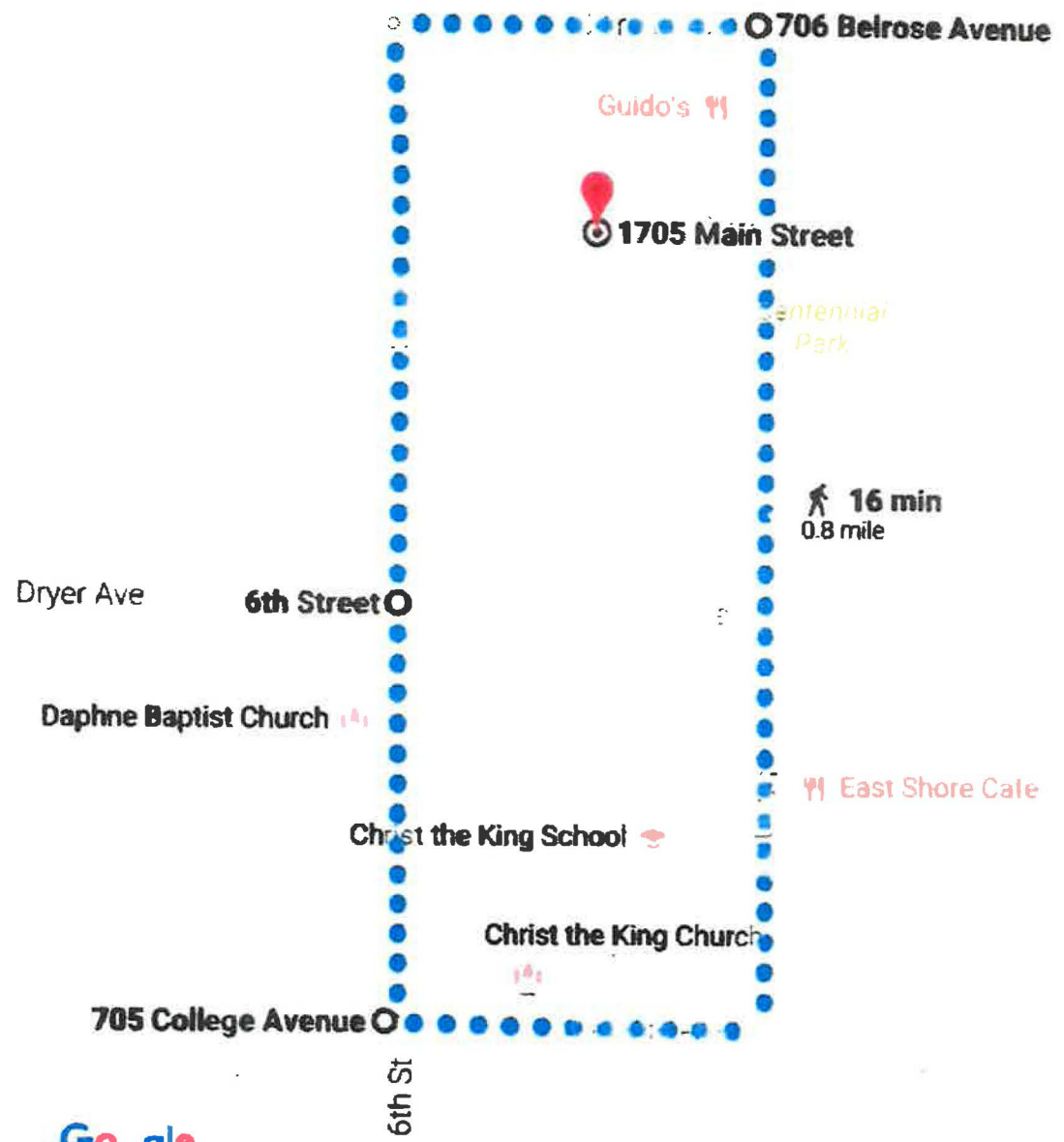
City Council:
Date of Approval

Parade/Run Permits ONLY

☐ Fee Paid: \$ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4



Barre3 Mobile will offer classes for the next three Saturday mornings at Bellingrath Gardens and Homes. *File*

Michelle Matthews mmmatthews@a1.com

WITCH, PLEASE

The annual Witches Ride, made famous in Fairhope, is coming to Mobile as a fundraiser for Delta Dogs, a nonprofit that helps provide free veterinary care to the community in need. Wearing fantastic witch costumes, riders will go on a 3-mile bike parade around downtown Mobile, followed by a Black Hat block party with live music, libations and food from food trucks and the event's host, The Blind Mule.

Mobile Witches Ride, 3:30-7 p.m. Today, The Blind Mule, 57 N. Claiborne St. \$30 registration fee to ride (until event sells out). Free admission to block party.



The Fairhope Witches Ride has been such a success that the event is being replicated in Mobile for the first time on Sunday afternoon. Provided

ers at the Frank Brown International Writers Festival. *Steve Hartman*

Historic Mobile Preservation Society's fourth annual fundraiser, Columns and Cocktails, celebrates the recipients of the 2014 Historic Preservation Awards. The event takes place at the historic Antoinette Apartments, where cocktails and oysters will be served poolside. Columns and Cocktails, 5:30 p.m. Thursday, Antoinette Apartments, 950 Government St. \$15 per person, www.historicmobile.org or 251-451-5151.



OCTOBER 30TH • DOWNTOWN MOBILE

Don't get Spooked!

THERE'S STILL TIME TO JOIN US

\$30 ONLINE & DAY OF EVENT

Registration opens at 3:30pm on Sunday

CHECK-IN: 3:30PM - 4:45PM

Witches Line-up: 4:45pm - 5:00pm

MOBILE WITCHES RIDE: 5:00pm START

Black Hat Block Party: 5:00-7:00pm

Registration and more information
at: mobilewitchesride.com

Black Hat Block Party
Hosted by The Blind Mule

Music, Libations, and Food Available from
Local food Trucks.

Worlocks (men) are welcome to ride with
their witches!

Always ride or walk safely. Obey traffic laws. Wear your seat belt and
don't drink and drive. We are here to help you stay safe and
enjoy the ride. We are a community of riders.



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CITY OF DAPHNE, ALABAMA
RESOLUTION NO. 2017-43
2017-Q-SIDEWALK ON CR-13: WHISPERING PINES TO CHAMPION WAY- TAPNU-TA15(940)

WHEREAS, the City of Daphne is required under section 39-1-1(E) of the Code of Alabama to secure competitive bids for public works contracts in excess of \$ 50,000; and

WHEREAS, the City of Daphne acknowledges that the SIDEWALK ON CR-13: WHISPERING PINES TO CHAMPION WAY project will exceed \$50,000; and

WHEREAS, the City of Daphne did receive and review bids for the SIDEWALK ON CR-13: WHISPERING PINES TO CHAMPION WAY project and has determined that the bid as presented is reasonable (*Construction-\$477,450.80 + CE&I-\$50,132.33 = \$527,583.13 Total project cost*); and

WHEREAS, the 2015 Transportation Alternatives Program (TAP) Grant will reimburse \$399,966.40 of project cost for the SIDEWALK ON CR-13: WHISPERING PINES TO CHAMPION WAY project; and

WHEREAS, staff recommends the bid for the SIDEWALK ON CR-13: WHISPERING PINES TO CHAMPION WAY project be awarded to Ammons & Blackmon construction, LLC..

