

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
February 4, 2019
6:30 P.M.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
INVOCATION: Father Tuck Bowen, St. Stephen's Charismatic Episcopal Church
PLEDGE OF ALLEGIANCE
- 3. APPROVE MINUTES:** Council Meeting – January 22, 2019
- 4. REPORTS OF STANDING COMMITTEES**
 - A. FINANCE COMMITTEE** – Conaway
Review minutes from the January 22, 2019 meeting.
 - B. BUILDINGS & PROPERTY COMMITTEE** – Goodlin
 - C. PUBLIC SAFETY COMMITTEE** – Scott
 - D. CODE ENFORCEMENT/ORDINANCE COMMITTEE** – Phillips
 - E. PUBLIC WORKS COMMITTEE** – Coleman
Review Beautification Minutes from the December 2018 Meeting.
- 5. REPORTS OF SPECIAL BOARDS & COMMISSIONS**
 - A. BOARD OF ZONING ADJUSTMENTS** – Adrienne Jones
 - B. DOWNTOWN REDEVELOPMENT AUTHORITY** – Conaway
 - C. INDUSTRIAL DEVELOPMENT BOARD** – Rudicell
 - D. LIBRARY BOARD** –Phillips
 - E. PLANNING COMMISSION** – Scott
Review minutes of December 20, 2018 and report of January 24, 2019.
 - F. RECREATION BOARD** – LeJeune
 - G. UTILITY BOARD** – LeJeune
- 6. MAYOR'S REPORT**
- 7. CITY ATTORNEY REPORT**
- 8. DEPARTMENT HEAD REPORTS**

City Council Agenda – February 4, 2019

9. CITY CLERK’S REPORT

MOTION to approve the band permit for the Mystic Order of Gators Balcony Parade Fundraiser located at 122 Lake Front Drive on March 2, 2019.

MOTION to approve the band permit for a private party at the residence of 6475 War Eagle Drive on February 22, 2019.

MOTION to approve the Buckaroo Foundation/Wright Transportation 5k on August 10, 2019.

MOTION to approve the Bayside Medical Missions Jubilee Race for Life 5k & 1-Mile Fun Run on September 21, 2019.

MOTION to approve the publication and set a public hearing on March 18, 2019 for proposed amendments to Ordinance 2011-54, Land Use and Development Ordinance, Article IX, Section 9-6, Lots of Record.

10. PUBLIC PARTICIPATION

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2019-07 – Resolution to Retain City Judge

2019-08 - Resolution Declaring Certain Personal Property Surplus Authorizing Mayor to Dispose – Trucks

2019-09 - Resolution Declaring Certain Personal Property Surplus Authorizing Donation to Daphne High School – Chevy Pickup

B. 2ND READ ORDINANCES:

C. 1ST READ ORDINANCES:

2019-04 – Additional Appropriation: Corte/Austin Road Improvements Ph 1 –Redesign of the Bellaton Entrance - \$35,522

2019-05 - Appropriation: Nicholson Center Additional Improvements - \$50,000

2019-06 - Appropriation: Bayfront Streetscape and Parking Underground Utilities - \$181,503

2019-07 - Appropriation: Purchase Two Used Bucket Trucks - \$30,000

12. COUNCIL COMMENTS

13. ADJOURN

**January 22, 2019
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
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6:30 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Rudicell called the meeting to order at 6:32 p.m.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Pat Rudicell, Joel Coleman, Ron Scott, Robin LeJeune, Tommie Conaway and Angie Phillips

Also Present: Candace Antinarella, City Clerk; Patrick Dungan, City Attorney; Adrienne Jones, Planning Director; Kelli Kichler Reid, Finance Director/Treasurer; Betsy Schneider, Operations Director; Margaret Thigpen, Civic Center Director; James White, Fire Chief; Tonja Young, Library Director; and Jessica Linne, Assistant City Clerk

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Pastor Greg Warren, Destiny Church.

PRESENTATION:

Mayor Haygood presented Aimee Risser, Big Brothers Big Sisters of South Alabama's CEO and President with a proclamation from the City of Daphne. The proclamation honored the work Big Brothers Big Sisters does in the community as well as proclaiming January 2019 as Mentoring Month.

3. APPROVE MINUTES:

The minutes of the January 7, 2018 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Conaway said the Finance Committee met that afternoon and the report will be in the next Council Packet.

MOTION by Councilwoman Conaway to renew the City's annual insurance policy with John A. Robertson Insurance Agency, Inc. in the amount of \$554,515. Seconded by Councilman Coleman. MOTION CARRIED UNANIMOUSLY.
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B. BUILDINGS & PROPERTY COMMITTEE

Councilman Goodlin was not at the Council Meeting. Councilman Rudicell said that the committee meets the second Monday of the month. At the next meeting they will discuss building fees.

C. PUBLIC SAFETY COMMITTEE

Councilman Scott said the committee meets the second Monday of the month. The next meeting is February 11th.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilwoman Phillips said the committee will meet on February 4th at 4:30pm in the Conference Room.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the Museum Minutes and the Beautification Minutes from the November Meetings are in the packet. The next Public Works meeting is February 4th at 5:30 p.m.

January 22, 2019
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5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Ms. Jones said there will be no meeting in February.

B. Downtown Redevelopment Authority

Councilwoman Conaway yielded her report to the Chair and Co-Chair of DRA, Dayna Oldham and Taylor Wilkins. Ms. Oldham, Chair, shared that they have complete Phase 1 of the project. She asked that the Council take notice of the difference the LED lights make. Taylor Wilkins, Co-Chair, shared that it was nice to see the work going on at Lott Park. He said that they have plans to come to Council Work Session to share about Phase 2, 3 and the May Day. Mr. Wilkins thanked Councilwoman Conaway and Councilman Rudicell for their help. Councilwoman Conaway said that Ms. Oldham and Mr. Wilkins will walk the property before reporting at Work Session.

Mayor Haygood said that the new lights help with the aesthetics for downtown.

C. Industrial Development Board

Councilman Rudicell said the next meeting is January 29th at 4:30pm in the conference room.

D. Library Board

Councilwoman Phillips said she is excited to see the progress of the Porch Project. She said the Library Board meets the second Thursday every month at 4:00pm at the Library.

E. Planning Commission

Councilman Scott said the next meeting is January 24th at 5:00pm.

F. Recreation Board

Councilman LeJeune said he was unable to attend the last meeting.

G. Utility Board

Councilman LeJeune said there was no meeting in December due to the holidays. The next meeting is January 30th at 5:00pm.

6. MAYOR'S REPORT:

Mayor Haygood said that the contractor working on Well Road accidentally nicked a waterline, but he has heard that it has been repaired. He said the next Council Meeting he may not be there. He has a family event he needs to attend. He said he attended the Governor's Inauguration the previous Monday and Tuesday. The Mayor said that Architects Southwest were instructed to cease work mid-December because they weren't on AL-Dot's contractor's list. Architects Southwest will hopefully be at the March Council Work Session to present. The Mayor also mentioned the Mobile Officer, Sean Tudor, who was killed on duty over the weekend. He was a resident of Daphne.

7. CITY ATTORNEY REPORT:

City Attorney said he had one matter of pending litigation that he'd like to discuss with the Council in executive session in accordance with the requirements of the Alabama Open Meetings Act. He said it shouldn't take any more than 15-20 minutes and should require not action by the Council. It shouldn't require any staff attendance either. He recommended meeting after Council comments when he could certify the executive session and the chair could entertain a motion.

January 22, 2019
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8. **DEPARTMENT HEAD COMMENTS:**

Chief Carpenter asked everyone to keep law enforcement in their prayers.

David McKelroy said that there will be tax preparation at the Rec Center February 5th-16th from 8am – 12pm.

9. **CITY CLERK'S REPORT:**

**MOTION by Councilman Scott to approve the Shadow Barons Mardi Gras Parade on March 2, 2019.
Seconded by Councilman LeJeune.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to approve the Daphmont Community Mardi Gras Parade on
March 2, 2019. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to approve the Loyal Order of the Firetrucks Parade on March 3,
2019. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to approve the Camp Rap-a-Hope Leprechaun Ride on March 14, 2019.
Seconded by Councilman Coleman. City Clerk said this will be the third “special event” type ride. Their
staging area will now be at Christ the King.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to approve the Christ the King Catholic School Seminarian Run
on May 3, 2019. Seconded by Councilman LeJeune.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to approve the Prodissee Pantry's Turkey Trot 5k on October 26, 2019.
Seconded by Councilman Coleman. Councilman Scott asked how many of these types of events were
already on the calendar for the year. City Clerk said this would make 6 and there were 2 spots left.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to approve the publication and set a public hearing on February 18,
2019 for the Cynthia Pierce Zoning Amendment located Southwest of Whispering Pines Road and
Pollard Road. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to approve the publication and set a public hearing on February
18, 2019 for the T H Tanglewood 2018 L.L.C. Zoning Amendment located Southeast of Whispering
Pines Road and Caroline Avenue. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

10. **PUBLIC PARTICIPATION:**

Public Participation was opened at 7:00 p.m.

Public Participation closed at 7:01 p.m.

