

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
April 2, 2018

1. **CALL TO ORDER**
2. **ROLL CALL**
INVOCATION Rev. Bennie Richardson – Morningstar Missionary Baptist Church
PLEDGE OF ALLEGIANCE

PRESENTATION: Beautification Award – Take 5 Oil Change 3

PRESENTATION: Kenny King, Daphne High School Athletics
3. **APPROVE MINUTES:** **Council Meeting** – March 19, 2018 4
4. **REPORTS OF STANDING COMMITTEES**
 - A. **FINANCE COMMITTEE** – Rudicell
Review Finance Committee minutes of March 19, 2018 11

MOTION to set all permit fees and Land Disturbance fees at \$20/each for all Habitat for Humanity projects located in the City of Daphne.

MOTION to enter into Daphne Strike Soccer Club agreement as Guarantor of the property loan through the current Council’s term ending September 30, 2020.
 - B. **BUILDINGS & PROPERTY COMMITTEE** – LeJeune
 - 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

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 - B. **DOWNTOWN REDEVELOPMENT AUTHORITY** – Conaway
 - C. **INDUSTRIAL DEVELOPMENT BOARD** – Davis
 - D. **LIBRARY BOARD** – Rudicell
 - F. **PLANNING COMMISSION** – Scott
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 - F. **RECREATION BOARD** – LeJeune
 - G. **UTILITY BOARD** – LeJeune
6. **MAYOR’S REPORT**

City Council Agenda – APRIL 2, 2018

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City of Daphne Beautification Committee

presents this

Certificate of Recognition

to

TAKE 5 OIL CHANGE

for your excellence in beautifying the City of Daphne.

Awarded on this 2nd day of April 2018.

Dane Haygood, Mayor



**MARCH 19, 2018
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

There being a quorum present Councilwoman Conaway called the meeting to order at 6:31 p.m.

2. ROLL CALL:

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

ABSENT: Robin LeJeune

Also Present: Dane Haygood, Mayor; Candace Antinarella, City Clerk; Brandy Volovecky, Assistant City Clerk; Jay Ross, City Attorney; Betsy Schneider, Operations Director; James White, Fire Chief; Adrienne Jones, Planning Director; Richard Merchant, Building Department; Kelli Kichler, Finance Director/Treasurer; David Carpenter, Police Chief; Jeremy Sasser, Public Works Director; Ronnie Huskey, Facilities Director; Margaret Thigpen, Civic Center Director; Vickie Hinman, Human Resources Director.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by John Martin, Family Pastor, Celebration Church.

Boy Scout Troop 177 was recognized for attending tonight's meeting as they work toward their Citizenship in the Community merit badges.

PUBLIC HEARING: Dayna Oldham - Vacation of Right-of-Way for a Portion of Church Street

Dayna Oldham gave an overview of the proposed vacation of right-of-way. Mayor Dane Haygood said this has been looked at very closely to ensure that the City preserved ingress and egress to City Hall and parking is available on the south side of the Daphne Art Center. The utility easement will remain.

Public hearing was opened at 6:36 p.m.

No one spoke for or against proposed vacation of right-of-way.

Public hearing was closed at 6:37 p.m.

PUBLIC HEARING: Re-zone of the WPNVA, LLC, Jay-E, LLC, John White-Spunner and Chester J. Stephan Property Located at the Southeast Corner of U.S. Highway 98 and Johnson Road

Jay Ross, City Attorney, said this matter went before the Planning Commission and the Planning Commission did not agree with the B-2, General Business designation, instead voting in favor of a recommendation for B-1, Local Business. The ordinance that was published along with the Notice of Public Hearing contained the Planning Commission's recommendation for B-1. Mr. Ross said the City Council cannot force the owner to accept B-1; he has spoken to the attorney for the ownership group, and the applicant does not want B-1. The notice will have to be re-published with the B-2 designation and it will have to come back before the City Council for another public hearing, first read and second read. The ownership group would like to only have one public hearing. Mr. Ross said he would advise not officially opening the public hearing tonight; instead anyone who wishes to speak can speak during public participation.

MOTION by Councilman Scott to set a public hearing date for May 7, 2018 and authorize the City Clerk to publish the required legal notices. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

**MARCH 19, 2018
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PUBLIC HEARING: Olde Towne Daphne Development, LLC – Vacation of Ingress & Egress Easements, Lot 5, Piazza di San Francesco & Tract 2, La Piazza di San Francesco Subdivision

Starke Irvine, the developer, gave an overview of the proposed vacation of ingress and egress easements.

The public hearing was opened at 6:48.

Don Ouellette, Elizabeth Drive, said he is neither for or against this; he is just interested what the applicants are doing. He said he does not see a map of what is being done to the road or how far it will go. He said it is just a lot of talk on paper as far as he is concerned.

Mr. Irvine referenced the plat in the packet and gave details on the property's location. The City Clerk showed the map on the screen.

Councilman Coleman asked if the City would be accepting the right-of-way for the road prior to it becoming a vacation. He expressed concern that if the right-of-way is not dedicated for some reason, there could be a land-lock situation.

Mayor Haygood said it could be a private road if Mr. Irvine desired but he believes the intent is for the area to provide the utilities easement for the back lot. Mr. Irvine replied that the utilities are already in place even though there is not an easement in place.

Councilman Coleman said he thinks the Council should wait to vacate the easement until the right-of-way has been dedicated. Councilman Scott suggested approving the vacation with the condition that it is not official until there is a dedicated road that goes to parcel 3.

Kirk Fonder, 1443 Randall Avenue, asked for clarification of where this property is located. He asked if the City Council is aware of the drainage issues in this district and asked if this would be a problem for the City considering these drainage issues.

Mr. Irvine said they have a full-capacity retention area but it has not been completed. The retention pond they have is deep and they have a lot of other retention areas they have put in place. Jeremy Sasser, Public Works Director, has met with the residents of the Gardens at Randall and this is on Public Works' radar.

There being no other requests to speak, the public hearing was closed at 6:58 p.m.

3. APPROVE MINUTES:

The minutes of the March 5, 2018 Council Meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilman Rudicell said the Finance Committee meets the third Monday of each month. The minutes from the February 19, 2018 meeting are in the packet.

B. BUILDINGS & PROPERTY COMMITTEE

Councilwoman Conaway said Councilman LeJeune is not present. She referenced the February Building Reports which are in the packet.

C. PUBLIC SAFETY COMMITTEE

Councilman Davis said the Public Safety Committee met on March 12, 2018 and those minutes as well as the minutes from the February 12, 2018 meeting will be in the next packet.

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D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Goodlin said that the next Code Enforcement/Ordinance Committee meeting will be on April 2, 2018 at 4:30 p.m. He said the Committee submitted some suggestions to the Planning Commission regarding the Land Use Ordinance, specifically pertaining to speed control in subdivisions and lots of record. He asked Adrienne Jones, Planning Director, if those were ready to come back to the Committee. Ms. Jones said they were not ready at this time.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the Public Works Committee met earlier this month. The next meeting will be on April 2, 2018 at 5:30 p.m.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Adrienne Jones, Planning Director, said the Board of Zoning Adjustments will meet on April 5, 2018. The Bayside Academy - Special Exception application will be considered at this meeting.

B. Downtown Redevelopment Authority

Council President Conaway said the next Downtown Redevelopment Authority meeting will be March 28, 2018 at 5:30 p.m.

C. Industrial Development Board

Councilman Davis said the next Industrial Development Board meeting will be on March 20, 2018 at 5:30 p.m. There will also be a Pre-bid meeting on March 22, 2018 at 10 a.m.

D. Library Board

Councilman Rudicell said the Library Board meets the second Thursday of each month at 4 p.m. There will be a book sale on Saturday, March 24, 2018 from 9 a.m. to 2 p.m. The Spring Book Bash is Thursday, March 29, 2018 from 2 p.m.-4 p.m. Councilman Rudicell said the library is still raising money for The Porch furnishings and encouraged anyone who hasn't done so, to donate.

E. Planning Commission

Councilman Scott said the Planning Commission meets March 22, 2018 at 5 p.m.

F. Recreation Board

Mayor Haygood said they hope to have the plans back for the Park Drive Sports Complex and be back out to bid before the end of the month.

G. Utility Board

Mayor Haygood said there is a special called Work Session of the Daphne Utilities Board this week to discuss some PR strategies and the regular meeting will be held on March 28, 2018 at 5 p.m.

6. MAYOR'S REPORT:

Mayor Haygood addressed Mr. Ouellette's comments about two of the items not having maps. He explained that maps are in the packet and provided additional details regarding the public hearing process.

Boy Scout Troop 177 was welcomed. Mayor Haygood thanked the troop for coming and the troop leaders for being role models to the young men as they endeavor to learn the lessons of life in a positive way.

Mayor Haygood contemplated whether there may be a need to revisit the City's drainage standards; this can be discussed at upcoming committee meetings.

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A statement was read regarding the recent Channelview High School bus accident which took place on March 13, 2018 and the City of Daphne Fire Department's role in the rescue efforts. This was truly a combined effort with a lot of different agencies in responding. Mayor Haygood said he and Chief James are especially proud of the assistance and leadership that the City of Daphne Fire Department personnel provided. Those involved were: Battalion Chief Kenny Hanak, Lt. Jerry Graham; Joe Greer, firefighter; Steve Martell, paramedic; Lt. Nathan Adams; Cornel Onisa, paramedic; Lt. Lamar Green; Tj Winston, firefighter. The City of Daphne Fire Department is known as being a leader in the County; not only did the City's firefighters respond, but the community opened its doors and provided an outpouring of support to the students. Mayor Haygood thanked the residents for being so welcoming and said it makes him very proud.

On Thursday there were planned Board of Education law enforcement training exercises at Fairhope High School and Fairhope Middle School which had been in the works for 18 months. School safety has been a major concern. The Daphne Police Department and Special Response Team was heavily involved in that exercise. It's great for all the first responders in law enforcement to be able to walk through these situations. They went through a number of potential threats including active shooters, bombs, IEDs and hostage situations. Mayor Haygood said it's an opportunity for law enforcement in a multi-agency environment to come together and he is impressed. He hopes there is never a need for this but he is glad that all of our first responders are prepped and ready to respond.