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the City hereby accept the bid from Ammons & Blackmon construction, LLC. in the amount of **\$477,450.80** as specified in BID SPECIFICATION NO. 2017-Q-THE SIDEWALK ON CR-13: WHISPERING PINES TO CHAMPION WAY PROJECT -TAPNU-TA15(940).

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

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2017-44**

**AUTHORIZATION TO ACCEPT THE 2017 TAP GRANT: TAPAA-TA17(933) -
STATE OF ALABAMA'S FISCAL YEAR 2017 TRANSPORTATION
ALTERNATIVE PROGRAM (TAP)**

WHEREAS, in the Fall of 2016, the Alabama Department of Transportation (ALDOT) solicited applications for the Fiscal Year 2017 Transportation Alternatives Program (TAP) provided by the Federal Highway Administration through the Moving Ahead for Progress in the 21st Century (MAP 21); and

WHEREAS, Transportation Alternatives Program (TAP) funds may be used for Construction of on-road sidewalk facilities for pedestrians, bicyclists, and other non-motorized forms of transportation and Resolution 2016-91 Authorized the City of Daphne to apply for the 2017 TAP Grant; and

WHEREAS, in June of 2017, the City was awarded TAP Grant with funds capped at a maximum of \$399,884.80 (\$499,856.00 *Project Total* distributed according to the cost sharing methodology of 80% Federal / 20% City for construction cost and construction engineering and testing (CE&I)) for a sidewalk along Park and Pollard Roads (Pinehill Dr. to County Road 64) ; and

WHEREAS, The TAP Grant requires the City of Daphne to provide 100% of funding for all related engineering design costs, utility relocations, and R.O.W. acquisitions;

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

1. That the City enter into an Agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a Transportation Alternatives project (Project No. TAPAA-TA17(933) for the Pollard Road & Park Drive Sidewalks Project with partial funding by the Federal Highway Administration, which Agreement is before this Council;
2. That the Agreement be executed in the name of the City, for and on behalf of the City, by its Mayor.
3. That it be attested by the Clerk and the seal of the City affixed thereto.

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

BE IT FURTHER RESOLVED, that upon the completion of the execution of the Agreement by all parties, that a copy of such Agreement be kept on file by the City Council. I, the undersigned qualified and acting City Clerk of the City of Daphne, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council named therein, at a regular meeting of such Council held on the ____ day of _____ 2017, and that such resolution is on file in the City Clerk's Office.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

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

2017-U-LIBRARY ROOF RESTORATION

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the LIBRARY ROOF RESTORATION will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the LIBRARY ROOF RESTORATION and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the LIBRARY ROOF RESTORATION be awarded to Dobson Sheet Metal and Roofing, Inc.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the City hereby accept the bid of Dobson Sheet Metal and Roofing, Inc. in the amount of \$187,850 (Base Bid- \$169,000 + Add Alternate #2 -\$18,850) as specified in BID SPECIFICATION NO. 2017-U-LIBRARY ROOF RESTORATION.

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

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

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

**RETIREE COST OF LIVING: ONE-TIME LUMP SUM PAYMENT
Act 2017-367**

(Local Unit Retirees and Beneficiaries of Deceased Retirees)

WHEREAS, Act 2017-367 as adopted by the Alabama Legislature grants a cost-of-living increase to certain eligible retirees and beneficiaries of the Employees' Retirement System whose effective date of retirement for the purpose of receiving benefits is prior to May 1, 2017; and

WHEREAS, a retiree will receive a one-time lump sum payment equal to \$2.00 per month for each year of service **or** \$300, whichever is greater; and

WHEREAS, for a deceased retiree the beneficiary will receive a one-time lump sum payment of \$300; and

WHEREAS, the estimated cost of \$23,926 for this one-time lump sum payment will be included in the FY2019 Budget.

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

- 1) Elects to come under the provisions of Section 2 of Act 367 of the Regular Session of the 2017 Legislature and
- 2) Agrees to provide all funds necessary to the Employees' Retirement System to cover the cost of the one-time lump sum payment as provided for by said Act for those eligible retirees and beneficiaries of deceased retirees of the City of Daphne with the aforementioned lump sum payment (\$23,926) being added to the City's contribution rate (.24% increase) for a period of one year from October 1, 2018 – September 30, 2019.

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

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2017 - 47**

**A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND
AUTHORIZING THE MAYOR TO DISPOSE OF SUCH PROPERTY**

WHEREAS, the Department Heads of the City of Daphne have determined that the items listed below are no longer required for public or municipal purposes; and

WHEREAS, the items listed below are recommended for disposal.

**NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY
THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** that

1. The property listed below is hereby declared to be surplus property, and

DEPT	EQ/VEH#	DESCRIPTION	VIN / SN
Mechanical	212	1990 HOMEMADE SM MOWER TRAILER	AL90HM00800011662
Grounds	1450	2013 JD 1565 SERIES II FRONT MOWER- 72" Fastback	1TC1565DJDT120263
Grounds	1446	2013 JD 1565 SERIES II FRONT MOWER- 72" Fastback	1TC1565DPDT120258

2. The Mayor is authorized to advertise and accept bids through Govdeals.com as contracted for the sale of such personal property, and
3. The Mayor is authorized to sell said property to the highest bidder and deposit any and all proceeds to the appropriate City Fund. The Mayor is further authorized to direct the disposition of any property which is not claimed by any bidder and sign all necessary documents.

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

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2017 - 48**

**A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND
AUTHORIZING THE MAYOR TO DISPOSE OF SUCH PROPERTY**

WHEREAS, the Department Heads of the City of Daphne have determined that the items listed below are no longer required for public or municipal purposes; and

WHEREAS, the items listed below are recommended for disposal.

**NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY
THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** that

1. The property listed below is hereby declared to be surplus property, and

DEPT	EQ/VEH#	DESCRIPTION	VIN / SN
Patrol	310	2010 FORD CROWN VIC	2FABP7BV3AX121264
Patrol	210	2010 FORD CROWN VIC	2FABP7BV1AX121263
Patrol	5090	2009 FORD CROWN VIC	2FAHP71V59X146268
Patrol	4090	2009 FORD CROWN VIC	2FAHP71V09X141821
Patrol	2080	2008 FORD CROWN VIC	2FAFP71V28X161039
Patrol	301	2001 FORD CROWN VIC	2FAFP71W71X129735

2. The Mayor is authorized to advertise and accept bids through Govdeals.com as contracted for the sale of such personal property, and
3. The Mayor is authorized to sell said property to the highest bidder and deposit any and all proceeds to the appropriate City Fund. The Mayor is further authorized to direct the disposition of any property which is not claimed by any bidder.