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11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

2019-03 – Resolution Declaring Certain Personal Property Surplus Authorizing Mayor to Dispose – Dishes

2019-04 – Resolution Declaring Certain Personal Property Surplus Authorizing Mayor to Dispose – Garbage Trucks #1330 and #1329

2019-05 – Resolution Declaring Certain Personal Property Surplus Authorizing Mayor to Dispose – Mosquito Chemicals

2019-06 – MBNEP Grant ADEM 319 NFWF Sub-recipient Agreement

**MOTION by Councilman Scott to waive the reading of Resolution 2019-03, Resolution 2019-04, Resolution 2019-05 and Resolution 2019-06. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2019-03. Seconded by Councilman LeJeune.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2019-04. Seconded by Councilman LeJeune.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2019-05. Seconded by Councilman LeJeune. Councilwoman Phillips noted that the Mosquito Chemicals were being disposed because the City is entering into contract with another company that will handle spraying for mosquitoes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2019-06. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

ORDINANCES:

2nd READ:

2019-01 – Additional Appropriation: Daphne Sports Complex

2019-02 – Additional Appropriation: Legal Fees

2019-03 – Additional Appropriation: Lodging Tax – Village Point Boardwalk

**MOTION by Councilman Scott to waive the reading of Ordinance 2019-01, Ordinance 2019-02 and Ordinance 2019-03. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

MOTION by Councilman Scott to adopt Ordinance 2019-01. Seconded by Councilman LeJeune. Councilman Rudicell asked how much is being transferred from general fund to the capital reserve fund. Councilwoman Phillips said it was \$115,000.

January 22, 2019
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1705 MAIN STREET
DAPHNE, AL
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MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2019-02. Seconded by Councilman Coleman. Councilman Rudicell asked how much is being transferred. Councilman LeJeune said it was \$50,000. MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2019-03. Seconded by Councilwoman Phillips. Councilwoman Phillips said this was only \$4,000.

MOTION CARRIED UNANIMOUSLY.

Councilman Rudicell asked if the additional appropriation amount could be put in the title of the Ordinance. City Clerk said it can.

1st READ:

12. COUNCIL COMMENTS:

Councilwoman Conaway reminded everyone that the Education Advisory Committee will meet Thursday, January 24th at 5:30pm. She announced that there were no failing schools in Baldwin County according to the recent county report card.

Councilman Coleman said he's encouraged by all the good meetings lately about the improvement to Bayfront Park.

Councilman LeJeune said to continue thoughts and prayers for the Tudor family and all law enforcement.

Councilwoman Phillips said she agreed with Councilman LeJeune. She thanked Chief Carpenter and thanked Ms. Risser from Big Brothers Big Sisters.

Mayor Haygood reminded everyone of the officer killed in Birmingham while on duty and to remember those affected by the tornadoes in Wetumpka, AL.

City Attorney said as an attorney licensed and in good standing to practice law in the state of Alabama he certified that there was a valid reason to enter in to Executive Session in compliance with the Alabama Open Meetings Act specifically to discuss pending litigation. He asked for a roll call vote and a motion to state the purpose. He asked if Council President would state if the Council would reconvene and the approximate time they would return. He said that the Council should not have to take any action and that it should not take any longer than 15-20 minutes. He said that Attorney Tom Gaillard will be joining the Council. He is also an attorney representing the City of Daphne.

MOTION by Councilman Scott to enter into Executive Session. Seconded by Councilman Coleman.

Councilman Rudicell said the Council would convene and not return. Councilman Rudicell asked for a roll call vote.

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City Clerk called roll.

Councilwoman Conaway	Aye
Councilman Coleman	Aye
Councilman Goodlin	Absent
Councilman Scott	Aye
Councilman LeJeune	Aye
Councilwoman Phillips	Aye
Council President Rudicell	Aye
MOTION CARRIED UNANIMOUSLY.	

Council adjourned into Executive Session.

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:10 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Candace G. Antinarella, City Clerk

Pat Rudicell, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
JANUARY 22, 2019
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. Joel Coleman

Councilman Mr. Doug Goodlin

Councilman Mr. Ron Scott

Councilman Mr. Robin LeJeune

Councilman Mr. Joe Davis

Also Present: Mayor Dane Haygood, Finance Director Mrs. Kelli Reid, Senior Accountant Mrs. Suz  ne Henson, HR Specialist Mrs. Hannah Noonan, Public Works Director Mr. Jeremy Sasser, Operations Manager Mrs. Betsy Schneider, Civic Center Director Mrs. Margaret Thigpen, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Troy Strunk, Grounds Supervisor Mr. Shannon Burroughs, Building Inspector Mr. Richard Merchant, Library Director Ms. Tonja Young, and City Attorney Mr. Patrick Dungan. Environmental Program Manager Mrs. Ashley Campbell arrived at 6:00 p.m.

II. PUBLIC PARTICIPATION

A. Fiscal Year 2018 Audit Presentation – LeAnn May & Stacey Maddox, Hartman, Blackmon, & Kilgore, P.C.

Mrs. Reid stated that there was a handout of the draft FY2018 CAFR and reviewed the summary information included. Mrs. LeAnn May reviewed the audit process and stated they would be issuing an unmodified opinion and that the letter is a clean letter with no noted deficiencies. Mrs. May reviewed their review of internal controls and noted no deficiencies or discrepancies were discovered. Mrs. May reviewed the newest GASB requirement, GASB 75 (*Accounting and Financial Reporting for Postemployment Benefits other than Pensions*). Discussion continued on the City's Post Employment liabilities and the City starting an investment trust to be funded over a period of time. Mrs. Reid stated she would look into setting a trust fund up.

Mrs. May continued covering the audit and stated she enjoyed doing the City of Daphne's audit. Mrs. Reid stated she anticipated the final audit report would be ready January 31, 2019.

B. Industrial Development Board Update: DISC project – Mr. Steve Carey

Mr. Steve Carey reviewed the DISC project and the effects from the Government shutdown. Mr. Carey discussed that the grant matching funds have not been received due to the shutdown. Mr. Carey discussed the board is working on getting a website set up for the project and he is working with the architects on setting standards for any request for any vertical construction on the property. Discussion continued on the \$1.2 million loan the City provided for the project and the anticipated repayment timeframe and the parcels included in the DISC project property that was available to be sold. Mayor Haygood discussed that the parcels would have a higher value after some of the infrastructure was developed.

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were reviewed and approved as presented.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Hannah Noonan reviewed the Human Resource Report:

- Posted positions – 4
- Reviewing/Testing/Interviewing/Background check - 4
- Promotion/Internal Transfer - 0
- New Hires – 2
- Open - 1

Mrs. Noonan reviewed the monthly Safety Committee meeting topics discussed and other Human Resource projects and events.

Other HR projects/meetings/events:

- RSA Employer Self-Service: Testing Phase continuing
- Applicant Tracking System: Implementation began 01/10/2019
- Museum Assistant job description & salary range

Volunteer Coordinator RSVP recruiting/events:

- Continuous recruitment and orientation of volunteers
- Retired Senior Volunteer Program (RSVP) Tax Program (Training) @ City Hall

Mrs. Noonan reviewed the Workers Comp billing and the savings applied (\$45,077) from the City's safety training program.

B. Overtime Report

Mrs. Reid reviewed the overtime report and noted that she had added a new Event Overtime report for the Snow Day City event. Mrs. Reid stated she would include this overtime report for each City event throughout the year.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – December, 2018

Mrs. Coleman reviewed the following reports and information:

- Code enforcement issued 1 warnings resulting in businesses becoming compliant and \$62.50 in revenue.
- New Businesses with a physical location in Daphne - 8
- Simplified Sellers Use Tax collections - \$ 17,219.58 and YTD collections - \$43,235.53

BUSINESS LICENSE COUNT through 12/31/2018	
NEW Licenses	20
RENEWAL Licenses (2018)	5
PRIOR YEAR Licenses (2017 and Prior)	2
Total Issued THIS MONTH	27
Total Issued THIS MONTH - PREVIOUS YEAR	216
Net Gain/-Loss Current VS Previous Yr MONTH	-189
Total Issued YTD 2018	4,648
Total Issued YTD - PREVIOUS YEAR	4,892
Net Gain/-Loss Current VS Previous Yr YTD	-244

Business License Fee Historical Comparison 2018 / 2019				
	FY 18	FY 19	+/- Previous Year	Budget 2018 * \$2,215,000
October	\$5,258.84	\$7,486.91	\$2,228.07	(\$2,207,513.09)
November	\$8,566.59	\$3,983.03	(\$4,583.56)	(\$2,203,530.06)
December	<u>\$41,564.84</u>	<u>\$2,614.81</u>	<u>(\$38,950.03)</u>	<u>(\$2,200,915.25)</u>
Year to Date	\$55,390.27	\$14,084.75	(\$41,305.52)	(\$2,135,915.25)
* Amounts include penalty and interest.				

NOTE: The difference in BL fees collected in December 2018 compared to December 2017 is due to renewals being keyed during the last week of December 2017.

Mrs. Coleman noted that one of the Revenue Technicians will be taking a new job position with the City of Foley.

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: November, 2018

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs: \$1,393,929.65 was collected for November, 2018 which was up \$52,245.46 from November 2017's collections: :

- YTD Variance over Budget - \$ 84,973.14

B. Lodging Tax Collections, November, 2018

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for November, 2018 were \$78,404.57 which is up \$5,446.49 from November 2017's collections .

- YTD Variance over Budget: \$21,789.97

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

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

- Unreserved balance for Bayfront related purchases - \$ 1,470,989.94
- Recreation related purchases - \$ 899,0358.18

Mrs. Henson noted that recent expenditures for Village Point Boardwalk, Bayfront, and Trione Sports Complex Fencing are reflected in the report.