The Arbor Day tree giveaway was a great success this year; 2500 trees were given away in 17 minutes. Mayor Haygood said there were still a number of people waiting after the trees were gone. They are looking at what they can do to increase the number of trees and to give Daphne's residents priority for next year's event.

The City's new website is now live. Mayor Haygood encouraged everyone to explore the new website. He gave kudos to Kara Wilbourn, Marketing Director, who has worked really hard with all of the City's departments to implement the new website. Content has been revamped and it's structured differently; it's really oriented with the citizen in mind. He also commended Betsy Schneider, Operations Director, and Kelly Kichler, Finance Director; they have been instrumental in the new website as well.

7. CITY ATTORNEY REPORT:

The City Attorney said there are four matters that need to be discussed during executive session: two relate to litigation, one regarding the potential buying and selling of real property and one relating to the good name and character of certain persons. The Mayor has asked that the matter relating to the good name and character of certain persons be discussed first.

8. DEPARTMENT HEAD COMMENTS:

Chief White, Daphne Fire Department, said repetitive training may seem boring but based on the response he has gotten, it has merits. He is proud of Daphne Fire Department personnel.

Chief Carpenter, Daphne Police Department, said this Friday is the Special Olympics in Fairhope. It is a very special day for a lot of kids in Baldwin County. The Daphne Police Department will be participating along with other law enforcement agencies.

Ronnie Huskey, speaking for Recreation Director David McKelroy, said there will be a softball tournament at Trione Park this weekend and an Easter Egg Hunt at Lott Park on Saturday.

Margaret Thigpen, Civic Center Director, said the Baldwin County Job Fair will be held tomorrow from 9 a.m. to 2 p.m. The Eastern Shore Chamber of Commerce is putting on this event.

Jeremy Sasser, Public Works Director, said they are on track with the Park Drive project.

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Ronnie Huskey, Facilities Director, said construction will begin at the library this week.

9. CITY CLERK'S REPORT:

MOTION by Councilman Rudicell to approve the 240 - Non-Profit Tax Exempt ABC License for Bayside Academy for the Bay Affair to be held on April 14, 2018. Seconded by Councilman Scott.

MOTION CARRIED UNANIMOUSLY.

10. PUBLIC PARTICIPATION:

Dannie Lou Wilson, 16426 Edgewater Circle, Loxley, said she has purchased a piece of property on Church Street in Daphne. She has previously gone before the Zoning Board and was told that she could have gone to the City Council. She is requesting a change in the Land Use Ordinance to allow the combining or redesign of lots of record, from three to two. The piece of property is currently divided into three different sections; she would like to change it to two lots so that she will be able to build two homes. She said she would like to be a resident in Daphne and referenced a neighbor's concern about the appearance of her proposal. She said she has worked for the past 55 years, saved her money and feels she deserves to build her home in Daphne.

Pauline Ouellette, Madison Place, said the new Waffle House on Highway 98 in Daphne does not seem to be appropriate. It does not fit the flavor of the area and sticks out like a sore thumb. She said there has to be a way for the Planning Board to make sure developments go with the flavor of the area.

Kirk Fonder, 1443 Randall Avenue, said he would like to congratulate Daphne on the success of the Arbor Day giveaway. He also said he has been in the news business for 40 years and has heard vested interests talk about flooding and rain events as being 100-year events. He asks the Council not to be fooled. They don't need to be considered anomalies; they need to be considered fixed. He said the last time he spoke to the Council was two weeks ago at the meeting regarding speeding on Randall Avenue. He would like to thank the Mayor and the Council for putting up a speed radar sign. He has noticed that some drivers slow down out of guilt when they see their speed, while others like to see how fast they can go. He said the area still needs speed bumps to mitigate speeding once the sign is gone and to stop speeding from the other direction. He said he would like to thank the Council and Mayor for their time and their service to the City.

Candance Antinarella, City Clerk, said she has a letter from Jewel Lawson who was unable to attend tonight's meeting. Ms. Lawson had requested that her letter regarding the Public Hearing for the Re-zone of the WPNVA, LLC, Jay-E, LLC, John White-Spunner and Chester J. Stephan Property Located at the Southeast Corner of U.S. Highway 98 and Johnson Road. Council President Conaway said the letter should be held until the rezoning comes back before the Commission at a future public hearing.

Mayor Haygood asked Jay Ross, County Attorney, if the City Council has the ability to control architecture. Mr. Ross said the City Council has no authority to control architecture under the current ordinance. Mayor Haygood asked if there are means to do that in a historic district to which Mr. Ross replied there are some ways to do that in certain areas under Alabama law.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

2018-10 – Resolution to Vacate an Unopened Portion of the Church Street Right-of-Way

2018-11 – Resolution for Vacation of Ingress and Egress Easements Lot 5, Piazza di San Francesco & Tract 2, La Piazza di San Francesco

2018-12 – Application for Recreation Trails Program Grant for Village Point Park

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MOTION by Councilman Scott to waive the reading of Resolution 2018-10, Resolution 2018-11 and Resolution 2018-12. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Resolution 2018-10. Seconded by Councilman Rudicell.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Resolution 2018-11. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Resolution 2018-12. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY.

ORDINANCES:

2nd READ:

2018-07 – Appropriation: Lodging Tax Fund: Invasive Species Control for Bayfront & Village Point Wetland Areas

2018-08 – Appropriation: Signs for Central Park, Alphonse Memorial Veterans Point and Gator Boardwalk

MOTION by Councilman Rudicell to waive the reading of Ordinance 2018-07 and Ordinance 2018-08. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Rudicell to adopt Ordinance 2018-07. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Rudicell to adopt Resolution 2018-08. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY.

1st READ:

2018-09 – Re-zone of the WPNVA, LLC, Jay-E, LLC, John White-Spunner & Chester J. Stephan property located at the southwest corner of U.S. Highway 98 & Johnson Road

2017-46(a) – Ordinance to Amend City of Daphne Ordinance 2017-46 to Correct Error – Kalasountas Annexation

EXECUTIVE SESSION:

Council President Conaway asked if a motion was to be made to go into executive session. Jay Ross, City Attorney, said that Council comments could still be done but he would certify that the Council go into executive session for approximately 45 minutes to discuss pending litigation, the buying and sale of real property and the good name and character of certain persons. He certified each of these three reasons is an appropriate reason to go into executive session under the Alabama Open Meeting Act. He said there is a chance the Council may have to vote on something so he asks that the Council comes back out of executive session to formally adjourn the meeting.

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CITY COUNCIL MEETING
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6:30 P.M.**

**MOTION by Councilman Scott to go into executive session as certified by the City Attorney.
Seconded by Councilman Coleman.**

Roll Call Vote:

Councilman Rudicell	Aye
Councilman Coleman	Aye
Councilman Goodlin	Aye
Councilman Scott	Aye
Councilman LeJeune	ABSENT
Councilman Davis	Aye
Council President Conaway	Aye

MOTION CARRIED UNANIMOUSLY.

12. COUNCIL COMMENTS:

Councilman Davis thanked Boy Scout Troop 177 for attending the meeting. He said he had some material to share with the Council regarding potential opioid litigation. He said there will be litigation comparable to the tobacco industry litigation which has been ongoing for at least the last seven years. Councilman Davis said he went to Take Me Out to the Ballgame, a program by the Daphne baseball team, for exceptional youth. He said the experience will open your heart and open your mind. He asked everyone to keep this in mind and to take every chance they can get to be a volunteer in our schools.

COUNCIL WENT INTO EXECUTIVE SESSION AT 7:34 P.M.

The City Clerk returned to the Chambers at 8:19 p.m., 8:49 p.m. and 9:10 p.m. to extent the time of executive session.

Council returned to the Chambers at 9:21 p.m. No further business was discussed.

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 9:22 p.m.

Respectfully submitted by,

Certification of Presiding Officer

Candace G. Antinarella, City Clerk

Tommie Conaway, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
MARCH 19, 2018
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

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

Present were:

Chairman Mr. Pat Rudicell

Councilwoman Mrs. Tommie Conaway

Councilman Mr. Doug Goodlin

Councilman Mr. Ron Scott

Councilman Mr. Joe Davis

Also Present:

Finance Director Ms. Kelli Kichler

Senior Accountant Suzânn Henson

Mayor Dane Haygood

City Attorney Mr. Jay Ross

City Attorney Mr. Patrick Dungan

Public Works Director Mr. Jeremy Sasser

Facilities Director Ronnie Huskey

Civic Center Director Mrs. Margaret Thigpen

Operations Manager Mrs. Betsy Schneider

City Clerk Mrs. Candace Antinarella

Recreation Director David McKelroy

II. PUBLIC PARTICIPATION

A. Habitat for Humanity – Mr. Greg Parker & Ms. Lindsay Avery

Mr. Parker noted that the week of Mother's Day is Habitat for Humanity's National Women Build Week. Mr. Parker and Ms. Avery discussed the upcoming project in Daphne and that it would be a "Women Build" project and requested the City's permit fees be waived or reduced. Discussion continued on various Habitat for Humanity projects. Mr. Richard Merchant noted the minimum permit fee is \$20. The Land Disturbance fee was discussed. Ms. Avery noted there are two teams from the City of Daphne involved in the women's build project which would be starting around Mother's Day.

MOTION BY Mr. Scott to recommend to Council to set all permit fees and Land Disturbance fees at \$20/each for all Habitat for Humanity projects located in the City of Daphne. Seconded by Mr. Joe Davis.

MOTION CARRIED UNANIMOUSLY

B. STRIKE Agreement – Ms. Seawell

Ms. Seawell discussed the STRIKE agreement and asked what the Council would be open to entering into a new agreement to serve as Guarantor on a new loan. Mr. Davis discussed the City limiting the timeframe to the remaining term of the current Council. Ms. Seawell discussed their capital campaign for raising funds, potential soccer teams/organizations that would be using the fields, and possible refinancing options. Discussion continued on the agreement timeframe. Ms. Seawell stated she would bring the agreement back before Council for final approval.

MOTION BY Mr. Davis enter into another STRIKE agreement as Guarantor of the property loan through the current Council's term, September 30, 2020. Seconded by Mr. Scott.

MOTION CARRIED UNANIMOUSLY

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were approved.

MOTION BY Mr. Davis to approve the previous months Finance Committee minutes. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Vickie Hinman submitted the Human Resource Report including open position status for review. Mrs. Henson noted that Mrs. Hinman was out sick but wanted to note she had added the Volunteer projects to the Human Resource report.