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

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-60**

**Ordinance to Pre-Zone Property Located
Southeast of Corte Road and County Road 13
Fred L. Corte**

WHEREAS, Fred L. Corte 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 RA, Rural Agricultural, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, to be pre-zoned as PUD, Planned Unit Development, prior to annexing into the City of Daphne; and

WHEREAS, said real property is Southeast of Corte Road and County Road 13, and more particularly described as follows:

Legal Description for Pre-zone:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, SAID POINT ALSO KNOWN AS THE SOUTHWEST CORNER OF BELLATON SUBDIVISION, PHASE ONE AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2194-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 00 DEGREES 17 MINUTES 39 SECONDS EAST, ALONG THE WEST MARGIN OF SAID BELLATON SUBDIVISION, PHASE ONE, FUTURE BELLATON SUBDIVISION, PHASE FOUR, AND A PROJECTION THEREOF, A DISTANCE OF 724.68 FEET TO A CAPPED REBAR; THENCE RUN NORTH 00 DEGREES 16 MINUTES 25 SECONDS EAST, A DISTANCE OF 1267.60 FEET; THENCE RUN NORTH 00 DEGREES 40 MINUTES 23 SECONDS EAST, A DISTANCE OF 59.95 FEET TO A CAPPED REBAR ON THE SOUTH MARGIN OF BALDWIN COUNTY FARM TO MARKET ROAD (A.K.A. CORTE ROAD); THENCE RUN NORTH 58 DEGREES 32 MINUTES 58 SECONDS WEST, ALONG AN OLD FENCE ON THE SOUTH MARGIN OF SAID BALDWIN COUNTY FARM TO MARKET ROAD, A DISTANCE OF 355.59 FEET TO A CAPPED REBAR; THENCE RUN NORTH 60 DEGREES 39 MINUTES 04 SECONDS WEST, ALONG SAID OLD FENCE ON THE SOUTH MARGIN OF SAID ROAD, A DISTANCE OF 824.19 FEET TO A CAPPED REBAR; THENCE RUN NORTH 79 DEGREES 30 MINUTES 38 SECONDS WEST, ALONG SAID FENCE AND ROAD, A DISTANCE OF 40.53 FEET TO A CAPPED REBAR; THENCE RUN NORTH 89 DEGREES 21 MINUTES 29 SECONDS WEST, ALONG SAID FENCE AND ROAD, A DISTANCE OF 262.67 FEET TO A CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 57 SECONDS WEST, A DISTANCE OF 2641.94 FEET TO A CAPPED REBAR; THENCE RUN SOUTH 89 DEGREES 33 MINUTES 48 SECONDS EAST, A DISTANCE OF 1325.31 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 73.53 ACRES, MORE OR LESS, AND LIES IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

WHEREAS, at the regular Planning Commission meeting on June 22, 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 August 7, 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 PUD, Planned Unit Development, 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 RA, Rural Agricultural, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne.

BLACKSTONE LAKES PUD STANDARDS

Blackstone Lakes, a Planned Unit Development (PUD), is a 73.53 acre site located one-quarter of a mile east of County Road 13 and is bound on the north side by Corte Road and on the east side by Bellaton Subdivision Phases 1 and 4. 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. Application has been made to the City of Daphne to Pre-zone this property as a PUD.

The proposed development consists of 175 single family lots, with 123 lots at 52' wide and a minimum of 6,000 sq. ft., and 52 lots at 70' wide and a minimum of 10,500 sq. ft.

The proposed density of the development is 2.38 units per acre. There are 20.73 acres, or 28.19% of the total site, proposed as common area. These common areas consists of buffers, stormwater detention areas, and 7.50 acres of recreational area.

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, 10' on the sides, and 15' 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 38%.

All utilities will be constructed underground and water, sewer, electric, and telephone are all available to the site. All roadways within the development, except for one area described below, 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.

The PUD Master Plan proposes a mix in residential building types. As a public benefit the developer proposes to make connection to and pave Corte Road from County Road 13 to just beyond the entrance of the proposed development. This will provide connectivity from the existing Bellaton development to County Road 13 and also provide additional access to Bellaton for police, fire, ambulance, garbage service, and school buses. Due to Corte Road being a County Road, all improvements will be designed and constructed to County Standards.

The southernmost 34 lots, Lots 142-175, are proposed as a senior living section within the development with a proposed gated entryway. During the subdivision process, the developer will coordinate with emergency services, garbage services, and utility companies to provide an agreed upon method for access, whether by means of a code or keyed access. The developer plans to coordinate with the Public Works department for curbside garbage pickup service. The roadways within this section will be private and privately maintained. It is also understood that any storm related debris will not be picked up by the City along the private roadways.

Covenants and Restrictions will provide for the formation of a Property Owner's Association for the Blackstone Lakes development whereby maintenance responsibilities

of the private roads, drainage infrastructure outside of public and private roadways, and common areas will be established. It is anticipated that the senior living section will have separate maintenance responsibilities than the remaining property owners of the Blackstone Lakes development but all will be under a Master set of Covenants and Restrictions. These Covenants and Restrictions will be for the Blackstone Lakes development and will not in any way be a part of the existing Bellaton development.

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:

Candace G. Antinarella,
City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-61**

**Ordinance to Pre-Zone Property Located
East side of County Road 13, North of Sehoy Subdivision
Malbis Plantation Inc.**

WHEREAS, Malbis Plantation 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-3, Single Family District, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, 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 East side of County Road 13, north of Sehoy Subdivision, and more particularly described as follows:

Legal Description for Pre-zone:

Lot 1 of Malbis-CR13 Subdivision as recorded on Slide 2594-F in the Probate Office of Baldwin County, Alabama.

WHEREAS, at the regular Planning Commission meeting on June 22, 2017, the Commission considered said request and set forth an 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 August 7, 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-3, Single Family District, Baldwin County District 15 in the extraterritorial planning jurisdiction of the City of Daphne.