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: December, 2018

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT					
As of December 31, 2018					
Account Type/Title	12/31/2018	11/30/2018	Increase (Decrease) from last Month	12/31/2017	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	\$ 6,621,245	\$ 4,898,935	\$ 1,722,310	\$ 8,112,700	\$ (1,491,455)
CERTIFICATE OF DEPOSIT	506,407	504,979	1,428	-	506,407
INVESTMENT FUND	5,347,490	5,302,088	45,402	5,353,794	(6,304)
CREDIT CARD ACCOUNT	9,566	11,976	(2,410)	2,173	7,393
Total Unrestricted Cash Balance	12,484,708	10,717,978	1,766,730.17	13,468,667	(983,959)
Total Restricted Cash Balance	15,625,954	15,000,872	625,082	19,795,680	(4,169,726)
Total City Cash Balance	\$ 28,110,662	\$ 25,718,850	\$ 2,391,812	\$ 33,264,347	\$ (5,153,685)
Encumbrance Total as of			12/31/2018	\$ 801,306.03	

Mrs. Reid noted that December receives large property tax revenues so that is the majority of the increase for December. Mrs. Reid noted that the 2016 Capital Improvement account for Lott Park will be closed down in the next couple months since most of the monies will be spent.

The Treasurer's Report as of DECEMBER, 2018 Total Unrestricted Cash Balance - \$12,484,708 and Total City Cash Balance - \$28,110,662 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance is - \$801,306.03 as of December, 2018.

Mrs. Reid reviewed the Encumbrance Report. Discussion was made on repairs needed at the Dog Park at Trione Park. Mrs. Sasser and Mr. Strunk said they would follow up on repairs made after the water pipe leak occurred.

3. Outstanding Appropriations

Mrs. Reid reviewed the park projects and payouts that would be made for those projects.

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

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), December, 2018
 - o Jubilee Square: Debt payments are currently fully paid through April 2017 thus 20 months in arrears. Arrearage includes \$453,623 in principal and \$283,556 in interest

General Fund:

	<u>FY 2019</u>	<u>FY 2018</u>	<u>Change</u>
• YTD Net Loss:	\$ (2,062,809)	\$ (412,149)	\$ (1,650,660)
• There were three payrolls in November which contributed to the significant net loss YTD			
• Total sales, use, and luxury tax collected for the year is approximately \$163,000 over prior year and \$85,000 over budgeted income			
• Ad Valorem Tax collections are approximately \$127,000 over YTD collections in prior year			
• Unassigned Fund Balance: \$11,156,878			
• Outstanding Encumbrances: \$824,141			

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of November 30, 2018: \$38,749,360
- Outstanding Note Payable Balance as of November 30, 2018: \$779,102
- Outstanding Capital Lease Balance as of November 30, 20167:
 - General Fund: \$1,139,697
 - Enterprise Funds: \$459,729

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

- YTD Park Improvements Expenditures: \$2,619,162

Special Revenue Funds (11 separate funds):

- Lodging Tax Fund –
 - Bayfront Unreserved Fund Balance: \$1,402,568
 - Recreation Unreserved Fund Balance: \$962,520
 - Total lodging tax collected was \$22,000 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 2019</u>	<u>FY 2018</u>	<u>Change</u>
Solid Waste Fund	\$ -0-	\$ 2,816	\$ (2,816)
Civic Center Fund	\$ 5,518	\$27,544	\$ (22,026)
Bayfront Park Fund	\$ 14,966	\$18,472	\$ (3,506)

Mrs. Reid noted that the Solid Waste fund has not required any transfers from the General Fund this fiscal year (since October 2018).

Mrs. Reid stated that this is the last year for Sewer collections and that \$654,000 is due . Mrs. Reid continued discussing that there are only four or five land owners remaining.

5. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary. Mrs. Reid stated she had added a \$500,000 placeholder for pier extension on the report.

Mr. Scott asked about Gas Tax fund funding updates. Mayor Haygood discussed the status of recent legislation on gas tax changes and continued to relay discussions being made on allocations of gas tax collections to state, counties, and municipalities.

6. Summary of Budgetary Amendments

Mrs. Reid reviewed the General Fund budgetary amendments made to the FY2018 Budget.

- Total Appropriations Year to Date – (\$2,528,956)
- Adjusted Expenses over Revenue – (\$2,467,556)

B. Bills Paid Reports – December, 2018

The Bills Paid Report was presented in the packet.

VIII. APPROPRIATION REQUESTS: (Ordinance)**A. Nicholson Center Additional Improvements - \$50,000**

Mr. Troy Strunk reviewed the improvements made to the Nicholson Center and presented a slide show showing the improvements. Mr. Strunk discussed noted that some of the work was done to meet ADA requirements and that \$50,000

was needed to complete the required improvements. Mr. Strunk continued discussing renovations that were made and that the parking lot needs improvements to become ADA compliant. Mr. Strunk noted that the improvements have been a team effort from several City departments.

MOTION BY Mr. Rudicell to adopt an ordinance appropriating \$50,000 out of the Capital Reserve Fund for Nicholson Center improvements. Seconded by Mr. Scott.

MOTION CARRIED UNANIMOUSLY

B. Corte/Austin Road Improvements-Revised entrance to Bellaton-POA Request - \$35,522

Mr. Sasser stated that there were meetings held to discuss the Bellaton entrance revision and that \$35,522 funding is needed to make these changes. Mr. Scott noted this was a safety issue and the change was needed.

MOTION BY Mr. Scott to adopt an ordinance appropriating \$35,522 out of the Four Cent Gas Tax Fund for the Corte/Austin Road improvement – Revised Entrance to Bellaton. Seconded by Rudicell.

Abstained: Coleman / AYE: Scott, Rudicell, Goodlin, Conaway, Phillips, LeJeune

MOTION CARRIED

C. Bayfront Streetscape and Parking Underground Utilities - \$181,503

Mrs. Reid reviewed the project which includes placing all power utilities underground and lighting. Mrs. Reid noted the requested monies (\$181,503) are available from the Lodging Tax Fund. Mr. Sasser stated that this request was for power utility work only but that AT&T would be presenting a cost soon to place lines underground.

MOTION BY Mr. Rudicell to recommend to Council to adopt the Ordinance amending the budget to appropriate \$181,503 for the Bayfront Streetscape and parking underground utilities work. Seconded by Mrs. Phillips.

MOTION CARRIED UNANIMOUSLY

D. Purchase two (2) Used Bucket Trucks \$30,000

Mayor Haygood discussed that the purchase of new bucket trucks were discussed in this year's initial budget discussions and he had requested that the Grounds department research if there is a used truck market for the purchase. Mr. Strunk stated that he had reached out to Riviera and Baldwin County EMC and found that EMC did have two they were getting ready to surplus. Mr. Strunk discussed that a new bucket truck would cost approximately \$110,000 and the used trucks from EMC only cost \$26,000-28,000. Mr. Burroughs explained that EMC stated they do sell straight to municipalities for the average market cost they receive for these type trucks. Mrs. Henson noted she had spoken with the City attorney and since the trucks were two different type trucks they did not need to be bid. Discussion continued on appropriating \$30,000 to allow for any routine maintenance required to get the trucks operational for the City.

MOTION BY Mrs. Phillips to adopt an ordinance appropriating \$30,000 out of the General Fund for the purchase of two (2) used bucket trucks from Baldwin County EMC. Seconded by Mr. Coleman.

MOTION CARRIED UNANIMOUSLY

IX. OLD BUSINESS

A. Renewal of City's Annual Insurance Policy

Mrs. Reid stated that at a previous Finance Committee meeting she was asked to evaluate if it would be advantageous to increase the deductible for General Liability, Public Official Liability, and Law Enforcement Liability. Mrs. Reid stated that Robertson Insurance company was the only company to submit a proposal on all policies the City requires. Mrs. Reid stated she had reviewed the Loss Run report and since the recent trend has been more claims she would recommend the City stay with the current \$5,000 deductible. Mrs. Reid noted there is a motion to renew the policy on the Council meeting agenda for the meeting immediately following the Finance Committee meeting.

MOTION BY Mr. Scott to renew the City's annual insurance policy with John A. Robertson Insurance Agency, Inc. in the amount of \$554,515. Seconded by Mr. LeJeune.

MOTION CARRIED UNANIMOUSLY

B. Recreation Park Overall Cost Analysis Update

Mrs. Reid reviewed the Daphne Parks Overall Cost Analysis report noting the total cost to date is \$20.5 million.

X. NEW BUSINESS

A. Job Reclassifications

1. Building Maintenance

2. Building Inspection

Mayor Haygood discussed the current vacancies in the Building Maintenance department and that the pay needs to be increased \$1 - \$1.50 per hour to attract and maintain the skills needed for these positions. Mayor Haygood discussed that two new Building Maintenance employees have been hired at a lower rate but understand that he would be requesting this pay rate be increased.

B. Surplus:

1. V#1873-2003 Ford Expedition & V#94-1998 Chev S10 pickup w-London Fog Mosquito Sprayer-EQ#976

Mrs. Henson reviewed the surplus equipment that had been discussed at the last Building and Property and that if these items can be approved for surplus and sold before the City renews the new insurance policy then there will not be a premium charged for these items. Mrs. Henson explained that with the new AMIC policy for vehicles that the procedure is they do not refund for any vehicles sold during the year but also the City is not charged for new additions throughout the year. Mrs. Henson noted the change in policy procedure is the reason she was working on selling all surplus vehicles prior to the policy renewal.

2. V#100 – 1998 Chev C10 Pickup – Donation to DHS (Baldwin County Board of Educations)

Mrs. Henson discussed that Councilman Goodlin had relayed a request from the DHS Maintenance department to consider donating a truck if one became available.