<u>Positions</u>	<u>Status</u>	<u>Positions</u>	<u>Status</u>
Revenue Officer	Posting 02/27/2018 – 03/13/2018	Executive Assistant	Sched writing assessments
School Crossing Guard	Posting 10/20/17 – Until Filled	Fire Lieutenant	Testing 04/2/2018
Administrative Assistant (PW)	Interviewing	Police Officer (3)	Oral Boards 03/14/2018
Children's Librarian Assistant	Interviewing	Building Inspector	Background Pending
Building Maintenance Tech. (2)	Interviewing	Fire Fighter	Background Pending
Public Service Worker (Grounds)	Interviewing	SAIL Site Driver	Background Pending
Event Assistant	Reviewing	Event Services Supervisor	Promotion 02/22/2018
Mowing Supervisor	Reviewing	Public Service Worker, Sr. (Grounds)	Promotion 02/22/2018
Public Service Worker (Streets)	Reviewing	Solid Waste Supervisor	Promotion 03/8/2018
Public Service Worker, Sr. (Streets)	Reviewing	Police Dispatcher (1)	DOH: 02/01/2018
Public Service Worker, Sr. (Mowing)	Reviewing	School Crossing Guard (1)	DOH: 02/01/2018
Solid Waste Worker, Sr. (2)	Reviewing	Public Service Worker, Sr. (Streets)	DOH: 03/08/2018
		Admin. Secretary (Civic Center)	Vol Coord. (16 hours)

Safety Committee:

Next meeting on March 28 @10:00 a.m.

Wal-Mart Safety Cards (\$10 each) have been distributed to eligible employees (July 2017 – December 2017). The Annual Safety Award recipients for 2017: Randy Jones-Solid Waste (\$200), Joseph Greer-Fire, (\$200) and Meredith McCampbell, (\$100). Two injuries in February; both deemed "not at fault." One incident of property damage was reported; was deemed "at fault." Fire inspections conducted at 12 City facilities. No problems noted.

Other HR projects/meetings/events:

- Police Officer testing February 28
- AED's inspected in City buildings
- 1095's distributed to employees
- Baldwin County Job Fair, March 20
- Retirement, Mowing Supervisor, Carl Jackson on 3/31
- Retirement PSW, Sr. (Mowing), Louis Dixon on 3/31
- CPR training at City Hall planned for the first week of April
- Workplace Violence training to be scheduled in Spring 2018
- Benefits Fair tentative scheduled on Wednesday – August 8, 2018

Volunteer Coordinator projects/meetings/events Jan. & Feb.:

- Retired Senior Volunteer Program (RSVP) Tax Program (Training) @ City Hall
- Baldwin Habitat for "Women Build" Team/ Daphne Employees
- RSVP Group Volunteer @ Prodissee Pantry Distribution Day
- RSVP Group Volunteer with Quilts of Valor/Daphne
- RSVP Group Volunteer with SEEDS 5k and Fun Run

B. Overtime Report

The overtime report was included in the packet.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – February, 2018

Mrs. Smith submitted the following reports and information:

- Code enforcement issued 11 warnings resulting in businesses becoming compliant and \$1,443 in revenue.
- New Businesses with a physical location in Daphne - 10

BUSINESS LICENSE COUNT through 2/28/2018	
Issued THIS MONTH:	
NEW Licenses	63
RENEWAL Licenses (2018)	1393
PRIOR YEAR Licenses (2017 and Prior)	4
Total Issued THIS MONTH	1460
Total Issued THIS MONTH - PREVIOUS YEAR	1174
Net Gain/-Loss Current VS Previous Yr MONTH	286
Total Issued YTD 2018	3,522
Total Issued YTD - PREVIOUS YEAR	3,446
Net Gain/-Loss Current VS Previous Yr YTD	76

Business License Fee Historical Comparison 2017 / 2018				
	FY 17	FY 18	+/- Previous Year	Budget 2017 * \$2,150,000
October	\$7,103.71	\$5,258.84	(\$1,844.87)	(\$2,144,741.16)
November	\$11,604.68	\$8,566.59	(\$3,038.09)	(\$2,136,174.57)
December	\$33,347.73	\$41,564.84	\$8,217.11	(\$2,094,609.73)
January	\$1,301,664.28	\$1,420,279.64	\$118,615.36	(\$674,330.09)
February	\$603,134.76	\$569,031.88	(\$34,102.88)	(\$105,298.21)
Year to Date	\$1,956,855.16	\$2,044,701.80	\$87,846.63	(\$105,298.21)
* Amounts include penalty and interest.				

- Delinquency report showed 347 current delinquencies as of 3-9-18. The third Notice was mailed out 3-9-18.

Discussion made that Ms. Smith took another position at the City of Foley and interviews for this position and HR would be scheduling interviews soon.

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: January, 2018

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs: \$1,211,715.21 was collected for January, 2018 which was down (\$32,961.93) from January 2017's collections :

- YTD Variance over Budget - \$177,737.36

Discussion was made on that Sales Tax collection was down for January's collections.

B. Lodging Tax Collections, January, 2018

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for January, 2018 were \$78,871.29 which is down (\$1,810.97) from January 2017's collections .

- YTD Variance over Budget: \$ 3,351.17

C. Lodging Tax Fund : Statement of Rev over Exp, February, 2018

Mrs. Henson reviewed the Lodging Tax Statement of Revenues over Expenditure report for **February, 2018**.

- Unreserved balance for Bayfront related purchases - \$1,364,158.63
- Recreation related purchases - \$ 837,144.02

Mrs. Henson noted there was minimal activity in the Lodging Tax Fund last month and that recent expenditures for D'Olive Bay Marina Lease *are* reflected in the report.

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: February, 2018

Ms. Kichler reviewed the Treasurer's Report:

TREASURER'S REPORT					
As of February 28, 2018					
Account Type/Title	2/28/2018	1/31/2018	Increase (Decrease) from last Month	2/28/2017	Increase (Decrease) from Last Year
Total Unrestricted Cash Balance	<u>17,279,832</u>	<u>17,020,772</u>	<u>259,060</u>	<u>16,805,459</u>	<u>474,373</u>
Total Restricted Cash Balance	<u>15,934,838</u>	<u>18,239,414</u>	<u>(2,304,576)</u>	<u>8,876,970</u>	<u>7,057,868</u>
Total City Cash Balance	<u>\$ 33,214,670</u>	<u>\$ 35,260,186</u>	<u>\$ (2,045,516)</u>	<u>\$ 25,682,429</u>	<u>\$ 7,532,241</u>
Encumbrance Total as of			2/28/2018	\$ 545,043.68	

Ms. Kichler noted the main difference in cash balance was due to the Debt Service payment and noted this was mainly due to a timing difference on when the payment was made.

The Treasurer's Report as of FEBRUARY, 2018 Total Unrestricted Cash Balance - \$17,279,832 and Total City Cash Balance - \$33,214,670 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance is - \$545,043.68 as of February, 2018.

Ms. Kichler reviewed the Encumbrance Report and noted continued progress is being made on these projects. Discussion continued on potential grants for projects.

3. Outstanding Appropriations

Mayor Haygood discussed outstanding projects. Mr. Sasser and Mr. Huskey discussed outstanding projects related to the Sports Complex pending bids.

4. Financial Overview: Debt Summaries & Monthly Financial Statements, January, 2018

Ms. Kichler reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), February, 2018
- Jubilee Square: Debt payments are currently fully paid through December 2015 thus 26 months in arrears. Arrearage includes \$917,904 in principal and \$466,360 in interest
- Budgetary Comparison Schedule, January 2018
 - o Percentage used as of January 2018– Personnel –29%, Operating- 19%, Capital-5%
- General Fund Financial Statements, January, 2018
 - o General Fund Revenues - \$28,922,789
 - o Required 3 months reserve per policy - \$7,230,697
 - o Discussion was made on purchasing verses leasing police vehicles for the FY2019 budget.

General Fund:

- | | <u>FY 2018</u> | <u>FY 2017</u> | <u>Change</u> |
|--|-----------------------|-----------------------|----------------------|
| • YTD Budgetary Net Income: | \$4,315,408 | \$ 3,147,672 | \$ 1,167,736 |
| • Total sales, use, and luxury tax collected for the year is approximately \$332,000 over prior year and \$178,000 over budgeted income | | | |
| • Ad Valorem Tax collections are approximately \$837,500 over prior year. In FY 2017, a \$500,000 was payment was received in February and the payment was received in January in FY 2018. | | | |
| • Capital outlay expenditures YTD are approximately \$117,000 less than prior year | | | |

- January is historically the largest month in net income due to the collection of business licenses and the final collection of ad valorem taxes
- The annual workers compensation bill in the amount of \$236,207 was paid in January
- Unassigned Fund Balance: \$16,620,673
- Outstanding Encumbrances: \$559,501

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of January 31, 2018: \$41,245,605
- Outstanding Capital Lease Balance as of January 31, 2018:
 - o General Fund: \$1,355,880
 - o Enterprise Funds: \$424,671

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

- YTD Park Improvements Expenditures: \$1,771,986

YTD: CR 13 Sidewalk Expenditures: \$248,479 (TAP grant received for 80% of cost)

Special Revenue Funds (12 separate funds):

- Lodging Tax Fund –
 - o Bayfront Unreserved Fund Balance: \$1,352,444.75
 - o Recreation Unreserved Fund Balance: \$839,225.56
 - o Total lodging tax collected was \$3,350 over budgeted income and prior year to date income.

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

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

	<u>FY 2018</u>	<u>FY 2017</u>	<u>Change</u>
Solid Waste Fund	\$ 56,412	\$67,760	\$ (11,348)
Civic Center Fund	\$ 76,353	\$75,616	\$ 737
Bayfront Park Fund	\$ 47,104	\$39,520	\$ 7,584

5. Future Projects Summary

Discussion was made on future projects and the pending Sports Complex projects. Mr. Huskey review other projects on the list. Encumbered monies from previous years for Trione Sports Park were discussed.

B. Bills Paid Reports – February, 2018

The Bills Paid Report was presented in the packet.