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:

Candace G. Antinarella,
City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-62**

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

**East side of County Road 13, North of Sehoj Subdivision
Malbis Plantation Inc.**

WHEREAS, on the 24th day of April, 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 August 7, 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 June 22, 2017, and the Commission set forth a favorable recommendation for Annexation and to adhere to the City's policy regarding connectivity (i.e. in favor of open access between subdivisions) 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 August 7, 2017 regularly scheduled City Council meeting Ordinance 2017-__ was adopted pre-zoning the said property as R3, 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:

Lot 1 of Malbis-CR13 Subdivision as recorded on Slide 2594-F in the Probate Office of 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

Candace G. Antinarella,
City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-63**

**AN ORDINANCE TO ZONE PROPERTY ANNEXED BY LEGISLATIVE ACT
Parcel 1 – Dollar General Store on Highway 181**

WHEREAS, on August 15, 2016, the City Council adopted Resolution 2016-59 consenting to the annexation of certain parcels of real property into the corporate limits of the City of Daphne; and

WHEREAS, on April 20, 2017, the Governor of the State of Alabama signed into law Act 2017-163, as passed by the Alabama Legislature, which altered the corporate limits of the City of Daphne to include the following territory referred to therein as “Parcel 1”:

ALL OF LOT 1, BROADWAY - AL HIGHWAY 181 A RESURVEY OF REAL PROPERTY BOOK 547 PAGE 1238 AND INSTRUMENT # 492517, AS RECORDED IN SLIDE 2505-C IN THE OFFICE OF THE PROBATE JUDGE FOR SAID COUNTY AND STATE. SAID LOT CONTAINS 1.37 ACRES MORE OR LESS.

and

WHEREAS, said legislative annexation has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on June 22, 2017, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to zone the subject parcel B-2(a), General Business Alternate; and

WHEREAS, after proper publication, a public hearing was held by the City Council on August 7, 2017, concerning the zoning of the subject parcel; 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 zoning designation is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Daphne, Alabama.

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

SECTION ONE: ZONING

Upon the effective date of annexation, the above described real property is hereby zoned B-2(a), General Business Alternate.

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

CITY OF DAPHNE

DANE HAYGOOD, MAYOR

ATTEST:

CANDACE G. ANTINARELLA, CITY CLERK

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-64**

**AN ORDINANCE TO ZONE PROPERTY ANNEXED BY LEGISLATIVE ACT
Parcel 2 – Palladian at Daphne Apartments on Highway 181**

WHEREAS, on August 15, 2016, the City Council adopted Resolution 2016-59 consenting to the annexation of certain parcels of real property into the corporate limits of the City of Daphne; and

WHEREAS, on April 20, 2017, the Governor of the State of Alabama signed into law Act 2017-163, as passed by the Alabama Legislature, which altered the corporate limits of the City of Daphne to include the following territory referred to therein as “Parcel 2”:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 2 EAST AND RUN THENCE SOUTH 00 DEGREES 03 MINUTES EAST, ALONG THE EAST MARGIN OF SAID SECTION, 825.2 FEET; THENCE RUN NORTH 89 DEGREES 58 MINUTES WEST 89.7 FEET TO A CAPPED IRON REBAR FOUND AND THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 80.12 FEET TO A CAPPED REBAR FOUND ON THE WEST MARGIN OF STATE HIGHWAY 181; THENCE RUN NORTH 89 DEGREES 54 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 225.19 FEET TO A REBAR FOUND; THENCE RUN SOUTH 00 DEGREES 00 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 419.72 FEET TO A CAPPED REBAR FOUND; THENCE RUN NORTH 89 DEGREES 56 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 1009.75 FEET TO A CAPPED REBAR FOUND; THENCE RUN NORTH 00 DEGREES 02 MINUTES WEST FOR A DISTANCE OF 1081.8 FEET TO A POINT IN THE CENTERLINE OF A DRY GULLY; THENCE RUN SOUTH 82 DEGREES 34 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 650.88 FEET TO A CAPPED REBAR FOUND; THENCE RUN SOUTH 00 DEGREES 02 MINUTES 05 SECONDS EAST FOR A DISTANCE OF 498.27 FEET TO A CAPPED REBAR FOUND; THENCE RUN SOUTH 89 DEGREES 52 MINUTES 01 SECONDS EAST FOR A DISTANCE OF 364.73 FEET TO A CAPPED REBAR FOUND; THENCE RUN SOUTH 89 DEGREES 55 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 224.79 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN, SITUATED IN BALDWIN COUNTY, ALABAMA, AND CONTAINING 20.0 ACRES, MORE OR LESS.

and

WHEREAS, said legislative annexation has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on June 22, 2017, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to zone the subject parcel R-7(A), Apartment District; and

WHEREAS, after proper publication, a public hearing was held by the City Council on August 7, 2017, concerning the zoning of the subject parcel; 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 zoning designation is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Daphne, Alabama.

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

SECTION ONE: ZONING

Upon the effective date of annexation, the above described real property is hereby zoned R-7(A), Apartment District.

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

CITY OF DAPHNE

DANE HAYGOOD, MAYOR

ATTEST:

CANDACE G. ANTINARELLA, CITY CLERK

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-65**

**AN ORDINANCE TO ZONE PROPERTY ANNEXED BY LEGISLATIVE ACT
Parcel 3 – Chevron Gas Station on Highway 181**

WHEREAS, on August 15, 2016, the City Council adopted Resolution 2016-59 consenting to the annexation of certain parcels of real property into the corporate limits of the City of Daphne; and

WHEREAS, on April 20, 2017, the Governor of the State of Alabama signed into law Act 2017-163, as passed by the Alabama Legislature, which altered the corporate limits of the City of Daphne to include the following territory referred to therein as “Parcel 3”:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, AND RUN THENCE SOUTH 00 DEGREES 12 MINUTES 36 SECONDS WEST 865.3 FEET, MORE OR LESS; THENCE RUN NORTH 89 DEGREES 47 MINUTES 14 SECONDS WEST 98.85 FEET, MORE OR LESS, TO A CONCRETE RIGHT OF WAY MONUMENT AT RIGHT OF WAY STATION 17 + 52.78 AS SHOWN BY ALABAMA STATE HIGHWAY DEPARTMENT RIGHT OF WAY MAP PROJECT NUMBER I-IG-10-1 (17) FOR A POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH 00 DEGREES 12 MINUTES 36 SECONDS WEST 125.8 FEET TO AN IRON PIN MARKER; THENCE RUN NORTH 89 DEGREES 47 MINUTES 24 SECONDS WEST 211.19 FEET TO AN IRON PIN MARKER; THENCE RUN NORTH 00 DEGREES 07 MINUTES 30 SECONDS EAST 218.0 FEET TO AN IRON PIN MARKER; THENCE RUN SOUTH 89 DEGREES 47 MINUTES 24 SECONDS EAST 158.19 FEET TO AN IRON PIN MARKER; THENCE RUN SOUTH 29 DEGREES 47 MINUTES 24 SECONDS EAST 106.64 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 1 ACRE, MORE OR LESS, AND LIES IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

and

WHEREAS, said legislative annexation has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on June 22, 2017, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to zone the subject parcel B-2, General Business; and

WHEREAS, after proper publication, a public hearing was held by the City Council on August 7, 2017, concerning the zoning of the subject parcel; 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 zoning designation is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Daphne, Alabama.

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

SECTION ONE: ZONING

Upon the effective date of annexation, the above described real property is hereby zoned B-2, General Business.