MOTION BY Mr. Scott to recommend to Council to adopt the resolution to approve the following equipment for Surplus:

V#1873-2003 Ford Expedition

V#94-1998 Chev S10 pickup w-London Fog Mosquito Sprayer-EQ#976

and to authorize the Mayor to donate V#100-1998 Chev C10 Pickup to Daphne High School (Baldwin County Board of Education)

Seconded by Mr. LeJeune.

MOTION CARRIED UNANIMOUSLY

XI. ADJOURN

The meeting adjourned at 6:25 p.m.

A. Daphne Beautification Committee called to order at 10 AM. In attendance: Mimi Boxx Dist. 4, Emma Harris, Vicki Hinman, Dist. 4, Dorothy Morrison, Dist. 1, Victoria Phelps, Dist. 6, Kelli Reed, Jeremy Sasser, Betsy Schneider, Troy Strunk, Judie Swan, Dist. 4, Selena Vaughn, Dist. 3, Bob Wagner, Dist. 4, & Kara Wilbourn. Guests: Evan Reed, Angie Dennis & Fred Nation

B. November minutes approved.

C. Guest Speaker Even Reed with Goodwyn Mills & Cawood spoke on the top three invasive exotic plants in Daphne—popcorn tree, camphor tree & Chinese privet.

D. Committee Reports

Arbor Day / Selena: Arbor Day will be on March 9, 2019 8-9 Daphne residents only, 9 forward open to the public. 5th graders will participate in the state poster contest. More details to come.

Church Liaison / Judie: Passed around the list of work days in Feb/Mar/Apr & looking for more project suggestions.

E. Old Business

Judi suggested maybe a "Clean Campus" presentation in March or April for the completed school projects. Schools are sending out a donation list request.

City Improvements List / Victoria: Still developing the committee & projects list. Action is needed on replacing the poisoned oaks on 98. DBC requesting an update on the soil report & replanting schedule. Whispering Pines roundabout missing a post. VP also mentioned the possibility of adding warning signs approaching the roundabouts. Lakeview Loop median still needs attention as it is a city maintained median but is often overlooked because of location. Area in front of Home Depot & north Lake Forest entrance is improving now that we are working with Code Enforcement and LFPOA helped PW identify public ride-of-way in need of grooming. The 2019 sidewalk plan includes Windsor which has old Japanese oaks in poor condition needing removal and replacement. Also, N. Main Street/Hotel curve has been cleaned out and is in need of landscaping plan. Troy and Victoria to discuss. New crossarms at 98 and N. Main fell off the budget but Victoria thinks that through ALDOT or 404 mitigation we could get aid for the project. Kelli suggested getting Cara (grant writer) to help. Daphne Central Park needs trail access head and a replacement bridge across Tiawasee.

F. Public Works Update

Troy: Holiday preparations continue. New city and seasonal banners being installed.

G. New Business

4th Quarter Beautification Award—nominations needed. Kara to order new award signs to fit existing frames. Judi nominates The Dog Ranch on 64 for the improvements recently made. Other nominations can be emailed to Selena.

Dorothy reminded everyone of crape myrtle list of the past and agreed to look for a copy of the list. Then she asked for approval to spend her own money to attend KAB in Baltimore in January which was approved.

Mimi asked for needed lighting around restrooms on south side of Trione.

Public Participation

Angie suggested we use social media more to connect with the public. Fred thanked the committee and volunteers for their work.

Closing comments

Robert asked for the volunteers to list their hours and he will forward a report to Dawn.

Mayor Haygood joined the meeting and commented the seasonal banners were going up as we speak. ALDOT's landscaping for Exit 38 was not satisfactory and was followed by a discussion of the public contacting ALDOT with input. Victoria asked about the black mast poles for there and no firm determination was given. The Mayor reported the Montrose entrance was beginning and the entrance on Main from Montrose would be next.

Meeting adjourned 10:52
Selena Vaughn, Secretary

To: Office of the City Clerk
From: Adrienne D. Jones, 
Community Development Director
Subject: Planning Commission Minutes and Report
Date: January 28, 2019

MEMORANDUM

Attached please find a copy of the approved minutes for the City of Daphne Planning Commission regular meeting of December 20, 2018, and the report of the regular meeting of January 24, 2019 for placement on the Monday, February 4, 2019 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
01/28/19
12:20 PM

The City of Daphne
Planning Commission Minutes
Regular Meeting of December 20, 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 5:01 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

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

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development

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 November 29, 2018. There being none, minutes are approved as submitted.*

The next order of business is site plan review for 1809 Main Street.

An introductory presentation was given by Dennis Baldwin, owner, requesting site plan review of a retail/commercial business facility located northwest of Main Street and Belrose Avenue and stated staff deficiencies have been addressed by the presentation of a revision to the plans relative to drainage and access.

Chairman asked for Commission questions or comments.

Mr. Scott asked for a revision to the site plan to reflect the location of the site as Daphne rather than Fairhope.

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

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Hodgson **to approve 1809 Main Street site plan.**

An **Amendment** was made by Mr. Scott and **Seconded** by Mr. Hodgson **to approve 1809 Main Street site plan with the condition that revisions shall be approved by the Public Works Director. There was no discussion on the motion. The Motion carried unanimously.**

A vote on the main motion as amended was unanimously approved.

The next order of business is site plan review for Signs Now.

An introductory presentation was given by Steve Fisher, representative of Element³ Engineering, requesting site plan review of a commercial business facility located northeast of Stanton Road and U.S. Highway 98.

Chairman asked for Commission questions or comments and about staff comments. Mr. Fisher stated staff deficiencies have been addressed.

Chairman asked for a motion.

A Motion was made by Mr. Hodgson and Seconded by Mr. Sandefur to approve Signs Now site plan. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is final plat review for Oldfield Subdivision, Phase 4.

An introductory presentation was given by Joe Rector, representative of Mullins, L.L.C., requesting final plat review of a fifty-three lot subdivision consisting of approximately seventeen point three-nine acres located west of Oldfield Subdivision, Phase One and stated staff deficiencies have been addressed.

Chairman asked for Commission questions or comments and stated staff recommends acceptance.

Chairman asked for a motion.

A Motion was made by Mr. Prescott and Seconded by Mr. Smith to approve Oldfield Subdivision, Phase 4 final plat. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is preliminary/final plat review for Vlahos Subdivision.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry, requesting preliminary/final plat review of a two-point three-six acre parcel of a one hundred and ninety acre parcel located at the southeast corner of Vlahos and Malbis Lane. He stated that the owner wishes to carve out one-lot from the parent parcel for the purpose of development; Baldwin County staff deficiencies have been addressed, and a note regarding the subdivision of property has been added to the plat.

Chairman asked for Commission questions or comments.

Mr. Scott commented about the concerns expressed by Cliff Chatham, adjacent property owner, and proper notification for citizens of meetings. Ms. Jones responded for clarification, the notice sent out is in your packet.

The City of Daphne
Planning Commission Minutes
Regular Meeting of December 20, 2018
Council Chamber, City Hall - 5:00 P.M.

Ms. Jones stated the notice mentions the subdivision of a two-point six acre parcel from one hundred and ninety acres in District 15, Exterritorial Planning Jurisdiction, and gives the location as well.

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

A Motion was made by Mr. Hodgson and **Seconded** by Mr. Prescott **to approve Vlahos preliminary/final plat. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a rezoning request for Cynthia Pierce.

An introductory presentation was given by Cynthia Pierce, owner, requesting rezoning of a zero-point eight-nine acre parcel located southwest of Whispering Pines and Pollard Road from R-1, Low Density Single Family Residential, to R-6(G), Garden/Patio Home for the purpose of the creation of a three-lot subdivision with frontage on Pollard Road.

Chairman asked for Commission questions or comments.

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

A Motion was made by Mr. Scott and **Seconded** by Mr. Smith **to set forth a favorable recommendation to the City Council to rezone the subject property for Cynthia Pierce from R-1, Low Density Single Family Residential, to R-6(G), Garden/Patio Home. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a rezoning request for TH Tanglewood 2018, L.L.C.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry, requesting rezoning of a four-point seven four acre parcel located southeast of Whispering Pines and Caroline Avenue from R-1, Low Density Single Family Residential, to R-2, Medium Density Single Family Residential, for the purpose of the creation of a three-lot subdivision with frontage on Whispering Pines Road that is compatible with the neighborhood.

Chairman asked for Commission questions or comments.

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

A Motion was made by Mr. Hodgson and **Seconded** by Mr. Sandefur **to set forth a favorable recommendation to the City Council to rezone the subject property for TH Tanglewood 2018, L.L.C. from R-1, Low Density Single Family Residential to R-2, Medium Density Single Family Residential. There was no discussion on the motion. The Motion carried unanimously.**

The City of Daphne
Planning Commission Minutes
Regular Meeting of December 20, 2018
Council Chamber, City Hall - 5:00 P.M.

The next order of business is a request for pre-zoning and annexation for Redbarn, L.L.C.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry, requesting to table the pre-zoning amendment and annexation petition for Redbarn, L.L.C. due to allow for pending completion of the Baldwin County Board of Education redistricting of school zones.

Chairman asked for Commission questions or comments.

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

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Smith **to table the pre-zoning and annexation requests for Redbarn, L.L.C. to the regular meeting of January 24, 2019.**

During discussion on the motion, Ms. Jones stated the next meeting exceeds thirty days; the agent needs to waive the thirty-day requirement. Steve Pumphrey agreed to waive the thirty-day requirement.