IX. BIDS: (Resolution)

A. 2018-F-PW/Used Track Loader

Mrs. Henson stated there was one bidder for the used track loader which was Caterpillar Financial. Mrs. Henson noted this was a piece of equipment that the City is leasing and that Caterpillar bid the cost listed in the original lease as the optional buyout cost. Mrs. Henson noted that used equipment that cost more than \$15,000 is required to be bid.

MOTION BY Mr. Scott to recommend to Council to award the PW/Used Track Loader bid to Thompson Caterpillar in the amount of \$76,671 as bid. Seconded by Mrs. Conaway.

MOTION CARRIED UNANIMOUSLY

B. 2018-G-#801 Coarse Aggregate Rock Material

Mrs. Henson stated the sole bidder for #801 coarse aggregate rock material was Martin Marietta Materials, Inc.. Mrs. Henson noted that Martin Marietta has been awarded the rock contract in previous years. Discussion continued that the cost bid was a competitive cost.

MOTION BY Mr. Scott to recommend to Council to award the 2018-G- #801 Coarse Aggregate Rock Material bid to Martin Marietta Materials Inc. for unit cost as bid. Seconded by Mr. Davis.

MOTION CARRIED UNANIMOUSLY

C. 2018-H-Paver Stone Material

Mrs. Henson noted that no bids were received for the Paver Stone Material bid. Discussion continued on negotiating a bid contract. Mr. Sasser requested this item be tabled to April's Finance Committee meeting.

X. APPROPRIATION REQUESTS: (Ordinance)

A. Village Point Park Boardwalk Repairs - \$219,264

Mr. Sasser reviewed the project and noted this is a FEMA project. Mr. Sasser stated that once the project is completed a reimbursement will be requested from FEMA. Discussion continued that FEMA will pay 75% and State of Alabama will reimburse 12.5% leaving the estimated City match of 12.5% (\$27,408). Mr. Scott discussed being proactive on making necessary repairs after a storm occurs.

MOTION BY Mr. Scott to recommend to Council to adopt the Ordinance amending the budget to appropriate the City's estimated match of \$27,408 and to submit a request to FEMA and State of Alabama for available reimbursements. Seconded by Mr. Davis.

MOTION CARRIED UNANIMOUSLY

B. Park Drive / Daphne Sports Complex Entrance Traffic Study - \$ 5,500

A professional Services Agreement for the Park Drive-Daphne Sports complex Entrance Traffic Study was included in the packet. Discussion continued that a traffic study has not been done for this area.

MOTION BY Mr. Scott to adopt an ordinance appropriating \$5,500 out of the General Fund for the Park Drive-Daphne Sports Complex Entrance Traffic Study. Seconded by Mrs. Conaway.

MOTION CARRIED UNANIMOUSLY

C. Historical Signage/Markers: State of Alabama 200 Year Bicentennial - \$15,000

Mr. Haygood reviewed that the County is promoting a county-wide initiative to participate in the State of Alabama 200 Year Bicentennial celebration. Mr. Haygood noted the County is funding the repair of historical signs/markers outside City limits and stated that re-painting and repairs are needed on existing signage for historical sites in the City of Daphne. Discussion continued on the signage/markers at historical sites within the City of Daphne.

MOTION BY Mr. Goodlin to adopt an ordinance appropriating \$15,000 out of the General Fund for the repair, replacement of historical signage/markers in the City of Daphne. Seconded by Mr. Scott.

MOTION CARRIED UNANIMOUSLY

XI. NEW BUSINESS

A. RFQ Engineering Services

Mr. Sasser reviewed the RFQ for Engineering Services and noted that the current contracts have expired and was requesting to put out an updated RFQ for new contracts. Mr. Sasser noted he would like to update the current agreement to include engineering firms approved for specific type City projects. Discussion continued on the engineering contract. Mayor Haygood noted that after the RFQ goes out a recommendation will come back before Council for approval.

X. OLD BUSINESS

A. Gustafson Property: 706 Belrose Avenue

Discussion was made by the City attorney that this agenda was scheduled to be discussed at the Council Meeting following the Finance Committee meeting.

XI. ADJOURN

The meeting adjourned at 6:18 p.m.

509 Van Avenue
Daphne, AL 36526

March 5, 2018

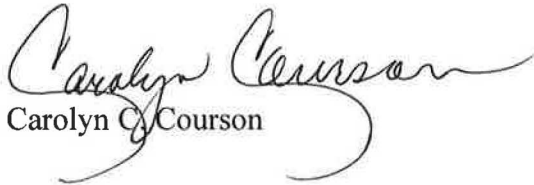
Ms. Candace G. Antinarella
City Clerk
Daphne, AL

Reference: Board of Zoning Adjustments (BZA)

Dear Ms. Antinarella:

Please accept the enclosed resume as my application for a volunteer position as a member of the Board of Zoning Adjustments. Through the years, I have enjoyed participating in various community service projects, such as Special Olympics, Cub Scouts, and Church Camp Memory Quilt Project. When Councilman Pat Rudicell spoke of this vacancy, I saw this as a way to serve my new hometown. If you have any questions, please feel free to call at 334-221-5388 or email at Carolyn.Courson@gmail.com.

Sincerely,



Carolyn C. Courson

To: Office of the City Clerk
From: Adrienne D. Jones, *RD*
Community Development Director
Subject: Planning Commission Minutes and Report
Date: March 23, 2018

MEMORANDUM

Attached please find a copy of the approved minutes for the City of Daphne Planning Commission regular meeting of February 22, 2018, and the report of the regular meeting of March 22, 2018 for placement on the Monday, April 2, 2018 City Council agenda for review.

Should you have any questions or comments in this regard, please do not hesitate to call.

ADJ/jv

From the Office of

Adrienne D. Jones,
Community Development Director
P. O. Box 400
Daphne, Alabama 36526
251-621-3184 ph
251-621-3185 fx

FILE
3:28 pm

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 22, 2018
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:00 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Ed Kirby
Charles Smith, Secretary
Marybeth Bergin, Chairman
Phillip Hodgson, Vice Chairman
Ron Scott
Hudson Sandefur
Andrew Prescott

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Misty Gray, Attorney
Brennan Walters, Planner

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

Chairman asked for questions, comments or corrections to the minutes ***of the regular meeting of January 25, 2018. There being none, minutes are approved as submitted.***

The next order of business is a request for a waiver to the sidewalk requirement for Rich's Car Wash.

An introductory presentation was given by Doug Bailey, representative of Hutchinson, Moore & Rauch, to request a waiver for the installation of the sidewalk and stated ALDOT has authorized the removal of the sidewalk and striped stopped crossing shown on the overall layout.

Chairman stated Public Works has no objection to approval of the waiver and asked did ALDOT require the service road to abut the property line. Mr. Bailey stated the service road layout was dictated by the location of the drainage, trees and utilities.

Chairman asked for Commission questions or comments.

Mr. Scott commented he is opposed to granting sidewalk waivers because of pedestrian traffic, but does not have this one because the sidewalk terminates north of this site at Zaxby's.

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Smith ***to approve the sidewalk waiver for Rich's Carwash. There was no discussion on the motion. The Motion carried unanimously.***

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 22, 2018
Council Chamber, City Hall - 5:00 P.M.**

Chairman announced that the Commission will hold one public hearing for Diamante Subdivision, Phase Two and Three.

The next order of business is preliminary plat review for Diamante Subdivision, Phase Two.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/Preble-Rish, of a request for preliminary plat review of Diamante Subdivision, Phase 2 and 3, with a total of ninety-lots consisting of approximately forty-point zero nine acres located east side of County Road 13, north of Sehoy. The first phase of the development is currently under construction with the primary entrance onto County Road 13 and a connection to the south to Sehoy Subdivision, and he clarified that connection does not include a gate. The development of phase two and three will reduce the amount of storm water directed onto Sehoy Subdivision. The developer has agreed to the ten-foot tree buffer along the southern property line. Because the wetland area to the north of Amethyst Drive is considered non-jurisdictional wetlands, the developer requests a waiver to allow the common area to become a detention pond and noted that the waiver was granted at the time of the approval of the phase one.

Ms. Jones responded because the wetland area is also a part of phase two, a waiver should be considered again.

Chairman asked about the Fire Marshal comments. Ms. Jones responded the modifications have been addressed.

Chairman asked for Commission questions or comments.

Mr. Scott commented the Council supports connectivity, but the Fire Code requires more than one access point for emergency and public services.

Chairman asked can the location of the construction entrance be a condition of approval of the preliminary plat. Ms. Jones responded yes, Oldfield Subdivision is the more recent precedent.

Mr. Scott stated he would support that. He stated in the interest of full disclosure, my sister and her husband purchased a home in Sehoy Subdivision, and that he would not do anything to adversely affect property values.

Ms. Jones asked is the ten-foot buffer an undisturbed, wooded area and will the buffer be a part of the notes and shown on the lots. Mr. Pumphrey commented the trees that are there will remain, and the ten-foot tree buffer will be graphically shown on those lots.

Chairman asked what phase has the tree buffer. Mr. Pumphrey stated the ten-foot tree buffer is for phases two and three.

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 22, 2018
Council Chamber, City Hall - 5:00 P.M.

Ms. Jones advised that the City adopted the definition of a No Clear Zone which is more stringent than the buffer and asked where would be the appropriate location for a fence. Mr. Scott responded fences should be on the property line.

Ms. Campbell commented on the enforcement issues of a No Clear Zone experienced in Rolling Hills Subdivision. Ms. Gray stated private deed restrictions or covenants are a civil matter for the POA or the adjacent property owner to address.

Ms. Campbell commented on drainage issues present in Sehay Subdivision caused by the Palladian of Daphne.

Chairman summarized that a No Clear Zone says you cannot remove underbrush or trees, except to install a fence on the property line; to install utility lines or to remove trees that have died naturally; if vegetation is removed for the installation of utilities, it shall be replanted.

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

Jim Anderson, 27799 Moniac Cove and Sehay POA President, spoke in support of the implementation of a No Clear Zone; commented on flooding, requested fences installed along the southern boundary be requested to connect to existing fences, and asked to review any revision to the plats.

Mr. Scott provided a copy of the definition to Mr. Anderson and stated the ordinance has to be amended to say ten feet rather than twenty-five feet.

Laurel Anderson, 27799 Moniac Cove, referenced correspondence and photographs presented to the Commission regarding flooding and requested the removal of the four lots in Diamante, Phase 2 which would adversely affect her property.