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

CITY OF DAPHNE

DANE HAYGOOD, MAYOR

ATTEST:

CANDACE G. ANTINARELLA, CITY CLERK

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-66**

**AN ORDINANCE TO ZONE PROPERTY ANNEXED BY LEGISLATIVE ACT
Parcel 4 – JMO Subdivision on County Road 13 and Champions Way**

WHEREAS, on August 15, 2016, the City Council adopted Resolution 2016-59 consenting to the annexation of certain parcels of real property into the corporate limits of the City of Daphne; and

WHEREAS, on April 20, 2017, the Governor of the State of Alabama signed into law Act 2017-163, as passed by the Alabama Legislature, which altered the corporate limits of the City of Daphne to include the following territory referred to therein as “Parcel 4”:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 03, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00 DEGREES 18 MINUTES 45 SECONDS EAST A DISTANCE OF 2,641.69 FEET TO A POINT; THENCE RUN SOUTH 89 DEGREES 52 MINUTES 55 SECONDS EAST A DISTANCE OF 661.43 FEET TO A POINT; THENCE RUN NORTH 00 DEGREES 44 MINUTES 09 SECONDS EAST A DISTANCE OF 55.00 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 52 MINUTES 55 SECONDS WEST (ALONG THE NORTH RIGHT OF WAY LINE OF LAWSON ROAD) A DISTANCE OF 119.76 FEET TO THE POINT OF BEGINNING (A REBAR CAP. SET); THENCE RUN NORTH 60 DEGREES 28 MINUTES 37 SECONDS WEST A DISTANCE OF 63.19 FEET TO A POINT (A REBAR CAP. SET); THENCE RUN NORTH 05 DEGREES 55 MINUTES 03 SECONDS WEST A DISTANCE OF 85.94 FEET TO A POINT (A REBAR CAP. SET); THENCE RUN NORTH 03 DEGREES 27 MINUTES 28 SECONDS EAST A DISTANCE OF 222.87 FEET TO A POINT (A REBAR CAP. SET); THENCE RUN NORTH 03 DEGREES 27 MINUTES 28 SECONDS EAST A DISTANCE OF 7.06 FEET TO A POINT (A REBAR CAP. SET); THENCE RUN 123.60 FEET ALONG A CURVE TO THE RIGHT WITH A CHORD OF NORTH 05 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 123.56 FEET TO A POINT (A REBAR CAP. SET); THENCE RUN SOUTH 89 DEGREES 52 MINUTES 56 SECONDS EAST A DISTANCE OF 14.14 FEET TO A POINT (A REBAR CAP. SET); THENCE RUN SOUTH 89 DEGREES 52 MINUTES 56 SECONDS EAST A DISTANCE OF 408.62 FEET TO A POINT (A REBAR CAP. FOUND); THENCE RUN SOUTH 00 DEGREES 44 MINUTES 09 SECONDS WEST A DISTANCE OF 469.00 FEET TO A POINT (A REBAR CAP. FOUND); THENCE RUN NORTH 89 DEGREES 52 MINUTES 55 SECONDS WEST (ALONG THE NORTH RIGHT OF WAY LINE OF LAWSON ROAD) A DISTANCE OF 379.24 FEET TO THE POINT OF BEGINNING. SAID DESCRIPTION ENCLOSED 4.67 ACRES, MORE OR LESS.

and

WHEREAS, said legislative annexation has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on June 22, 2017, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to zone the subject parcel B-2(a), General Business Alternate; and

WHEREAS, after proper publication, a public hearing was held by the City Council on August 7, 2017, concerning the zoning of the subject parcel; 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 zoning designation is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Daphne, Alabama.

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

SECTION ONE: ZONING

Upon the effective date of annexation, the above described real property is hereby zoned B-2(a), General Business Alternate.

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

CITY OF DAPHNE

DANE HAYGOOD, MAYOR

ATTEST:

CANDACE G. ANTINARELLA, CITY CLERK

**CITY OF DAPHNE
ORDINANCE NO. 2017-67**

**AN ORDINANCE AMENDING THE CITY OF DAPHNE, ALABAMA
LAND USE AND DEVELOPMENT ORDINANCE 2011-54, AS ADOPTED BY THE
CITY COUNCIL ON JULY 18, 2011
AMENDING THE TABLE OF PERMITTED USES WITH REGARD TO THE
C/I, COMMERCIAL/INDUSTRIAL DISTRICT**

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

WHEREAS, at the City of Daphne Planning Commission regular meeting on June 22, 2017 the Commission considered certain proposed amendments to the City of Daphne Land Use & Development Ordinance, Ordinance 2011-54, and any amendments to the same and set forth a favorable recommendation to the City Council of the City of Daphne; and,

WHEREAS, according to Section 12-5 of the Land Use & Development Ordinance, the C/I, Commercial/Industrial District, is intended to provide locations for heavy commercial and light industrial activities which will not detract from the general character of the community because of hazardous operations, unsightly appearance of buildings and surroundings, objectionable emissions, or other factors that may be detrimental to the community environment; and,

WHEREAS, according to Section 12-5 of the Land Use & Development Ordinance, the B-2, General Business District, is intended to provide opportunity for activities causing noise and heavy traffic, not considered compatible in the more restrictive business district. These uses also serve as a regional, as well as, a local market and require location in proximity to major transportation routes; and,

WHEREAS, some uses permissible in B-2, General Business District, under certain conditions may be considered appropriate in C/I, Commercial/Industrial District; 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 August 7, 2017; and,

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

SECTION I: THIS SECTION HEREBY ADDS TO AND AMENDS THE LAND USE AND DEVELOPMENT ORDINANCE ARTICLE XXXV, TABLE OF PERMITTED USES AS FOLLOWS:

- A. Amend Section 35-3, Permitted Uses & Conditions Table, to permit in C/I, Commercial/Industrial District, the following uses as permissible by right:

Office buildings, professional; taxi dispatching station.

- B. Amend Section 35-3, Permitted Uses & Conditions Table, to permit in C/I, Commercial/Industrial District, the following uses as permissible upon approval of the Planning Commission:

Agriculture and related farming operations, including horticulture, plant nurseries market gardening, field crops, orchards, and home gardens; Art supplies; Camera and photographic supply store; Catering shop or service; Dairy products sales; Delicatessen; Dry cleaning shop, including self-service; Employee credit union office; Floral shop; Funeral home, mortuary or undertaking establishment; Gymnasium, commercial; Laundry, and dry

cleaning pick-up station; Pet shop; Photographic studio and/or processing; Shoe repair shop; Studio for dance or music; Studio for professional work or teaching of fine arts such as photography, drama, speech and painting.

- C. Amend Section 35-3, Permitted Uses & Conditions Table, to permit in C/I, Commercial/Industrial District, the following uses as permissible upon approval of a Special Exception:

Art gallery or museum; Business school or college.

All other sections, articles and/or content of the City of Daphne Land Use and Development Ordinance shall remain the same and shall be unchanged by this ordinance.