The Motion carried unanimously.

The next order of business is an administrative presentation of street acceptance for Oldfield Subdivision, Phase 3A.

An introductory presentation was given by Adrienne Jones, Director of Community Development, requesting a recommendation for acceptance of the right-of-ways in Oldfield Subdivision, Phase 3A and stated all appropriate documentation has been presented.

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

A **Motion** was made by Ms. Bergin and **Seconded** by Mr. Sandefur **to set forth a favorable recommendation to Council to accept the streets in Oldfield Subdivision, Phase 3A. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is Planning Commission discussion.

Ms. Jones presented a draft of a proposed amendment of Article 9. The goal is to set standards of which a re-plat of substandard lots of record would create lots which are more in conformance and consistent with the general context with the area. The creation of the Olde Towne Daphne Residential District shall define an area west of Main Street to Mobile Bay that is affected and shall establish the border of an overlay district for substandard lots of record which do not lie within an established subdivision; it shall provide criteria of which allows the Planning Commission to grant exceptions to a subdivision re-plat with regard to minimum lot size and setbacks based on the character of an area. The exceptions shall be granted by the Planning Commission, not the Board of Zoning Adjustments and shall not require rezoning of the property.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of December 20, 2018
Council Chamber, City Hall - 5:00 P.M.**

Ms. Jones stated the criteria for an application of a subdivision re-plat of substandard lots of record to be considered for an exception it shall be: single-family residential uses, a context area of two-hundred foot, and have a minimum lot size of twelve thousand square feet.

The next order of business is public participation.

Chairman asked for public participation.

Steve Olsen, 437 Village Drive, spoke and expressed his opposition about Articles 14, and stated he is concerned that the proposed amendment to the Land Use Ordinance may go too far by granting the Planning Commission discretion to grant approval of variations to perimeters outlined in the district requirements when re-platting nonconforming lots of record; reiterated that the power to grant a variance is prescribed in state law as the sole power of the Board of Zoning Adjustment; and, the amendment does not dictate to whom an aggrieved party can file an appeal, if an application for a subdivision re-plat is denied.

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

Mr. Dungan stated no report.

The next order of business is commissioner's comments.

Merry Christmas!

The next order of business is director's comments.

Ms. Jones presented the following:

- a. City Council Actions:
 1. Public hearing held for Danny & Donna Parks Pre-zoning Amendment and Annexation, and Claymark Properties, L.L.C. Zoning Amendment, and Angie Phillips was sworn in as a City Council member were held on December 17, 2018;
- b. The upcoming meeting dates are site preview, January 16 & regular meeting, January 24, 2019.

There being no further business, the meeting was adjourned at 6:09 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: January 24, 2019


Marybeth Bergin, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF JANUARY 24, 2019
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

REPORT

1. **CALL TO ORDER:** 5:02 p.m.
2. **CALL OF ROLL:** Marybeth Bergin, Phillip Hodgson, Hudson Sandefur, Andrew Prescott, Charles Smith, Ron Scott and Chief White
3. **APPROVAL OF MINUTES:** Review of minutes for the regular meeting of December 20, 2018 (**Approved**)
4. **NEW BUSINESS:**

A. PUBLIC HEARING:

1. Regarding a proposed amendment the provisions of Land Use and Development Ordinance Article 9, District Provisions (**No public participation**)

B. SITE PLAN REVIEW:

1. **File SP19-01:** (**Approved**)

Site: **Winged Foot Commercial Site**

Zoning: ***PUD, Planned Unit Development***

Location: Northeast of Edgewood Drive and County Road 64, Lot C-1, Winged Foot Subdivision, Phase One

Area: 2.16 ± Acres

Owner: Winged Foot Development 2016, L.L.C. - Geoff Lane

Developer: 64 Commercial Holdings, L.L.C. - Nathan Cox

Agent: Dewberry - Steve Pumphrey

Engineer: Dewberry- Jason Estes

2. **File SP19-02:** (**Approved with waiver to the sidewalk requirement along U.S. Highway 98**)

Site: **Tractor Supply Company**

Zoning(s): ***B-2, General Business***

Location: Southwest of the intersection of U.S. Highway 98 and Johnson Road

Area: 8.6 ± Acres

Owner(s): HSC Johnson Road, L.L.C. – Haymes Snedeker

Engineer: Jade Consulting - Trey Jinright

C. FINAL PLAT REVIEW:

1. **BLACKSTONE LAKES SUBDIVISION, PHASE 1 AND 2:**

- a. **SDF19-01:** **Blackstone Lakes, Phase 1 & 2 (Approved final subdivision plat contingent upon satisfactory final inspection reports from Jeremy Sasser and Ashley Campbell)**

Zoning: ***PUD, Planned Unit Development***

Location: Southeast of County Road 13 and Corte Road

Area: 73.53 ± Acres, (175) lots

Owner: D.R. Horton

Agent: Dewberry - Steve Pumphrey

Engineer: Dewberry- Jason Estes

- b. **Street Acceptance-Presentation by Dewberry** (**Set forth a favorable recommendation**)

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF JANUARY 24, 2019 **REPORT**
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

for street acceptance with a condition that Jeremy Sasser sign off before sending request to Council)

2. File SDF18-08: (f/k/a La Piazza di San Francesco via del Pollard)

Subdivision: Pollard Park (Approved final subdivision plat with condition that sidewalk and landscaping issues be satisfactorily submitted to Community Development for review and approval)

Zoning(s): B-2, General Business

Location: Northwest of the intersection of County Road 64 and Pollard Road

Area: 4.90 Acres $\pm$, (9) lots

Owner: Olde Towne Daphne Developmente Inc. - Starke Irvine

Surveyor: Hutchinson, Moore & Rauch - Stuart Smith

Engineer: Hutchinson, Moore & Rauch - Robert Cummings

D. OFFICIAL ZONING AND STREET MAP:

Presentation to be given by Adrienne Jones, Director of Community Development, of a proposed amendment to Official Zoning and Street Map (Set forth a favorable recommendation to City Council for approval)

E. PLANNING COMMISSION DISCUSSION:

Regarding a proposed amendment the provisions of Land Use and Development Ordinance Article 9, District Provisions (Set forth a favorable recommendation to City Council for approval)

5. **PUBLIC PARTICIPATION:** Comments expressed regarding drainage concerns of Bellaton Subdivision due to the development of Blackstone Subdivision, Phase One and Two (see minutes for details).

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

7. **COMMISSIONER'S COMMENTS:** Phillip Hodgson requested a revised memorandum from the Public Works Director and Environmental Programs Manager prior to meetings. Charles Smith commented that his term on the Commission has expired.

8. **DIRECTOR'S COMMENTS:**

Ms. Jones presented the following:

- a. Thanked Charles Smith for his service.
- b. Due to the lack of a quorum, there will not be a February Planning Commission meeting.

9. **ADJOURNMENT:** 6:37 p.m.



City of Daphne Event Permit Application

Date of Application: 01-22-19 Permit Requested: ☒ Event/Fundraiser ☐ Parade/Run ☒ Band

Contact Information

Organization Name: Mystic Order of Gators

Contact Name: Mary Day Lantaff E-mail Address: mdlantaff@yahoo.com

Address: 122 Lake Front Drive Daphne, Al 36526

Street / P.O. Box

City/State/Zip Code

Primary Phone Number: (251) 454-5229

Secondary: _____

Event Information

Event Name: MOG Balcony Parade Fundraiser for USACW Event Date: March 2

Event Location: 122 Lake Front Dr. Daphne, Al 36526 # Participants/Vehicles: Parking @ LFCC

Start Time: 12:30pm Stop Time: 4:30pm Assembly Time: 12:30 pm

Parades/Runs Only

Special Requests: Band/DJ Permit for annual Balcony Parade Fundraiser for USA Children's & Women's Hospital

Road Closures Requested: ☐ Yes ☒ No

Special Instructions

Approval: Internal Use Only

Date Routed: 1/23/19

Fire Dept: [Signature]

Police Dept: [Signature]

Public Works: [Signature]

Parks & Recreation: _____

Only required if event interrupts traffic near Daphne parks

For Special Event/Band Permits:

Council Member: _____
District # Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____

Date of Approval

Parade/Run Permits ONLY

☐ Fee Paid: \$ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4



City of Daphne Event Permit Application

Date of Application: January 22 2019 Permit Requested: ☐ Event/Fundraiser ☐ Parade/Run ☒ Band

Contact Information

Organization Name: Private party

Contact Name: Marvin Ussery E-mail Address: musser@bellsouth.net

Address: 6475 War Eagle Drive Daphne AL 36526

Primary Phone Number: 251-751-6001 Secondary: _____

Event Information

Event Name: Private party Event Date: February 22 2019

Event Location: Same as above # Participants/Vehicles: 75/30

Start Time: 7:00 PM Stop Time: 11:00 PM Assembly Time: _____

Special Requests: _____

Road Closures Requested: ☐ Yes ☒ No

Special Instructions

Approval: Internal Use Only

Date Routed: 1/23/19

Fire Dept: [Signature]

Police Dept: [Signature]

Public Works: [Signature]

Parks & Recreation: _____

Only required if event interrupts traffic near Daphne parks

For Special Event/Band Permits:

Council Member: _____

District #

Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____

Date of Approval

Parade/Run Permits ONLY

☐ Fee Paid: \$ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4



City of Daphne Event Permit Application

Date of Application 1-23-19 Permit Requested: ☒ Event/Fundraiser ☒ Parade/Run ☐ Other