Nehal Bodalia, spoke regarding storm water drainage directed onto his property from Sehay Subdivision and the Palladian of Daphne.

Larry Faison, 27787 Moniac Cove, commented regarding drainage, flooding, and the possibility of redirecting storm water into the pond.

Chairman closed public participation and asked for Commission questions or comments.

During rebuttal, Mr. Pumphrey stated the addition of the note will be a condition of approval of the plats, and the note will be added prior to final plat review.

Mr. Sandefur asked when the road will be constructed to intercept the storm water.

Mr. Pumphrey responded after the construction of the detention pond.

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

A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby **to approve Diamante Subdivision, Phase Two preliminary plat with a modification to the wetland buffer requirement which would allow filling an isolated wetland area in Common Area 7: conditioned upon installation of a ten-foot wide No Clear Zone along the southern boundary of the property. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby **to approve Diamante Subdivision, Phase Three preliminary plat: conditioned upon installation of a ten-foot wide No Clear Zone along the southern boundary of the property. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a pre-zoning amendment and the annexation petition for Bertolla Properties, L.L.C.

Ms. Jones stated that Jubilee Farms Subdivision, Phases One through Five, consisting of one hundred and ninety-nine lots and amenities was approved by the Planning Commission on August 24, 2017; if a site disturbance permit is not issued by August 24, 2018, the approval will expire. The previously submitted annexation petition was withdrawn prior to action by the City Council so we must go through the pre-zoning and annexation process again, but the preliminary plat approvals are still valid.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/Preble-Rish on behalf of the owner and developer, of a request to pre-zone and annex three hundred and sixty-one point five-five acres, known as Jubilee Farms, located southeast of Alabama Highway 181 from an RSF-2, Single Family District, and RA, Rural Agricultural, Baldwin County District 15, in the extraterritorial planning jurisdiction of Daphne, to a PUD, Planned Unit Development and stated the developer of Jubilee Farms Subdivision proposes a range of lot sizes for the nine hundred and nine lots.

Chairman asked for Commission questions or comments and about the traffic study conducted for this development. Mr. Pumphrey stated the traffic concerns will be addressed by ALDOT when they four-lane Alabama Highway 181 to State Highway 104. There are plans to improve Corte Road from County Road 13 to Alabama Highway 181, and to realign Austin Road and Corte Road for the installation of a traffic signal at Alabama Highway 181 and Corte Road. Mr. Scott stated also, the long term goal of the City and MPO is the connection from Corte Road through Johnson Road to U.S. Highway 98.

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

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 22, 2018
Council Chamber, City Hall - 5:00 P.M.

A *Motion* was made by Mr. Scott and *Seconded* by Mr. Hodgson *to set forth a favorable recommendation to the City Council to approve the Bertolla Properties, L.L.C. Planned Unit Development pre-zoning request. There was no discussion on the motion. The Motion carried unanimously.*

A *Motion* was made by Mr. Scott and *Seconded* by Mr. Sandefur *to set forth a favorable recommendation to the City Council to annex the land for Bertolla Properties, L.L.C. into the city limits. There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is a request for rezoning for John W. West Irrevocable Trust.

An introductory presentation was given by Scott Hutchinson, representative of Hutchinson, Moore & Rauch and Two Hands Design, of a request to rezone a one-point seven-seven acre parcel, located southwest of Holy Cross Circle and Holy Cross Drive and stated the developer proposes to rezone the Judge Roy Bean property on Scenic 98 to Mixed Use designation to allow for professional and retail uses with a residential component. Because this location is the entrance to the city, we would like to set the tone for the Olde Towne Daphne District.

Chairman asked for Commission questions or comments.

Mr. Sandefur asked does a Mixed Use zone allow for general business uses and would the applicant consider restricting the businesses to uses compatible to a local business zone. Mr. Hutchinson responded yes, conditioned upon some exceptions and asked if B-3 uses are allowed in B-1 zone. Ms. Jones confirmed.

Mr. Kirby stated his reservation mentioned in the Site Preview meeting regarding Holy Cross Drive as a compromised lane was unfounded. Upon site visit, he saw it was an improved access.

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

John Brown, 700 Hillwood, asked the height restriction and number of facilities proposed on the property.

Ms. Jones stated a maximum height of fifty feet.

Mr. Hutchinson stated if the rezoning is successful, then the developer will re-plat the lots to create one parcel in preparation of the submission of a site plan. In response to the Chairman's question regarding the process, Ms. Jones stated a re-plat is an administrative review, but the Commission must approve the site plan.

Chairman asked about the maximum density on this lot.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 22, 2018
Council Chamber, City Hall - 5:00 P.M.**

Ms. Jones stated ten units per acre would be allowed in a high density residential district: possibly seventeen units containing residential and commercial.

Michael Gagnet, 24437 Main Street, spoke in favor of the rezoning on behalf of himself, mother, and mother-in-law, and stated he is not opposed to the development, but expressed his concern about drainage.

Chairman closed public participation.

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

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Smith **to send a favorable recommendation to the City Council regarding the rezoning of the subject property for John W. West Irrevocable Trust from B-1, Local Business, to MU, Mixed Use.**

During discussion, Commissioners asked the protocol for recommending a zoning other than B-2, and the definition and uses allowed in a B-1, Local Business. The director indicated that the Commission can add conditions to the motion.

A **Amended Motion** was made by Mr. Kirby and **Seconded** by Mr. Smith **to send a favorable recommendation to the City Council regarding the rezoning of the subject property for John W. West Irrevocable Trust with a condition that all associated business uses shall be consistent with B-1, Local Business, and B-3, Professional Business type uses as listed in Land Use & Development, Article 35, Permitted Use Table. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is an administrative presentation by Adrienne Jones, Community Development Director, of a request by the Ordinance Committee for a proposed amendment to the Sidewalk Installation Agreement and Sidewalk Bond language to read, "The bond shall be valid for a period of two years after the first building permit is issued". A draft will be presented at the next meeting to address those concerns.

No action taken.

The next order of business is public participation.

Chairman asked for public participation.

Don Ouellette, 7720 Elizabeth Drive, asked who would control the "No Clear Zone".

Chairman commented that it should be addressed in the restrictive covenants.

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

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 22, 2018
Council Chamber, City Hall - 5:00 P.M.

Ms. Gray stated no report.

The next order of business is commissioner's comments.

None presented.

The next order of business is director's comments.

Ms. Jones presented the following:

- a. City Council Actions:
 - 1. Jacob's Well and Ruth Metcalfe Rye Zoning Amendment was withdrawn by agent; no application for rezoning of this property has been submitted;
- b. The upcoming meeting dates are site preview, March 14 & regular meeting, March 22, 2018.

There being no further business, the meeting was adjourned at 6:35 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: March 22, 2018


Marybeth Bergin, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 22, 2018
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

REPORT

1. **CALL TO ORDER:** 5:00 p.m.
2. **CALL OF ROLL:** Andrew Prescott, Ron Scott, Phillip Hodgson, Marybeth Bergin, Charles Smith, Hudson Sandefur, Chief White and Ed Kirby
3. **APPROVAL OF MINUTES:** Review of minutes for the regular meeting of February 22, 2018
(Approved as submitted)
4. **NEW BUSINESS:**

A. FINAL PLAT REVIEW:

1. **File SDF18-01: (Approved)**

Subdivision: Bailey Place

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

Location: Southwest of County Road 64 and Alabama Highway 181

Area: 5.93 ± Acres, (13) lots

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

Agent: Dewberry/Preble-Rish - Steve Pumphrey

Engineer: Dewberry/Preble-Rish - Jason Estes

Surveyor: Dewberry/Preble-Rish - David Diehl

B. SITE PLAN REVIEW:

1. **File SP18-01: (Approved)**

Site: Eastern Shore Recovery Center

Zoning: *B-2, General Business*

Location: Southeast of the intersection of Pollard and Well Road

Area: 2.90 ± Acres

Owner(s): Eastern Shore Recovery Foundation, Inc. - Craig Rhodes

Agent: Dewberry/Preble-Rish - John Avent

Engineer: Dewberry/Preble-Rish - Jason Estes

1. **File SP18-02: (Approval of site plan & waiver to sidewalk requirement)**

Site: Rand Avenue Office/Storage

Zoning: *B-2, General Business*

Location: Northeast corner of the intersection of Rand Avenue and Equity Drive

Area: 1.11 ± Acres

Owner(s): PRM Real Estate - Reily Murphy

Engineer: Lieb Engineering - Chris Lieb

2. **File SP18-03: (Approval of site plan & no waiver to sidewalk requirement)**

Site: Sunrise Dermatology

Zoning: *B-3, Professional Business*

Location: Southwest of the intersection of U. S. Highway 90 and County Road 13

Area: 1.14 ± Acres

Owner(s): Sunrise Real Estate Holdings - Ryan Ramagosa & Scott Freeman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 22, 2018
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

REPORT

C. ADMINISTRATIVE PRESENTATIONS:

1. File AP18-03: (Favorable recommendation to City Council)

FRENCH SETTLEMENT, PHASE 3 STREET ACCEPTANCE PETITION:

Presentation to be given by Adrienne Jones, Director of Community Development, recommending acceptance of all right-of-ways contained within French Settlement Subdivision, Phase 3; Said right-of-way(s) being French Settlement Drive (1,142 linear feet).

2. File AP18-04: (Tabled until April 26, 2018 for additional consideration)

Presentation by Adrienne Jones, Community Development director, of a proposed amendment the provisions of Article 17, Procedures for Subdivision Review, Section 4, Final Plat Application (b) Maintenance Bonds of the Land Use and Development Ordinance regarding 1 or 2 year extensions of Sidewalk Installation Obligations as requested by the Ordinance Committee.

5. PUBLIC PARTICIPATION: Comments on architectural standards for commercial development (see minutes for details).

6. ATTORNEY'S REPORT: No report

7. COMMISSIONER'S COMMENTS: Comments on Comprehensive Plan and sidewalks (see minutes for details).

8. DIRECTOR'S COMMENTS:

Ms. Jones presented the following:

a. City Council Actions:

1. Approved Oldham (Rife) Vacation of Right-of-Way and Vacation of Easement for Lot 5, Piazza di San Francesco & Tract 2, La Piazza di San Francesco Subdivision on March 19, 2018;
2. Rescheduled public hearing for WPNVA, L.L.C., Jay-E, L.L.C., John White-Spunner & Chester J. Stephen zoning amendment to May 7, 2018;

- b. The upcoming meeting dates are site preview, April 18 & regular meeting, April 26, 2018.