SECTION II: CONFLICT WITH OTHER ORDINANCES

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

SECTION III: SEVERABILITY

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

SECTION IV: EFFECTIVE DATE

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

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

Dane Haygood,
Mayor

ATTEST:

Candace G. Antinarella, City Clerk

CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-68
APPROPRIATION TAP: 2017-Q-SIDEWALK ON CR-13 FROM WHISPERING PINES
TO CHAMPION WAY- TAPNU-TA15(940)

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, the City was awarded a 2015 Transportation Alternatives Program (TAP) Grant administered through the Alabama Department of Transportation (ALDOT) in the amount of \$399,966.40; and

WHEREAS, funds in the amount of \$105,000 were appropriated in the FY2016 Budget for sidewalk projects with \$63,908.20 remaining available funds; and

WHEREAS, bids were received for the Sidewalk on CR-13 from Whispering Pines to Champion Way TAPNU-TA15(940) project; and

WHEREAS, the total project cost for the project is \$527,583.13 (*Construction bid cost: \$477,450.80 + CE&I Fees: \$50,132.33*).

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

1. Funds in the amount of **\$63,709** from the **Capital Reserve Fund** are appropriated and made a part of the Fiscal Year 2017 budget for the City's 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 CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA this _____ day of _____, 2017.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-69**

APPROPRIATION FOR THE LIBRARY ROOF RESTORATION

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, roof repairs are needed at the Library to maintain and protect the existing roof structure; and

WHEREAS, bids were received for the Library Roof Restoration with the recommendation from staff to award the base bid amount of \$169,000 and include Add Alternate #2 - \$18,850 for a total project cost of \$187,850.

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

1. The Fiscal Year 2017 Budget is hereby amended to include an appropriation from the **General Fund** in the amount of **\$187,850** for the Library Roof Restoration; and
2. The Mayor is hereby authorized to enter into any agreements associated with the project on behalf of the City of Daphne.

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

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-70**

**APPROPRIATION FOR SIDEWALKS: PARK & POLLARD ROAD: SURVEY, DESIGN &
LETTING PROJECT NO. TAPAA-TA17(933) - STATE OF ALABAMA'S FISCAL YEAR
2017 TRANSPORTATION ALTERNATIVE PROGRAM (TAP)**

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, in the Fall of 2016, the Alabama Department of Transportation (ALDOT) solicited applications for the Fiscal Year 2017 Transportation Alternatives Program (TAP) provided by the Federal Highway Administration through the Moving Ahead for Progress in the 21st Century (MAP 21); and

WHEREAS, Transportation Alternatives Program (TAP) funds may be used for Construction of on-road sidewalk facilities for pedestrians, bicyclists, and other non-motorized forms of transportation and Resolution 2016-91 Authorized the City of Daphne to apply for the 2017 TAP Grant; and

WHEREAS, in June of 2017, the City was awarded TAP Grant with funds capped at a maximum of \$399,884.80 (\$499,856.00 *Project Total* distributed according to the cost sharing methodology of 80% Federal / 20% City for construction cost and construction engineering and testing (CE&I)) for a sidewalk along Park and Pollard Roads (Pinehill Dr. to County Road 64) ; and

WHEREAS, The TAP Grant requires the City of Daphne to provide 100% of funding for all related engineering design costs, utility relocations, and R.O.W. acquisitions;

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

1. The Fiscal Year 2017 Budget is hereby amended to include an appropriation from the General Fund in the amount of \$48,979.00 for the Survey, Design and Letting of the Sidewalk Project along Park and Pollard Roads; and
2. The Mayor is hereby authorized to enter into any agreements, on behalf of the City of Daphne, associated with the grant/project.

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

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-71
APPROPRIATION: INTERSECTION IMPROVEMENTS AT COUNTY ROAD 64 AND
POLLARD ROAD: SURVEY, DESIGN, AND LETTING

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 an incorporated municipality in Baldwin County and has experience significant growth along the County Road 64 and Pollard Road Corridors; and

WHEREAS, the City of Daphne has taken an active role in transportation planning and improvements along these corridors and has identified a need for intersection improvements at County Road 64 and Pollard Road; and

WHEREAS, Private Development along these corridors has joined the City of Daphne in support of these improvements by conducting Traffic Impact Studies and contributing Project Funds; and

WHEREAS, prior to any improvements, engineering survey, design and project letting must occur; and

WHEREAS, Hutchinson, Moore, and Rauch LLC will be providing the engineering services for the project; and

WHEREAS, the key improvements that have been identified involve additional turn lanes and signal upgrades;

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

1. funds in the amount of **\$28,780** from the **Four Cent Gas Tax Fund** are appropriated and made a part of the Fiscal Year 2017 budget for the Engineering Survey, Design and Letting of for intersection improvements at County Road 64 and Pollard Road.
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 CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this ____ day of _____, 2017.

Dane Haygood, Mayor

Attest:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-72**

**ADDITIONAL APPROPRIATION: CORTE ROAD IMPROVEMENTS PHASE I & PHASE II
– GEOTECHNICAL MATERIAL TESTING**

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, the City of Daphne is an incorporated municipality in Baldwin County and has experience significant growth to the southeast that is currently served by County Road 13 and State Road 181; and

WHEREAS, the City of Daphne has taken an active role in transportation planning and improvements along these corridors and has identified a need for an additional east-west arterial connecting County Road 13 and State Road 181 with the ultimate objective to connect to U.S. Highway 98 via Johnson Road; and

WHEREAS, Alabama Department of Transportation (ALDOT) is under final design for improvements to State Road 181 that includes the intersection of Corte and Austin Roads; and

WHEREAS, the City of Daphne and ALDOT recognizes that Roadway Improvements on Corte Road between CR 13, SR 181 and Austin Road will require engineering and testing services which must be coordinated with ALDOT's SR181 plans; and

WHEREAS, The City of Daphne appropriated \$58,500 in Ordinance 2017-16 for survey, design and ROW mapping for services provided by Dewberry Engineers Inc., however additional funding is needed for the special services of Geotechnical Material Testing;

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

1. Funds in the amount of **\$5,200** from the **General Fund** are appropriated and made a part of the Fiscal Year 2017 budget for the Geotechnical Material Testing for the Corte Road Improvements – Phase I and Phase II.
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 CITY COUNCIL OF THE CITY OF DAPHNE
ALABAMA this ____ day of _____, 2017.**

Attest:

Dane Haygood, Mayor

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-73**

AN ORDINANCE AMENDING THE CITY OF DAPHNE PAY PLAN

WHEREAS, Ordinance 2004-52 as adopted January 3, 2005 established the City of Daphne Job Classification Schedule; and

WHEREAS, Ordinance 2007-11 created a separate public safety schedule created for public safety employees, which resulted in the City maintaining two separate pay plans

WHEREAS, there is a desire to consolidate to a single pay scale; to provide competitive pay for certain public safety positions; and to recognize an employees' loyalty and service to the City as part of its overall compensation plan

WHEREAS, it has been deemed necessary and beneficial to integrate the FY 2018 cost of living adjustment (COLA) as part of the proposed changes to the pay plan and compensation changes as outlined below.