Contact Information

Organization Name: Buckaroo Foundation/Wright Transportation
Contact Name: Bradley Williams E-mail Address: Bradley@wrighttrans.com
Address: 2333 Dauphin Island Pkwy Mobile, AL 36605
Primary Phone Number: 251-680 3102 Secondary: 251-300-6144

Event Information

Event Name: Buckaroo Stampede Event Date: Aug 10, 2019
Event Location: Certified 5K Route #3 # Participants/Vehicles: 150/120
Start Time: 0700 Stop Time: 1300 Assembly Time: 0700
Special Requests: We would like to organize a 5K/Fun Run that will held on your certified 5K Route 3 Road Closures Requested: ☒ Yes ☐ No

Special Instructions

Approval: Internal Use Only

Date Routed: 1/28/19
File Dept: [Signature]
Police Dept: [Signature]
Public Works: [Signature]
Parks & Recreation: [Signature]

☐ Use of Alcohol

For Special Event/Band Permits:

City Clerk: _____

For Parade/Run Permits & Use of City Grounds:

City Council: _____

Parade/Run Permits ONLY

☐ Fee Paid \$ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4



City of Daphne Event Permit Application

Date of Application: January 26, 2019 Permit Requested: ☒ Event Function ☐ Street Closure ☐ Band

Contact Information

Organization Name: Bayside Medical Missions

Contact Name: Flor Fellers

E-mail Address: flortellers@gmail.com

Address: PO Drawer 949 Fairhope AL 36533

Primary Phone Number: 251 928 4248

Secondary: 251 928 1929

Event Information

Event Name: Jubilee Race for Life 5K & 1-Mile Fun Run Event Date: September 21, 2019

Event Location: Christ the King Ball Field

Participants: 300 Vehicles: 50

Start Time: 8 a.m.

Stop Time: 2 p.m.

Assembly Time: 5:45 a.m.

Special Requests: 5K starts at 8 a.m. finishes @ 9 a.m. One-Mile follows 9 to 10. We will then have refresh. & awards. Usually leave site around 1 p.m.

Road Closures Requested: ☒ Yes ☐ No

Special Instructions

Approval Internal Use Only

Date Routed: 1/23/19

Fire Chief: Gary Schultz

Police Dept: Dan Carpenter

Public Works: [Signature]

Parks & Recreation: [Signature]

For Special Event/Band Permits

Events Requiring Street Closures ONLY

Council Member: [Signature]

☐ Fee Paid: \$

☐ N/A ☐ Waived

For Street Closure Permits & Use of City Grounds

☐ Insurance Filed

☐ Waived by Council

City Council:

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4

To: Office of the City Clerk

From: Adrienne D. Jones, 
Community Development Director

Subject: Proposed Amendments to Ordinance 2011-54, Land Use and Development Ordinance, Article IX, Section 9-6, Lots of Record

Date: January 28, 2019

MEMORANDUM

At the January 25, 2019, regular meeting of the City of Daphne Planning Commission, seven members were present. The motion carried for a unanimous **favorable recommendation** for the above-mentioned revision to the Land Use and Development Ordinance.

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

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

Thank you,
ADJ/jv

attachment(s)

cc: file

FILE
01/28/19
12:20 pm 28

ARTICLE IX DISTRICT PROVISIONS

Except as hereinafter provided, the following shall generally apply:

9-1 RULES FOR DETERMINING BOUNDARIES

Where uncertainty exists with respect to the boundaries of any of the districts as shown on the official Zoning District Map, the following rules shall apply:

- (a) Unless otherwise indicated, the zoning district boundary lines shall be construed to follow property lines, land lot lines, center lines of streets, highways, alleys, shorelines of streams, reservoirs, other bodies of water, or civil boundaries.
- (b) Where zoning district boundaries are approximately parallel to the center lines of streets, highways, railroads, streams, reservoirs, bodies of water, or lines extended such zoning district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the official Zoning District Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the official Zoning District Map.
- (c) Where zoning district boundary lines appear on the official Zoning District Map and it divides a lot which is in single ownership at the time of this enactment of this Ordinance, the use classification of the larger(est) portion may be extended to the remainder by the Planning Commission without recourse to amendment procedure.
- (d) Where a public road, right-of-way, street, or alley is officially vacated or abandoned, the regulations applicable to the property to which it is reverted shall apply to such vacated or abandoned public road, right-of-way, street, or alley.
- (e) In case the exact location of a zoning district boundary line cannot be determined by the foregoing methods, the Board of Zoning Adjustment shall upon application determine the location of the line.

9-2 NONCONFORMANCE

It is the intent of this section to recognize the elimination of existing buildings and structures or uses that are not in conformance with the provisions of this Ordinance in as much as it is a subject of health, safety, and general welfare and for the prevention of the establishment of new uses which would violate said provisions. It is also the intent of this Ordinance to administer the elimination of nonconforming uses, buildings, and structures so as to avoid any unreasonable

invasion of established private property rights.

Any structure or use of land existing at the time of the enactment of this Ordinance and amendments thereto and not in conformance with its use regulations and provisions may be continued subject to the following provisions:

(a) **Unsafe Structures:**

Any structure or portion thereof declared unsafe by any authority may be restored to a safe condition provided the restoration is in compliance with requirements of this section.

(b) **Alterations:**

Any change in a nonconforming building site or yard area is subject to the following:

- (1) No nonconforming building can be structurally altered, except for repairs or the installation of plumbing fixtures required by law; the changing or interior partitions; interior remodeling, cannot be substantially added to moved or extended in anyway unless the addition meets the provisions of this Ordinance.
- (2) Should a nonconforming building be moved, all nonconforming yard areas shall be eliminated.
- (3) A nonconforming use of land shall be restricted to the lot occupied by such use as of the effective date of this Ordinance. A nonconforming use of a building or buildings shall not be extended to include either additional buildings or land subsequent to the enactment of this Ordinance.
- (4) A nonconforming building, structure, or improvement which is hereafter damaged or destroyed to an extent exceeding fifty percent (50%) of the reasonable estimated replacement cost of the structure, building or improvement may not be reconstructed or restored to the same nonconforming use, except upon the approval of the Board of Zoning Adjustment. Such damaged or destroyed structures that are no longer in use shall be removed and the site cleared at the owner's expense.

(c) Change in Use:

A nonconforming use which is changed to a conforming use shall not be permitted to revert to the original or a less restrictive use.

(d) Discontinuance:

A nonconforming use which became such upon the adoption of this Ordinance and which has been discontinued for a continuous period of one (1) year shall not be reestablished and any future use shall be in conformity with the provisions of this Ordinance.

(e) Adjacent Land:

The presence of a nonconforming use in a zoning district shall not be legal grounds for the granting of variances for other surrounding properties by the Board of Zoning Adjustment.

9-3 BLOCKS

Blocks shall be arranged to assure maximum use of the topographic features of the land and shall not be less than four hundred (400) feet nor more than twelve hundred (1200) feet in length, except as the Planning Commission considers necessary to secure efficient use of land or desired features of a street pattern. In blocks more than eight hundred (800) feet in length, the Planning Commission may require one or more public crosswalks of not less than ten (10) feet in width to extend entirely across the block at locations deemed necessary.

Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets, limited access highways, railroads, or where prevented by topographical conditions or size of the property, in which case the Planning Commission will approve a single tier of lots of minimum depth.

9-4 LOTS

The size, shape, and orientation of lots shall be such as the Planning Commission deems appropriate for the type of development, use contemplated, and shall be properly related to the topography of the land and character of the surrounding development. Insofar as practical, side lot lines shall be at a right angle to straight street lines or radial to curved street lines.

Residential lots served by central water and sewerage systems shall not be less than fifty (50) feet wide at the building setback line nor less than five thousand (5,000) square feet in area, provided they comply with the requirements of the zoning district in which the development is to occur.

Residential lots with central water supply, but not served by a central sewerage system shall not be less than ninety (90) feet wide at the building setback line nor less than fifteen thousand (15,000) square feet in area; provided, however, greater area may be required by the Planning Commission if it is indicated by data from percolation tests or determined by the Baldwin County Health Department.

Residential lots served by an individual source of water supply and an individual sewage disposal system shall be not less than one hundred (100) feet wide at the building setback line nor less than twenty thousand (20,000) square feet in area as required by the Baldwin County Health Department after investigation of soil conditions, proposed sewerage system, and depth of ground water.

9-5 FLAG LOTS

A flag lot is a lot with two distinct parts: 1. the flag, which is the only building site; and is located behind another lot; and 2. the staff, which connects the flag to the street; provides the only street frontage for the lot; and at any point is less than the minimum lot width for the zone.

These regulations allow for the creation of flag lots in limited circumstances. The limitations are intended to minimize the negative impacts of flag lots and additional driveways on an area while allowing land to be divided when other options are not achievable.

A residential subdivision shall not consist of more than two (2) flag lots and shall comply with the following criteria:

- (a) Shall have access to a public street or right-of-way by means of an ingress/egress easement thirty (30) feet in width. The staff must be part of the flag lot, connect to a street and be under the same ownership as the flag portion of the lot. Access easements to allow for use of the staff by another lot may be required. The "staff" shall be an all weather driving surface with adequate drainage and properly maintained. "All weather surface" means asphalt, concrete, gravel, or road base. Shared access for up to two lots may be allowed with a recorded easement for all property owners. The staff portion of the flag lot shall not be longer than two hundred fifty (250) feet. Any exemption to these provisions may be granted by the Planning Commission upon request.
- (b) The minimum lot area shall be compatible with the minimum square footage as required by the zoning district in which the development is to occur. The staff shall not be a part of the required lot or parcel area and shall provide frontage on a public street or right-of-way.