9. ADJOURNMENT: 6:13 p.m.

Valerie Stickney

522 Ridgewood Dr. | 251 604-5805 | vpstickney@yahoo.com

Education

- BS Elementary Education, 1970, Judson College
- Masters Elementary Education, 1986, University of South Alabama
- Endorsement in Educational Media, 1990, University of South Alabama

LEADERSHIP

- Baldwin County Teacher of the Year, 1995

Experience

- 1970-71 – Reform Elementary, Reform, AL -3rd Grade Teacher
- 1971-72 – Nan Gray Davis Elementary, Theodore, AL – Title 1 Teacher
- 1972-75 – Eastlawn Elementary, Pascagoula, MS – 2nd Grade Teacher
- 1978-80 – Nan Gray Davis Elementary, Theodore, AL - 2nd Grade Teacher
- 1980-93 – Daphne Elementary, Daphne, AL – 2nd, 3rd, 4th Grades
- 1993-2004 – Daphne Intermediate, Daphne, AL – Media Specialist
- 2004-2009 – Daphne East Elementary, Daphne, AL – Media Specialist
- 2009 – Current – Research Librarian at Coastal Alabama Community College

Activities

Volunteer with City of Daphne for City Personnel Recognition Days

Tennis, Biking and Yoga

Member of St. Paul's Episcopal Church

Originally from California, Nicole Simms became a flight attendant after high school and made her way to Birmingham, Al before settling in to attend UAB. There, she studied Studio Art with a concentration in Graphic Design spending a semester in Florence, Italy. Upon completion of her studies in Birmingham, she moved to Philadelphia, Pa. There, she had the good fortune of working for the Mural Arts Program helping to teach at risk youth the foundations of fine art and community service. When the time came for Nicole to thaw out, she headed south to Miami. There, she was able to continue her work in the arts with an internship at the Fredrick Snitzer Gallery and working for the Miami-Dade Public Library in the Art Services Department. The Art Services Department, while covering 43 branches, was a small one that allowed the opportunity to work in many capacities. Art handling, documentation, teaching art classes, and holding workshops were all a part of the job. When moving to Australia with her husband, she volunteered teaching art classes at the local library. Eventually the time came to get back to Alabama (her husband is from Fairhope.) Since being here Nicole has taught summer classes at the Eastern Shore Art Center and volunteered at the Daphne Art Center.

After living many places, Nicole and her husband Trey chose to live in Olde Towne Daphne. They enjoy the parks, great schools (they have two children ages 3 & 5), proximity to the bay, and walkability that you don't find in other neighborhoods. This summer, thanks to a grant from the Downtown Redevelopment Authority, Nicole and her friend Leah organized the Back to School Bash, a free event at Lott Park including a movie screening, bounce houses and food. Nicole also opened a "pop-up shop" in the neighborhood this fall and early winter, serving local coffee and carrying home goods. Being there allowed her to talk with other people in the community and hear their dreams for Olde Towne. The drive behind doing these things is the belief that Daphne is a great little city and has the potential to be even better. She is excited about the chance to help small businesses thrive, beautify the area, and encourage the community to engage and gather in Olde Towne.

Shannon Saxby Smith, Ph.D.

24669 Hartford Avenue • Daphne • Alabama • 36526
(251) 680-2493 • sssmith@bcbe.org

EDUCATION

The University of Southern Mississippi, January 2007-December 2009

Doctor of Philosophy, Educational Leadership and Research

Dissertation: *The Advanced Placement and International
Baccalaureate Programs: The Graduates' Perspective*

The University of South Alabama, January 2005-May 2006

Educational Specialist, Educational Leadership

Thesis: *The Effectiveness of Algebra for Mastery on Graduation
Exam Scores in Baldwin County High Schools and Teacher
Perceptions on Effective Components of the Program*

The University of South Alabama, June 2003-July 2004

Master of Education, Educational Leadership

The University of South Alabama, August 1997-May 2002

Bachelor of Science, Secondary Mathematics Education

WORK EXPERIENCE

Daphne High School, December 2012-Present

Assistant Principal

Scope of Responsibilities

- Developed and maintained the school's Continuous Improvement Plan
- Directly responsible for the yearly Master Schedule
- Supervised all Instructional Programs
- IB Coordinator: scheduling, student interviews, faculty training, program maintenance, and student retention
- Member of Baldwin County's Expulsion Appeal Committee
- Served as Response to Instruction (RtI) Administrator
- Served as the Educate Alabama liaison and provided support to faculty
- Observed and evaluated certified and classified staff
- Assisted with faculty and staff interviews
- Aided with the implementation of duty schedules, transportation, bell schedules, building and grounds maintenance, textbook and laptop distribution, and school safety plan
- Supervised and coordinated Summer School
- Served as LEA for IEP meetings
- Administered an effective and progressive discipline plan for 11th and 12th graders in a timely manner

Scope of Responsibilities continued

- Data Tracking: Longitudinal Failure Rate, Quarterly Failure Reports, Attendance Rates, and Discipline Reports
- Supervise and conduct Pre-Early Warning Conferences
- Updated and maintained the Faculty Handbook and Student Handbook
- Refined faculty implementation of student attendance procedures
- Supervised athletic events
- Curriculum advisor for faculty and students
- Coordinated tours for middle school students
- Helped to monitor teacher's communication with parents and maintenance of their gradebooks

Daphne High School, August 2012-December 2012

Math Teacher

- Geometry Honors and Geometry Concepts Teacher
- RtI Coordinator
- Student Government Association sponsor

Murphy High School, August 2002-July 2012

Mathematics Department Chair, Teacher

- Department Chair for the largest math department in Alabama, consisting of 23 teachers: Created and implemented the Credit Recovery Initiative to help failing students earn math credits, Created and implemented a math remediation course for Freshman Academy students who were in danger of failing
- International Baccalaureate Teacher: Geometry, Pre-Calculus
- Advanced Placement Trained: Calculus
- Honors Program Teacher: Geometry, Algebra II with Trigonometry, Discrete Math, Statistics

Troy University, August 2010-July 2012

ACCESS Mathematics Teacher

- A web-based course offered to high school students across the state

The University of South Alabama, August 2009-May 2010

Mathematics Adjunct Instructor, Developmental Studies Department

**HONORS/
ACTIVITIES**

Teacher Mentor, 2007 & 2010, 2011

SACS committee member, Mobile County Public School System

MCPSS Textbook Selection Committee, 2011-2012

CORRE Liaison (Central Office Review for Results and Equity), 2006

MCPSS's Criterion Reference Test (CRT) Review Committee, 2006-2008

National Honor Roll's Outstanding American Teacher, 2006

Who's Who Among Teachers, 2005 & 2006

Mobile Metro Women's Soccer Coach of the Year, 2004

Shannon S. Smith
Page 3

REFERENCES

Dr. Meredith Foster
Principal, Daphne High School
251-509-3772

Joe Roh
Principal, Robertsdale High School
251-490-0229

Kimberly Qualls
Professional Development Specialist, Compass Learning
Retired Teacher, Daphne High School
256-565-4532

February 8, 2018

Ms. Candace Antinarella
City of Daphne
PO Box 400
Daphne, AL 36526

Dear Ms. Antinarella,

I am writing to express my interest in representing District 4 on the Education Advisory Committee on behalf of Col. Goodlin.

Part of my success as an Assistant Principal is due to the relationships I have with my faculty and staff, coworkers, and students; I realize there is a fine line between being tough, yet fair. I am a hard-working, self-starter who is diligent with details, which is demonstrated through the responsibilities I have been given at Daphne High School. I have amassed a wealth of knowledge during my tenure as an Assistant Principal and feel I have much to offer. It would be an honor and joy to serve in an advisory role for the City of Daphne.

I consider myself to be a progressive thinker and believe I can help the City of Daphne reach new heights in terms of academic success. I look forward to the opportunity to meet you!

Sincerely,

Shannon Smith, Ph.D.

Enclosure

RESUME

LOUISE VAUGHN SMITH
7885 Whispering Pines Road
Daphne, Alabama 36526
(251) 626-5110

EDUCATION

- MOBILE COUNTY TRAINING SCHOOL – Mobile, Alabama
1959-1966
 - MOBILE STATE JUNIOR COLLEGE – Mobile, Alabama
1966 – 1968
 - UNIVERSITY of SOUTH ALABAMA – Mobile, Alabama
1968 – 1970
1970 – 1971
1973 – 1974
1977 – 1978
-

DEGREES and CERTIFICATIONS

- Bachelors in Elementary Education
Type 19, Rank 2, Explanation Code X2
 - Bachelors in Mental Retardation
Type 48, Rank 2, Explanation Code X7
 - Masters in Mental Retardation
Type 47, Rank 1, Explanation Code X7
 - Superintendent - Principal/Supervisor Degree
-

EXPERIENCES

September 1970-
May 1978

K.J. CLARK MIDDLE SCHOOL TEACHER
Educable Mentally Retarded
Mobile County Public Schools

September 1978-

BAKER ELEMENTARY SCHOOL TEACHER:

May 1980	Fifth Grade Mobile County Public Schools
September 1980- May 1981	MARYVALE ELEMENTARY SCHOOL TEACHER: Third Grade Mobile County Public Schools
August 1981- June 1985	BRAZIER ELEMENTARY SCHOOL, WHISTLER ELEMENTARY SCHOOL, HAMILTON ELEMENTARY SCHOOL: INSTRUCTIONAL SPECIALIST Mobile County Public Schools
October 1985- June 1986	CURRICULUM and INSTRUCTION LEINKAUF ELEMENTARY SCHOOL: ASSISTANT PRINCIPAL Mobile County Public Schools
August 1986- June 1987	LEINKAUF ELEMENTARY/KATE SHEPARD SCHOOL: ASSISTANT PRINCIPAL Mobile County Public Schools
August 1987- June 1990	SEMMES ELEMENTARY SCHOOL: PRINCIPAL Mobile County Public Schools
July 1990- June 1991	CURRICULUM and INSTRUCTION: ELEMENTARY SUPERVISOR Mobile County Public Schools
July 1991- June 1996	DIVISION of HUMAN RESOURCES: STAFF ASSISTANT – CERTIFICATION Mobile County Public Schools
July 1996- February 1997	DIVISION of HUMAN RESOURCES: DIRECTOR – CERTIFICATION Mobile County Public Schools
May 1997- October 2001	DIVISION of HUMAN RESOURCES: EXECUTIVE DIRECTOR – CERTIFICATION Mobile County Public Schools
October 2001	RETIREMENT: MOBILE COUNTY PUBLIC

SCHOOLS

February 2002	MOBILE MATHEMATICS INITIATIVE: ASSISTANT DIRECTOR Mobile Area Education Association
September 2003	RETIREMENT: MAEA
September 2007- 2011	HUMAN RESOURCES MANAGER Mobile Community Action, Inc.