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

1. Public Safety Pay Scale Elimination:

- a. The following positions shall be reclassified to the Regular Pay Scale at the same grade as currently classified in the Public Safety Pay Scale and employees in these positions shall be reclassified to the prescribed grade at their current step level:

Patrol Officer
Patrol Corporal
Firefighter
Fire Medic
Fire Lieutenant

- b. The following positions shall be reclassified to the Regular Pay Scale at the same grade as currently classified in the Public Safety Pay Scale and employees in these positions shall be reclassified to the prescribed grade at their current step level:

Patrol Sergeant
Lieutenant
Support Services Lieutenant
Police Captain
Fire Marshall

- c. The following positions shall be reclassified to the Regular Pay Scale at the same grade as currently classified in the Public Safety Pay Scale and employees in these positions shall be reclassified to the prescribed grade one step higher than their current step level:

Fire Battalion Chief

2. Conversion of 2080 hour workers to 2184 hour workers:

- a. The following position shall be established:

<u>Position</u>	<u>Employee Type</u>	<u>Annual Hours</u>
School Resource Officer	84 Hours	2,184

This position shall be classified on the Regular Pay Scale at a grade 20 at 2 steps lower than the current step level.

- b. The following position will be reclassified to an 84 hour/2,184 annual hour employee and will be reclassified to the Regular Pay scale at one step lower than the current step level and at Grade 20:

Detective

- c. The following position will be reclassified to an 84 hour/2,184 annual hour employee and will be reclassified at the same grade to the Regular Pay scale at three steps lower than the current step level:

Detective Corporal

- d. The following position will be reclassified to an 84 hour/2,184 annual hour employee and will be reclassified at the same grade to the Regular Pay scale at four steps lower than the current step level:

Detective Sergeant

- e. For any public safety employee who converts from an 84 hour/2,184 annual hour to an 80 hour/2,184 annual hour employee before the consolidation of the pay tables, the employee will be appropriately reclassified to the grade and step deemed appropriate by the Mayor, Finance Director, and the Human Resource Director

3. Public Safety Positions on Regular Pay Scale:

- a. The following public safety positions which are currently on the regular pay scale shall be reclassified at the current step level as follows:

<u>Position</u>	<u>Previous Grade</u>	<u>New Grade</u>
Corrections Officer	11	12
Dispatcher	11	12

- b. The following public safety position which is currently on the regular pay scale shall be reclassified one step higher than the current step level:

Communications Supervisor

- a. The following public safety position which is currently on the regular pay scale shall be reclassified to a 84 hour/2,184 annual hour employee and will be remain at the same grade and reclassified at a step level below the current step level:

Chief Corrections Officer

4. Longevity Pay

Longevity pay is a benefit that recognizes a full-time employee's years of continuous service. Full-time employees who have completed five (5) years or more of continuous service will be eligible for longevity pay.

To determine whether an employee is eligible for longevity pay, the Personnel Department will determine as of October 1, of each year whether an employee has completed five (5) or more years of continuous service with the City of Daphne. Longevity will be based on a fiscal year running October 1st through September 30th.

The employee must be on the payroll on September 30th of each eligible year to qualify for the previous year. No partial years will be paid.

Employees that sever employment and then return to work may not use retroactive time to qualify. Time must be continuous service.

Pay will be as follows:

- | | | |
|----|-------------|-------|
| 1) | 5-9 years | \$150 |
| 2) | 10-14 years | \$250 |
| 3) | 15+ years | \$350 |

The check will be issued from regular payroll and federal income tax, state income tax and social security contributions will be deducted at the customary withholding rate for an employee.

5. Cost of Living Adjustment (COLA) for FY 2018:

The COLA for FY 2018 for City of Daphne employees, each grade and step will be increased in the amount of the increment of the annual salary for that step and one step higher. For step 25, the amount will be calculated at the same percentage as the amount between step 24 and step 25 of that same grade.

The COLA will be implemented before the consolidation of pay tables.

6. The consolidation of the pay scales and the COLA will be effective the pay period beginning January 4, 2018.

The longevity pay system will become effective October 1, 2017.

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

Attest:

Dane Haygood, Mayor

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-74**

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

**Northeast Corner of Belgrove Avenue and Alabama Highway 181
The Citizens Bank**

WHEREAS, on the 11th day of May, 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 August 21, 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 June 22, 2017, and the Commission set forth a 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 August 21, 2017 regularly scheduled City Council meeting Ordinance 2017-__ was adopted pre-zoning the said property as B-1(a), Limited Local 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:

LOT 1, BELLE POINTE SUBDIVISION, AS PER MAP OR PLAT THEREOF
RECORDED IN SLIDE NUMBER 2452-C AND CONTAINING 1.36 ACRES
MORE OR LESS AND LYING IN SECTION 14, TOWNSHIP 5 SOUTH,
RANGE 2 EAST IN THE RECORDS IN THE OFFICE OF THE JUDGE OF
PROBATE OF 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

Candace G. Antinarella,
City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-75**

**Ordinance to Pre-Zone Property Located
Northeast Corner of Belgrove Avenue and Alabama Highway 181
The Citizens Bank**

WHEREAS, The Citizens Bank 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 District 15, in the extraterritorial planning jurisdiction of the City of Daphne, to be pre-zoned as B-1(a), Limited Local Business District, prior to annexing into the City of Daphne; and

WHEREAS, said real property is Northeast Corner of Belgrove Avenue and Alabama Highway 181, and more particularly described as follows:

Legal Description for Pre-zone:

LOT 1, BELLE POINTE SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED IN SLIDE NUMBER 2452-C AND CONTAINING 1.36 ACRES MORE OR LESS AND LYING IN SECTION 14, TOWNSHIP 5 SOUTH, RANGE 2 EAST IN THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.

WHEREAS, at the regular Planning Commission meeting on June 22, 2017, the Commission considered said request and set forth an unfavorable recommendation for B-1(a), Limited Local Business District; 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 August 21, 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-1(a), Limited Local Business District. 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 District 15, in the extraterritorial planning jurisdiction of the City of Daphne.

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 _____, 20_____.

Dane Haygood,
Mayor

ATTEST:

Candace G. Antinarella,
City Clerk

Ordinance 2017-76

**An Ordinance Amending Job Classification Schedule:
Facilities Manager**

WHEREAS, Ordinance 2004-52 as adopted January 3, 2005 established the City of Daphne Job Classification Schedule; and

WHEREAS, in order to insure that the City's Job Classification Schedule remains current, and competitive to ensure that the citizens of Daphne are properly served, the classification may be amended; and

WHEREAS, the Archer Company has conducted such review and certain revisions are recommended for implementation; and

WHEREAS, Ordinance 2004-52 requires that the subsequent revisions or amendments to the Job Classification Schedule be approved by the City Council.

WHEREAS, the Facilities Manager position was previously established and the ability to fill the position with proper skill sets has been unsuccessful. It is the recommendation of the Mayor and Public Works Director that the pay be adjusted in order to properly fill the position and;

WHEREAS, at the July 2017 Ordinance Committee meeting, a reclassification of the Facilities Manager position was unanimously recommended by the Council members to increase to Grade 27.