- (c) The setbacks shall be compatible with the minimum setback requirements of the zoning district in which the development is to occur.
- (d) The front setback shall be measured from the projected lot line of the principle lot parallel to the thirty (30) foot ingress/egress easement.
- (e) The rear and side setbacks shall be measured from the property line.
- (f) Said subdivision shall include up to four lots. Any further subdivision of the property shall require the thirty (30) foot ingress/egress easements to become a dedicated right-of-way for the purpose of the developer, subdivider, or owner to construct a street in accordance with the specifications and requirements provided herein and to provide all minimum improvements for a subdivision.
- (g) Any subdivision with more than four residential or commercial lots shall be subject to *Article 17, Subdivision Regulations*.
- (h) The record plat of any flag lot subdivision shall show that the staff, i.e., access from the dedicated public street to the property, is a dedicated ingress/egress easement; is not a city street; and will not be maintained by City of Daphne.

9-6 LOTS OF RECORD

(1) General

Where the owner of a lot of record or his successor to the title thereto does not own sufficient land to enable him to conform to the dimensional requirements of this Ordinance, the following exceptions may be allowed:

- (a) Where a lot, tract, or parcel of land has an area or width which does not conform to the requirements of the district in which it is located, said lot may be used for a single family dwelling in any residential district, provided the lot to be used has a minimum area of four thousand (4,000) square feet and a minimum lot width at the building line of forty (40) feet and is connected to public sewer. In Commercial/Industrial Districts, uses compatible with the district may be allowed by the Planning Commission.
- (b) When two or more adjoining lots with a continuous frontage are in a single ownership at the time of the application, and such lots have a frontage or lot area less than is required by the zoning district in which they are located, such lots shall be platted or reparcelled to create one or more lots which conform to the minimum frontage and area requirements of the zoning district.

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Notwithstanding the foregoing paragraph, when two or more adjoining lots with a contiguous frontage are in a single ownership at the time of application, and such lots have a frontage or lot area less than is required by the zoning district in which they are located, such lots may be platted or reparcelled to create fewer total nonconforming lots so long as each resulting lot is closer to conforming with the dimensional requirements of this Ordinance than it was before being replatted or reparcelled.

No lot or parcel, even though it may consist of one or more adjacent lots of record, shall be reduced in size so the lot width, depth, front, side, rear yard, inner or outer courts, or lot area or other requirements of this Ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for public use.

- (c) Buildings or structures located on substandard lots of record may be improved only when the addition of adequate plumbing is required by the laws and ordinances of the City of Daphne.

(2) Single Family Residential Lots, Parcels and Land in the Olde Towne Area

The Olde Towne Daphne area represents the area of original colonization of the Daphne community. As such, the area represents unique, historical character. This uniqueness and charm is demonstrated by the subdivisions of land in Olde Towne area since the city's formal incorporation in 1927. The subdivision of land in Olde Towne Daphne has resulted in unique lot sizes, configuration and a lack of uniformity within the Olde Towne residential areas.

Upon the City's establishment of zoning in 1987, the residential area within what is now known as the Olde Towne residential area was blanket zoned R-1 and R-2. In an effort to provide relief from city-wide setback standards that were not created with the uniqueness of existing Olde Towne area lots in mind, the provisions of this section shall apply to vacant, undeveloped, existing lots of record and parcels of land located within or west of the Olde Towne Daphne District zoned R-1, R-2, or R-3.

- a) Residential lots or parcels which are between 5,000 and 7,500 square feet in area

Maximum Building Coverage shall be thirty-eight percent (38%)

Minimum Building Setbacks shall be as follows:

Front and Rear = 25 feet

Interior Side = 6 feet

Corner Side = 20 feet

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- b) Residential lots or parcels which are between 7,501 and 12,000 square feet in area

Maximum Building Coverage shall be thirty-eight percent (38%)

Minimum Building Setback shall be as follows:

Front and Rear = 30 feet

Interior Side = 10 feet

Corner Side = 20 feet

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- c) In an effort to encourage a sense of community, the city shall allow the construction of covered open air front porches. Said open air porch may encroach into the front yard setback, however this encroachment shall not exceed five feet.

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Where the owner of a lot of record or his successor to the title thereto does not own sufficient land to enable him to conform to the dimensional requirements of this Ordinance, the following exceptions may be allowed:

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- (a) Where a lot, tract, or parcel of land has an area or width which does not conform to the requirements of the district in which it is located, said lot may be used for a single family dwelling in any residential district, provided the lot to be used has a minimum area of four thousand (4,000) square feet and a minimum lot width at the building line of forty (40) feet and is connected to public sewer. In Commercial/Industrial Districts, uses compatible with the district may be allowed by the Planning Commission.

- (b) When two or more adjoining lots with a continuous frontage are in a single ownership at the time of the application, and such lots have a frontage or lot area less than is required by the zoning district in which they are located, such lots shall be platted or re-parcelled to create one or more lots which conform to the minimum frontage and area requirements of the zoning district.

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No lot or parcel, even though it may consist of one or more adjacent lots of record, shall be reduced in size so the lot width, depth, front, side, rear yard, inner or outer courts, or lot area or other requirements of this Ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for public use.

- (c) Buildings or structures located on substandard lots of record may be improved only when the addition of adequate plumbing is required by the laws and ordinances of the City of Daphne.

9-7 SUBSTANDARD LOTS OF RECORD

Yard requirements shall be modified subject to the following conditions:

- (a) On double frontage lots, the required front yard shall be provided on each public street or right-of-way.
- (b) An unroofed porch shall not project into a required front yard for a distance exceeding five (5) feet.
- (c) The side yard requirements for substandard lots of record may be reduced for each side yard at the rate of one (1) foot for each four (4) feet by which the lot width lacks fifty (50) feet, provided in no event shall such side yard be reduced to less than five (5) feet on each side.
- (d) The setback requirements for side yards and/or front yards on corner lots or lots of record where setbacks have not been established shall not apply to any lot where the average setback on residentially developed lots located, wholly, or in part two hundred (200) feet on each side of the such lot and within the same block, zoning district, and fronting on the same streets if such lot is less than the minimum required setback. In such cases, the setback on such lot may be less than the required setback, but not less than the average of the setbacks of the existing developed lots.

9-8 FARM LAND

Other provisions of this Ordinance notwithstanding, any tracts of farm land under cultivation, pasture land, or timberland presently being used for such purposes, consisting of at five (5) acres or more in size, may continue to be used for such purposes regardless of the zoning district in which it lies.

9-9 YARDS

No part of a yard or other open space required for any building for the purpose of complying with the provisions of this Ordinance shall be included as part of a yard or open space similarly required for another building. Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, cornices, buttresses, ornamental features, chimneys, flues, and eaves, provided such projections shall not extend more than two (2) feet beyond the yard area requirements.

9-10 ONE PRINCIPAL BUILDING PER LOT

Every residential building, hotels, motels, condominiums, single family and multi-family dwellings, and duplexes hereafter erected or moved shall be located on a lot and in no case shall there be more than one (1) principal residential building on a lot except as follows:

- (a) In any district where multi-family structures, motels, hotels, or two (2) or more residential structures may be permitted on a lot provided no building shall be located closer to another building on the same lot than a distance equal to half the sum of the heights of both buildings.
- (b) In Flood Hazard areas identified on the National Flood Insurance Rate Maps, the height of a building shall be measured from the floor level of the first habitable story for purposes of this section. In addition, the front or rear of any building may be no closer to the front or rear of any other building than forty (40) feet. The side of any building shall be no closer to the side, front, or rear of any other building than thirty (30) feet.

9-11 ACCESSORY USES

- (a) General:

Any use may be established as an accessory use to any permitted principal use in any district provided:

- (1) Is customarily incidental to and is maintained and operated as a part of the principal use.
- (2) Is not hazardous to and does not impair the use or enjoyment of nearby property in a greater degree than the principal use with which it is associated.

- (3) Does not create levels of noise, odors, vibration and lighting, or degrees of traffic congestion, dust or pollutants, in a greater amount than customarily created by principal use.

(b) Satellite Receiving Dishes:

Satellite receiving dishes are permitted accessory uses in any district, provided they comply with the setback, height, and other standards provided herein. In any district, the dish shall be located to the rear of the front building line and must be set back ten (10) feet from any interior or rear lot line.

Special setbacks indicated herein apply on corner lots. The dish together with the principal and accessory building may not exceed the maximum lot coverage permitted in the district in which it is located. In residential districts where the antenna is detached from the main building, its maximum height may not exceed fifteen (15) feet. When roof mounted, it must conform to the zoning district's height requirements and its installation must be checked for safety by the Building Official. Installation and construction must also comply with the building code. No form of advertising or identification is allowed on the dish or framework other than manufacturers' small identification plates.

(c) Radio and TV Antennas:

Private radio and TV antennas for individual homes or for amateur uses are permitted as accessory structures in any district and may be placed on roofs or in rear or side yards so they do not occupy more than fifty percent (50%) of said yard, nor come closer than five (5) feet to any right-of-way or property line. Antennas in excess of the normal height limitations for the zoning district in which they are located are subject to approval and permitting by the Building Official.

Said permit shall include a clause which shall indemnify, hold harmless, and protect the City of Daphne against any and all liabilities which may result from the erection and use of such radio and TV antennas.