OTHER EDUCATIONAL RELATED EXPERIENCES:

- Elementary Writing Competency Test Committee
- Elementary Textbook Adoption Committees:
Reading, Math, Science, Music, Social Studies
- Alabama State Department of Education
Social Studies Activities Committee
- Superintendent's Advisory Committee
- The Superintendent's Principal Advisory Committee
- Curriculum and Instruction Group Leader
- Principals' Activity Leader
- In-service Trainer – Substitute Teachers
- State Accreditation Review Team for
Southern Association of Colleges and Schools
Thompson Elementary School
Alabaster, Alabama
- Staff Development/State Department of
Education Trainer & Reliability Trainer

HONORS

- TEACHER of the YEAR, 1979 - Baker Elementary School
 - HEART of GOLD PRINCIPAL, 1991 - Semmes Elementary School
-

PROFESSIONAL AFFILIATIONS

- Alabama Association of School Personnel Administrators
 - Association of Supervisor and Curriculum Development
 - Phi Delta Kappa
 - National Association of Elementary School Principals
 - Council for Leaders in Alabama Schools
-

HUMAN RESOURCES CONFERENCES

- Alabama Association of School Personnel Administrators

Birmingham, AL
New Orleans, LA
Portland, OR
Tampa, FL
Orlando, FL

REFERENCES WILL BE PROVIDED

CITY OF DAPHNE

RESOLUTION 2018-13

**Acceptance of Streets and Drainage
Located in the French Settlement, Phase Three**

Whereas, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of Daphne has given Final Plat approval to French Settlement, Phase Three on March 22, 2018, and the City of Daphne hereby recommends acceptance of said street(s) located in French Settlement, Phase Three; and,

Whereas, an inspection was made by the Director of Community Development, and all reports, as well as, all other related documents have been provided stating that said streets and storm water drainage have been installed in conformity with city standards; and,

Whereas, an inspection was made by the Director of the Division of Public Works, and said director has recommended acceptance said streets and storm water drainage of French Settlement, Phase Three; and,

Whereas, the developer has provided to the City a two-year maintenance bond in the amount of \$43,763.73 as required and now requests acceptance and dedication of the same for maintenance of said improvements as outlined in Article XVII, entitled the Procedures for Subdivision Review of the City of Daphne Land Use and Development Ordinance; and,

Whereas, the developer has caused the plat to be recorded on slide #2630-A of the records in the Baldwin County Judge of Probate Office; and,

Whereas, the City Council of the City of Daphne believes it is in the best interest of the citizens of the City for the City to accept said right-of-way; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE AS FOLLOWS, that French Settlement, Phase Three, Northwest of Longue Vue Boulevard and French Settlement Drive, a 50-ft right of way according to the plat presented by Dewberry Preble-Rish as recorded in the Office of the Judge of Probate, Baldwin County, Alabama, is hereby accepted by the City of Daphne, Alabama as city streets for maintenance.

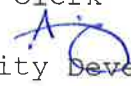
ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF APRIL, 2018.

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

**DANE HAYGOOD,
MAYOR**

ATTEST:

**CANDACE G. ANTINARELLA,
CITY CLERK**

To: Office of the City Clerk
From: Adrienne D. Jones, 
Director of Community Development
Subject: French Settlement Subdivision, Phase 3
Acceptance of Roads and Rights-of-Ways
Date: March 23, 2018

MEMORANDUM

LOCATION: Northwest of Longue Vue Boulevard and French Settlement Drive

RECOMMENDATION: At the, March 22, 2018, regular meeting of the City of Daphne Planning Commission, eight members were present. The motion carried unanimously for a ***favorable recommendation*** for the acceptance of French Settlement Drive.

Attached please find said documentation for placement on the Monday, April 2, 2018 City Council agenda.

Thank you,
ADJ/jv

cc: file
Jeremy Sasser, Public Works Director

attachment(s)

1. Correspondence from project engineer requesting acceptance
2. Record plat
3. Petition of Acceptance of Roads and Rights-of-Ways

FILE
2:28pm
42

December 12, 2017

Mrs. Adrienne Jones
Planning Director, City of Daphne
P.O. Box 400
Daphne, Alabama 36526

RE: FRENCH SETTLEMENT PHASE 3

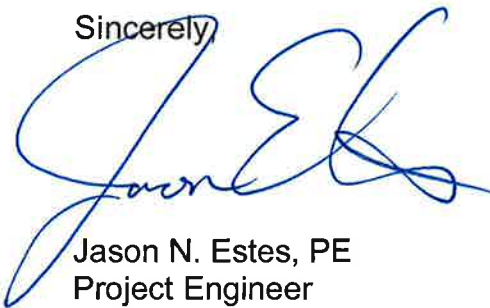
Dear Mrs. Jones:

I, Jason Estes, a professional engineer registered in the State of Alabama, Registration Number 22714, do hereby certify that the streets for French Settlement Phase 3 have been constructed under my supervision in accordance with the approved construction plans.

I further certify I have checked all test reports and that all construction materials have been installed in accordance with the typical sections, profiles, and plan details and meet minimum requirements as set out in the State of Alabama Highway Department's Standard Specifications for Highway Construction, latest edition and current revisions.

Therefore, I hereby request that the City of Daphne accept the streets for French Settlement Phase 3.

Sincerely,

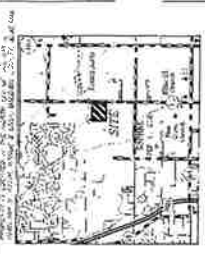


Jason N. Estes, PE
Project Engineer



1679510

SLIDE 002030-A



VICINITY MAP
1" = 1 MILE

SITE DATA
CURRENT ZONING: R-2 & R-1
TOTAL RESIDENTIAL LOTS: 17
SMALLEST LOT: 15,000 SF
LARGEST LOT: 35,435 SF
TOTAL AREA: 22.26 AC
DENSITY: 0.78 UNITS/ACRE
OPEN SPACE: 7.41 AC OR 33.3%
DETENTION/RETENTION: 6.59 AC OR 30.0%
LINEAR FEET OF STREETS: 1142 FT.

REQUIRED SETBACKS:
FRONT: 35 FT
REAR: 35 FT
SIDE: 10 FT
SIDE STREET: 20 FT

WATER SERVICE, BELFORST WATER
SEWER SERVICE, DAPHNE UTILITIES
ELECTRIC SERVICE, RIVERA UTILITIES
TELEPHONE SERVICE, AT&T

LICENSED ENGINEER'S CERTIFICATION OF IMPROVEMENTS

2-6-18

SURVEYOR'S CERTIFICATE

I, JAMES C. ALLEN, a Licensed Surveyor in the State of Alabama, hereby certify that I am the author of the foregoing plat, and that the same is a true and correct representation of the facts as shown by the survey and the records of the Surveyor General of the State of Alabama.

I, JAMES C. ALLEN, a Licensed Surveyor in the State of Alabama, hereby certify that I am the author of the foregoing plat, and that the same is a true and correct representation of the facts as shown by the survey and the records of the Surveyor General of the State of Alabama.

CERTIFICATE OF APPROVAL BY TELEPHONE (WST)

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES (ELECTRIC)

CERTIFICATE OF APPROVAL BY BELFORST WATER SYSTEM

LEGEND:



CERTIFICATION BY NOTARY PUBLIC

1679510
JAMES C. ALLEN
SURVEYOR

DIRECTOR OF COMMUNITY DEVELOPMENT

CERTIFICATION OF APPROVAL OF STREETS DRAINAGE

CERTIFICATION OF APPROVAL FOR RECORDING

SURVEYOR'S NOTES:

1. THE SURVEY WAS MADE BY ME OR MY ASSISTANT, AND THE RESULTS ARE AS SHOWN ON THE PLAT.

2. THE SURVEY WAS MADE BY ME OR MY ASSISTANT, AND THE RESULTS ARE AS SHOWN ON THE PLAT.

GENERAL NOTES:

1. THE SURVEY WAS MADE BY ME OR MY ASSISTANT, AND THE RESULTS ARE AS SHOWN ON THE PLAT.

2. THE SURVEY WAS MADE BY ME OR MY ASSISTANT, AND THE RESULTS ARE AS SHOWN ON THE PLAT.

CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY

SUBDIVISION NAME: FRENCH SETTLEMENT, PHASE THREE

LOCATION: WEST OF CR 13 & NORTH OF FRENCH SETTLEMENT

THIS ACCEPTANCE OF ROADS AND RIGHTS-OF-WAY is made this 5th day of March, 2018 by FELICITER INVESTMENT GROUP, LLC, hereinafter called the Subdivider, owner of certain property located in Baldwin County, Alabama known as FRENCH SETTLEMENT, PHASE THREE Subdivision to be recorded in the office of the Judge of Probate of Baldwin County, Alabama; and,

WHEREAS, the Subdivider has agreed to the dedication of the roads and rights-of-way located in said subdivision to the City of Daphne, and further warrants that said roads and rights-of-way are complete and are in compliance with the minimum standards as outlined for construction in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled Subdivision Review, and Article XI, Minimum Requirements and Required Improvements. The Subdivider further warrants that the same are free from defects from any cause and are free and clear of any liens and encumbrances; and,

WHEREAS, the Subdivider does hereby agree to provide a Maintenance Bond, as outlined in Article XVII, entitled Subdivision Review, in an amount equal to ten (10) percent of the total street and drainage improvements (\$43,763.73) in the subdivision for a period of two (2) years after the date of their acceptance and dedication of the same to the City. Said bond shall be required by the City as a condition to the acceptance and dedication of any new roads or rights-of-way within the City; and,

WHEREAS, the Project Engineer acting on behalf of the Subdivider does hereby certify that all roads and rights-of-ways are complete and are in compliance with the minimum standards as outlined for construction in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled, Subdivision Review, and Article XI, Minimum Requirements and Required Improvements.

WHEREAS, the City of Daphne, Alabama, acting by and through the recommendation of the City of Daphne Planning Commission, has agreed to accept the responsibility for the maintenance of the roads and rights-of-way of said subdivision subject to a two (2) year maintenance period as described above; and,

WHEREAS, the City of Daphne has agreed to accept the property within the confines of the road right-of-way which does not include drainage or utility easements or any other improvements outside of these confines.

CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY

NOW, THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Subdivider does hereby dedicate the roads and rights-of-way in said subdivision to the City of Daphne, a municipal corporation, as per the recommendation of the City of Daphne Planning Commission at their regular meeting of January 26th 2018 March 22nd, 2018 A.F.. That said subdivision according the plat recorded in the Judge of Probate, Baldwin County, Alabama and said streets being named FRENCH SETTLEMENT DRIVE (11421.f.)

are hereby accepted for maintenance by the City of Daphne, Alabama as a city street.

IN WITNESS WHEREOF, the Subdivider has caused the execution of this dedication as of the date set forth above.

Respectfully submitted,

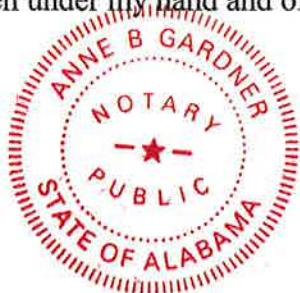
Felicit Investment Group, LLC
Name of Individual or Corporation

By: [Signature]
Geoff Lane
Its: A Manager

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned Notary Public in and for said State and County, hereby certify that whose name as A Manager of Felicit Investment Group, an Alabama corporation or as owner of FRENCH SETTLEMENT PH 3 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 as such officer or owner and with full authority, executed the same voluntarily on the day same bears date.

Given under my hand and official seal on this the 1st day of MARCH, 2018.



Anne B. Gardner (NOTARY SEAL)
NOTARY PUBLIC
My commission expires: _____

ANNE B. GARDNER
Notary Public, State of Alabama
County of Baldwin
My Commission Expires
April 25, 2018

CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY

Recommendation:

Jeremy Sasser.
Public Works Director
City of Daphne



Approval:

Mary E. Berger

Planning Commission Chairman or Authorized Representative
City of Daphne

**CITY OF DAPHNE, ALABAMA
RESOLUTION NO. 2018-14
2018-F-PW/USED TRACK LOADER**

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 used track loader will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the used track loader and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the used track loader be awarded to Caterpillar Financial Services Corp (Thompson Tractor Co., Inc.).

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, hereby accept the bid of Caterpillar Financial Services Corp (Thompson Tractor Co., Inc.) for the amount of \$76,671 as specified in BID SPECIFICATION NO: 2018-F- PW / USED TRACK LOADER.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2018.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION NO. 2018-15**

2018-G-#801 COARSE AGGREGATE-#801 COARSE AGGREGATE-ROCK MATERIAL

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 #801 coarse aggregate-rock material will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the #801 coarse aggregate-rock material and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the #801 coarse aggregate-rock material be awarded to Martin Marietta Materials, Inc..

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA hereby accept the bid of Martin Marietta Materials, Inc. for unit cost (delivered) as follows:

#801 Coarse Crushed Aggregate - \$34.95/Ton

as specified in BID SPECIFICATION NO. 2018-G-#801 COARSE AGGREGATE-ROCK MATERIAL.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2018.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2017-46(a)**

Ordinance to Amend City of Daphne Ordinance 2017-46 to Correct Error

WHEREAS, on June 5, 2017, the City of Daphne, Alabama adopted Ordinance 2017-46 – Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne on the Southside of U.S. Highway 90 at Renaissance Boulevard George Kalasountas; and

WHEREAS, said Ordinance stated that City Ordinance 2017-45 was passed pre-zoning the subject property as B-2, General Business District; and

WHEREAS, Ordinance 2017-45 actually stated that the subject real property was pre-zoned B-2(a), General Business Alternate District, said Ordinance being recorded with the Office of the Judge of Probate of Baldwin County, Alabama in Instrument Number 1638169; and

WHEREAS, the records of the City of Daphne reflect the Planning Commission of the City of Daphne recommended a B-2(a) zoning of said property, the City Council held a public hearing on the recommended B-2(a) zoning, the City Council voted and passed the Pre-Zoning Ordinance with the B-2(a) zoning of the subject property; and

WHEREAS, Ordinance 2017-45 contained the correct zoning of B-2(a), but due to a typographical error Ordinance 2017-46, an Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne, contained the incorrect zoning designation; and

WHEREAS, the City Council of the City of Daphne desires to correct said typographical error and to reflect the actual action taken by the Council; and

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

Section Two of City of Daphne, Alabama Ordinance 2017-46 shall be and is hereby amended to read as follows:

SECTION TWO: ZONING

At the June 5, 2017 regularly scheduled City Council meeting Ordinance 2017-45 was adopted pre-zoning the said property as B-2(a), General Business Alternate District.

All other terms and conditions of City of Daphne, Alabama Ordinance 2017-46 shall remain the same.

This Ordinance shall take effect upon its approval by the City Council of the City of Daphne and publication as required by law. This Ordinance shall be recorded with the Office of the Judge of Probate of Baldwin County, Alabama as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2018.

Dane Haygood,
Mayor

ATTEST:

Candace G. Antinarella,
City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2018 - 10**

**Ordinance to Amend Job Classification Schedule:
Executive Director, City Development**

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

WHEREAS, the critical need of a new position has been submitted to the City Council; and

WHEREAS, the City Council has determined that there is a need for such position; and

WHEREAS, the City Council and the Mayor worked together to create this job description; and

WHEREAS, the Executive Director, Community Development position and acceptable job description was reviewed by the Ordinance Committee at the October 2, 2017 meeting; and

WHEREAS, the position was appropriate in the fiscal year 2018 budget, adopted October 2, 2017; and

WHEREAS, a job grade was not previously set for the new position; and

WHEREAS, the proposed job grade is 37.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that the following is hereby incorporated into the City of Daphne Job Description Classification Schedule:

Grade 37: Executive Director, City Development

All other terms and conditions of City of Daphne, Alabama Ordinance 2004-52 shall remain the same.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2018.

**Dane Haygood,
Mayor**

ATTEST:

**Candace G. Antinarella,
City Clerk**

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2018-11
APPROPRIATING FUNDS FOR VILLAGE POINT BOARDWALK**

WHEREAS, Ordinance 2017-77 approved and adopted the Fiscal Year 2018 Budget on October 2, 2017; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2018 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2018 budget; and

WHEREAS, the City of Daphne received damages from Hurricane Nate which made landfall on October 8, 2017; and

WHEREAS, as a result of storm, the Village Point Boardwalk sustained severe damage; and

WHEREAS, the City of Daphne will bid out the Village Point Boardwalk Replacement since the total estimated construction cost is \$219,264 (*Construction - \$171,300 + CE&I - \$17,130 + Contingency- \$17,130 = \$219,264*); and

WHEREAS, FEMA grant monies are available for 75% of the project cost and State of Alabama monies for 12.5% of the project costs for the Village Point Boardwalk Replacement project

WHEREAS, historically the State of Alabama has participated in a local match and the City intends to make application with the State of Alabama to receive the 12.5% of State “local match” participation; and

WHEREAS, the City’s match will be 12.5% of the project cost.

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

1. This project is deemed as key to the recovery efforts associated with this rain event and the repair of this public infrastructure is necessary to preserve the health, safety, and convenience of the public.
2. This project is a qualifying FEMA project at 75% reimbursement and State of Alabama 12.5% reimbursement .
3. Fiscal Year 2018 Budget is hereby amended to include an appropriation in the amount of **\$27,408** from the **Lodging Tax Fund** for the Village Point Boardwalk estimated replacement cost not reimbursed by FEMA or the State of Alabama.
4. The Mayor is hereby authorized to make application with FEMA and the State of Alabama for the reimbursement of such funds and to sign and execute all documents associated with the described projects.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this ____ day of _____, 2018.

Attest:

Dane Haygood, Mayor

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2018-12**

**APPROPRIATION: TRAFFIC STUDY: PARK DRIVE-DAPHNE SPORTS
COMPLEX ENTRANCE**

WHEREAS, Ordinance 2017-77 approved and adopted the Fiscal Year 2018 Budget on October 2, 2017; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2018 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2018 budget; and

WHEREAS, the traffic on Park Drive will increase once the Daphne Sports complex is completed; and

WHEREAS, certain traffic signal improvements are required to maintain traffic control for the Park Drive area; and

WHEREAS, Skipper Consulting, Inc. has prepared a fee and scope to perform the Traffic study for Park Drive with said fee totaling \$5,500;

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

1. Funds in the amount of **\$5,500** from the **General Fund** are appropriated and made a part of the Fiscal Year 2018 budget for the Traffic Study fees for Park Drive-Daphne Sports Complex Entrance area.
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 _____, 2018.**

Attest:

Dane Haygood, Mayor

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2018-13**

**APPROPRIATION: SIGNAGE/MARKERS FOR HISTORICAL SITES IN THE
CITY OF DAPHNE FOR THE ALABAMA 200 YEAR - BICENTENNIAL
CELEBRATION**

WHEREAS, Ordinance 2017-77 approved adopted the Fiscal Year 2018 Budget on October 2, 2017; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2018 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2018 budget; and

WHEREAS, Alabama became the nation's twenty-second state on December 14, 1819; and

WHEREAS, Alabama 200 will be celebrated throughout the State of Alabama to encourage citizens and visitors to explore and learn about the state; and

WHEREAS, Baldwin County has begun a county-wide initiative on behalf of the 200 Year Bicentennial celebration; and

WHEREAS, Historical signs and markers are needed to provide information to the citizens and visitors visiting the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that the Fiscal Year 2018 Budget is hereby amended to include an appropriation from the **General Fund** in the amount of \$15,000 for repairing, re-painting, or replacement of historical signs and markers throughout the City.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this ____ day of _____, 2018.

Dane Haygood, Mayor

Attest:

Candace G. Antinarella, City Clerk