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

1. The Facilities Manager position is hereby reclassified to a Grade 27; and
2. The revised Job Classification Schedule is attached as Exhibit A.

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

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

CITY OF DAPHNE ALABAMA
JOB CLASSIFICATION LISTING-GRADE ORDER

GRADE	CODE	TITLE	FLSA	GR
2	7545	SAIL SITE DRIVER	N	2
	7550	SAIL SITE WORKER	N	2
4	0151	CUSTODIAN	N	4
	4521	GREENHOUSE ASSISTANT	N	4
5	0028	EVENTS ASSISTANT	N	5
	7533	FITNESS ASSOCIATE	N	5
	7540	SAIL SITE MANAGER	N	5
6	7532	ATHLETIC PROGRAM ASSOCIATE	N	6
	8070	LIBRARY AIDE	N	6
	0005	OFFICE ASSISTANT	N	6
	0141	PARTS TECHNICIAN	N	6
	0143	PUBLIC SERVICE WORKER	N	6
	0144	SOLID WASTE WORKER	N	6
7	0152	CUSTODIAL SUPERVISOR	N	7
8	8041	LIBRARY SERVICES TECHNICIAN	N	8
9	0010	ADMINISTRATIVE TECHNICIAN	N	9
	0030	SALES ASSISTANT	N	9
	2549	ANIMAL SHELTER TECHNICIAN	N	9
10	0015	ADMINISTRATIVE SECRETARY	N	10
	0026	EVENT SERVICES SUPERVISOR	N	10
11	1043	ACCOUNTING TECHNICIAN	N	11
	2548	ANIMAL CONTROL OFFICER	N	11
	2330	BUILDING MAINTENANCE TECHNICIAN	N	11
	0128	HUMAN RESOURCES TECHNICIAN	N	11
	5545	PLANNING COORDINATOR	N	11
	0142	PUBLIC SERVICE WORKER, SENIOR	N	11
	0145	SOLID WASTE WORKER, SENIOR	N	11
12	2245	CODE ENFORCEMENT OFFICER	N	12
	2030	MUNICIPAL COURT MAGISTRATE	N	12
	2551	COMMUNICATIONS OFFICER	N	12
	2546	CORRECTIONS OFFICER	N	12
	8074	AUDIO VISUAL LIBRARY TECHNICIAN	N	12

CITY OF DAPHNE ALABAMA
JOB CLASSIFICATION LISTING-GRADE ORDER

GRADE	CODE	TITLE	FLSA	GR
13	0020	ADMINISTRATIVE ASSISTANT	N	13
	4040	EQUIPMENT OPERATOR	N	13
	4540	GREENHOUSE COORDINATOR	N	13
	0521	HUMAN RESOURCES ASSISTANT	N	13
	7050	MECHANIC	N	13
	6850	PERMIT TECHNICIAN	N	13
	0146	SOLID WASTE COORDINATOR	N	13
14	1105	IT TECHNICIAN	N	14
	0123	CREW LEADER	N	14
	8075	LIBRARY SERVICES COMPUTER TECHNICIAN	N	14
	7053	MECHANIC, SENIOR	N	14
	0459	PUBLIC WORKS/EMA ASSISTANT	N	14
	0025	EXECUTIVE SECRETARY	N	14
	0056	MARKETING COORDINATOR	N	14
16	0057	VOLUNTEER COORDINATOR	N	14
	0023	ASSISTANT CITY CLERK	N	16
	0027	AUDIO-VISUAL MANAGER	N	16
	5540	GIS TECHNICIAN	N	16
	8050	LIBRARY SUPV, CIRCULATION	N	16
	8040	LIBRARY SUPV, TECHNICAL SERVICES	N	16
17	1023	ACCOUNTANT 1	E	17
	6840	BUILDING INSPECTOR	N	17
	2545	CHIEF CORRECTIONS OFFICER	N	17
	2550	COMMUNICATIONS SUPERVISOR	N	17
	0010	JAIL ADMINISTRATIVE TECHNICIAN	N	17
	0050	SALES MANAGER	E	17
	6870	SITE CONTAINMENT INSPECTOR	N	17
18	2332	BUILDING MAINTENANCE SUPERVISOR	N	18
	8068	CHILDREN'S LIBRARIAN	E	18
	7023	EQUIPMENT MAINTENANCE SUPERVISOR	N	18
	4522	GROUPS SUPERVISOR	N	18
	2022	MUNICIPAL COURT ADMINISTRATOR	E	18
	0450	OPERATIONS MANAGER	N	18
	7515	PARKS MAINTENANCE SUPERVISOR	N	18
	0130	PAYROLL/BENEFITS COORDINATOR	E	18
	5550	PLANNER	E	18
	4023	PUBLIC WORKS SUPERVISOR	N	18
	8045	REFERENCE LIBRARIAN	E	18

CITY OF DAPHNE ALABAMA
JOB CLASSIFICATION LISTING-GRADE ORDER

GRADE	CODE	TITLE	FLSA	GR
	0135	SAFETY COORDINATOR	E	18
	0523	SR. HUMAN RESOURCES SPECIALIST	E	18
	8066	YOUNG ADULT LIBRARIAN	E	18
19	7530	RECREATION PROGRAMS COORDINATOR	E	19
	0160	REGISTERED NURSE	N	19
20	7525	ATHLETIC COORDINATOR	E	20
	4024	PUBLIC WORKS SUPERVISOR, SENIOR	N	20
	1024	ACCOUNTANT II	E	20
22	6880	ENVIRONMENTAL PROGRAMS MANAGER	E	22
	1100	INFORMATION TECHNOLOGY COORDINATOR	N	22
23	1022	ACCOUNTANT, SENIOR	E	23
	1522	REVENUE OFFICER	E	23
27	0022	CITY CLERK	E	27
	6022	SUPERINTENDENT, PUBLIC WORKS	E	27
	2334	FACILITIES MANAGER	E	27
29	8020	DIRECTOR, LIBRARY	E	29
	7520	DIRECTOR, RECREATION	E	29
	0036	DIRECTOR, CIVIC CENTER	E	29
	6024	DEPUTY DIRECTOR, PUBLIC WORKS	E	29
	1021	DEPUTY DIRECTOR, FINANCE	E	29
	0525	DEPUTY DIRECTOR, HUMAN RESOURCES	E	29
	5530	DEPUTY DIRECTOR, COMMUNITY DEVEL.	E	29
30	2334	MUNICIPAL OPERATIONS DIRECTOR	E	30
32	0036	DIRECTOR, CVB & CIVIC CENTER	E	32
36	6822	BUILDING OFFICIAL	E	36
	1020	DIRECTOR, FINANCE	E	36
	0520	DIRECTOR, HUMAN RESOURCES	E	36
	5535	DIRECTOR, PLANNING	E	36
38	6019	DIRECTOR, PUBLIC WORKS	E	38