Antennas must be properly constructed in compliance with the requirements of the Federal Communications Commission (FCC), the American Radio Relay League, Inc. (ARRL), or equivalent standards and good engineering practices as determined by the Building Official.

(d) Fall-Out Shelters:

Fall-out shelters are permissible as principal or accessory structures in any zoning district, subject to the following conditions:

- (1) If any portion of the structure extends above the ground, the portion above the ground must comply with the yard and lot coverage requirements of the zoning district in which it is located. The plot plan for such shelter shall be approved by the Building Official.
- (2) If the structure is completely underground, it need not comply with yard requirements or percentage of lot coverage requirements.
- (3) A fall-out shelter, underground or above ground, shall be confined to a side or rear yard and shall not be located in the front yard between the main building and the street on which it fronts.
- (4) Fall-out shelters may contain or be contained in other structures or may be constructed separately.

9-12 ACCESSORY STRUCTURE

Where an accessory structure is attached to the main building, a substantial part of one wall of the accessory structure shall be an integral part of the main building or such accessory structure shall be attached to the main building in a substantial manner by a roof, and therefore, such requirements applicable to the main building shall apply. The lot shall be large enough to accommodate the principal building and the accessory building or building(s) and meet the yard and other district requirements as otherwise provided herein. The principal building and accessory structure must comply with the requirements applicable to the maximum building coverage specified in this Ordinance.

In residential districts, a detached accessory structure shall conform to the following requirements:

- (a) Shall not be located on a lot by itself, nor be located or extend into the front yard.
- (b) Shall not be constructed to exceed more than one (1) story or fifteen (15) feet mean roof height unless such building sits within the primary residence building setback lines, and shall not exceed more than thirty (30%) percent of the rear yard.
- (c) Shall not be closer than five (5) feet to the main building.
- (d) Shall maintain a side yard setback of not less than five (5) feet.
- (e) Shall maintain a rear yard setback of not less than five (5) feet.

- (f) There shall be one (1) power meter to service both the primary residence and the accessory structure. A second power meter may be allowed with the approval of the Building Official in conditions of extreme hardship due to distance or access. The decision of the Building Official may be appealed to the Board of Zoning Adjustment in accordance with provisions established herein.
- (g) Prefabricated accessory structures are intended of storage. Any and all prefabricated accessory structures shall conform to the following requirements:
 - (1) Shall be no more than eighteen feet (18 ft.) in length;
 - (2) Shall not be used as a habitable unit;
 - (3) Shall not be served by heat or sanitary plumbing;
 - (4) Does not need to be placed on a permanent foundation; and,
 - (5) Shall be no more than two hundred and twenty square feet (220 sq. ft.) in area. *Revised 01/22/13 per Ordinance 2013-03*

9-13 ACCESS TO PUBLIC STREETS

Access to public streets shall be maintained in accordance with the following requirements:

- (a) Each principal use shall be placed on a lot or parcel which provides frontage on a public street having a right-of-way of not less than fifty (50) feet, except where existing public right-of-way is less than fifty (50) feet.

9-14 SINGLE FAMILY DWELLING

Single Family - a detached building designed for and occupied by one family as a home, with cooking and housekeeping facilities which meets or exceeds the following standards:

- (a) The home has a length not to exceed four (4) times its width, with the length measured along the longest axis and the width measured at the narrowest part of the other axis with the minimum width of not less than twenty (20) feet.

- (b) The roof shall have a minimum 3:12 (three to twelve) roof pitch and shall have a surface of wood shakes, asphalt composition, wood shingles, concrete, fiberglass or metal tiles, slate, or built up gravel materials. All roof structures shall provide an eave projection of not less than six (6) inches.
- (c) The exterior siding materials shall consist of wood, masonry, concrete, stucco, masonite, metal, brick, or vinyl lap or other materials of like appearance.
- (d) The electric meter must be attached to the structure.
- (e) Taxed as real property.

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2019-07**

**Retaining Officers and Employees
City Judge**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, IN
THE STATE OF ALABAMA:**

SECTION 1: That Michael Hoyt is appointed to continue as City Judge for a two (2) year term, effective February 2019 – February 2021, for the City of Daphne upon the basis of compensation heretofore existing.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
DAPHNE, ALABAMA on this ____ day of _____, 2019.**

Dane Haygood, Mayor

ATTEST:

Candace Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2019 - 08**

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

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

WHEREAS, the items listed below are recommended for disposal.

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

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

DEPT	DESCRIPTION	VIN/SN
GROUNDS-V#94	1998 CHEV S10 PU w-LONDON FOG SPRAYER EQ#976	1GCCS14X3W8134998
IT-V#1873	2003 FORD EXPEDITION	1FMRU15W13LB71031

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

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2019

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2019 - 09**

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

WHEREAS, the Management of the City of Daphne have determined that the item listed below is no longer required for public or municipal purposes; and

WHEREAS, the item listed below is recommended for disposal.

WHEREAS, Baldwin County Board of Education/Daphne High School provide a quality education to the City of Daphne students.

WHEREAS, the City of Daphne supports the efforts of Daphne High School; and

WHEREAS, the City of Daphne has determined that Daphne High School could utilize this vehicle for daily operations; and

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

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

DEPT	DESCRIPTION	VIN/SN
IT - V#100	1998 CHEV C10 PU	2GCEC19R2W1216062

2. The Mayor is authorized to donate the such personal property to Baldwin County Board of Education / Daphne High School; and
3. The Mayor is further authorized to sell such personal property through Govdeals.com to the highest bidder and deposit any and all proceeds to the appropriate City Fund if for any reason the donation is not needed and sign all necessary documents.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2019

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

CITY OF DAPHNE, ALABAMA
ORDINANCE 2019-04
ADDITIONAL APPROPRIATION: CORTE/AUSTIN ROAD IMPROVEMENTS PHASE 1 –
REDESIGN OF THE BELLATON ENTRANCE

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

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

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

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

WHEREAS, The Corte/Austin Road Improvements Phase 1 and 2 bids have been received and staff has reviewed the bids and determined that the low bid of Phase 1-\$834,627.05 and Phase 2-\$351,919.95 were reasonable; and

WHEREAS, total project cost for Phase 1 and 2 is \$1,362,711 (\$1,186,547 + *Engineering fees (CE&I)*-\$176,164) with \$400,000 funding available from the Four and Seven Cent Gas Tax Funds and \$200,000 being provided by the Baldwin County Commission as approved in the FY2018 Budget; and

WHEREAS, The City of Daphne appropriated \$58,500 in Ordinance 2017-16 for survey, design and ROW mapping for services provided by Dewberry Engineers Inc. and \$5,800 in Ordinance 2017-72 for Geotechnical Material Testing, \$405,000 in Ordinance 2018-32 for Right of Way Acquisition costs, and 762,711 in Ordinance 2018-39 for additional construction costs; however additional funding is needed for improvements to the project for the redesign of the Bellaton Entrance as requested by the Property Owner's Association.

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

1. Funds in the amount of \$35,522 from the Four Cent Gas Tax Fund are appropriated and made a part of the Fiscal Year 2019 budget for the construction cost for the Corte Road Improvements – Phase 1 - Redesign of the Bellaton Entrance.
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 _____, 2019.

Dane Haygood, Mayor

Attest:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2019-05**

ADDITIONAL APPROPRIATION: NICHOLSON CENTER IMPROVEMENTS

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

WHEREAS, Ordinance 2017-77 approved \$160,000 in funds for the renovation and improvements at the Nicholson Center; and

WHEREAS, an additional appropriation is needed to complete the renovations at the Nicholson Center.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that monies from the **Capital Reserve Fund** in the amount of **\$50,000** are hereby appropriated for the above-stated purpose and made a part of the Fiscal Year 2019 Budget.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2019.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2019-06
APPROPRIATION FOR BAYFRONT STREETSCAPE AND PARKING:
UNDERGROUND UTILITIES**

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

WHEREAS, Ordinance 2012-48 sets forth an allocation of Lodging Tax proceeds that may be used for Bayfront grounds/property improvements; and

WHEREAS, the Bayfront Streetscape and Parking Improvement project meets such criteria; and

WHEREAS, monies were appropriated in Ordinance 2018-03 for the engineering services and letting of the bid and cost estimates have been received by the engineer for the installation of underground utilities for this project in the amount of \$121,406.58 for power relocation and \$60,096 for the light installation.

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

1. The Fiscal Year 2019 Budget is hereby amended to include an additional appropriation in the amount of **\$181,503** from the **Lodging Tax Fund** for the relocation and installation of new underground utilities for the Bayfront Streetscape and Parking project.
2. The Mayor is hereby authorized to execute all documents associated with the described project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this ____ day of _____, 2019.

Dane Haygood, Mayor

Attest:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2019-07**

APPROPRIATION: PURCHASE OF TWO (2) USED BUCKET TRUCKS

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

WHEREAS, the Grounds Department is in need of additional Bucket Trucks for daily operations; and

WHEREAS, two (2) used bucket trucks have been located and are available for sale.

WHEREAS, an additional appropriation is needed to purchase the two (2) used bucket trucks and required initial routine maintenance and to get the trucks equipped for City operations.

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

- 1) Funds in the amount of **\$30,000** from the **General Fund** are hereby appropriated and made a part of the Fiscal Year 2019 Budget for the purchase of the two (2) used Bucket Trucks and required initial cost to equip the trucks.
- 2) The Mayor is hereby authorized to execute any and all documents required for the purchase of the two (2) used bucket trucks.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2019.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk